

**REPORT
OF THE
UNITED NATIONS COUNCIL
FOR NAMIBIA**

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-SEVENTH SESSION

SUPPLEMENT No. 24 (A/37/24)



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New York, 1983

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The present volume contains the final text of the report of the United Nations Council for Namibia, which was originally issued in mimeograph form as documents A/37/24 (Part I) of 1 December 1982 and A/37/24 (Part II) of 11 December 1982.

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ABBREVIATIONS

ANC	African National Congress of South Africa
EEC	European Economic Community
ECA	Economic Commission for Africa
FAO	Food and Agriculture Organization of the United Nations
IAEA	International Atomic Energy Agency
ICAO	International Civil Aviation Organization
ILO	International Labour Organisation
IMO	International Maritime Organization
ITU	International Telecommunication Union
NATO	North Atlantic Treaty Organization
OAU	Organization of African Unity
OECD	Organisation for Economic Co-operation and Development
PAC	Pan Africanist Congress of Azania
PLAN	People's Liberation Army of Namibia
PLO	Palestine Liberation Organization
SWAPO	South West Africa People's Organization
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNTAG	United Nations Transition Assistance Group
WFP	World Food Programme
WHO	World Health Organization
WMO	World Meteorological Organization

LETTER OF TRANSMITTAL

23 November 1982

Sir,

I have the honour to transmit herewith the seventeenth report of the United Nations Council for Namibia, pursuant to section V of General Assembly resolution 2248 (S-V). This report covers the period from 1 September 1981 to 31 August 1982.

In the discharge of its responsibilities as the legal Administering Authority for Namibia until independence and as a major policy-making organ of the United Nations, the Council during the period under review intensified its activities with a view to mobilizing concerted international action to seek an early end to South Africa's illegal occupation of Namibia. In this connection, it is significant to point out that the Council held its extraordinary plenary meetings at Arusha, United Republic of Tanzania, from 10 to 14 May 1982 and adopted a Declaration and Programme of Action on Namibia. The Council also held a Seminar on the Military Situation in and relating to Namibia at Vienna from 8 to 11 June 1982.

The Council recalls that 16 years have elapsed since the General Assembly adopted resolution 2145 (XXI) terminating South Africa's mandate for the administration of Namibia and that the Council, since its creation in 1967, has spared no effort to fulfil the mandate entrusted to it by the General Assembly. In this respect, the Council has firmly supported the people of Namibia and the South West Africa People's Organization, their sole and authentic representative, in their struggle to achieve self-determination, freedom and national independence in a united Namibia.

The Council is convinced that the illegal presence of South Africa in Namibia cannot be tolerated and that South Africa's continued illegal occupation of the Territory, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policy of apartheid and its development of nuclear weapons constitute a serious threat to international peace and security. In this respect the Council expresses its concern at the continued collaboration by certain Western States with South Africa, which facilitates the continuation of that occupation. The Council firmly believes that the United Nations should continue to exert every effort to bring an end to South Africa's illegal occupation of Namibia, as called for in numerous United Nations resolutions. It further believes that South Africa must be made to comply with the United Nations plan for Namibia embodied in Security Council resolutions 385 (1976) and 435 (1978) without prevarication, dilution or any further delay.

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

The Council once again reiterates its view that it is incumbent upon the Security Council to impose comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations in order to compel it to withdraw from Namibia, thus enabling the long-suffering people of that Territory to enjoy the self-determination, freedom and independence to which they are justly entitled.

In accordance with the terms of resolution 2248 (S-V), I have the honour to request that the report be distributed as a document of the General Assembly at its thirty-seventh session.

Accept, Sir, the assurances of my highest consideration.

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

INTRODUCTION

1. It is now 16 years since the General Assembly adopted resolution 2145 (XXI) of 27 October 1966, by which it terminated South Africa's mandate for the administration of Namibia and placed the Territory under the direct responsibility of the United Nations in order to enable its people to exercise their right to self-determination and to achieve genuine national independence. Soon thereafter, by resolution 2248 (S-V) of 19 May 1967, the Assembly established the United Nations Council for Namibia to administer the Territory pending its achievement of independence and to defend the rights and interests of the Namibian people. Since that time, however, the racist régime in Pretoria, acting in defiance of numerous United Nations decisions and resolutions, has refused to relinquish its illegal occupation of Namibia.

2. Since its creation, the Council has spared no effort to fulfil the mandate entrusted to it by the General Assembly. The Council has persistently mobilized international support for measures aimed at securing the withdrawal of the illegal South African administration from Namibia in accordance with the relevant United Nations resolutions. The Council has also taken measures to counter repression and brutality by South Africa against the Namibian people and has denounced and rejected all the manoeuvres through which the intransigent South African régime has attempted to perpetuate its illegal occupation of the Territory.

3. In discharging the responsibilities entrusted to it by the General Assembly, the Council has formulated its programme of work in close consultation with SWAPO, which has been recognized by the General Assembly as the sole and authentic representative of the Namibian people and whose outstanding military, political and diplomatic achievements in the liberation struggle, as well as whose statesmanship, have been widely acknowledged and commended by the international community.

4. South Africa's obstinate refusal to recognize the legitimate demands of both the Namibian people themselves and the United Nations for its immediate and unconditional withdrawal from the Territory has compelled the Namibian patriots to take up arms against Pretoria's continued state terrorism and aggression in order to attain freedom and genuine independence.

5. Some 36 years have elapsed since the General Assembly first took up the question of Namibia in order to thwart South Africa's sinister plan to annex the Territory. During the past 20 years, notwithstanding intensive diplomatic activity on the Namibian problem, the racist régime has persisted in extending its obnoxious apartheid and bantustan policies to Namibia. Since the termination of South Africa's mandate, the Security Council and the General Assembly have adopted numerous resolutions and decisions intended to put an end to South Africa's illegal and colonial domination of Namibia. The illegality of South Africa's presence in Namibia was confirmed by the International Court of Justice in its advisory opinion of 21 June 1971. 1/ Subsequently, the Security Council adopted resolutions 385 (1976) of 30 January 1976 and 435 (1978) of 29 September 1978, which delineated a framework for Namibian independence which came to be known as the United Nations plan for Namibia. In complete disregard of the clearly and repeatedly expressed will of the international community, the racist régime in South Africa has refused to co-operate in the implementation of the plan and has thus prolonged the suffering and subjugation of the Namibian people.

6. Over five years ago, five Western members of the Security Council (Canada, France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America) launched a diplomatic initiative aimed at finding a peaceful solution to the Namibian problem. There is overwhelming evidence that South Africa, encouraged by the demonstrated lack of political will on the part of the five Western Powers to support the overwhelming demand of the international community for the imposition of sanctions against the racist régime, purposely obstructed the negotiations in order to adopt a series of unilateral and illegal measures in Namibia aimed at imposing a neo-colonial and altogether objectionable internal settlement contrary to the letter and spirit of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978). SWAPO, the front-line States and Nigeria, for their part, have consistently offered co-operation and made major concessions so as to advance the process leading to the implementation of the United Nations plan.*

7. South Africa's manifest intransigence and prevarication continue to date. At the same time, the all-round collaboration and partnership between the United States, its major allies and South Africa is continuing and expanding. Some members of the Western contact group of five have from time to time sought to undermine the authority of the United Nations over Namibia. This negative attitude was clearly demonstrated in April 1981 by the decision of the three Western permanent members of the Security Council to block, through the exercise of their veto power, the imposition of comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations. 2/ Thus the Security Council, which is charged with the supreme responsibility of maintaining international peace and security and which adopted the settlement plan for Namibia, has repeatedly been rendered impotent by the misuse of the veto by South Africa's major Western partners.**

8. By refusing to vote in favour of sanctions, some Western Powers demonstrated their open support for South Africa's policies towards Namibia and gave it political encouragement to continue its illegal occupation of the Territory, to pursue its war against the Namibian people and against African States and to persist, with their co-operation, in the plunder and pillage of Namibia's resources.

9. The attempts to link the question of Namibia with irrelevant and extraneous questions such as that of co-operation between Angola and certain other countries, which fall under the exclusive competence of the sovereign Government of Angola, are designed, in the Council's view, solely to justify the illegal occupation of Namibia by racist South Africa, thus delaying the independence of the Territory.

10. It is in this context that the activities undertaken by the Council in the past year have to be perceived. During the period under review, the Council reiterated its full support for the liberation struggle of the Namibian people under the leadership of SWAPO, their sole and authentic representative, and further reiterated its conviction that, in the absence of a peaceful settlement, the intensified armed struggle by the Namibian people under the leadership of SWAPO

* Australia expressed reservations concerning paragraph 6.

** Australia, Belgium and Turkey expressed reservations concerning paragraph 7.

continued to be a decisive factor in the efforts to achieve self-determination, freedom and national independence in a united Namibia.

11. The Council noted with deep concern and indignation that Namibia's independence continued to be obstructed by the intransigence and persistent refusal of the racist régime of South Africa to comply with the relevant resolutions and decisions of the United Nations, in particular Security Council resolutions 385 (1976), 435 (1978) and 439 (1978), which called upon the Pretoria régime to terminate its illegal occupation of Namibia. The Council strongly denounced the efforts of South Africa and its supporters to undermine the Council's unique responsibility with regard to Namibia and demanded the immediate and unconditional implementation of Security Council resolution 435 (1978) without any prevarication, qualification, modification or delay.

12. In the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, the Council continued to mobilize international support for the withdrawal of the illegal South African administration from Namibia; forcefully exposed the dangers inherent in the policies of South Africa against the Namibian people and strongly urged the international community of States to reject all fraudulent constitutional or political schemes through which South Africa might attempt to perpetuate or prolong its presence in Namibia. In the fulfilment of its mandate, the Council received extensive support from the international community, including intergovernmental and non-governmental organizations.

13. As in previous years, the activities of the Council included consultations with Governments of Member States in order to ensure the implementation of United Nations resolutions on Namibia and to review all possible measures and initiatives that may be taken in that regard. In the course of the period under review, the Council held high-level consultations with the Governments of Cyprus, Sri Lanka and Bangladesh.

14. The Council keeps under continuous review developments in Namibia in their political, military, legal and social aspects. In July 1982, the Council held a seminar at Vienna on the military situation in and relating to Namibia, in order to examine in particular the nature and scale of South Africa's military installations and operations in the Territory with a view to recommending to the General Assembly ways and means of taking action against that régime's massive military build-up and acts of aggression in and around Namibia.

15. As part of its effort to implement Decree No. 1 for the Protection of the Natural Resources of Namibia, 3/ which it enacted on 27 September 1974, the Council dispatched a mission in June and July 1982 to contact administering and managing authorities of foreign corporations operating in Namibia regarding the illegality of their operations in the Territory. The Council also sought to ensure that all Governments that had not yet done so would take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in Namibia to put an end to such enterprises and to prevent new investment or prospecting in the Territory.

16. In view of the continuing critical situation in Namibia, the repeated acts of aggression by South Africa against Angola and the failure of the Security Council in April 1981 to impose mandatory sanctions against South Africa because of the vetoes cast by the three Western permanent members of the Security Council, an emergency special session of the General Assembly was convened in September 1981.

In resolution ES-8/2 of 14 September 1981, the General Assembly, inter alia, strongly urged the Security Council to respond positively to the overwhelming demand of the international community by immediately imposing comprehensive mandatory sanctions against South Africa; called upon all States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally; and requested the United Nations Council for Namibia to monitor the boycott of South Africa and to bring instances of contacts between Member States and South Africa to the attention of the Assembly as necessary.

17. The situation in Namibia was further discussed in the course of the thirty-sixth session of the General Assembly, at which the Assembly adopted six resolutions on the question (resolutions 36/121 A to F of 10 December 1981). Among other things, the Assembly approved an expanded programme of work for the United Nations Council for Namibia and once again urged the Security Council to impose comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter.

18. In accordance with resolution 36/121 C, the Council held a series of extraordinary plenary meetings at Arusha, United Republic of Tanzania, from 10 to 14 May 1982, in order to assess the critical situation in and around Namibia in the light of the persistent refusal of South Africa to implement Security Council resolution 435 (1978) and to promote intensified concrete action by the international community in support of the struggle of the Namibian people under the leadership of SWAPO. At the conclusion of its extraordinary meetings, the Council adopted the Arusha Declaration and Programme of Action on Namibia (see para. 767 below), in which it reviewed recent developments relating to Namibia and drew up a list of priorities for action. With regard to the ongoing diplomatic negotiations, the Council condemned the attempts to impose at that time a totally unjustifiable electoral system on the people of Namibia and to deprive them of their hard-won victories in their liberation struggle. The Council supported the proposal by SWAPO to convene, under the auspices of the United Nations, a Geneva-type conference at which all outstanding issues would be discussed and resolved together in a comprehensive manner on the basis of the relevant United Nations resolutions.

19. In the domain of representation, the Council continued to represent Namibia in ILO, FAO, UNESCO, WHO, UNCTAD, UNIDO and the Third United Nations Conference on the Law of the Sea. By virtue of Economic and Social Council decision 1982/110 of 16 April 1982, Namibia, represented by the Council, became the forty-first member of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees. On the basis of a recommendation by the Board of Governors, Namibia is also expected to be admitted to full membership in the International Atomic Energy Agency at its forthcoming General Conference in September 1982. As in the past, the Council participated in the ministerial meetings of OAU and the Movement of Non-Aligned Countries. The Council also represented Namibia at a large number of international conferences.

20. The Council continued to extend material assistance to Namibians by means of the United Nations Fund for Namibia, which provides financing, inter alia, for the United Nations Institute for Namibia at Lusaka and the Nationhood Programme for Namibia.

21. In order to increase the awareness of world public opinion of the struggle of the Namibian people and thus to increase pressure on certain Governments to take a

firmer position in support of Namibia's independence, the Council continued to disseminate information on Namibia through the Department of Public Information of the Secretariat, by means of publications, films, radio programmes and the provision of speakers.

22. The Council has declared that South Africa's continuing illegal occupation of Namibia constitutes an act of aggression against the Namibian people as well as against the United Nations, which has a unique responsibility for the Territory until it attains genuine independence. South Africa's illegal presence in Namibia, together with its attacks against neighbouring countries, constitute a manifest breach of international peace and security. During the period under review, the following acts by racist South Africa have confirmed this assessment:

(a) South Africa has continued to pursue a policy of ruthless oppression and brutal repression, manifested by the arrests, detention, torture and murder of Namibians, particularly of leaders and members of SWAPO;

(b) South Africa has strengthened its military presence in the Territory and has continued to use Namibia as a spring-board for its acts of aggression against neighbouring African States, particularly Angola;

(c) South Africa has increased its attempts aimed at destabilizing African States, namely, Botswana, Mozambique, the Seychelles, Zambia, Zimbabwe and, in particular, Angola;

(d) South Africa has continued to undermine the territorial integrity of Namibia through its purported annexation of Walvis Bay and the islands off the shore of Namibia in acts that have been rejected and declared illegal, null and void by the General Assembly;

(e) South Africa has persisted in the plunder of Namibia's natural resources in collusion with other foreign economic interests in violation of the resolutions of the Security Council and the General Assembly and of Decree No. 1 for the Protection of the Natural Resources of Namibia;

(f) South Africa has persisted in its manoeuvres aimed at gaining international recognition for puppet and tribal groups which it has installed in Namibia and which are subservient to Pretoria's interests, in an attempt to perpetuate its domination and exploitation of the people and resources of Namibia;

(g) South Africa has not only created a situation of total confrontation between itself and the Namibian people, supported by the world community at large represented at the United Nations, but has also committed a manifest breach of international peace and security.

23. The Council further notes that, in persistent defiance of the United Nations and the international community, South Africa has continued to:

(a) Deny the Namibian people their inalienable rights to self-determination, freedom and national independence in a United Namibia;

(b) Commit aggression against Namibia by its obdurate refusal to withdraw from the Territory which it illegally occupies;

(c) Violate the territorial integrity of Namibia through its attempted annexation of Walvis Bay and the off-shore islands;

(d) Attempt to annihilate SWAPO, the sole and authentic representative of the Namibian people, by pursuing policies of repression, torture and murder of Namibian patriots, and by its attacks against Namibian refugee camps in the neighbouring States;

(e) Jeopardize the sovereignty, peace and security of the front-line States, particularly Angola, through constant and open acts of aggression as well as attempts at destabilization carried out with the participation of mercenaries and puppet groups at the service of Pretoria in an effort to undermine the determination of the African people to free their continent from colonialism and racism;

(f) Violate international law as enshrined in the Charter and other legal instruments of the United Nations;

(g) Defy the United Nations and the international community by its usurpation of the United Nations' authority over Namibia and its persistent refusal to put an end to its illegal occupation of Namibia.

24. The Council, as the legal Administering Authority for Namibia until independence, will continue to do its utmost to fulfil the mandate given to it by the General Assembly to defend the rights and interests of the Namibian people and to promote initiatives in support of the early and genuine liberation of Namibia.

PART ONE

WORK OF THE COUNCIL AS A POLICY-MAKING ORGAN OF THE UNITED NATIONS

I. GENERAL

25. The Council, the legal Administering Authority for Namibia until its independence, is the major policy-making organ of the United Nations charged with defending the rights and interests of the Territory and its people.

26. During the period under review, the Council participated in the formulation of United Nations policy on Namibia, first by presenting to the General Assembly at its thirty-sixth session its annual report 4/ containing, inter alia, its assessment of the situation in Namibia, as well as recommendations for action by the Assembly. Thus, as in previous years, the Council's report was the main document before the Assembly when it debated the question of Namibia and the Council's recommendations provided the basis for the resolutions adopted by the Assembly on that question. The Council also submitted to the Assembly at its eighth emergency special session a memorandum (A/ES-8/3, annex) on the question of Namibia. In addition, the Council participates in all Security Council debates on the question of Namibia and in the preparation of Security Council resolutions as appropriate.

27. The Council actively participated in the discussions on Namibia and related matters held by other United Nations bodies such as the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against Apartheid.

28. The Council continued to co-operate fully with OAU and the Movement of Non-Aligned Countries and to participate in the elaboration of the declarations and resolutions of those organizations on the question of Namibia.

29. The Council also held a series of extraordinary meetings away from Headquarters which assumed special importance and urgency in view of the increasingly critical situation in Namibia.

II. CONSIDERATION OF THE QUESTION OF NAMIBIA BY THE GENERAL ASSEMBLY

A. Eighth emergency special session

30. The eighth emergency special session of the General Assembly was convened from 3 to 14 September 1981 following the failure of the Security Council on 30 April 1981 to impose comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations. That failure was due to the vetoes cast by the three Western permanent members of the Security Council. 2/

31. The United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia and as the major policy-making organ of the United Nations charged with defending the rights and interests of the Territory and its people, submitted for urgent consideration by the Assembly a memorandum (A/ES-8/3, annex) containing its assessment of the grave situation in Namibia resulting from the continuing illegal occupation of the Territory by South Africa in persistent violation of the principles enshrined in the Charter of the United Nations and in blatant defiance of its resolutions and decisions on the question of Namibia.

32. In that memorandum, the Council pointed out that since its creation, it had spared no effort to fulfil the mandate entrusted to it by the General Assembly. The Council had endeavoured to mobilize international support in order to press for the withdrawal of the illegal South African administration from Namibia in accordance with United Nations resolutions on Namibia. The Council had taken measures to counter the policies of South Africa against the Namibian people and had denounced and rejected all the manoeuvres through which the illegal régime had attempted to perpetuate its occupation of Namibia.

33. With regard to the triple veto cast in the Security Council on 30 April 1981, the Council stated that, by refusing to vote in favour of sanctions, the Western Powers had demonstrated their open support for South Africa's policies towards Namibia and had given it political encouragement to continue its illegal occupation of the Territory, to pursue its war against the Namibian people and against African States and to persist, with their co-operation, in the plunder and pillage of Namibia's resources.

34. The Council concluded the memorandum by stating that it was the duty of the international community at the eighth emergency special session to adopt as a matter of urgency effective and comprehensive measures under the Charter so as to ensure the complete isolation of South Africa and to compel it to withdraw from Namibia in accordance with the relevant United Nations resolutions.

35. At the 3rd plenary meeting of the session, on 4 September 1981, 5/ the President of the Council stated that the failure of the Security Council in April 1981 to take punitive measures against South Africa had come as a great disappointment to the international community. He further noted that on 31 August 1981 the Council had been prevented by the veto of the United States from condemning South Africa's "dastardly act of aggression against Angola", 6/ thus failing once again to take action commensurate with its responsibility for the maintenance of international peace and security. The President emphasized that the five Western countries that had initiated the process resulting in the adoption of Security Council resolution 435 (1978) of 29 September 1978 "have the obligation and must bear the responsibility of seeing to it that South Africa complies with

the decision of the United Nations to implement that resolution without any dilution, modification or, indeed, qualification".

36. The President further stated that the United Nations Council for Namibia was increasingly disturbed by what appeared to be the deliberate intention of certain Western countries to tie the solution of the question of Namibia to some unrelated issues not germane to the letter and spirit of the United Nations plan for the independence of the Territory. He added that declarations of neutrality by certain countries amounted to open support for South Africa in its persistent intransigence.

37. The President declared that the policy of the United States, which was to treat the question of Namibia in terms of an ideological confrontation, could only give solace and succour to South Africa. By placing its own economic and strategic interests far above the expressed will of the international community, the United States had encouraged South Africa to pursue a perilous course which threatened international peace and security.

38. At the same plenary meeting, 5/ Mr. Peter Mueshihange, Secretary for Foreign Relations of SWAPO, told the Assembly that there existed some deliberate distortions concerning SWAPO and the patriotic struggle of the Namibian people to liberate their country. In that connection, he noted that the struggle of the Namibian patriots which SWAPO was spearheading was a struggle resulting from the colonial conquest of Namibia. The occupation army and the police had been the permanent instruments of colonial policy; they were responsible for the killings, torture, arbitrary mass arrests, imprisonment, generalized terror and intimidation of the Namibian people.

39. He further stated that, in collusion with the imperialist interests to which it was allied, the South African occupation régime had created a system of extreme economic exploitation in Namibia which was buttressed by a repressive colonial administration machinery and a racist legal system. Disregarding the interests and well-being of the African majority, the huge transnational corporations exploited to the fullest the safe haven of super-profit-making, an activity which was facilitated by the continued illegal occupation of Namibia and military intimidation.

40. With regard to the question of recognition of SWAPO as the sole and authentic representative of the Namibian people, Mr. Mueshihange stated that SWAPO was the only indigenous liberation movement with the necessary organizational sophistication, military capability, human resources, political programme and international standing to resist effectively the colonial domination and illegal conduct of South Africa in Namibia. SWAPO had been created by the people of Namibia themselves to spearhead the struggle for freedom and independence. "What OAU and the United Nations did was merely to recognize the existing reality and to make the one and only correct decision to strengthen the efforts of the Namibians by choosing to support their liberation movement, which was and is the only one capable of delivering the goods".

41. The representative of SWAPO reiterated that the question of Namibia was a question of colonialism and illegality. SWAPO was the national liberation movement, founded upon the aspirations and interests of the oppressed and colonized Namibians who desired freedom and liberation. It therefore strongly protested and rejected any attempt to depict its struggle as something other than a patriotic struggle to reconquer Namibia for the benefit of all its people.

42. Mr. Mueshihange concluded by reiterating that SWAPO was ready to sign a cease-fire agreement with racist South Africa and had no interest whatsoever in reopening negotiations regarding Security Council resolution 435 (1978).
43. In the course of the debate, many delegations expressed the view that international pressure must be intensified so that South Africa would not only accede to the speedy independence of Namibia but also put a stop to the detention and torture of members of SWAPO and to the political persecution and oppression of the Namibian people. They also expressed special gratitude to the Governments of the front-line States for their noble role in, and costly contribution to, the struggle for the freedom and independence of Namibia.
44. A large number of delegations called upon the Assembly to take effective, urgent and affirmative action to eliminate once and for all the remaining obstacles to Namibia's freedom and independence. Many pointed out that the Western contact group should feel particularly bound to fulfil its responsibilities to the Namibian people as the originator of the United Nations plan. In their view, any attempt to perpetuate the privileges and domination of the white minority by promising special guarantees was totally unacceptable.
45. Several delegations felt that the credibility of the United Nations had been eroded because it had been unable to secure freedom and justice for Namibia and had shown no willingness to act on the basis of the Charter. They called for the passage of a resolution on Namibia that would also serve to restore faith in the United Nations itself.
46. Certain delegations stated that the policies and actions of the new United States Administration, particularly its close collaboration with the Pretoria régime, ran counter to the aspirations of the Namibian people and the decisions of the United Nations. Several among them took issue with the argument that the application of sanctions would not bring any positive results. Sanctions could indeed be effective if the Western countries, which were economic partners and allies of South Africa, applied them rigorously.
47. The majority of delegations opposed any attempt or manoeuvre to impose an "internal settlement" or to seek a solution of the Namibian question outside the framework of the United Nations, and in their view, any modification of Security Council resolution 435 (1978) could only encourage the illegal occupation régime further to delay implementation of the resolution and aid and abet South Africa in reckless and irresponsible actions detrimental to international peace and security.
48. With regard to the vetoes of the Western permanent members of the Security Council, many delegations felt that those votes had been cast not to facilitate the independence of Namibia but to strengthen the hand of the illegal occupying Power, thus further increasing the agony of the Namibian people. Such votes could only give comfort to the forces that had flouted every resolution of the United Nations on Namibia.
49. At the 12th plenary meeting of the session, on 14 September 1981, the General Assembly adopted resolution ES-8/2 on the question of Namibia by a recorded vote of 117 to none, with 25 abstentions.
50. By that resolution, the Assembly strongly condemned South Africa for its continued illegal occupation of Namibia and its persistent refusal to comply with

the resolutions and decisions of the General Assembly and the Security Council, as well as for its increased oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks against neighbouring States, particularly Angola. The Assembly further condemned the exploitation and plunder of the natural resources of Namibia by South Africa and Western transnational corporations, in violation of Decree No. 1 for the Protection of the Natural Resources of Namibia.

51. By the same resolution, the Assembly reaffirmed its support for SWAPO, the sole and authentic representative of the Namibian people, and for its armed struggle to achieve self-determination, freedom and national independence. The Assembly also called upon the international community to extend, as a matter of urgency, all support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the renewed acts of aggression by South Africa.

52. The Assembly called upon Member States, specialized agencies and other international organizations to render increased and sustained support and material, financial, military and other assistance to SWAPO to enable it to intensify its struggle for the liberation of Namibia.

53. The Assembly firmly rejected the latest manoeuvres by certain members of the Western contact group aimed at undermining the international consensus embodied in Security Council resolution 435 (1978) and demanded the immediate commencement of the unconditional implementation of that resolution without any prevarication, qualification or modification. Furthermore, it strongly urged the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing comprehensive mandatory sanctions against South Africa as provided for in Chapter VII of the Charter. The Assembly also called upon all States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally.

54. The Assembly requested the United Nations Council for Namibia to monitor the boycott of South Africa and to bring instances of contacts between Member States and South Africa to the attention of the Assembly as necessary.

B. Thirty-sixth session

55. The General Assembly considered the question of Namibia at its 64th to 68th, 71st, 93rd and 94th plenary meetings, held between 19 November and 11 December 1981.

56. The debate on the question of Namibia and the subsequent resolutions adopted by the Assembly reflected once again the international community's concern over South Africa's persistent and blatant refusal to implement Security Council resolution 435 (1978) and its intention to promote and install a puppet régime devoted to the perpetuation of its colonial and illegal occupation of Namibia.

57. At the 64th plenary meeting, on 19 November 1981, 7/ the President of the Council submitted the Council's annual report 4/ for the consideration of the Assembly. The President recalled, among other things, that since the termination of South Africa's mandate the General Assembly and the Security Council had adopted

numerous resolutions demanding that the Pretoria régime withdraw from Namibia. Despite the will of the international community in favour of imposing sanctions against South Africa in view of the threat posed by that régime to international peace and security, the Security Council had failed to act in conformity with its mandate and to impose sanctions against Pretoria. 2/ By their triple veto, the three Western permanent members of the Security Council, without actually saying so, had demonstrated their support for South Africa's policies towards Namibia and given it political encouragement to continue its illegal occupation of the Territory and to pursue its war against the Namibian people and the independent African States. The three negative votes in the Security Council had given comfort to a régime that had flouted time and again every resolution of the Organization on the question of Namibia.

58. The President further recalled that on 31 August 1981 the Security Council had been unable, on account of the veto by the United States, to exercise its responsibilities with respect to the maintenance of international peace and security. 5/ Those who had failed to vote in favour of a resolution which simply identified South Africa as the aggressor and as a danger to international peace and security had sent a clear message of protection and encouragement to the racist régime in Pretoria.

59. The President also observed that the members of the Western contact group had the leverage to force Pretoria to stop its aggressive acts against independent African States, and that they had the obligation and responsibility to see to it that South Africa complied with the decisions of the United Nations and implemented Security Council resolution 435 (1978) without any further delay.

60. At the same meeting, 7/ Mr. Mueshihange, the Secretary for Foreign Relations of SWAPO, told the Assembly that his organization had noted with great concern the latest moves aimed at manipulating the United Nations into abandoning the cause of Namibia's independence and withdrawing recognition from SWAPO. SWAPO knew that "those who profess to care about the lot of the Africans in Namibia and South Africa are the very ones that shamelessly reap huge profits through the exploitation of cheap African labour. Those are people whose record of involvement in southern Africa shows not only collusion with the racist Boers but also a policy which puts mineral rights and profits above human rights, freedom and social justice".

61. Mr. Mueshihange further stated that the independence plan for Namibia endorsed by the Security Council in resolution 435 (1978) was "the only plan which must be implemented, in its final and definitive form and without any further delay, prevarication, amendment, modification, qualification or dilution". He reiterated that SWAPO stood by its undertaking to co-operate with the Secretary-General in the implementation process, and called for the exertion of concerted world-wide pressure through total economic sanctions as the only means of bringing South Africa to its senses.

62. By way of conclusion, he launched an urgent appeal for all-round practical support and assistance to the front-line States, which were being victimized by South Africa's racist régime, and in particular to Angola, whose people, Government and party had put their lives, facilities and resources at the disposal of SWAPO.

63. Virtually all the delegations participating in the debate reiterated the position that the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia should be secured; that

Namibia was the direct responsibility of the United Nations; and that Security Council resolution 435 (1978), in which the Council endorsed the United Nations plan for the independence of Namibia, was the only basis for a negotiated settlement.

64. Most delegations expressed support for the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it and condemned the South African régime for its continued illegal occupation of Namibia and for its persistent refusal to comply with the resolutions of the United Nations.

65. Many delegations reiterated their support for the armed struggle of the Namibian people for freedom and national independence under the leadership of SWAPO, its sole and legitimate representative. They also demanded the immediate and unconditional implementation of Security Council resolution 435 (1978) without any further delay, prevarication, qualification or modification. It was the opinion of most delegations that the Security Council, in the light of the serious threat to international peace and security posed by South Africa, should respond positively to the demand of the international community to impose comprehensive mandatory sanctions against South Africa as provided for in Chapter VII of the Charter.

66. All delegations expressed deep concern over South Africa's brutal oppression of the Namibian people and its acts of aggression launched from bases in Namibia against neighbouring African States. In the view of most delegations, those actions, taken in defiance of numerous United Nations resolutions, constituted not only a serious threat to, but also in effect a breach of, international peace and security.

67. Most delegations indicated that much of the responsibility for South Africa's continued illegal occupation of Namibia lay with certain Western Powers which were providing political, economic and military support to the racist régime.

68. At its 93rd plenary meeting, on 10 December 1981, the General Assembly adopted six resolutions on the question of Namibia (resolutions 36/121 A to F).

69. By a recorded vote of 120 to none, with 27 abstentions, the Assembly adopted resolution 36/121 A entitled "Situation in Namibia resulting from the illegal occupation of the Territory by South Africa".

70. By that resolution, the Assembly declared that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policy of apartheid and its development of nuclear weapons constituted a serious threat to international peace and security, and called upon the international community to extend, as a matter of urgency, full support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the repeated acts of aggression by South Africa.

71. The Assembly also demanded that South Africa urgently comply fully and unconditionally with the resolutions of the Security Council relating to Namibia, in particular resolutions 335 (1976) and 435 (1978), and reaffirmed that resolution 435 (1978), in which the Council endorsed the United Nations plan for the independence of Namibia, was the only basis for a peaceful settlement. It firmly

rejected the manoeuvres by certain members of the Western contact group aimed at undermining the international consensus embodied in resolution 435 (1978) and at depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation, and demanded the immediate commencement of the unconditional implementation of Security Council resolution 435 (1978) without prevarication, qualification or modification and not later than December 1981.

72. Furthermore, the Assembly strongly urged the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of SWAPO, for self-determination and national liberation, as well as at negating the achievements of their just struggle. In the light of the serious threat to international peace and security posed by South Africa, the Assembly urged the Security Council to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions, as provided for in Chapter VII of the Charter.

73. By the same resolution, the Assembly condemned South Africa for its increased oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks against neighbouring States, particularly Angola. It demanded that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such Namibians had been charged or tried or were being held without charge in Namibia or South Africa, and further demanded that South Africa account for all "disappeared" Namibians and release any who were still alive and declared that South Africa would be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained. It declared that the illegal occupation of Namibia by South Africa continued to constitute an act of aggression against the Namibian people and against the United Nations, which had direct responsibility for the Territory until independence.

74. In addition, the Assembly strongly condemned the collusion by the Governments of certain Western countries and other States, particularly those of the United States of America, the Federal Republic of Germany and Israel, with the racist régime of South Africa in the nuclear field and called upon France and all other States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment.

75. The General Assembly also strongly condemned the activities of all foreign economic interests operating in Namibia under the illegal South African administration which were illegally exploiting the resources of the Territory and demanded that transnational corporations and others engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately abstaining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration. The Assembly declared that, by their depletive exploitation of natural resources and the continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests currently operating in Namibia constituted a major obstacle to its political independence.

76. By a recorded vote of 118 to none, with 29 abstentions, the General Assembly adopted resolution 36/121 B entitled "Action by Member States in support of Namibia".

77. By that resolution the Assembly requested all States to take legislative, administrative and other measures, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with Assembly resolution ES-8/2, and called upon all States to sever all diplomatic, consular and trade relations with South Africa. The Assembly once again requested all Member States to take all appropriate measures, including legislation and enforcement action, to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia. It called upon all States to prohibit State-controlled corporations from investing or obtaining concessions in Namibia, as called for in Security Council resolutions 276 (1970) of 30 January 1970, 283 (1970) of 29 July 1970 and 301 (1971) of 20 October 1971.

78. The Assembly also requested the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom, which operate the Urenco uranium-enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco, and requested all States, by making use of article 35 B of the Convention on International Civil Aviation, signed at Chicago on 7 December 1944, 8/ to prohibit the carriage of Namibian uranium or other products emanating from Namibia above their territory.

79. Furthermore, the Assembly requested all States to cease forthwith any provision to South Africa of arms and related matériel of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts for the aforementioned, and to cease as well the provision of all types of equipment and supplies and grants of licensing arrangements for the manufacture or maintenance of the aforementioned, which would further strengthen South Africa's illegal occupation of Namibia. It called upon all States to take effective legislative measures to prevent the recruitment, training and transit of mercenaries for service in Namibia.

80. Resolution 36/121 D, entitled "Action by intergovernmental and non-governmental organizations with respect to Namibia", was adopted by a recorded vote of 127 to none, with 20 abstentions.

81. By that resolution, the General Assembly requested IAEA to grant full membership to Namibia, represented by the United Nations Council for Namibia. It also requested the Economic and Social Council to consider granting membership in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to Namibia, represented by the United Nations Council for Namibia. The Assembly requested all specialized agencies and other organizations in the United Nations system to grant a waiver of the assessment of Namibia during the period in which it was represented by the United Nations Council for Namibia.

82. In addition, the Assembly requested the Secretary-General and the Administrator of the United Nations Development Programme to take the necessary administrative action to end all contracts between, on the one hand, the United Nations, UNDP and the specialized agencies and, on the other hand, corporations that directly or indirectly supported South Africa's illegal occupation of

Namibia. It also requested the United Nations Council for Namibia to undertake a programme of co-operation with non-governmental organizations and support groups actively engaged in supporting the struggle of the Namibian people under the leadership of SWAPO, their sole and authentic representative, in order to intensify international action in support of the liberation struggle of the Namibian people.

83. The General Assembly also adopted resolution 36/121 C, entitled "Programme of work of the United Nations Council for Namibia", by a recorded vote of 137 to none, with 10 abstentions, resolution 36/121 E, entitled "Dissemination of information on Namibia", by a recorded vote of 125 to none, with 23 abstentions and resolution 36/121 F, entitled "United Nations Fund for Namibia", by a recorded vote of 142 to none, with 5 abstentions.

III. SECURITY COUNCIL

84. In its capacity as a policy-making organ of the United Nations, the United Nations Council for Namibia participates in the decision-making process of the Security Council in two ways. First, the United Nations Council for Namibia, as a subsidiary organ of the General Assembly, submits to the Assembly recommendations which form the basis for the resolutions on Namibia adopted by the Assembly. Those resolutions frequently call upon the Security Council to take action in order to ensure the early independence of Namibia. Secondly, the United Nations Council for Namibia participates directly in the work of the Security Council, in accordance with the relevant rules of procedure, by means of a delegation, headed by the President, which speaks in the debates on the question of Namibia and takes part in the elaboration of the relevant Security Council resolutions.

85. In its report to the thirty-sixth session of the Assembly, 4/ the United Nations Council for Namibia recommended that the Assembly call upon the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of SWAPO, for self-determination and national liberation, as well as at negating the achievements of their just struggle.

86. Furthermore, the Council requested the Assembly strongly to urge the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately taking appropriate actions against South Africa under Chapter VII of the Charter of the United Nations.

87. The Security Council remained seized of the question during the period under review.

IV. CO-OPERATION WITH OTHER UNITED NATIONS BODIES

88. During the period under review, the Council continued to co-operate with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against Apartheid in pursuit of the collective struggle against the remaining vestiges of colonialism, racism and apartheid.

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

89. The Council continued to work in close co-operation with the Special Committee on matters pertaining to the question of Namibia.

90. Mr. Frank Abdulah, the Chairman of the Special Committee, attended and addressed the extraordinary plenary meetings of the Council held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982 (see A/AC.131/SR.376 and paras. 181-185 below), as well as the solemn meeting held by the Council to observe the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO, held from 26 to 30 October 1981 (see A/AC.131/PV.364).

91. Mr. Stefan Kalina, Vice-Chairman of the Special Committee, attended and addressed the Seminar on the Military Situation in and relating to Namibia, held at Vienna, from 8 to 11 June 1982 (see A/AC.131/SMS/PV.1).

92. Mr. Abdul G. Koroma, Vice-Chairman of the Special Committee, attended and addressed the solemn meeting held by the Council on 26 August 1982 to observe Namibia Day (see A/AC.131/SR.384).

93. The President of the Council and representatives of SWAPO participated in the Special Committee's consideration of the question of Namibia at meetings held between 16 and 20 August 1982 and made statements before the Committee on 16 and 20 August (see A/AC.109/PV.1220 and PV.1225). At its 1225th meeting, on 20 August 1982, the Special Committee adopted a consensus on Namibia. 9/

B. Special Committee against Apartheid

94. The Chairman of the Special Committee against Apartheid participated in the solemn meetings held by the Council in observance of the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO (see A/AC.131/PV.364) and Namibia Day (see A/AC.131/SR.384).

95. The President of the Council participated in the solemn meetings of the Special Committee to observe the Day of Solidarity with South African Political Prisoners (12 October 1981), the International Day for the Elimination of Racial Discrimination (19 March 1982) and the International Day of Solidarity with the Struggling People of South Africa (16 June 1982).

96. The President of the Council addressed the solemn meetings of the Special Committee on each occasion (see A/AC.115/PV.484, PV.492 and PV.502, respectively). In his statements, the President strongly urged the Special Committee to continue

in its efforts to mobilize the support of the United Nations and of the international community as a whole for the struggle of the people of southern Africa to eliminate colonialism and apartheid.

97. A Council delegation participated in the Conference entitled "Southern Africa - Time to Choose", organized by the Special Committee in co-operation with the Anti-Apartheid Movement of the United Kingdom. The Conference, which took place in London from 11 to 14 March 1982, issued a declaration (A/AC.115/L.568), which emphasized, inter alia, the responsibility of the United Kingdom in relation to the grave situation in southern Africa resulting from escalating repression and aggression launched by the apartheid régime of South Africa; the ominous implications of South Africa's nuclear plans; and the advance of the struggle of the oppressed people, including armed struggle for liberation.

98. The Council was also represented at the International Conference on Women and Apartheid, held at Brussels, from 17 to 19 May 1982, under the auspices of the Special Committee and the International Committee of Solidarity with the Struggle of Women in South Africa and Namibia. In its Declaration, 10/ the Conference, inter alia, declared that apartheid, especially as it affected women and children, was an international crime and an intolerable affront to the conscience of mankind.

99. The Conference expressed support for Security Council resolution 435 (1978) and called on the members of the Western contact group to bring pressure to bear on the South African Government to implement it as quickly as possible.

100. The Conference also emphasized the urgent need for the widest possible publicity of the plight of women in South Africa and Namibia and their resistance against apartheid, as well as for greatly increased international assistance to alleviate their hardships and enable them to participate further in the struggle for liberation.

V. CO-OPERATION WITH THE ORGANIZATION OF AFRICAN UNITY

101. During the period under review, the Council continued to enjoy close co-operation with OAU and to attend its meetings with the status of observer.

A. Thirty-eighth ordinary session of the Council of Ministers of OAU (22 to 28 February 1982, Addis Ababa)

102. The President of the United Nations Council for Namibia, Mr. Paul J. F. Lusaka (Zambia), led the Council delegation, which also included Mr. Lazare Nizigama (Burundi), to this session.

103. At the ordinary session held in February each year, the Council of Ministers of OAU usually concentrates on budgetary and financial matters. However, owing to the importance which the organization attached to recent developments regarding Namibia and the attempts by the illegal South African régime to stall the negotiation process, it was considered appropriate to add an item on Namibia to the agenda.

104. The Council of Ministers had before it a report presented by Mr. Salim A. Salim, Minister for Foreign Affairs of the United Republic of Tanzania, in his capacity as chairman of the ministers of the front-line States, on the consultations that had been held with the Western contact group regarding the implementation of the United Nations plan for the independence of Namibia.

105. In his report, Mr. Salim stated that the negotiations comprised three phases: (a) consideration of constitutional and electoral principles; (b) discussions on the deployment of the United Nations Transition Assistance Group and other outstanding issues; (c) implementation of the plan itself. He informed the Ministers that negotiations had bogged down in the first phase owing to lack of agreement by all parties concerned on the question of the electoral system.

106. He stated that among the three electoral systems proposed, namely, proportional representation, the constituency system and a combination of the two, the front-line States and SWAPO preferred proportional representation because it was much easier to understand and less costly to implement, it was the system most frequently used and, above all, its use would ensure that the electoral process would proceed in accordance with the time-frame set by the United Nations.

107. On the other hand, the combined electoral system suggested by the Western contact group five would most likely lead to confusion since it was a complicated and unfamiliar system.

108. The President of the United Nations Council for Namibia made a statement in which he denounced the delaying tactics of the illegal South African régime in Namibia, as well as its schemes to install its own puppets in power in order to forestall the genuine independence of the Territory.

109. The President added that for its part, the Council would continue to pursue all the objectives embodied in the mandate it had received from the General Assembly until Namibia became genuinely independent.

110. The delegation of the Council, together with representatives of the front-line States and the SWAPO delegation, led by the Secretary for Foreign Relations of SWAPO, prepared a draft resolution on Namibia which was unanimously adopted by the Council of Ministers (A/37/161, annex, resolution CM/Res.910 (XXVIII)).

111. In its resolution, the Council of Ministers reaffirmed that Security Council resolution 435 (1978) was the only basis for a negotiated settlement of the Namibian problem; rejected all schemes by certain members of the Western contact group to force the international community to abandon that resolution; and expressed firm support for the position adopted by the front-line States and SWAPO at their meeting at Lusaka on 23 January 1982, with respect to the establishment of a simple and fair electoral system which would enable the Namibian people to realize their genuine aspirations.

B. Thirty-ninth ordinary session of the OAU Co-ordinating Committee for the Liberation of Africa (7 to 11 June 1982, Arusha, United Republic of Tanzania)

112. The Ambassador of Algeria to the United Republic of Tanzania represented the Council at this session.

113. The Co-ordinating Committee adopted a resolution by which it reaffirmed its full and unswerving support for the armed struggle being waged by SWAPO and its military wing, the People's Liberation Army of Namibia, in the face of the continued occupation of and military build-up in and around Namibia by the illegal racist régime of Pretoria.

114. The Committee endorsed the position taken in support of SWAPO by the front-line States at the summit meetings held at Lusaka on 23 January, at Maputo on 6 and 7 March and at Dar es Salaam on 4 May 1982.

115. It expressed its grave concern at the attitude and actions of the United States Administration, which provided support and comfort for South Africa's illegal occupation of Namibia at the expense of the Namibian people and their national liberation movement, SWAPO.

116. The Committee declared its firm support for the proposal by SWAPO that a conference be held under the auspices of the United Nations, at which all outstanding issues would be discussed and resolved in a comprehensive manner in order to overcome the current stalemate and pave the way for the speedy implementation of Security Council resolution 435 (1978).

117. It strongly urged the Security Council, in the light of the serious threat to international peace and security posed by the racist régime of South Africa, to respond positively to the overwhelming appeal by the world community for the imposition of mandatory sanctions against the apartheid régime as provided for in Chapter VII of the Charter of the United Nations.

VI. CO-OPERATION WITH THE MOVEMENT OF NON-ALIGNED COUNTRIES

118. During the period under review and in keeping with its policy of close co-operation with the Movement of Non-Aligned Countries, the Council sent delegations to three meetings of the Movement: the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held at Kuwait from 5 to 8 April 1982; the Ministerial Meeting of the Co-ordinating Bureau held at Havana from 31 May to 5 June 1982; and the Extraordinary Ministerial Meeting of the Co-ordinating Bureau on the question of Palestine, held at Nicosia from 15 to 17 July 1982.
119. At the extraordinary meeting held at Kuwait, the Council was represented by its President, Mr. Paul J. F. Lusaka (Zambia) and by Mr. Patriot Lentsejalo B. Yane (Botswana). In its capacity as a member of the Movement, SWAPO took part in the meeting and served as one of the Vice-Chairmen of the plenary.
120. The purpose of the meeting was to assess the Palestinian question and to take practical measures to strengthen comprehensive assistance to the struggle of the Palestinian people to attain and freely exercise their inalienable rights under the leadership of the Palestine Liberation Organization, their sole and legitimate representative.
121. In a statement made during the plenary session, the President of the Council articulated the general similarities between the questions of Palestine and Namibia. He said that the problem of Palestine, like that of Namibia, had caused a great deal of anguish to the international community. In both instances, peoples had been denied their right to self-determination, national independence and sovereignty by a single country which had defied the will of the international community as expressed in numerous resolutions of the General Assembly and the Security Council.
122. The President also stated that no everlasting peace could be attained in the Middle East or southern Africa unless and until the aspirations of the Palestinian and Namibian peoples were fulfilled. He concluded by stating that the United Nations Council for Namibia remained resolute in its support for the struggle of the Palestinian people and would continue to work for the restoration of the rights of both the Palestinian and Namibian peoples.
123. Many statements made during both the inaugural and plenary sessions referred to the question of Namibia, the intransigence of the South African régime and the need for consolidating the solidarity between the struggling peoples of Palestine and Namibia.
124. On 8 April 1982, the Co-ordinating Bureau adopted a final communiqué in which it stated, inter alia, that the decision to convene the meeting demonstrated the abiding commitment of the Movement of Non-Aligned Countries to the liberation of peoples, an essential element in its struggle to bring about an international order free from all relations based on domination and exploitation.
125. The Council delegation to the ministerial meeting at Havana was composed of Mr. Lusaka (Zambia), Mr. T. P. Sreenivasen (India) and Mr. Theo-Ben Gurirab (SWAPO). The meeting had been convened in order to examine the international political situation, to review the implementation of the decisions of the sixth Conference of

Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979, and to prepare for the seventh Conference of Heads of State or Government, to be held at Baghdad in September 1982.

126. In a statement delivered at the meeting, the President of the Council recalled that the non-aligned countries had, individually and collectively, extended political, diplomatic and material support to the freedom fighters in Namibia. At its Extraordinary Ministerial Meeting on the question of Namibia, held at Algiers from 16 to 18 April 1981, the Co-ordinating Bureau had adopted a Declaration and a Programme of Action 11/ on that very important question, in which it had reaffirmed the validity of the United Nations plan as set forth in Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and emphasized that those resolutions provided the only universally recognized framework for a peaceful transition to the independence of Namibia.

127. The President then went on to examine developments in Namibia since the adoption of the Declaration. Internally, the illegal régime had promulgated numerous laws aimed at dividing the Namibian population and fragmenting the Territory. It had continuously intensified its acts of brutality against the people through increased arrests of Namibian patriots, illegal trials of SWAPO cadres, detentions, torture and massacres of Namibians. At the same time, repeated attempts had been made to secure legitimacy for fraudulent entities installed by Pretoria to perpetuate its illegal occupation of the Territory.

128. Externally, South Africa had continued its acts of aggression and subversion against the neighbouring independent African States, especially Angola, causing large-scale destruction of life and property.

129. The President observed that such acts were not those of a régime seeking a negotiated peaceful settlement or preparing to withdraw from the Territory.

130. Regarding the activities of the Western contact group of five, the President said that instead of putting pressure on South Africa to implement the United Nations plan, the group had prevaricated on the plan, distorting the meaning of Security Council resolution 435 (1978) and thereby encouraging the racist South African régime in its persistent intransigence. Specifically, the Western contact group had engaged in an exercise aimed at drawing up certain electoral arrangements which could compromise the principle of free determination of the will of the people embodied in the plan. Having co-operated with the contact group in the effort to find an acceptable formula, SWAPO and the front-line States had come to the conclusion that the complicated election procedures suggested by the supporters of South Africa were not likely to be in the interest of genuine self-determination for the people of Namibia. The phase-by-phase approach to the negotiations pursued by the contact group would only result in the subversion of the settlement plan which the contact group itself had created. It was rather astonishing that the very originators of the plan were now seeking to disown it.

131. In closing, the President informed the Co-ordinating Bureau of the extraordinary plenary meetings held by the Council at Arusha from 10 to 15 May 1982, which had resulted in the adoption of the Arusha Declaration and Programme of Action on Namibia (see paras. 148-218 below).

132. Mr. Gurirab made a statement in the plenary on behalf of SWAPO in its capacity as a member of the Movement of Non-Aligned Countries. The SWAPO representative

reported on the progress of the liberation struggle in Namibia and appealed for continued support from all the non-aligned countries.

133. During the general debate, all the speakers expressed indignation at the continued obstruction of the independence of Namibia by South Africa and some of its supporters. They also commended the people of Namibia for intensifying their liberation struggle under the leadership of SWAPO, their sole and legitimate representative, and pledged the support of their Governments for the struggling people of Namibia and for SWAPO.

134. The ministers adopted a Final Communiqué of the meeting held at Havana, 12/ in which they noted with deep concern that South Africa's refusal to comply with the relevant resolutions of the United Nations continued to obstruct Namibia's accession to independence. They denounced all efforts by the racist South African régime and its Western allies to undermine the legal responsibility of the United Nations for Namibia until its independence.

135. The ministers expressed their firm belief that the most effective way to counter the attempts to undermine the central role of the Security Council in the implementation of resolution 435 (1978) would be for the Council to meet urgently on the question of Namibia and fix a time-frame for such implementation. The ministers requested the non-aligned members of the Security Council to initiate effective action to that end.

136. The ministers reaffirmed that any effective solution of the Namibian problem could only be based on strict compliance with Security Council resolution 435 (1978). They welcomed and endorsed the proposal made by the front-line States and SWAPO for a Geneva-type conference under United Nations auspices, where all outstanding issues would be discussed and resolved together in a comprehensive manner so as to proceed with the implementation of resolution 435 (1978) without delay.

137. The ministers hailed the decision of the Third United Nations Conference on the Law of the Sea to the effect that Namibia, represented by the Council, would be entitled to sign and ratify the United Nations Convention on the Law of the Sea.

138. The ministers also called for the immediate release of all Namibian political prisoners and for the imposition of comprehensive mandatory sanctions, including an oil embargo, against South Africa in order to compel the racist régime to end its illegal occupation of, and withdraw from, the Territory.

139. Finally, the ministers reaffirmed their complete and firm support for SWAPO as the sole legitimate representative of the people of Namibia and called upon the member States of the Non-Aligned Movement to increase their material, financial, military and other assistance to SWAPO so that it could intensify the struggle for the liberation of Namibia.

140. Mr. Natarajan Krishnan (India) represented the Council at the extraordinary ministerial meeting held at Nicosia. On 17 July 1982, the ministers adopted a Final Communiqué in which they condemned Israel for its aggression against Lebanon and the Palestinian people and their representative, the PLO. The ministers also condemned the increasing collaboration between Israel and the racist régime in South Africa, particularly in the military and nuclear fields, and called on all member States of the movement and other States to sever all relations with Israel.

VII. EXTRAORDINARY PLENARY MEETINGS OF THE COUNCIL AT ARUSHA

A. Organization of the extraordinary plenary meetings

141. By its resolution 36/121 C of 10 December 1981, the General Assembly requested the Council to hold a series of plenary meetings in Africa during 1982 and to recommend appropriate action to the Assembly in the light of the refusal by South Africa to implement Security Council resolution 435 (1978).

142. The plenary meetings assumed special importance and urgency in view of the increasingly critical situation in and around Namibia arising from South Africa's illegal occupation of the Territory, its repressive actions against the Namibian people and its repeated and systematic acts of aggression against neighbouring States, all of which constitute a threat to international peace and security.

143. At its 373rd meeting, on 12 April 1982, the Council decided to accept the offer of the Government of the United Republic of Tanzania to host the extraordinary plenary meetings of the Council at Arusha.

144. At its 374th meeting, on 26 April 1982, the Council approved the report of its President (A/AC.131/L.252) on the organization of the extraordinary plenary meetings, to be held from 10 to 14 May 1982.

145. By approving the report of the President, the Council approved the following agenda for the meetings:

1. Adoption of the agenda.
2. Assessment of the current situation in and concerning Namibia.
3. Consideration of the report of the Mission of Consultation to Asia.
4. Consideration of the report of the Fund-raising Mission to Western Europe (A/AC.131/L.256).
5. Consideration of measures to press for implementation of United Nations resolutions on Namibia.
6. Consideration of the agenda for the International Conference in Support of the Struggle of the Namibian People for Independence.
7. Adoption of a draft declaration.
8. Closure of the extraordinary plenary meetings.

146. Invitations to attend and address the extraordinary plenary meetings were extended to the following:

- (a) President of the United Republic of Tanzania;
- (b) President of the General Assembly;
- (c) President of the Security Council;

(d) Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(e) Chairman of the Special Committee against Apartheid;

(f) Chairman of OAU;

(g) Chairman of the Group of Non-Aligned Countries in the United Nations;

(h) President of SWAPO;

(i) Secretary-General of OAU.

147. The following were also invited to attend the extraordinary plenary meetings:

(a) Chairman of the Senate of the United Nations Institute for Namibia and Executive Secretary of ECA;

(b) Representatives of those specialized agencies of which the Council is a member: ILO, FAO and UNESCO;

(c) Representative of UNHCR;

(d) Representative of UNDP;

(e) Representatives of ANC and PAC;

(f) Other individuals and representatives of non-governmental organizations.

B. Extraordinary plenary meetings

148. At its 375th meeting, on 10 May 1982, the Council held the solemn opening of its extraordinary plenary meetings at Arusha. One minute of silence was observed in memory of all Namibian patriots who had fallen in the struggle for self-determination, freedom and independence in a united Namibia.

149. The meetings were inaugurated by Mr. Salim A. Salim, Minister for Foreign Affairs of the United Republic of Tanzania. Statements were made by Mr. Mi Guojun, representative of the President of the Security Council; Mr. Sam Nujoma, President of SWAPO; Mr. Frank Abdulah, Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; Mr. James V. Gbeho, representative of the Special Committee against Apartheid; and Mr. Oscar Oramas Oliva, Deputy Minister for External Relations of Cuba, in his capacity as representative of the Chairman of the Group of Non-Aligned Countries in the United Nations. Messages from the Secretary-General and the President of the General Assembly were read on their behalf by Mr. Abdulrahim A. Farah, Under-Secretary-General for Special Political Questions, and Mr. Nsilo A. Z. Swai, Chief of the Secretariat Services Division of the Department of Political Affairs, Trusteeship and Decolonization, respectively. The inaugural meeting concluded with a statement by Mr. Paul J. F. Lusaka, President of the Council.

150. At the 376th meeting, on 11 May 1982, a committee of the whole was established. The committee designated Mr. Asterius M. Hyera (United Republic of Tanzania) to serve as its Chairman and Mr. Miljan Komatina (Yugoslavia) as its Rapporteur-General.

151. The committee of the whole established a drafting committee with Mr. O. O. Fafowora (Nigeria) as Chairman and Mr. T. P. Sreenivasan (India) as Vice-Chairman.

C. Statements and messages

1. Statement by the Minister for Foreign Affairs of the United Republic of Tanzania

152. The Minister for Foreign Affairs of the United Republic of Tanzania said that, despite an international consensus on the imperative need to put an end to South Africa's illegal occupation of Namibia, the régime in Pretoria had been able to defy the will of the international community. That defiance had been encouraged by the inability of the Security Council to adopt appropriate and prompt measures because of the unwillingness of some of its permanent members to act decisively. Yet some of the very countries which had opposed the adoption of sanctions against South Africa had not hesitated to adopt them against other States and, indeed, in such cases, to call for their universal application. Since the racist régime was assured of that active protection against censure, it had engaged in a series of acts which were characteristic of its nature and intentions. In the almost four years since the adoption of Security Council resolution 435 (1978), the Pretoria régime had used one pretext or another to frustrate the implementation of the United Nations plan. It continued to maintain a massive military presence in Namibia through which it enforced its illegal occupation contrary to the decisions of various United Nations bodies.

153. South Africa also continued to use the Territory of Namibia as a spring-board for launching a systematic and comprehensive programme of destabilization, invasion, aggression and occupation against neighbouring African States. The Council must condemn in the strongest terms the continued acts of sabotage, economic blackmail, invasion, military aggression and occupation being perpetrated by the racist régime in Pretoria against Angola and demand the immediate and unconditional cessation of those aggressive acts and the total and unconditional withdrawal of the racist troops from the territory of Angola. The Council must also demand an end to the systematic acts of aggression and campaigns of destabilization perpetrated by the South African régime against Mozambique, Zambia and Zimbabwe, its threats against and harassment of Botswana, Swaziland and Lesotho and its involvement in activities such as in the recent attempt by mercenaries to overthrow the Government of Seychelles.

154. The Minister stated that the negotiations seemed to have become bogged down on the issue of the electoral system: the Western contact group of five insisted on a system combining proportional representation and single-member constituencies, which was acceptable to South Africa. As was generally known, most countries had adopted either proportional representation or a system of single-member constituencies, while the combination system was complicated and was followed in very few places.

155. On 4 May 1982, representatives of the front-line States, Nigeria, Kenya and SWAPO met in Dar es Salaam with a view, inter alia, of studying possible ways to move forward in the negotiations. They declared their support for the proposal conveyed to the Western contact group by SWAPO, that all outstanding issues should be discussed together in a comprehensive manner in order to resolve them as a package, under the auspices of the United Nations.

156. Meanwhile, in Namibia itself, the forces of opposition to the illegal régime were gathering momentum and intensifying the struggle. The Council had a duty not only to reaffirm its support for SWAPO but also to provide it with the means to pursue both the diplomatic and the armed struggle. The Council, which was the legal authority in Namibia, must therefore not only remain vigilant but also carefully prepare itself to deal with the new situation. A reaffirmation of support for SWAPO and the people of Namibia must be expressed in tangible form. One way of doing so was for the Council to work for the implementation of the various United Nations resolutions and declarations on Namibia, in particular, the Panama Declaration and Programme of Action on Namibia adopted by the Council in June 1981 ^{13/} and the resolutions adopted at the eighth emergency special session and the thirty-sixth regular session of the General Assembly. That was the least the Council could do.

157. The Minister said that in the days ahead the Council would be deliberating on the important issue of Namibia. The situation in Namibia cried out for positive action to bring to a close that dark chapter of colonialism and occupation. He was confident that the extraordinary plenary meetings would live up to the expectations of the oppressed Namibians and the supporters of their just cause the world over (A/AC.131/SR.375).

2. Statement by the representative of the President of the Security Council

158. The representative of the President of the Security Council referred to the many initiatives and efforts undertaken by the Security Council and to the decisions it had adopted with the aim of bringing about the withdrawal of South Africa's illegal administration from Namibia and enabling the Namibian people to exercise freely their inalienable right to self-determination and independence. Resolution 385 (1976) had been preceded by numerous warnings, appeals and demands addressed to South Africa by the Security Council to comply with United Nations resolutions on Namibia and with the advisory opinion of 21 June 1971 which the Security Council had requested from the International Court of Justice. ^{1/}

159. After the adoption of resolution 385 (1976), efforts had been intensified to arrive at an internationally acceptable solution on the basis defined by the Security Council. By resolution 435 (1978), the Security Council had approved a viable, detailed plan for the implementation of the settlement proposal aimed at the withdrawal of South Africa's illegal administration and the transfer of power to the people of Namibia, with United Nations assistance.

160. It was a matter of great regret and concern to the Security Council that South Africa, while seeming to give assurances of its commitment to the settlement plan, had subsequently shown its disregard for United Nations resolutions and world opinion and, by its persistent obstruction, had called into question the entire

international effort to achieve an early settlement in Namibia. Within Namibia, South Africa continued to act in defiance of the expressed will of the international community, and the pattern of illegal administration and repression continued. The Security Council, together with other United Nations organs and bodies, had condemned all South African manoeuvres in Namibia and remained unalterably opposed to a so-called internal settlement and to other dilatory tactics and acts in contravention of its resolutions.

161. The Security Council remained convinced that efforts to achieve a negotiated settlement leading to the early, internationally accepted independence of Namibia must be pursued with renewed vigour and that resolution 435 (1978) must remain the basis for the achievement of that goal. The Council was very conscious of the special responsibility of the United Nations to ensure that the legitimate interests of the people of Namibia were protected and their right to self-determination and independence safeguarded.

162. The representative reaffirmed the solidarity of the Security Council with the people of Namibia and its deep commitment to bring freedom and independence to Namibia in accordance with the objectives laid down by the United Nations (A/AC.131/SR.375).

3. Message from the Secretary-General of the United Nations

163. In his message, the Secretary-General underscored the special responsibility of the United Nations' with respect to Namibia and said that the world body stood fully committed in support of the inalienable right of the inhabitants of the Territory to self-determination and independence in a united Namibia.

164. The Secretary-General was deeply concerned at the unsettling and dangerous effects of the current impasse in the resolution of the problem. Those included a tragic loss of life and much suffering.

165. It was most important to continue to press for the implementation of Security Council resolution 435 (1978), which had established a practical framework and remained the basis for a peaceful settlement in conformity with the legitimate rights and aspirations of the Namibian people.

166. The Secretary-General indicated that the immediate objective must be to break the impasse which was holding up negotiations. He expressed hope that the renewed attempts made in recent months to move the negotiations forward would prove successful and that it would then be possible to proceed with the implementation of the United Nations plan. The Secretary-General assured the Council of his full co-operation and readiness to render whatever assistance was needed to achieve that goal (A/AC.131/SR.375).

4. Statement by the President of the South West Africa People's Organization

167. The President of SWAPO said that the Council's meetings were taking place at the most crucial stage in the history of Namibia's national liberation struggle. The country and people of Namibia, for which the United Nations had assumed a unique responsibility, were being subjected to the ever-increasing military

build-up of the racist South African occupation forces and massive police and military repression, as evidenced by the incarceration and torture of Namibian patriots and a generalized state of terror under which a series of new Draconian laws, such as martial law, covering more than half the country, had been enacted.

168. In addition, the Pretoria régime continued to carry out constant acts of aggression and military attacks against independent African States in the region, particularly Angola. It was even threatening to deepen and broaden its terrorist attacks against innocent Angolan civilians.

169. South Africa's constant acts of aggression against the Governments and peoples of southern Africa had been carried out with the active encouragement and connivance of the major NATO Powers and trade partners of racist South Africa. That was the challenge facing the oppressed, struggling Namibians and, indeed, it was the challenge facing the Council and the international community.

170. The President of SWAPO reiterated his organization's readiness to proceed with the immediate implementation of Security Council resolution 435 (1978), starting with the signing of a cease-fire agreement between SWAPO and South Africa.

171. Concerning the proposal on the electoral system, he noted that the Western contact group of five were still insisting on electoral double standards of "one man, two votes" or "one man, one vote, counted twice". After carefully weighing the implications of the proposed electoral system, SWAPO was convinced that the procedure was a double-edged sword intended to cut its electoral strength from two different angles. Pretoria and the five thought that, on the one hand, proportional representation would present some advantage in the counting of white votes while, on the other hand, some of the black tribal puppets might have a better chance of winning seats under the single-member constituency system in constituencies where they could appeal to narrow local interests on the basis of tribal sentiments.

172. Contrary to what the five were claiming, the tendency of the current negotiations was not to "strengthen" resolution 435 (1978) but to dilute it. Therefore, SWAPO called upon the Council to reject the unreasonable demands aimed at depriving SWAPO and the oppressed Namibian people of the deserved victory. Insistence on electoral double standards was, in the view of SWAPO, one such demand.

173. SWAPO preferred proportional representation, since a single-member constituency system would require fresh censuses, demarcation of constituencies and registration of voters under the supervision of the United Nations.

174. SWAPO had put to the five a proposal for direct talks on the lines of a Geneva-type conference. Failing that, SWAPO would insist on bringing all the phases of the negotiations together and resolving all the outstanding issues as a package.

175. The President of SWAPO emphasized that the delay in the implementation of resolution 435 (1978) was due to the intransigence of South Africa and the duplicity of the so-called contact group, whose members were determined to perpetuate the colonial domination of Namibia and the plunder of its resources. Quite obviously, the current situation in Namibia demanded new initiatives in the Council in the spirit of the mandate entrusted to it as the legal Administering Authority for Namibia.

176. SWAPO wished to express its appreciation to the overwhelming majority of the members of the Council for having dutifully carried out the mandate entrusted to them. Through its initiatives, the Council had created conditions which were enabling Namibians to acquire education and training which they had been deliberately denied. The Council had also made persistent efforts in representing Namibian interests throughout the world and had, time and again, reaffirmed its unequivocal support for the armed, political and diplomatic struggles waged by SWAPO in the face of Pretoria's continuing intransigence.

177. SWAPO urged the Council to broaden its contacts with non-governmental organizations, liberation support and solidarity groups, trade unions and other mass organizations not only in the West but also in the socialist countries and other Member States.

178. The embattled people of Namibia were closely following the deliberations of the Council in the expectation that the new strategies and tactics to be mapped out in Arusha and the final declaration and programme of action would be commensurate with the current critical situation in and relating to Namibia (A/AC.131/SR.375).

5. Message from the President of the General Assembly

179. In his message, the President of the General Assembly said that the continuing colonial status of Namibia remained the single most shameful remnant of colonialism. At its thirty-sixth session, the Assembly had reaffirmed the overwhelming support of the Member States for the immediate, full and unconditional independence of Namibia. There could be no question of the legality of that position. Even more important, there could be no question of the fundamental justice and right of the demand of the United Nations for Namibian independence.

180. He stated that since its creation by the General Assembly, the Council had embodied the United Nations responsibility for Namibia. In performing that unique role, the Council had made essential contributions to the quest for a free and independent Namibia. It had given to the people of Namibia the recognition and status in the international community which the illegal colonial status imposed on them by the Government of South Africa had sought to deny. In the continuing absence of independence, and the concurrent inability of the Namibian people to form the government of their choice, the Council was playing an irreplaceable role on behalf of the people of Namibia.

6. Statement by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

181. The Chairman of the Special Committee said that the colonial situation in Namibia constituted a major stumbling block to world peace and to lasting peace in southern Africa. It was therefore imperative that the international community at that crucial stage of the liberation struggle do its utmost to deprive the minority régime in Pretoria of any means that enabled it to continue its acts of defiance with impunity. The contemplated sale of strategic equipment by the Government of the United States to South Africa - an action which clearly contravened the relevant decisions of the Security Council - should, therefore, be viewed with deep

regret and serious concern. Any support for the racist régime resulted only in further suffering and hardship for the struggling Namibian people.

182. Years of negotiations at the international level had failed to modify South Africa's defiant attitude towards the United Nations. South Africa's position throughout the negotiations had been one of inflexibility and confrontation, broken promises and false assurances. It had increased its militarization of the Territory and used it as a spring-board for armed aggression against neighbouring States. At the same time, it had continued its exploitation and plunder of the human and material resources of Namibia, in collusion with foreign economic interests and in open defiance of Decree No. 1 for the Protection of the Natural Resources of Namibia. The international community must insist that those States whose transnational corporations continued to operate in Namibia should take definitive measures to put an end to such exploitation.

183. It had been the Special Committee's consistent position that only the full and effective application of measures under Chapter VII of the Charter of the United Nations could rapidly restore peace, justice and freedom to the Namibian people. On the one hand, the Security Council must adopt a comprehensive programme of economic sanctions and, on the other, the international community must extend all possible assistance to the people of Namibia under the leadership of SWAPO.

184. The leaders of SWAPO had shown a commendable spirit of accommodation, patience and statesmanship throughout the protracted negotiations on the implementation of Security Council resolution 435 (1978). Similarly, the leaders of the front-line States had consistently played a crucial role in support of the cause of the people of Namibia.

185. During its current meetings, the Council would undoubtedly chart a decisive course of further action on Namibia, thus demonstrating the resolve of the United Nations to fulfil its obligations to the people of Namibia and its responsibility to maintain international peace and security. The Council could be assured of the full support of the entire membership of the Special Committee (A/AC.131/SR.376).

7. Statement by the representative of the Special Committee against Apartheid

186. The representative of the Special Committee against Apartheid stated that the negotiations for Namibian independence had lately taken a turn for the worse and, unless the Council took a unified stand, the gains of the past few years might well be lost to the racist South African régime. The stalemate had been caused by South Africa's refusal to relinquish its illegal hold on the Territory and by its frequent use of Namibia as a staging area for its acts of aggression against neighbouring States. Such a situation, if allowed to persist, could only intensify the armed resistance of the Namibian people, under the leadership of their sole and authentic representative, SWAPO, and lead to untold loss of life.

187. The international community quite clearly had the authority to enforce Namibia's right to self-determination since South Africa had been divested of legal power over the Territory. The Security Council maintained that the South African presence in Namibia was illegal. Yet some Security Council members - those with undoubted political leverage over South Africa - had failed to exercise the political will to secure Namibia's independence and had instead urged negotiations

with the illegal régime while covertly frustrating that very process. Paradoxically, those were the same members of the Security Council who had proposed the United Nations plan for Namibia contained in Security Council resolution 435 (1978). It was obvious that the proposed plan had been intended to forestall more effective action by the international community in which they would have had to participate.

188. The Special Committee against Apartheid did not consider the latest proposals of the Western contact group to be in the best interests of SWAPO or the people of Namibia, but saw them as at best a ruse to weaken the influence of SWAPO in the Territory and indirectly ensure South Africa's continued domination. The contact group would do better to use its influence with South Africa to persuade it to accept earlier, more even-handed proposals for a solution in Namibia. A return to the plan outlined in resolution 435 (1978), as called for by SWAPO, was the best course of action and a new round of Geneva-type talks would be the most equitable framework for comprehensive negotiations on outstanding issues.

189. Those who had had dealings with the South African régime knew that prevarication and deceit were its favourite ploys in dealing with the international community on the questions of apartheid and Namibia. It was difficult to see how a régime which had made Namibia a land of forced labour, arbitrary arrests, torture and executions, would voluntarily grant self-determination to the Namibian people. The régime would only succumb to pressure.

190. The time had come for all who cherished the values of freedom and independence to rally around the Namibian people, under the leadership of SWAPO, and to unmask South Africa and its collaborators. The task was a demanding one, but the Namibian people would emerge victorious because they were engaged in a just struggle. The international community must renew its moral and material support to SWAPO and the Namibian people in their struggle against South African tyranny and exploitation.

8. Statement by the representative of the Chairman of the Group of Non-Aligned Countries

191. The representative of the Chairman of the Group of Non-Aligned Countries said that the struggle to liberate Namibia had reached a critical stage. Pretoria intended to install a neo-colonialist puppet régime in Namibia and exclude from power SWAPO, the sole and authentic representative of the Namibian people. That policy and the attitude of the imperialist Powers left little hope of reaching a negotiated solution.

192. The non-aligned countries had stressed the need to implement the United Nations settlement plan and had denounced manoeuvres by certain Western Powers, in particular the United States, to delay implementation of that plan. They condemned any attempt to impose a neo-colonialist solution on Namibia to the exclusion of SWAPO.

193. The non-aligned countries had repeatedly urged the Security Council to impose sanctions against South Africa as a matter of urgency in accordance with Chapter VII of the Charter of the United Nations. In the meantime, the only alternative was for the Namibian people to intensify their armed struggle under the leadership of SWAPO, in which they should receive the moral and material support of the international community.

194. Total and unconditional support for SWAPO in its armed struggle was the most effective reply to the delaying tactics adopted by Namibia's enemies. The international community had noted the continued readiness of SWAPO to reach a negotiated settlement and supported its proposal for a conference under United Nations auspices to resolve all outstanding issues.

195. The non-aligned countries and the United Nations in various resolutions had called for the withdrawal of South African troops from Namibia and the return of all Namibian territory, including Walvis Bay. All the Council's energies should be devoted to achieving those ends.

196. The Namibian people were victims of the scorn and insolence which South Africa had displayed towards the United Nations, with the full support of the United States and other NATO Powers. South Africa maintained its racist troops in Namibia without the slightest right and in defiance of international public opinion. It had avoided its obligation to grant independence to the Namibian people and had imposed a system of bantustans on that country. But the Namibian people would ultimately triumph.

9. Statement by the President of the United Nations Council for Namibia

197. The President of the United Nations Council for Namibia pointed out that the purpose of the current extraordinary plenary meetings was to draw attention to the critical situation in and around Namibia and to demonstrate the international community's support for SWAPO, the sole and authentic representative of the Namibian people. The meetings would also help to rally international support for the front-line States, which had extended unqualified support to the Namibian people in their heroic struggle.

198. The racist régime was continuing its illegal occupation of the Territory and was stepping up its militarization of Namibia which had, as a result, become a war zone, with South African troops patrolling the entire country and harassing innocent people, all in violation of United Nations resolutions and decisions.

199. The United Nations Council for Namibia strongly condemned South Africa's obnoxious policy of apartheid, its illegal occupation of Namibia and its unprovoked aggression against the front-line States, particularly Angola, as well as its refusal to adhere to the principle of self-determination and independence. The Council further condemned those Governments which misused their veto power to prevent the Namibian people from fulfilling their political aspirations to freedom and independence.

200. The Council regretted the fact that, because of South Africa's intransigence and the lack of sufficient pressure from the Western contact group, the United Nations plan, based on Security Council resolution 435 (1978), had still not been implemented. Because the proposals of the contact group had gradually drifted away from Security Council resolution 435 (1978), SWAPO had requested that all outstanding issues should be resolved in a package at a Geneva-type conference held under the auspices of the United Nations, although it did not exclude other means of achieving that objective. The Council wished to commend SWAPO for its statesmanship in the negotiations as well as its courage on the battlefield in defending the inalienable rights of the Namibian people.

201. In view of the grave situation created by South Africa and the current impasse in the negotiations, the Council strongly emphasized the need for the international community to prevent any deterioration of the situation. The Council therefore wished to reiterate that resolution 435 (1978) provided the only basis for a speedy solution to the Namibian problem and should be implemented urgently, without modification. Failing progress in that connection, the Security Council, acting in accordance with its responsibility for the maintenance of international peace and security, should take appropriate measures under Chapter VII of the Charter to ensure the immediate withdrawal of South Africa's illegal administration from Namibia.

202. The Council called on the international community to increase its political, diplomatic, moral, economic and material assistance to SWAPO in order to enable it successfully to conclude the liberation struggle. Moreover, the Council reaffirmed its complete support for SWAPO, whose just struggle also enjoyed the support of the international community. The Council would continue to mobilize the international community with a view to increasing its support for the cause of the struggling people of Namibia, ending South Africa's illegal occupation of the Territory and establishing a genuine government in a free and independent Namibia. All those involved in the negotiating process should respond favourably to the suggestion by SWAPO concerning a Geneva-type conference with a view to resolving the remaining issues in accordance with Security Council resolution 435 (1978).

D. General debate

203. The Council held its general debate from 11 to 13 May 1982.

204. Council members expressed their utmost concern at the further deterioration of the situation in Namibia resulting from the illegal occupation of the Territory by South Africa. Members felt that the increasing militarization of Namibia by South Africa, its intensification of repressive acts against the Namibian people and its use of Namibian territory to launch acts of military aggression against neighbouring States had created a situation that threatened peace and security not only in southern Africa but also in the world at large.

205. Many speakers emphasized that the question of Namibia was one of decolonization and opposed any attempt to frame it within the context of East-West rivalry.

206. Council members reaffirmed the special responsibility of the United Nations for Namibia and its solidarity with, and support for, the liberation struggle of the Namibian people under the leadership of SWAPO, recognized as the sole and authentic representative of the Namibian people.

207. Speakers emphasized that Namibia should accede to independence with its territorial integrity intact. In that regard, speakers reaffirmed the decision of the United Nations that Walvis Bay and the off-shore islands are an integral part of Namibia and that any action by South Africa to separate them from the Territory is illegal, null and void.

208. Council members expressed grave concern over the role of South Africa's major trading partners which, together with South Africa, were engaged in the plunder of Namibia's wealth and the exploitation of the Namibian people in blatant violation of international law. Reports that South Africa was still receiving military

technology and equipment, particularly from the West, in violation of Security Council resolution 418 (1977) of 4 November 1977 were particularly disturbing.

209. Many speakers were of the view that the Western Powers had repeatedly demonstrated their unwillingness to exert pressure on South Africa commensurate with their influence on that régime so as to compel Pretoria to co-operate in the implementation of the United Nations plan for Namibia.

210. A few speakers, on the other hand, believed that the Western contact group had displayed considerable effort in genuinely seeking ways to obtain the implementation of Security Council resolution 435 (1978).

211. Council members stressed that the United Nations plan, as embodied in Security Council resolutions 385 (1976) and 435 (1978), was the only internationally recognized framework for a negotiated settlement of the question of Namibia and strongly opposed any attempt to dilute or deviate from the plan.

212. In view of South Africa's intransigence, its failure to comply with United Nations resolutions and its attempts to impose an internal solution on the Namibian people, the majority of Council members supported the imposition of comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations.

213. Council members commended SWAPO for the statesmanship and constructive attitude it had demonstrated during the negotiations and expressed the view that, in order to overcome the current impasse, a Geneva-type conference should be held under United Nations auspices in order to discuss and resolve all outstanding issues together in a comprehensive manner, as proposed by SWAPO.

214. Speakers underscored the need to provide increased assistance to SWAPO for its liberation struggle and to the front-line States for the defence of their sovereignty and territorial integrity against South African aggression.

215. At the conclusion of the proceedings, the Council adopted by acclamation a resolution (A/AC.131/88) expressing its thanks to the Government and people of the United Republic of Tanzania for having provided the Council with the necessary facilities for its extraordinary plenary meetings.

E. Adoption of the Arusha Declaration and Programme of Action on Namibia

216. At its 381st meeting, on 13 May 1982, the Council adopted by acclamation the Arusha Declaration and Programme of Action on Namibia, the text of which is reproduced in paragraph 767 below.

Reservations, clarifications and observations

217. In the course of the extraordinary plenary meetings, the representatives of Australia, Belgium, Finland and Turkey, while joining in the consensus on the Arusha Declaration and Programme of Action on Namibia, expressed reservations concerning certain references in the Declaration. Clarifications were made by the delegations of Senegal and the United Republic of Cameroon. Observations were made by the representatives of Chile and Colombia.

218. The text of the reservations of Australia, Belgium and Finland is contained in annex I to the present report.

F. Preparations for the International Conference in Support
of the Struggle of the Namibian People for Independence

219. In the course of the meetings at Arusha, the Council considered and approved the following provisional agenda for the International Conference in Support of the Struggle of the Namibian People for Independence, to be held at UNESCO House in Paris during 1983:

1. Adoption of the agenda.
2. Question of Namibia:
 - (a) Consideration of the situation in and relating to Namibia;
 - (b) Solidarity with and assistance to the people of Namibia in their struggle for self-determination and national independence in a united Namibia under the leadership of SWAPO, their sole and authentic representative;
 - (c) Solidarity with and assistance to the front-line States with a view to enabling them to sustain their support to the cause of Namibia;
 - (d) Measures for securing the early implementation of the United Nations plan for Namibia as provided for in Security Council resolutions 385 (1976) and 435 (1978), as well as of other United Nations resolutions and decisions, with a view to enabling the speedy exercise by the people of Namibia of their inalienable right to freedom and independence;
 - (e) Recommendations to be placed before the General Assembly at its thirty-eighth session.
3. Other matters.

PART TWO

WORK OF THE COUNCIL AS THE LEGAL ADMINISTERING AUTHORITY FOR NAMIBIA

I. GENERAL

220. In its capacity as the legal Administering Authority for Namibia until independence, the Council has the power to promulgate such laws and decrees as are necessary for the administration of the Territory. In addition to enacting Decree No. 1 for the Protection of the Natural Resources of Namibia on 27 September 1974, the Council has taken a series of other initiatives aimed at safeguarding the Territory's natural resources for the benefit of the Namibian people. In this connection, the Council dispatched a mission in June and July 1982 to contact administering and managing authorities of foreign corporations operating in Namibia to point out to them the illegality of their operations in the Territory.

221. The Council also has the responsibility of representing Namibia in international organizations and conferences. It continued during the period under review to participate as a full member in such organizations and conferences as ILO, FAO, UNESCO, UNCTAD, UNIDO and the Third United Nations Conference on the Law of the Sea. In April 1982, the Council was admitted as a full member of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees. The Council also represented Namibia at meetings of OAU and the Movement of Non-Aligned Countries and at other international conferences.

222. The Council holds periodic consultations with Governments regarding the situation in the Territory and ways and means of furthering the implementation of United Nations resolutions on Namibia. During the period under review, the Council dispatched a mission of consultation which visited Cyprus, Sri Lanka and Bangladesh between 28 March and 13 April 1982.

223. The Council maintains under constant review the political, military, economic and social conditions affecting the struggle of the Namibian people for self-determination, freedom and national independence in a united Namibia. In this connection, the Council organized a seminar on the military situation in and relating to Namibia which was held at Vienna from 8 to 11 June 1982.

224. The functions of the Council also include dissemination of information on the question of Namibia and the mobilization of international public opinion in support of the Namibian people in their struggle for national independence. The Council also provides financial and educational assistance to Namibians through the United Nations Fund for Namibia, which is the vehicle for financing the United Nations Institute for Namibia and the Nationhood Programme for Namibia.

II. CONSULTATIONS WITH MEMBER STATES ON THE IMPLEMENTATION
OF UNITED NATIONS RESOLUTIONS ON NAMIBIA

A. General

225. In the past the Council has sent missions of consultation to Europe 14/ and Latin America 15/ in 1974; to Asia 16/ in 1975; to Latin America 17/ and Africa 18/ in 1976; to Canada 19/ in 1977; to Africa 20/ and Yugoslavia 21/ in 1978; to Asia, 22/ Western Europe 23/ and Eastern Europe 24/ in 1979; to Latin America, Western Europe, the Caribbean, the South Pacific, North America and the Middle East 25/ in 1980; and to Latin America, Western Europe, Eastern Europe and Asia in 1981. 26/

226. In keeping with its established policy, the Council, as the legal Administering Authority for Namibia until independence, decided to send missions of consultation to Member States during the period under review to exchange views on developments regarding the situation in Namibia and to discuss ways and means of increasing pressure on and further isolating South Africa, of maximizing international support for the early independence of Namibia in accordance with Security Council resolutions 385 (1976) and 435 (1978), and of strengthening support for the just struggle of the Namibian people led by SWAPO, their sole and authentic representative, for national liberation and independence. In this connection, the Council was also mindful of the attempts being made by certain members of the Western contact group to alter resolution 435 (1978), which constitutes the universally accepted basis for the peaceful settlement of the question of Namibia.

B. Mission of consultation to Cyprus, Sri Lanka and Bangladesh
(28 March to 13 April 1982)*

227. The Mission was composed of the representatives of Guyana (Chairman), Botswana, Cyprus, India, the Union of Soviet Socialist Republics, the United Republic of Cameroon and SWAPO. The Mission visited Cyprus from 28 to 31 March, Sri Lanka from 1 to 6 April and Bangladesh from 9 to 13 April 1982.

228. In Cyprus the Mission was received by Mr. Spiriyos Kyprianou, President of the Republic of Cyprus; Mr. George Ladas, President of the House of Representatives; and Mr. N. A. Rolandis, the Minister for Foreign Affairs. In Sri Lanka it was received by Mr. A. C. Shahul Hameed, Minister for Foreign Affairs, and Mr. H. T. Jayasinghe, Foreign Secretary. In Bangladesh the Mission was received by Lieutenant General H. M. Ershad, Chief Martial Law Administrator, and Mr. Humayun R. Chowdhury, Foreign Secretary.

229. In all three countries the Mission held consultations at the highest level with officials from the respective ministries of foreign affairs. (For the composition of the Government delegations, see para. 770 below.)

230. In its discussions with the Government officials, the Mission emphasized the

* Turkey reserved its position with respect to the visit to Cyprus.

inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, including Walvis Bay and the Penguin and other off-shore islands, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as in subsequent resolutions of the Assembly relating to Namibia.

231. It stressed that Namibia was the direct responsibility of the United Nations until it attained genuine independence and underlined the mandate given to the Council as the legal Administering Authority for the Territory. The Mission recalled that more than a decade had elapsed since the International Court of Justice had rendered its advisory opinion of 21 June 1971 in response to the request addressed to it by the Security Council in its resolution 284 (1970) of 29 July 1970. In that regard, it underlined the concern of the international community that Namibia's independence had been delayed for so long.

232. The Mission expressed concern over the serious threat to international peace and security caused by South Africa's consistent defiance of the United Nations, its illegal occupation of the Territory and escalation of military operations there, its war of repression against the Namibian people resulting in the displacement of many Namibians seeking refuge in neighbouring States, its recruitment and training of Namibians for tribal armies and the use of other agents to carry out its policy of military attacks against independent African States, its policy of colonial expansion and apartheid and its development of nuclear weapons.

233. The Mission requested compliance with the position of the United Nations regarding the protection of the natural resources of Namibia as set forth in Security Council resolutions 283 (1970) and 301 (1971) and in Decree No. 1 for the Protection of the Natural Resources of Namibia. It reaffirmed that the natural resources of Namibia were the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive colonial administration was in violation of the Charter, the Decree and the relevant resolutions of the General Assembly and the Security Council. The Mission further noted that such exploitation was illegal and contributed to the maintenance of the illegal occupation régime. The Mission appealed to the Member States to discourage private investors and companies in their countries from participating in business ventures in Namibia and also to use their influence to persuade Western and other countries to cease such activities.

234. The Mission sought to alert the Governments of the countries visited to the continued attempts by certain members of the Western contact group to frustrate the independence of Namibia. It also emphasized the need to render increased moral and material support to the Namibian people under SWAPO so as to enable them to intensify their struggle. The Mission stressed the importance of increased vigilance to prevent further South African manoeuvres and activities by certain members of the Western contact group directed at distorting the terms of Security Council resolution 435 (1978). Those manoeuvres included an attempt to impose "constitutional arrangements" on the Namibian people prior to the holding of free and fair elections under United Nations supervision and control, in contravention of resolution 435 (1978). The Mission recalled that the efforts by South Africa and its allies to give to the question of Namibia a dimension quite different from that of colonial domination, in violation of the principles and purposes of the Charter and the decisions and resolutions of the United Nations, had been condemned by the United Nations and in many other international forums.

235. The Mission recalled that numerous Security Council and General Assembly resolutions on Namibia, including Council resolution 385 (1976), still remained unimplemented.
236. The Mission drew the attention of the Governments to Security Council resolution 435 (1978), which contained administrative arrangements for the holding of free and fair elections under United Nations supervision and control so as to ensure the early independence of Namibia. It noted that in that resolution the Security Council had welcomed the readiness of SWAPO to co-operate in the implementation of those arrangements and had called on South Africa to do likewise.
237. Furthermore, by resolution 439 (1978), the Security Council had declared null and void all unilateral measures taken by the illegal South African administration in Namibia in relation to the electoral process in contravention of resolutions 385 (1976) and 435 (1978).
238. The Mission expressed the view that the events of the past few months in respect of negotiations for the implementation of Security Council resolution 435 (1978) had once more demonstrated that certain Western countries were going out of their way to accommodate South Africa's wishes. It further noted that the United Nations Council for Namibia objected to the proposed one-man, two-vote formula, as did SWAPO, the front-line States, OAU and the Movement of Non-Aligned Countries. The Mission reiterated the Council's call for the full implementation of the United Nations settlement plan without any modification, qualification, dilution, prevarication or delay.
239. The Mission emphasized that the illegal régime of South Africa had employed delaying tactics in order to prolong the negotiations over the settlement plan and had utilized the time so gained to establish unauthorized governmental institutions in the Territory with a view to giving a semblance of legitimacy to its illegal presence there. Furthermore, it was attempting to "Namibianize" the conflict, notably through the forced conscription of black Namibians, in order to create hatred and division among the Namibian people. Those manoeuvres were obviously intended to camouflage the South African military presence in Namibia and to undermine United Nations efforts to achieve genuine independence for the Territory.
240. The Mission strongly condemned racist South Africa's attempts to promote and install a puppet régime as a step towards an actual declaration of fake independence in Namibia. It also strongly denounced the reluctance of the members of the Western contact group, in particular the permanent members of the Security Council, to exert pressure upon South Africa commensurate with the special relationship which they enjoy with that country in order to compel it to co-operate in the implementation of the United Nations plan for Namibia. In that connection, the Mission recalled the veto cast in the Security Council on 30 April 1981 by the three Western permanent members against a draft resolution providing for the imposition of comprehensive mandatory sanctions against racist South Africa in accordance with Chapter VII of the Charter. 2/
241. The Mission recalled that SWAPO had already made many concessions in the search for an acceptable formula for Namibia's independence and commended SWAPO, the sole and authentic representative of the Namibian people, for the statesmanship which it had demonstrated throughout the long and painful efforts to find an internationally acceptable and peaceful solution to the question of Namibia. It reaffirmed its complete solidarity with and full support for SWAPO, whose just struggle enjoyed the support and admiration of the international community.

242. The Mission reaffirmed the Council's unflinching solidarity with and support for SWAPO and the Namibian people in their just struggle for national liberation, freedom and independence. In that respect, the Mission called for increased material, political and moral support to be rendered to SWAPO so that it could intensify the struggle for the total liberation of Namibia.

243. The Mission underlined the Council's consternation at the fact that, while diplomatic efforts were being made, South Africa continued to use Namibia as a spring-board for aggression against independent African States, particularly Angola, thus creating serious instability and endangering peace in southern Africa.

244. The Mission stated that the Council condemned the double standards of certain Western countries which, while purporting to believe that a peaceful settlement of the question of Namibia was possible, had done very little to persuade South Africa to comply with the decisions of the United Nations and the consensus of the international community. It deplored the attitude of those Western countries which encouraged South Africa to persist in trying to give legitimacy to and to promote its puppet entities in Namibia. The Mission expressed its conviction that South Africa would not have been able to continue its intransigence without the political, economic and military support it received from certain Western countries. The motive for that support was, among other things, the continued plunder of Namibia's natural resources by Western transnational corporations.

245. The Mission reiterated the Council's strong condemnation of certain Western Powers which, by their continued military, economic and political collaboration with the Pretoria régime, encouraged it to continue its illegal occupation of Namibia, its brutal repression of the Namibian people and its acts of aggression and destabilization against the front-line States, particularly Angola.

246. South Africa had amply demonstrated its total disregard for the United Nations and the principles enshrined in the Charter, the Mission declared. Its continuing violation of United Nations resolutions warranted the urgent imposition by the Security Council of comprehensive mandatory sanctions as provided for in Chapter VII of the Charter in order to ensure South Africa's immediate compliance with the resolutions and decisions relating to Namibia.

247. The Mission emphasized that it was necessary further to expand and intensify the concerted action of the United Nations Council for Namibia and the international community in support of the struggle of the Namibian people by all means at their disposal, including armed struggle, for self-determination and genuine independence. The consultations with the Governments could significantly contribute to identifying new strategies for action. In particular, it envisaged close co-operation between the Council and the Governments with respect to the dissemination of information on Namibia and other activities of the Council. In that connection, the Mission brought to the attention of the Governments the decision of the Council to hold a series of extraordinary plenary meetings at Arusha from 10 to 14 May 1982. It considered that those meetings would provide an opportunity to formulate a programme of action aimed at intensifying and broadening the scope of concerted action to end South Africa's illegal occupation of Namibia.

248. The Mission recalled that the General Assembly, by its resolution 36/121 D, had requested all specialized agencies and other organizations and conferences of the United Nations system to grant full membership to Namibia, represented by the Council, so that it might participate, in its capacity as the legal Administering

Authority for Namibia, in the work of those agencies, organizations and conferences. The Mission requested the Member States to increase their support for the Council so that it might intensify its efforts in that regard and broaden the scope of the activities it carried out in close co-operation with SWAPO, in fulfilment of the commitments of the United Nations to the Namibian people resulting from General Assembly resolution 2145 (XXI).

249. The Mission also sought support for United Nations programmes of assistance to Namibians and drew attention to the need for increased contributions to the United Nations Fund for Namibia, the Nationhood Programme for Namibia and the United Nations Institute for Namibia.

250. The Governments of Cyprus, Sri Lanka and Bangladesh assured the Mission of their support for the inalienable right of the Namibian people to self-determination, freedom and national independence, in accordance with General Assembly resolutions 1514 (XV) and 2248 (S-V). They reiterated that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the off-shore islands, and reaffirmed their staunch support for the liberation of Namibia and for the work of the Council as the legal Administering Authority for the Territory until independence.

251. The three Governments vigorously condemned the continued illegal presence of the South African régime in Namibia, its policies of apartheid and practices of division, including the establishment of so-called homelands, and the continuous violence and acts of intimidation and brutal repression by which the occupation forces of the illegal administration attempted to perpetuate the odious exploitation of the people of Namibia.

252. They likewise vehemently condemned South Africa's increasing militarization of the Territory, including the formation of the so-called South West Africa Territory Force, the use of mercenaries inside and outside the Territory and the forced conscription of Namibian nationals for South Africa's expanded war of aggression against the people of Namibia and the neighbouring African States. They expressed the view that that militarization, combined with the fact that the Pretoria régime had been acting in a completely unrestrained manner against Namibia and the neighbouring States, assumed even more ominous proportions in view of South Africa's development of a nuclear-weapon capability. They expressed concern at the threat to international peace and security created by the systematic and continued violation of the political independence, sovereignty and territorial integrity of those African States, especially Angola, which continued to be the object of South Africa's brutal aggression.

253. The Governments of Cyprus, Sri Lanka and Bangladesh strongly condemned South Africa's systematic efforts to eliminate SWAPO, its leaders, cadres and supporters, both inside and outside the Territory. They strongly condemned South Africa's manoeuvres aimed at undermining the role of SWAPO as the sole and authentic representative of the people of Namibia and called upon all States, in accordance with the relevant resolutions of the General Assembly and the Security Council, to reaffirm their support for SWAPO and to refrain from co-operating with or according recognition to any régime or authority which the illegal South African administration might seek to impose on the Namibian people.

254. The three Governments firmly rejected any attempt to characterize the Namibian issue as a regional conflict with a view to depriving it of its universal

dimensions and underplaying the degree of brazen defiance by South Africa of the decisions of the United Nations.

255. Furthermore, they reaffirmed that the question of Namibia was one of occupation and of decolonization. They deplored the attempts by South Africa and its allies to characterize the liberation struggle in Namibia as part of an East-West ideological conflict and to label SWAPO as a terrorist organization, thus misrepresenting and denigrating the ideals and purposes of the legitimate struggle of the Namibian people against the illegal and barbarous occupation of their country.

256. The Governments expressed concern over the lack of progress in the negotiations for the implementation of Security Council resolution 435 (1978) and cautioned that the international community should be vigilant and not be lulled into feeling that the very momentum of the talks constituted progress. They reiterated their position that resolution 435 (1978) constituted the only universally accepted basis for a settlement of the Namibian question and demanded that it be implemented without any qualification, prevarication or delay. They also expressed the hope that the members of the Western contact group, whose ideas formed the basis of the settlement plan, would press for its speedy implementation without modification.

257. They expressly condemned the current manoeuvres aimed at revising the terms and thwarting the implementation of Security Council resolution 435 (1978) and imposing a neo-colonial situation on Namibia with the purpose of maintaining the status quo. They reiterated the need for a peaceful solution of the problem of Namibia on the basis of resolutions 385 (1976), 431 (1978), 435 (1978) and 439 (1978). They also reaffirmed their principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence in a united Namibia under the leadership of SWAPO, their sole and authentic representative.

258. The three Governments expressed their support for the imposition by the Security Council of comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter, as called for by the General Assembly, the Movement of Non-Aligned Countries and OAU, as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.

259. The Governments strongly condemned the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa. They reaffirmed that those activities constituted a major obstacle to the genuine independence of Namibia and that the people of the Territory, through the Government of a genuinely independent Namibia, would be entitled to seek reparations for the exploitation and depletion of their natural resources.

260. They reiterated their position that the strong political, economic, diplomatic and military support which South Africa received from certain Western permanent members of the Security Council encouraged it to refuse to comply with United Nations resolutions and decisions on Namibia and had prevented the Security Council from imposing mandatory sanctions against South Africa. That encouragement confirmed existing doubts about the real intentions of the five Western Powers with regard to the strict implementation of the United Nations plan for Namibia, of which they themselves were the authors.

261. The Governments of Cyprus, Sri Lanka and Bangladesh also reiterated the importance of compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia and with the request of the General Assembly in resolution ES-8/2 that all States take legislative, administrative and other measures in order totally to isolate South Africa politically, economically, militarily and culturally.

262. The Governments of Cyprus, Sri Lanka and Bangladesh commended the positive and constructive attitude of SWAPO, which had consistently expressed its readiness to co-operate fully with the United Nations in the implementation of Security Council resolution 435 (1978), and reiterated their solidarity with the firm principled stand of the front-line States, which continued to render moral and material support to SWAPO even at great sacrifice to themselves.

263. Despite growing disappointment over the progress made by the concerned Powers in promoting the implementation of the relevant Security Council resolution and in bringing about a peaceful resolution of the problem, the three Governments expressed the hope that those Powers would see the logic and urgency of bringing sufficient pressure to bear on South Africa to oblige it to comply with the United Nations decisions on Namibia without further delay.

264. The Governments recognized that the struggle for the liberation of Namibia had reached a crucial stage at which all forces of imperialism had found renewed energy and were concentrating on new tactics for the maintenance of the status quo, while giving the impression of a desire to see a genuine change. They recognized that at the current juncture it was essential for peace and freedom-loving forces to unite their energies solidly behind SWAPO and to continue to expose and condemn all stratagems designed to frustrate the legitimate independence struggle of the Namibian people. In that context, the three Governments reaffirmed their unswerving commitment and dedication to the work of the United Nations Council for Namibia and to the freedom struggle of the people of Namibia.

265. The Governments of Cyprus, Sri Lanka and Bangladesh considered that programmes of assistance to the Namibian people should be strengthened and that the United Nations should consolidate all activities of support for the Namibian people. They assured the Mission that they would extend their fullest support to any initiative taken by the United Nations to bring about the speedy liberation of Namibia and would also exert every effort to achieve that end through all appropriate international organizations and forums, including the Commonwealth.

266. At the conclusion of the respective consultations, the Mission issued a joint communiqué with the Government of Cyprus, a joint press statement with the Government of Sri Lanka and a joint communiqué with the Government of Bangladesh, the texts of which are reproduced in paragraph 770 below.

III. ACTIVITIES OF THE COUNCIL RELATING TO THE REPRESENTATION OF
NAMIBIA AND THE PROMOTION OF NAMIBIAN INTERESTS IN THE
SPECIALIZED AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS
AND CONFERENCES

A. General

267. The Council continued during the period under review to discharge the responsibilities conferred upon it by the General Assembly with regard to the representation and promotion of the interests and aspirations of the Namibian people in the specialized agencies and other international organizations and conferences. It will be recalled in this connection that, by its resolution 36/121 C, the Assembly decided that Namibia, represented by the Council, should participate as a full member in all conferences and meetings organized by the United Nations to which all States or, in the case of regional conferences and meetings, all African States are invited.

268. Important among the agencies and conferences of which the Council is a full member are ILO, FAO, UNESCO, UNCTAD, UNIDO and Third United Nations Conference on the Law of the Sea. The Council continues to be an associate member of WHO. In April 1982, Namibia, represented by the Council, was granted membership in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (Economic and Social Council decision 1982/110).

269. At the eleventh session of the Third United Nations Conference on the Law of the Sea, Namibia, represented by the Council, was granted the right to become a party to the United Nations Convention on the Law of the Sea adopted on 30 April 1982 and to join the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

270. The President of the Council, responding to paragraph 4 of General Assembly resolution 36/121 D, addressed a formal letter to the Director-General of IAEA requesting that the General Conference of that Agency grant full membership to the Council.

271. At its meeting held from 7 to 11 June 1982, the Board of Governors of IAEA considered the application for membership of Namibia in terms of article IV.B of the Statute, and paragraph 4 of General Assembly resolution 36/121 D. The Board recommended that the General Conference should approve the application and that the contribution of Namibia to the Agency's budget, in accordance with paragraph 2 of the above-mentioned resolution, should be waived so long as Namibia continued to be represented by the Council. The General Conference is scheduled to meet from 20 to 24 September 1982 and the Council expects to send a delegation to that meeting.

272. The Council notes with deep regret that the International Monetary Fund and the World Bank continue to maintain links with South Africa and, especially in the case of IMF, to assist the illegal racist régime financially in violation of General Assembly resolution 36/52 of 24 November 1981 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, and other relevant resolutions of the United Nations. At the same time, the two above-mentioned agencies continue to refuse to give material

assistance to SWAPO, the sole and authentic representative of the Namibian people. These policies of IMF and the World Bank are contributing to the maintenance of the illegal colonial domination of Namibia by South Africa.

273. During the period under review, the Council was represented at the meetings and conferences indicated below. The Council will continue to seek membership for Namibia in all specialized agencies and other United Nations bodies.

B. Special Committee against Apartheid
and other United Nations bodies

274. Mr. Paul J. F. Lusaka (Zambia), President of the United Nations Council for Namibia, represented the Council at the meeting held by the Special Committee on 12 October 1981 to observe the Day of Solidarity with South African Political Prisoners.

275. Messrs. John O. Aje (Nigeria) and Theo-Ben Gurirab (SWAPO) represented the Council at the Conference entitled "Southern Africa - Time to Choose", held in London from 11 to 14 March 1982 under the auspices of the Special Committee and the Anti-Apartheid Movement of the United Kingdom.

276. Mr. Natarajan Krishnan (India) represented the Council at the First North American Seminar of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, held in New York from 15 to 19 March 1982.

277. Ms. Elaine Jacob (Guyana) represented the Council at the International Conference of Women and Apartheid, held at Brussels from 17 to 19 May 1982, under the auspices of the Special Committee and the International Committee of Solidarity with the Struggle of Women in South Africa and Namibia, and submitted a report to the Council on the Conference (A/AC.131/L.259).

278. Mr. Lusaka (Zambia) represented the Council at the solemn meetings held by the Special Committee on 19 March 1982 to observe the International Day for the Elimination of Racial Discrimination, and on 16 June 1982 to observe the International Day of Solidarity with the Struggling People of South Africa.

279. Messrs. Tuluy Tanç (Turkey) and Mkhondo D. Lungu (Zambia) represented the Council at the World Assembly on Aging, held at Vienna from 26 July to 6 August 1982.

280. Mr. Alexandros N. Vikis (Cyprus) represented the Council at the African Regional Seminar of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, held at Dakar from 9 to 13 August 1982.

C. Meetings of the Senate of the United Nations Institute for Namibia
and other activities under the United Nations Fund for Namibia

281. Messrs. Paul J. F. Lusaka (Zambia), President of the Council, Pedro Sorensen-Mosquera (Venezuela), Vice-Chairman and Rapporteur of the Committee on the United Nations Fund for Namibia, Essam S. Ramadan (Egypt) and Kari V. Salonen (Finland) represented the Council at the 14th meeting of the Senate

and the third graduation ceremony of the Institute, held at Lusaka on 15 and 16 January 1982 respectively. (For the report of the Council delegation, see A/AC.131/L.257.)

282. Ms. Jacob (Guyana), Mrs. Famatta Rose Osode (Liberia) and Mr. Lungu (Zambia) represented the Council at the sectoral planning workshop on mining, industries, trade and economic planning, held at Harare from 29 May to 2 April 1982. The same group of delegates represented the Council at the Seminar entitled "Towards economic development strategy options for independent Namibia", held at Lusaka from 7 to 9 April 1982.

283. Mr. Aje (Nigeria) represented the Council at the 3rd meeting of the Governing Board of the United Nations Vocational Training Centre, held at Luanda from 16 to 18 April 1982.

284. Messrs. Lusaka (Zambia), Sorensen-Mosquera (Venezuela), Ramadan (Egypt) and Salonen (Finland) represented the Council at the 15th meeting of the Senate of the Institute, held in New York on 24 and 25 August 1982.

D. Specialized agencies and other organizations
and institutions of the United Nations system

1. International Labour Organisation

285. Mr. Carlo Toussaint (Haiti) and Messrs. B. Amathila, D. Munyaro, J. Nakatana and A. Shihepo (SWAPO) represented the Council at the sixty-eighth session of the International Labour Conference, held at Geneva from 2 to 23 June 1982.

2. United Nations Educational, Scientific and Cultural Organization

286. Mr. Essam S. Ramadan (Egypt) represented the Council at the Conference of Ministers of Education and Those Responsible for Economic Planning in African States, held at Harare from 28 June to 3 July 1982, and also at the preparatory meeting of experts for the Conference held from 21 to 25 June.

287. Mr. Boer Mauna (Indonesia) represented the Council at the World Conference on Cultural Policies, held at Mexico City from 26 July to 5 August 1982.

3. World Health Organization

288. Mr. Gaspard Towo Atangana (United Republic of Cameroon) and Dr. A. Indongo (Secretary of Health of SWAPO) represented the Council at the Thirty-fifth World Health Assembly, held at Geneva from 3 to 4 May 1982.

4. United Nations Conference on Trade and Development

289. Mr. Toussaint (Haiti) and Messrs. Amathila, Munyaro, Nakatana and Shihepo (SWAPO) represented the Council at the tenth session of the Committee on Shipping, held at Geneva from 14 to 25 June 1982.

5. United Nations Development Programme

290. Mr. Toussaint (Haiti) and Messrs. Amathila, Munyaro, Nakatana and Shihepo (SWAPO) represented the Council at the twenty-ninth session of the Governing Council, held at Geneva from 1 to 21 June 1982.

6. Executive Committee of the Programme of the United Nations High Commissioner for Refugees

291. Mr. Salonen (Finland) represented the Council at an informal meeting of the Executive Committee held at Geneva on 23 June 1982.

E. Organization of African Unity

292. Messrs. Paul J. F. Lusaka (Zambia) and Lazare Nizigama (Burundi) represented the Council at the thirty-eighth ordinary session of the Council of Ministers of OAU, held at Addis Ababa from 22 to 28 February 1982. (For the report of the Council delegation, see A/AC.131/L.255.)

293. The Ambassador of Algeria to the United Republic of Tanzania represented the Council at the thirty-ninth ordinary session of the OAU Co-ordinating Committee for the Liberation of Africa, held at Arusha from 7 to 11 June 1982.

F. Movement of Non-Aligned Countries

294. Messrs. Paul J. F. Lusaka (Zambia) and Patriot Lentsejalo B. Yane (Botswana) represented the Council at the Extraordinary Ministerial Meeting of the Co-ordinating Bureau, held at Kuwait from 5 to 18 April 1982.

295. Messrs. Lusaka (Zambia), T. P. Sreenivasan (India) and Gurirab (SWAPO) represented the Council at the Ministerial Meeting of the Co-ordinating Bureau, held at Havana from 31 May to 5 June 1982.

296. Messrs. Krishnan and Sreenivasan (India) represented the Council at the Extraordinary Ministerial Meeting of the Co-ordinating Bureau, held at Nicosia from 15 to 17 July 1982.

G. Meetings and conferences sponsored by non-governmental organizations

297. Mr. Lusaka (Zambia) represented the Council at the twelfth African-American Conference, held at Williamsburg, Virginia, United States, from 8 to 11 October 1981.

298. Mr. Lusaka (Zambia) represented the Council at the Conference in Solidarity with the Liberation Struggles of the Peoples of Southern Africa, held in New York from 9 to 11 October 1981.

299. Mr. Tanç (Turkey) represented the Council at the Second International Conference of Solidarity with the Peoples of Southern Africa against Racism and

Apartheid in South Africa and for the Independence of Namibia, held at Rome from 26 to 28 February 1982.

300. Mr. Lusaka (Zambia) represented the Council at a meeting of the International Preparatory Committee for the International Conference in Solidarity with the Front-line States, held at Lisbon on 17 and 18 April 1982.

301. Messrs. Aje (Nigeria) and H. P. Asheeke (SWAPO) represented the Council at the Canadian Conference in Solidarity with the Liberation Struggle of the People of Southern Africa, held at Ottawa from 7 to 9 May 1982.

IV. ACTION CONCERNING FOREIGN ECONOMIC INTERESTS IN NAMIBIA

A. General

302. In its capacity as the legal Administering Authority for Namibia until independence, and in accordance with the provisions of General Assembly resolution 36/121 C, the Council continued during the period under review to inform the international community of the situation in Namibia with regard to the exploitation of the Territory's people and resources by South African and other foreign economic interests.
303. Among other things, the Council prepared and published a report on the economic situation in Namibia (A/AC.131/L.250 and Corr.1), in which it exposed and denounced the illegal exploitation of the Territory's natural resources.
304. By resolution 36/121 A, the General Assembly strongly condemned the activities of all foreign economic interests operating in Namibia under the illegal South African administration and illegally exploiting the resources of the Territory. The Assembly demanded that transnational corporations and others engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately abstaining from any new investments or activities in Namibia. By the same resolution, the Assembly declared that, "by their depletive exploitation of natural resources and continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating at present in Namibia constitute a major obstacle to its political independence". The Assembly also reiterated that the exploitation of the resources of Namibia by foreign economic interests under the protection of the repressive racist administration, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, was illegal and contributed to the continuation of South Africa's illegal occupation of Namibia.
305. By resolution ES-8/2 of 14 September 1981, the General Assembly strongly condemned the exploitation and plunder of the natural resources of Namibia by South Africa and Western transnational corporations and called upon all States, in view of the serious threat to international peace and security posed by South Africa, to impose comprehensive sanctions against that country and to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally. The Assembly also strongly urged the Security Council to respond positively to the overwhelming demand of the international community by immediately imposing comprehensive mandatory sanctions against South Africa as provided for in Chapter VII of the Charter.
306. The continuing exploitation of Namibia's natural resources was one of the topics considered by the United Nations Council for Namibia during its extraordinary plenary meetings held at Arusha from 10 to 14 May 1982. In the Arusha Declaration and Programme of Action (see para. 767 below), the Council reaffirmed that the natural resources of Namibia were the inviolable heritage of the Namibian people and underlined the importance of the effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. The Council further noted that the rapid depletion of the natural resources of the Territory as a result of the systematic plunder by South Africa's Western trading partners in collusion with the illegal South African administration was a grave

threat to the integrity and prosperity of an independent Namibia. It may be added that the continuous illegal exploitation of Namibian uranium, apart from having serious adverse effects on the economy of Namibia and its people, has added a dangerous dimension to the situation in the entire region.

307. In its Programme of Action, the Council decided to promote every effort for the speedy implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. Accordingly, steps would be taken by the Council to initiate legal action in appropriate courts against those who violated the provisions of the Decree. The Council also called on all States to prohibit State-controlled corporations and companies of their nationality not under direct governmental control from investing or obtaining concessions in Namibia and to announce that they would not protect such investments against claims from either the Council or the future lawful Government of an independent Namibia.

308. Transnational and other corporations continue to exploit the Territory's natural resources, despite repeated United Nations resolutions and the advisory opinion of the International Court of Justice of 21 June 1971 and in flagrant violation of the Decree.

309. The foreign economic interests involved in the exploitation of Namibia's resources include many of the world's largest natural resource corporations and financial institutions. The General Assembly has in various resolutions (32/35 of 28 November 1977, 33/40 of 13 December 1978, 34/41 of 21 November 1979, 35/28 of 11 November 1980 and 36/51 of 24 November 1981) identified Canada, France, the United Kingdom and the United States as the major trading partners of South Africa; it is thus not surprising that transnational corporations from these and other Western countries are heavily involved in prospecting and mining in Namibia. They conduct these activities purely in the interest of their shareholders and to the obvious detriment of the Namibian people. In exchange for the opportunity to earn great profits for themselves, these foreign interests support South Africa's illegal occupation of the Territory both politically and financially.

310. The importance of Namibia's resources to South Africa and other foreign interests is considerable. Transnational corporations of the Western nations have invested heavily in and extracted huge profits from Namibia. A large proportion of such firms are based in five Western countries: Canada, France, the Federal Republic of Germany, the United Kingdom and the United States. The latest available information indicates that there are as many as 88 transnational corporations operating in Namibia, of which 35 are based in South Africa, 25 in the United Kingdom, 15 in the United States, 8 in the Federal Republic of Germany, 3 in France and 2 in Canada. All of these corporations, including those registered in South Africa, conduct their operations by means of licences issued by the Pretoria régime or its illegal administration in Namibia.

311. The plunder of Namibia's resources is of such a magnitude that the Territory ranks among the world's leading producers of gem diamonds; it also has the world's largest open-cast uranium mine and produces a vast variety of metals and minerals. Those base metals which have been mined extensively in the past include copper, lead, tin, zinc, cadmium, vanadium, silver and lithium. However, the extensive exploitation of these resources does not in any way benefit the Namibian people. What is more, the increased rate of exploitation of the Territory's deposits in recent years has raised fears that the country's known reserves are being rapidly depleted.

312. The exploitation of these resources by South African and other economic interests, under the protection of the illegal colonial and racist administration and in violation of resolutions of the General Assembly and the Security Council, is illegal and contributes to the maintenance of the repressive occupation régime.
313. The exploitation of Namibia's natural wealth is concentrated in three main sectors, namely mining, fishing and agriculture (particularly the raising of cattle and karakul sheep). Minerals, particularly diamonds and base metals, have traditionally been the backbone of the Namibian economy and a major factor in the maintenance of South Africa's stranglehold over the Territory.
314. Approximately 80 per cent of the total mining assets are held by just three companies: Consolidated Diamond Mines of South West Africa, Ltd. (CDM), a wholly-owned subsidiary of De Beers Consolidated Mines, Ltd.; the Tsumeb Corporation, controlled by American Metal Climax, Inc. (AMAX) and the Newmont Mining Corporation of the United States; and Rössing Uranium, Ltd., in which the largest stake, nearly 47 per cent, is held by the Rio Tinto Zinc Corporation, Ltd. (RTZ). Other international mining companies controlling significant portions of the mineral sector include Falconbridge Nickel Mines, Ltd. of Canada, as well as major South African companies such as the Anglo-American Corporation of South Africa, Ltd. and the General Mining and Finance Corporation of South Africa, Ltd. (GMFC).
315. These transnational corporations operate in defiance of Decree No. 1 for the Protection of the Natural Resources of Namibia, which among other things forbids mineral exploitation in Namibia without the consent and permission of the Council.
316. In 1980, profits from diamond mining accounted for 55 to 70 per cent of Namibia's annual export earnings and provided 35 to 40 per cent of the annual taxes collected by the illegal South African administration in the Territory.
317. The production of diamonds in Namibia is monopolized by CDM, whose parent company, De Beers, is in turn 30 per cent owned by the Anglo-American Corporation. De Beers claims that approximately 20 per cent of its profits come from Namibia; according to other sources, the contribution of CDM to De Beers' total profits may be more of the order of 40 per cent. Namibian diamonds are marketed by the Central Selling Organization, which is based in London and is essentially controlled by De Beers.
318. In December 1980, the Tsumeb Corporation and the Otjihase Mining Company, Ltd., a subsidiary of the Johannesburg Consolidated Investment Company, Ltd. (JCI), announced that the Otjihase copper mine in Namibia was to be reopened shortly as a joint venture of the two companies. Production was scheduled to start at a limited rate before the end of 1980, eventually building up to the full capacity of 65,000 metric tons of ore per month.
319. Reports indicate that since January 1979, some 30 mining companies have been listed in Windhoek. Many are disguised subsidiaries of larger mining firms, loath to reveal their involvement. One of the new firms, Trans-Namibia Mines, has reopened a former manganese ore body north of Okahandja and plans to export manganese concentrates. Another, Rhyno Prospecting and Mining, has located a gold deposit in the Kawanjab district.

320. It is reported that nearly all of Namibia's zinc, tin, lead, vanadium and tungsten production is sent to South Africa for processing and eventual end use. Over the last 10 years, Namibia's zinc mines have reduced South Africa's dependence on external sources of supply by more than 65 per cent; almost all of Namibia's zinc is purchased and used by the Iron and Steel Corporation of South Africa (ISCOR). Similarly, the country's lead and tin production provides vital inputs for various South African industries.

321. The significant uranium deposits in Namibia have been the target of massive exploitation by foreign economic interests in collaboration with South Africa. The largest open-cast uranium mine in the world, operated by Rössing Uranium, has attracted the biggest share of foreign investment in the Territory. It is believed that uranium will soon replace diamonds as the Territory's most valuable resource.

322. A large share of the uranium required by the nuclear development plans of South Africa, the United Kingdom, France, Japan* and other nations is provided by the Rössing mine. Rössing currently supplies about 50 per cent of the United Kingdom's uranium and produces 10 per cent of the total amount at present consumed by the Western industrialized nations. Although neither South Africa nor RTZ publish such statistics, experts estimate that Rössing's total reserves are in the range of 220,000 metric tons. According to available information, the Rössing mine's present production is about 5,200 metric tons a year and gross revenue from sales is estimated at \$US 280 million.

323. Under existing tax regulations, mining companies operating in Namibia are able to write off all capitalized pre-production expenditure against their taxation liability. As a result, Rössing Uranium will not become fully liable for taxes until 1983, although RTZ revealed in its 1980 report that an initial provision towards future tax payments had been made.

324. It has been estimated that as much as 65 per cent of Namibia's gross domestic product goes to large companies, which keep 50 per cent as profits for themselves

* The Government of Japan informed the Council on 31 August 1981 that the Kansai Electric Power Company, a private enterprise which had concluded a contract for the purchase of Namibian uranium, had "decided not to import Namibian uranium under the present circumstances" and had "postponed receipt of the uranium to be delivered under the terms and conditions of the said contract" following the publication of Decree No. 1 in an official bulletin of the Japanese Government. Furthermore, the Japanese Government had prohibited direct investment by Japanese nationals or corporate bodies under its jurisdiction in South Africa and in the Territory illegally occupied by South Africa. Consequently, no Japanese national was taking part in the management of any enterprise in Namibia, and no Japanese national or enterprise had a mining concession in Namibia.

Subsequently, at the Seminar on the Military Situation in and relating to Namibia, held by the Council at Vienna from 8 to 11 June 1982, a representative of the Japan Anti-Apartheid Committee stated that, although the Japanese Government had made a parliamentary statement that action would be taken with regard to the importation of uranium of Namibian origin in accordance with United Nations resolutions, nothing practical had been done so far.

and pay 15 per cent in taxes to the illegal South African administration. White businessmen and employees, who make up only 8 per cent of the population, take a further 25 per cent. The black workers, peasants and traders of Namibia - 92 per cent of the population, producing, through their labour, nearly all its wealth - keep a little more than 10 per cent of the gross domestic product.

325. Prospecting for oil and natural gas is expanding in Namibia. A gas find off the Namibian coast in 1979 was described by the government-owned South African Oil Exploration Corporation (SOEKOR) as the most significant yet, and might be used to make methanol for use as motor fuel. The company is also stepping up the search for oil along the Namibian coast.

326. Agriculture is one of the corner-stones of the Namibian economy. After mining, agriculture is the most important element of the private sector and, together with fishing, accounts for 12.2 per cent of the gross domestic product. The most important agricultural activities are beef cattle raising, the production of karakul pelts and dairy farming.

327. The Namibian karakul industry is the largest in the world, producing, according to various estimates, between 3.0 million and 5.6 million pelts annually and supplying almost half the international market. The major markets for pelts are the Federal Republic of Germany, Italy and Japan.

328. Recently the demand for karakul pelts has declined. Prices have slipped from R 17 to below R 11 a pelt in the past two years, although there are signs the market is stabilizing. Exports of karakul pelts plunged from 2.8 million in the first seven months of 1980 to 1.6 million in the period January-July 1981. It is generally predicted that karakul production will continue to decline for some time.

329. The Namibian fishing industry, which is almost entirely controlled by South African business interests, produces three primary products: canned fish, fish meal and fish oil. Fishery exports, through much of the 1970s, accounted for about 20 per cent of the country's foreign exchange earnings. For the past 20 years, only 10 per cent of the canned catch has been consumed locally.

330. Traditionally, the major importer of canned fish products from Namibia has been the United Kingdom, purchasing more than 30 per cent of the annual output. The entire output of fish meal is exported to South Africa, Europe and the United States.

331. In recent years, the fishing industry has been in a state of commercial collapse. There is a growing belief, both locally and internationally, that the South African Government has grossly mismanaged one of the mainstays of the Namibian economy and has allowed the fleet operators to loot one of the country's most valuable resources.

332. South Africa's exploitation of Namibia's wealth is dependent upon the exploitation of African labour. It is common knowledge that transnational corporations are attracted to Namibia because they can utilize Namibian labour at cheaper rates than those prevailing elsewhere in the world. Workers in Namibia are employed under a grossly discriminatory system of wages, working conditions and living standards. Despite claims to the contrary by certain transnational corporations operating in the Territory, there are vast differences between the rates paid to black and white employees and the wage gap is widening.

333. The banking sector is one of the areas of the economy where profits have continued to grow. According to the managing director of Standard Bank SWA (STANSWA), banks in Namibia are more profitable than in South Africa itself. In addition to STANSWA, other main banks operating in Namibia are Volkskas SWA/Namibia, Barclays Bank, Nedbank and Trustbank, and their operations remain consolidated with those of the South African groups.
334. These banks make direct contributions to the Government of South Africa through the payment of taxes and investment in government-prescribed assets such as defence bonds and other instruments of the central Government and the State-owned corporations.
335. Virtually all transfers of capital to South Africa and Namibia have military implications and help the régime to continue its illegal occupation of Namibia. They subsidize South Africa's military capability and strengthen the machinery for oppression not only in Namibia but in South Africa as well.
336. It has been reported that foreign banks enjoy a particularly close relationship with the South African Defence Department. This is illustrated by the appointment of several members of Barclays Bank and Standard Bank to the Defence Advisory Board. The purpose of the Board is to advise the armed forces on the "best business methods and other matters", including the manufacture of arms.
337. The continuing association of foreign banks with South Africa has not only bolstered the policies of the apartheid régime but has also impeded Namibia's transition to independence. The vast network of foreign bank branches extends into Namibia and the financing of the South African military enables the racist régime to carry out its repressive war in Namibia.
338. In accordance with the mandate conferred upon it by the General Assembly, the United Nations Council for Namibia will continue to expose those Governments, corporations and other interests which are collaborating with the illegal South African administration in Namibia in the exploitation of the human and natural resources of the Territory and to seek an end to this exploitation.

B. Mission to contact corporations

339. In accordance with General Assembly resolution 36/121 C, a delegation of the Council visited London and Frankfurt from 30 June to 9 July 1982 in order to contact corporations operating in Namibia regarding the illegal basis of their operations. The delegation was headed by Mr. Legwaila Joseph Legwaila of Botswana and included representatives of China, Venezuela and SWAPO. In Mr. Legwaila's absence, Mr. Chin Yung-Tsien of China spoke on behalf of the delegation.
340. In London, the delegation had discussions with officials of Standard Chartered Bank, Ltd., Consolidated Gold Fields, Ltd., British Leyland, Barclays Bank, Ltd., British Petroleum, RTZ, British Nuclear Fuels, Ltd. and the Royal Dutch/Shell Group. In Frankfurt, the delegation met with officials of Dresdner Bank AG.
341. During the meetings, the delegation reviewed the history of the question of Namibia, stressing the termination of South Africa's mandate by the General Assembly in 1966; the establishment of the United Nations Council for Namibia as the legal Administering Authority for the Territory until independence; the

advisory opinion of the International Court of Justice of 21 June 1971; and the relevant resolutions of the Security Council and the General Assembly. The delegation drew particular attention to Decree No. 1 for the Protection of the Natural Resources of Namibia. The delegation emphasized that, inasmuch as South Africa's occupation of the Territory was illegal, foreign corporations operating in Namibia without the express consent of the Council were acting in violation of the Decree and in disregard of the resolutions of the General Assembly and the Security Council and of the advisory opinion of the International Court of Justice. The delegation recalled that under the terms of the Decree, all concessions granted by South Africa to foreign companies were illegal, null and void, that exports could be confiscated, and that the companies themselves could be held liable for damages by the future Government of an independent Namibia.

342. The delegation made clear that by continuing to operate in Namibia, the corporations supported South Africa's illegal occupation of the Territory and the maintenance of an oppressive racist régime to the detriment of the Namibian people. The delegation urged the companies to withdraw from Namibia until independence.

343. In addition, the representatives of SWAPO emphasized the untold suffering of the Namibian people at the hands of South Africa and the support afforded to that oppressive régime by foreign economic interests. They denied and condemned the assertions by certain corporations that their involvement in Namibia was helping the Namibian people.

344. The delegation concluded that the mission was useful in so far as it had provided the first opportunity for the Council to inform companies formally and at first hand of the illegality of their presence in Namibia and to set out the consequences of their continued illegal involvement. However, it was obvious to the delegation that the corporations were, a priori, determined to persist in their illegal involvement in Namibia. In view of its experience, the delegation considered that it was particularly important for the Council (a) to continue contacting corporations to make the position of the United Nations clear to them, and (b) to persist in its efforts to bring to an end the illegal activities of foreign economic interests in Namibia.

V. ACTION CONCERNING THE MILITARY SITUATION IN NAMIBIA

A. General

345. In pursuance of its policy of perpetuating racist domination in South Africa and maintaining its illegal occupation of Namibia, and in an effort to frustrate the legitimate aspirations of the Namibian people for self-determination and national independence, the illegal racist régime of Pretoria has installed an enormous military force in the Territory, taken repressive measures against the Namibian people and used Namibian territory for constant acts of aggression, subversion, destabilization and terrorism against neighbouring independent African States, particularly Angola, thereby aggravating the current situation in southern Africa.

346. With the help of some Western countries and Israel, it has built up a massive military machine, strengthened its repressive apparatus and sought to acquire a nuclear-weapon capability in an attempt not only to suppress the legitimate struggle for national liberation of the oppressed people of Namibia led by SWAPO, but also to destabilize the entire region.

347. South Africa continued, during the period under review, to increase its military presence in Namibia by sharply augmenting the ranks of its occupation forces inside the Territory, by recruiting large numbers of mercenaries and by forcibly conscripting Namibians. Furthermore, it expanded and fortified its military bases in Namibia, especially along the border with Angola.

348. South Africa's acts of aggression against independent African States increased considerably in both scale and frequency during the period under review. Among the forces deployed are units consisting largely of mercenaries. As a result of South Africa's extensive recruitment of mercenaries in recent years, an estimated 2,000 to 3,000 foreign mercenaries, mainly from the United States, the Federal Republic of Germany, the United Kingdom, France, Australia,* Chile** and Israel, are reported to be fighting alongside the South African forces in the campaign to crush the liberation struggle.***

* The Australian representative has stated that his Government put into force the Crimes (Foreign Incursions and Recruitment) Act, according to which it is prohibited for any person or organization to attempt to recruit within Australia any mercenaries for service outside Australia or for anybody to accept such recruitment.

** The Permanent Representative of Chile to the United Nations, in a letter dated 27 April 1982 addressed to the President of the Council, stated that his Government condemned the use of mercenaries and, having carried out the relevant investigations, had found no evidence whatsoever to substantiate the assertion that there were Chilean mercenaries in Namibia. The Government therefore wished to receive further information, because such a situation would fall under legal sanctions in accordance with Chilean legislation.

*** At the 1220th meeting of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to

349. The British Broadcasting Corporation (BBC) reported in June 1981 that, in a move to strengthen military relations between South Africa and Chile, the South African Minister of Defence had awarded decorations to two officers of the Chilean defence force. They received the awards for their part in promoting the ties between the two countries.

350. SWAPO estimates that South Africa currently maintains in Namibia a heavily armed force of over 100,000 troops plus a large number of armed white settlers, supported by air power, special mercenary commando units such as the "Buffalo Battalion" and other special forces such as the "Koevet" elimination squads.

351. In a further effort to strengthen its illegal occupation of Namibia, South Africa has announced a revision of its military service requirements that will make all white males up to 60 years of age liable for military training and service in citizen force units. At present, South Africa requires all white men to do two years of full-time active duty in the defence forces followed by regular call-ups to active duty over the next eight years. Proposed legislation would require an individual to serve 720 days within the eight-year call-up period as opposed to 240 days under the existing system.

352. Closely related to the strategy of total militarization is the policy of "Namibianization" of the war, which has led to the creation of the so-called South West Africa Territory Force (SWATF) and the South West Africa Police.

353. This policy, which involves the conscription of Namibians against their will and on penalty of imprisonment, as well as their increasing deployment in the "operational areas", is obviously part of a larger design to create the conditions for a civil war in Namibia, consistent with the classic colonial policy of divide-and-rule.

354. Even while efforts to arrive at a settlement of the Namibian question continued during the period under review, South Africa intensified its efforts to destabilize the neighbouring African States, particularly Angola.

(continued)

Colonial Countries and Peoples, held on 16 August 1982, Mr. Kaupuka Nauyala, a member of the Central Committee of SWAPO, stated:

"As we are sitting here, not only are there well over 110,000 well-armed South African and puppet troops in Namibia with the mission of suppressing the aspirations of our people by attempting to destroy our sole, legitimate and authentic representative, SWAPO, in order for them to remain in Namibia, but over three mechanized divisions of the racist régime's army of aggression, supported by air and ground battalions which include mercenaries from some Western countries, especially Britain, the United States of America, the Federal Republic of Germany and Australia, as well as from Israel, Chile and others, armed with heavy tanks, armoured vehicles, 155-mm artillery pieces, rockets, Puma and Alouette helicopters and squadrons of sophisticated jet-fighter bombers and using Namibia as a launching pad for their aggression and are over 200 kilometres deep inside the sovereign territory of the People's Republic of Angola."

355. During the South African incursion into Angola in mid-March 1982, the racist forces claimed to have killed more than 200 SWAPO freedom fighters. SWAPO has categorically denied that claim, characterizing it as an obvious attempt to cover up what in fact was a brutal attack on a refugee transit centre killing hundreds of young Namibians who had fled their country to escape military conscription. During that attack many Angolan civilians were also killed.

356. In a press statement dated 17 March 1982, the President of the Council strongly condemned South Africa's massive military operation and attack against Namibian refugees in Angola and its use of the Territory of Namibia as a launching pad for that purpose. The attack was not only a total violation of the Charter of the United Nations and a vicious transgression of international norms, but also constituted a flagrant violation of Security Council resolutions 385 (1976) and 435 (1978).

357. At its extraordinary plenary meetings held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982, the Council took note of the above developments and, in the Arusha Declaration and Programme of Action on Namibia (see para. 767 below), strongly condemned the colonialist and racist régime of South Africa for its use of Namibian territory for launching armed attacks against neighbouring States, particularly its repeated acts of armed aggression against Angola. The Council further condemned South Africa's unprovoked acts of aggression and forcible occupation of parts of southern Angola as a breach of international peace and security and demanded the immediate and unconditional withdrawal of its forces from Angola. The Council also expressed its unflinching support for and solidarity with the Government and the people of Angola and saluted them for the untold sacrifice and the heavy burden they were shouldering in support of the liberation struggle of Namibia.

358. The attainment of military self-sufficiency in terms of arms and armaments is an essential part of South Africa's "total strategy". Specific items now produced in South Africa include the French Mirage aircraft, a local version of the Italian Miacchi jet training aircraft, French-designed Panhard armoured cars, Israeli-designed missile boats, a derivative of the French Crotale surface-to-air missile, air-to-air missiles, artillery pieces, infantry weapons and a wide range of ammunition. None the less, South Africa still relies to a considerable extent on foreign sources for military goods and technology. The acquisition of military material from abroad is believed to account for the largest part of the régime's defence spending.

359. According to reports, while there has been an official United States Government policy of embargoing arms to South Africa since 1963, the relevant government agencies have thus far failed to adopt procedures ensuring effective implementation of the embargo. In fact, there is no system for enforcement of the arms embargo by the United States Government.

360. South Africa is able openly to buy civilian equipment with military applications. With regard to United States equipment, a ban was imposed on such sales in 1978. However, on 26 February 1982, the Government relaxed restrictions on trade with South Africa to permit United States companies to sell "non-military" equipment to the South African military and police forces. Furthermore, although sales to the Armaments Development and Production Corporation (ARMSCOR) would continue to be prohibited, sales to its subsidiaries would not. According to reports issued in March 1982, a number of sales of computers have already been

authorized, including several that "skirt the ban on military-related sales". These are said to include the sale of a Sperry Univac 1182 to the Atlas Aircraft Corporation, a subsidiary of ARMSCOR; an IBM 4341 and a Data General MV/8000 to companies in the Barlow Rand group; a conglomerate whose past purchases were said to have been strictly scrutinized because a Barlow Rand senior executive also manages ARMSCOR; and another Data General MV/8000 to the National Institute for Telecommunications Research, a branch of the government-controlled Council for Scientific and Industrial Research (CSIR), which is responsible for developing defence communications and radar. The military applications of such equipment are obvious. The United States Government has also granted South African requests for coast guard training and for more military attachés. It has additionally eased the ban, adopted as a corollary to the arms embargo, on visas for high-ranking military and police officers.

361. Yet another dangerous dimension has been added to the serious situation in southern Africa by South Africa's acquisition of nuclear-weapon capability. Undoubtedly, South Africa's efforts to develop its nuclear technology and installations and to acquire nuclear-weapon capability constitute a threat to, and a breach of, international peace and security. This grave danger has been caused by the collaboration extended to the apartheid régime at various levels by the United States, the United Kingdom, France and the Federal Republic of Germany, as well as by Belgium, Israel, Japan, the Netherlands and Switzerland, through assistance in uranium extraction and processing, the supply of nuclear equipment, transfers of technology, the provision of training and exchanges of scientists. Such collaboration, together with external financial support for the South African nuclear programme, have encouraged the Pretoria régime in its defiance of the international community and have obstructed efforts to eliminate apartheid and bring an end to South Africa's illegal occupation of Namibia.*

362. In view of the serious implications of this collaboration, the General Assembly, by its resolution 36/121 A, strongly condemned the collusion by the Governments of certain Western countries and other States, particularly those of the United States, the Federal Republic of Germany and Israel, with the racist régime of South Africa in the nuclear field. The Assembly called upon France and all other States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment. By its resolution 36/121 B, the Assembly called upon all States to cease forthwith any provision to South Africa of arms and related matériel of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts for the aforementioned, and to cease as well the provision of all types of equipment and supplies and grants of licensing arrangements for the manufacture or maintenance of the aforementioned, which would further strengthen South Africa's illegal occupation of Namibia.

363. Taking note of the seriousness of the over-all situation in southern Africa, the General Assembly declared in resolution 36/121 A that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policy of

* Belgium expressed reservations concerning paragraph 361.

apartheid and its development of nuclear weapons constituted a serious threat to international peace and security.

364. It will be recalled that in earlier resolutions on military and nuclear collaboration with South Africa, the General Assembly had also called on all States to cease forthwith all collaboration with South Africa in the nuclear field and to put an end to all transfers of nuclear equipment and material, technology and personnel. That prohibition was to apply equally to corporations, institutions, agencies and individuals under the States' jurisdiction.

365. It will also be recalled that at its eighth emergency special session, by its resolution ES/8-2, the General Assembly urged all States, in view of the threat to international peace and security posed by South Africa, to impose comprehensive mandatory sanctions against that country in accordance with the provisions of the Charter.

366. In the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, the United Nations Council for Namibia reviewed the military situation in the Territory and adopted a comprehensive report (A/AC.131/L.251/Rev.1 and Corr.1) examining in detail South Africa's military operations and installations in occupied Namibia. The Council also organized a Seminar on the military situation in and relating to Namibia, as described in the following section.

B. Seminar on the Military Situation in and relating to Namibia

367. The United Nations Council for Namibia keeps under continuous review the progress of the liberation struggle in Namibia in its political, military and social aspects. In particular, the Council examines the nature and scale of South African military installations and operations in the Territory, in order to recommend to the General Assembly ways and means of taking action against South Africa's continued military occupation and repression of Namibia.

368. South Africa's increasing militarization of Namibia, its merciless repression of the Namibian people and acts of aggression against States neighbouring the Territory, its attempts to destabilize other African States and its development of a nuclear-weapon capability, as well as the support it receives from certain Western countries in the military field, all pose a serious threat to international peace and security and thus constitute a matter of grave concern for the United Nations.

369. In view of the above considerations, the Council decided at its 371st meeting, held on 1 February 1982, to conduct a seminar in 1982 on the military situation in and relating to Namibia, as authorized by General Assembly resolution 36/121 C, for the purpose of obtaining information on the military policies of South Africa in Namibia, on military and strategic collaboration with South Africa and the involvement of mercenaries in South Africa's war.

370. Accordingly, the Seminar on the Military Situation in and relating to Namibia was held at the Vienna International Centre from 8 to 11 June 1982.

371. The meetings were conducted by a delegation of the Council appointed by the President of the Council and composed of the following members:

Mr. Mkhondo D. Lungu (Zambia), Chairman
Mr. Delfín L. Sánchez-Juárez (Mexico), Rapporteur
Mr. Chin Yung-tsien (China)
Mr. Essam Sadek Ramadan (Egypt)
Mr. J. C. Okeke (Nigeria)
Mr. G. H. Bristol (Nigeria)
Mr. Aziz Ahmad Khan (Pakistan)
Mr. Amadou Ba (Senegal)
Mr. Mesut Orsa (Turkey)

372. A SWAPO delegation composed of the following members also participated in the work of the Seminar:

Mr. Ndali Kamati, Political Commissar, head of the delegation
Mr. Nahas Angula, Secretary for Education and Culture
Mr. Timothy Hadino Hishongwa, Representative for the Nordic Countries, Austria and the Federal Republic of Germany
Mr. Pius Hinyangerwa Asheeke, Deputy Permanent Observer to the United Nations

373. The secretariat of the Seminar was composed of Mr. Francesc Vendrell (Principal Secretary); Ms. Maria Maldona; Mr. Marcos Namashulua and Mr. Andrei Petrenko (Political Affairs Officers); and Ms. Anne-Marie Bernadel and Mrs. Elizabeth Clescere (Secretaries) of the United Nations Secretariat. Ms. Lucia Hamutenya (Political Affairs Officer) represented the Office of the United Nations Commissioner for Namibia at the Seminar.

374. The Seminar was conducted in seven meetings at which 23 expert participants (see A/AC.131/L.268, annex) discussed various aspects of the military situation in and relating to Namibia. Their presentations are summarized in sections 1 to 4 below and reproduced in full in documents A/AC.131/SMS/PV.1-6.

375. The Seminar had before it the report by Standing Committee II on the military situation in and relating to Namibia (A/AC.131/L.251/Rev.1 and Corr.1), as well as a number of studies prepared by the expert participants. At the 1st meeting, on 8 June 1982, the Seminar adopted the following agenda:

1. Opening ceremony.
2. South Africa's military policies in Namibia.
3. Involvement of mercenaries.
4. Military collaboration with South Africa.

5. Implications of the situation in Namibia for international peace and security.
6. Conclusions and recommendations of the expert participants.

376. The Seminar was opened by the Chairman, Mr. Mkhondo Lungu. In his opening remarks the Chairman stated, among other things, that in order to perpetuate its exploitation of the people of Namibia, the illegal occupation régime had resorted to subjecting the Namibian people to constant harassment, detention and inhuman police practices, as well as to massive displacements of populations, in an effort to favour military objectives. The occupation régime also continued to use the Territory of Namibia in order to carry out armed attacks against neighbouring States. Those overt attacks constituted odious attempts to destabilize independent African States and to undermine support for the cause of Namibia's independence. It was his hope that the information provided by the experts in the Seminar would assist the Council in its efforts to mobilize international public opinion in support of the struggle of the Namibian people for self-determination and independence.

377. The Seminar also heard statements at the 1st meeting by Mr. Stefan Kalina, Vice-Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and by Mr. Floreal Chomon Mediavilla, Ambassador of Cuba to Austria, speaking on behalf of the Chairman of the Movement of Non-Aligned Countries.

378. At the 6th meeting, on 10 June 1982, the Seminar heard a statement by Mr. Kamati, Political Commissar of SWAPO and a member of the Executive Committee of the Central Committee of SWAPO. In his statement, Mr. Kamati stressed that the South African occupation army in Namibia, together with the tribal armies, were responsible for sowing death and destruction in the Territory. He stated that South Africa's continued occupation of Namibia would not have been possible had it not been for the over-all assistance and support of its Western allies, especially some members of NATO. He suggested that the Seminar make concrete recommendations and draw up a programme of action with a view to strengthening the existing mandatory arms embargo and ensuring its strict observance by all States.

379. The films "Remember Cassinga" and "South African Bombshell", as well as slides on Namibia, were shown in the course of the Seminar. A photographic exhibit on Namibia was on display at the conference site throughout the Seminar.

1. South Africa's military policies in Namibia

380. The participants at the Seminar expressed serious concern about South Africa's military build-up in Namibia, its war of repression in the Territory and its persistent acts of aggression launched from bases in Namibia against African countries, as well as its development of a nuclear-weapon capability.

381. The Seminar was informed that South African forces of occupation were stationed at approximately 85 to 90 bases in Namibia. In the past six years the number of South African armed forces personnel in Namibia had grown more than fivefold. The South African force had been estimated in 1980 at 100,000, comprising 20,000 members of SWATF and 80,000 members of the South African Defence

Force (SADF). According to The Military Balance (1981-1982), 27/ South Africa's full-time defence force was estimated at 92,000, with a total mobilization capability of 400,000 troops. South Africa's policy of militarization was clearly in evidence when one considered that its total defence expenditure for 1980 had been approximately \$US 2 billion, an increase of 17 per cent over the previous year.

382. The South African forces occupying Namibia and committing acts of aggression against neighbouring African States were equipped with armaments from a number of friendly NATO countries, Israel and others, together with weapons manufactured in South Africa by ARMSCOR.

383. Between 1974 and 1981, the corporation's assets base had grown from R 200 million to R 1.2 billion, a sixfold increase. Available information indicated that a new small-arms ammunition plant had been established by the Pretoria Metal Pressings Company in September 1981.

384. One expert mentioned that NATO strategists had been discussing, since 1974, the necessity of creating a "South Atlantic Treaty Organization" that would unite South Africa with a number of Latin American countries such as Chile, Brazil, Uruguay, Paraguay and Argentina. The purpose would be to neutralize any possible repercussions of the decolonization process in southern Africa on the defence of the South Atlantic and Indian Oceans. In that connection, it was reported that South Africa intended to expand its naval forces to undertake greater responsibilities in the South Atlantic.

385. NATO strategists had tried to promote the South Atlantic project by claiming that confrontations with the liberation forces in South Africa and in Namibia would bring increased military pressure to bear on the Pretoria régime. It would therefore become necessary to provide massive military support to the South Africans, which could be accomplished either by incorporating South Africa into the Western military system or by contributing to the establishment of the South Atlantic organization, which would serve as a complement to NATO.

386. Alongside the build-up and improvement of its armed forces, South Africa was making efforts to increase its nuclear potential. According to one expert, the Department of Energy and Mineral Affairs had allocated a 55 per cent increase in funds to the Atomic Energy Research Fund - a total of R 106.2 million for fiscal year 1983 - to be spent mainly on uranium enrichment research.

387. The experts pointed out that a variety of military, para-military and police units were deployed in Namibia in defence of South Africa's illegal occupation. Although the entire Territory was highly militarized, the greatest concentration of troops was in the northern areas of Kaokoland, Ovanboland, Kavango and Bushmanland, which were designated as operational areas by SADF and where most military activities took place.

388. The so-called operational zone was divided into three sectors: sector 10, with headquarters at Oshakati; sector 20, with headquarters at Rundu, and sector 70, with headquarters at Katima Mulilo. Each sector was divided into battalion areas and those battalion areas were further subdivided into company areas.

389. Most of the permanent military bases were either battalion headquarters or company headquarters. The company headquarters were the most important in counter-

insurgency work. The counter-insurgency forces of SADF worked very closely with police forces, whose main task was to extract information from the local population. Police bases with an average of about 40 men were dotted all over the operational area.

390. The standard counter-insurgency forces of SADF were complemented by elite unconventional warfare units - also known as "special forces" - almost entirely composed of professional soldiers with a very high mercenary content in many cases. Among those "special forces" were the 32 Buffalo Battalion, the Reconnaissance Commandos, the South West Africa Specialist Unit, the 44 Parachute Regiment and the Koevoet Unit. It was widely believed that the latter was responsible for the assassination of prominent SWAPO supporters.

391. One participant stated that the establishment of SWATF and the South West Africa Police and the conscription of black Namibians were obvious attempts to "Namibianize" the war and to create an "independent" army that could be used both as a political lever in the independence negotiations and as an instrument to rule Namibia by proxy should Pretoria be forced to withdraw its forces. In addition, the widespread use of militarized police forces was clearly a strategy to maintain a South African military presence should cease-fire arrangements calling specifically for the withdrawal of SADF be implemented.

392. Another observed that South Africa's attacks against Namibia and the front-line States enjoyed the connivance of some Western Powers, particularly the United States, through supplies of material and political support. It was noted in that connection that some of those countries had used their veto power to protect South Africa in the Security Council. The Reagan Administration accommodated every South African whim, while totally disregarding legitimate African concerns.

393. One expert was of the opinion that the militarization of South Africa was intended to put pressure on Namibia and the front-line States to accept the Western contact group's proposals. South Africa had used its superior fast-striking and destructive capability to strike at refugee camps in regions bordering Namibia in the name of attacking SWAPO bases. Those raids were meant to intimidate the front-line States so that they would not extend any help to SWAPO. Thus, not only did the arming of South Africa hamper the struggle for Namibian independence, it also threatened the sovereignty of the front-line and other African States. What was required, then, to ensure peace in southern Africa and the liberation of Namibia was not only a genuine arms embargo against South Africa, but also the strengthening of the defence capabilities of the front-line States.

2. Involvement of mercenaries

394. In the course of the discussion on the use of mercenaries in southern Africa, it was agreed that Namibia had become the focus for the recruitment and enlistment of mercenaries who were employed by South Africa to strengthen its position in the Territory and to commit acts of aggression against neighbouring African States.

395. Among a number of definitions cited at the Seminar, the following one by H. C. Burmester, an international legal scholar, conveyed most succinctly what is usually understood by the term "mercenary":

"Mercenaries are volunteers who for monetary reward enter into an agreement to fight for the armed forces belonging to a foreign State or an entity purporting to exercise authority over a country or a people or a part thereof." 28/

396. Although exact figures on the number of mercenaries serving in the South African forces were not available, the South African Government had admitted as far back as 1974 that there were 2,000 foreign nationals in the South African army. It was not clear whether that number included only mercenaries recruited from outside South Africa or whether it also covered non-naturalized foreign nationals permanently residing in South Africa.

397. Participants indicated that in certain Western countries, particularly the United States, there were several organizations which published information about mercenary opportunities and actually directed potential recruits to recruiters in Africa.

398. Reference was made in particular to a periodical published in Boulder, Colorado, called Soldier of Fortune, which contained articles about mercenary activities by United States citizens and even about military exploits in Africa undertaken by members of the periodical's own staff. While the magazine was not easy to find at newsstands in Colorado it was readily available at United States military posts in the United States and abroad. United States military personnel leaving the service were prime targets for mercenary recruiters, who assured them that they would not be prosecuted for signing up with foreign armies.

399. South Africa also recruited mercenaries from neighbouring countries, some of whom were induced to serve in dissident groups which operated under the over-all command of SADF. Others were assigned to the 32 Buffalo Battalion, the largest of the "special units", which was composed largely of mercenaries and was used for operations against SWAPO forces in Angola. In July 1980, Prime Minister Robert Mugabe of Zimbabwe had informed the press that the South African diplomatic mission in Salisbury had been operating a recruiting network for both white and black soldiers to fight with the South African army in Namibia and Angola.

400. In May 1981, the Vice President of Botswana had made a direct reference to the recruitment of dissidents by the South African armed forces, particularly for operations against SWAPO. The Vice President had announced that the Botswana Government was in possession of reliable information indicating that several people from an area in north-western Botswana had enlisted in SADF.

401. In 1980, a well-known Canadian anthropologist had reported that a number of people belonging to the San community in Botswana had been inducted into the South African army, where a special San battalion had been formed. That battalion was one of the precursors of SWATF.

402. Later that year, a number of South African army agents had reportedly been arrested by the Botswana authorities while on recruiting missions inside Botswana.

403. A participant informed the Seminar that some of the civil vigilante units in Namibia, which were mainly used to protect the installations of transnational corporations and the lands owned by white farmers, had recruited members outside the Territory. While those units were not part of the formal South African army structure, some had received army guns and had been brought under the command of SADF.

404. Though there were no records of the nationalities of mercenaries, defectors from the 32 Battalion, for instance, had been identified in press reports as coming from Australia, Portugal, New Zealand, the United Kingdom and the United States. In addition, a large number of Rhodesian whites had joined SADF at the time of Zimbabwean independence.

405. There were also mercenaries from Western countries in the Reconnaissance Commando Units, whose members were highly trained, did not wear SADF uniforms and carried out highly unconventional operations.

406. The 44 Parachute Regiment, a small unit which was used for follow-up operations once contact had been made with SWAPO forces, was composed almost exclusively of mercenaries. It was believed that the standard counter-insurgency parachute units might eventually be brought under the umbrella of that regiment.

407. There had been numerous press reports regarding the increased participation of Israeli "volunteers" in the South African army's war against SWAPO and its acts of aggression against Angola. In June 1980, for example, the London Sunday Telegraph had reported that volunteers from Israel were serving with the South African forces fighting against SWAPO in the northern region of Namibia.

408. One participant stated that he had information according to which 5,000 Zimbabwean mercenaries had been brought together in a South African special unit for possible action in Zimbabwe. He submitted that the failure of the Western countries to take strong measures against mercenary involvement in southern Africa should be considered a form of military collaboration with South Africa.

409. Other participants agreed that governmental action to prevent mercenary recruitment had been lacking in countries whose nationals were engaged in mercenary activities in southern Africa.

410. In terms of precedents for international action, it was recalled that by its resolution 161 (1961) of 21 February 1961, the Security Council had urged that measures be taken for the immediate withdrawal from the Congo of all foreign military personnel and mercenaries.

411. By its resolution 169 (1961) of 24 November 1961, the Council had expressed the same idea but in much stronger terms, urging the Secretary-General to take vigorous action, including the use of force if necessary, for the immediate apprehension and detention or deportation of all mercenaries in the Congo.

412. The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV) of 24 October 1970, stated that every State had the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another State. Some participants suggested that the Declaration needed to be strengthened or supplemented in order to impose on States the obligation to prevent their own nationals from joining a mercenary force.

413. In the United States, despite evidence of violations of the United States Neutrality Act, no groups engaged in publishing information on mercenary recruitment had ever been ordered to cease doing so or been subjected to prosecution. In that

connection, a group of citizens in Colorado had formed a "Committee of Concerned Citizens on Mercenary Activities" in May 1979 with the purpose of exposing such activities and ultimately compelling the United States Government to prosecute those who took part. One of the Committee's major targets was the magazine Soldier of Fortune. Thus far, however, the Committee had been unable to persuade either the United States Department of Justice or the United States Congress to investigate whether that magazine and its associates were aiding or abetting illegal activities.

414. Regarding the United Kingdom Government's approach to mercenaries, a participant pointed out that as a consequence of the involvement of British mercenaries in Angola in 1978, the Labour Government had appointed a Commission headed by Lord Diplock to look into the matter. In its report, the Diplock Commission had actually recommended that the only existing law governing mercenary recruitment, the Foreign Enlistment Act, which had been enacted in the nineteenth century, should be repealed, thus eliminating all legislation governing that type of activity.

415. Another participant said that an examination of the legislation of the Nordic countries revealed that it was an offence to recruit mercenaries but not to be recruited. In other words, if an individual signed up for recruitment he was not committing an illegal act, but a person establishing an office to recruit mercenaries was breaking the law.

416. There were various provisions of United States law which made it a Federal offence for an individual to join a mercenary force and fight in another Government's army. In the United States, as well as in other countries, the doctrine of prosecutorial discretion barred private individuals from initiating criminal prosecution. However, political pressure could be applied on the appropriate authorities to prosecute individuals who were engaging in violations of the criminal law. The United Nations Council for Namibia could thus consider ways of exerting political pressure on the Department of Justice in the United States to prosecute individuals who were enlisting in various foreign armies fighting in southern Africa.

417. Some participants suggested that the Council should contact States with a view to encouraging the strengthening and enforcement of national legislation proscribing mercenary activities.

418. Other recommendations for deterring such activities included denying mercenaries prisoner-of-war status. It was also felt that an ongoing campaign of information to raise the awareness of the public was needed.

419. One participant proposed that all mercenaries in southern Africa be declared war criminals subject to prosecution by those countries which they had victimized. He further proposed that technicians hired from abroad to assist the South African régime in its war against the liberation movement of Namibia should also be considered mercenaries.

420. As far as the adoption of an anti-mercenary convention was concerned, one expert suggested that in view of the problems that had arisen in drafting an instrument of general scope it might be advisable to consider a special convention limited to southern Africa.

421. Another participant proposed that a special United Nations register of the names of persons involved in mercenary activities, together with their nationalities, be circulated to all Member States with a request for appropriate Government action.

3. Military collaboration with South Africa

422. Participants underscored the fact that certain Western and other countries collaborated with South Africa in the military field and violated the mandatory arms embargo against South Africa imposed by Security Council resolution 418 (1977).

423. Several participants pointed out that the growing number of known arms embargo violations was evidence of the consistent support of certain Western and other countries for South Africa's aggressive policies.

424. On the subject of United States collaboration with South Africa, a participant stated that, over the years, the United States had provided South Africa with strategic and sensitive technology with military applications, such as electronics, computers and advanced communications equipment. He emphasized that such high-technology equipment was likely to be used to enforce apartheid and to strengthen South Africa's control of Namibia as well as for the production of armaments.

425. A South African survey showed that, by the beginning of 1980, United States corporations were selling 75 per cent of all computers bought in South Africa and handling 77 per cent of all computer rentals in South Africa. Although it was difficult to obtain precise figures on the overall volume of United States high technology trade with South Africa, it was known, for example, that during 1980 the United States had exported to South Africa over \$US 3 million worth of radio equipment capable of operating on South Africa's military frequency band. During the same year, \$US 66 million worth of computers and computer components had been shipped from the United States to South Africa. In addition, United States companies had sold South Africa nearly \$US 3 million worth of equipment for the production of semiconductors. Those figures did not include sales by subsidiaries of United States corporations outside the United States. According to a South African source, 70 per cent of the computers sold in South Africa by United States corporations came from outside the United States.

426. According to the same participant, SADF relied heavily on International Business Machines (IBM) as a supplier of computers and related equipment. The South African military reportedly had six separate major computer centres. The Directorate for Information Systems and Analysis (DISA) had used equipment supplied by IBM to set up the military's first computerized command and control system. Computer networks were also used as a requisition system. Project Konvoor, for example, which played a key role in South Africa's war against Namibia, was a large, country-wide military logistics system used to requisition communications equipment, weapons, armour, helicopters and other supplies for use by the South African military in Namibia. Equipment supplied by United States corporations was also used in South Africa's computerized railway system for the transport of 90 per cent of all the weapons and military equipment delivered to Grootfontein.

427. The same participant felt that the provision by United States companies of high technology to South Africa was in violation of the arms embargo imposed by

Security Council resolution 418 (1977) because such equipment was being used by South Africa for military purposes. In many cases, the transfer of equipment with military applications occurred "in the open and quite legally" in the form of direct sales; in other cases such equipment was procured through front organizations.

428. While United States regulations prevented sales of any equipment to ARMSCOR itself, they omitted mention of sales to ARMSCOR subsidiaries, allowing the latter to continue unabated. In 1974, ARMSCOR had been reported to be using a National Cash Register computer. Hewlett-Packard and Sperry were also reported to have supplied equipment to subsidiaries of ARMSCOR. Both IBM and the Control Data Corporation had equipped and continued to equip CSIR with advanced computers. Together with ARMSCOR, CSIR was the backbone of the local military industry and was South Africa's largest research agency; its contribution to the local military machine had included the development of poison gases, advanced missile research, investigation of fingerprint storage methods, telecommunications research and the development of counter-insurgency vehicles. CSIR also provided consulting and testing services to ARMSCOR and to the military.

429. United States computers were also used by private South African military manufacturers. For instance, Leyland-South Africa, a firm that produced Land Rovers for the security police, rented seven computers from IBM.

430. Barlows and its subsidiary Marconi, which produced electronics for military use in South Africa, used hardware provided by National Cash Register, Burroughs, Hewlett-Packard and Data General.

431. In addition, reports were cited regarding professional and scientific collaboration between a United States Army laboratory and a subsidiary of CSIR.

432. Several participants mentioned the case of the Space Research Corporation, a United States-based corporation which had provided South Africa with artillery shells, guns and military technical assistance, as the largest documented case of violation of the arms embargo.

433. One participant felt that one of the major weaknesses of the United Nations arms embargo against South Africa was the failure to cover training, transfers of technical information and know-how, scientific and professional contacts and the servicing of local installations. The Security Council resolution mentioned "arms and related matériel" but did not adequately define the term "related matériel", which could apply to a vast spectrum of technology having military as well as civilian applications but was not made explicitly to do so.

434. The same participant suggested that the United States Commodity Control List could be used to tighten the United States embargo. That list, which enumerated items with military and intelligence applications, currently served as a basis for deciding the exportability of certain equipment to the Union of Soviet Socialist Republics and some Eastern European nations. Many of the items which United States firms were restricted from exporting to certain countries in Eastern Europe could be and indeed were sold to South Africa.

435. The participant also recommended that the Security Council expand the arms embargo against South Africa to include such "dual-use" technology as computers, electronics and advanced communications gear, as well as the provision of training and technical information, servicing and supply of spare parts.

436. Other participants felt, however, that Security Council resolution 418 (1977) was comprehensive enough to cover all the equipment described as high technology; what was lacking was the political will of those countries which were South Africa's trading partners to apply the embargo strictly.

437. Still other participants submitted that it was necessary that the arms embargo explicitly cover all possibilities. If a list of commodities was necessary to guide Governments which claimed that control was difficult without such a list, it should be produced.

438. One participant suggested that not enough attention had been paid to the possibility of using United States courts to provide greater enforcement of the United Nations arms embargo and to bring about stricter compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia. In this regard, the participant reported that some lawyers had sought to get the courts of the United States to oversee the granting of licences to South Africa.

439. Speaking on the military collaboration of the Federal Republic of Germany with South Africa, one participant indicated that that country used an export list, the Ausfuhrliste. The Federal Republic of Germany did not allow the export to South Africa of products listed in section A of the list (arms, ammunition and armaments material) or in section B (nuclear material), but it did allow the export of "other ... goods of strategic significance" enumerated in section C of the export list, subject to export authorization. The latter category included machines for the production of aircraft, special machines for the manufacture of jet propulsion engines, plants for the production of military explosives and solid propellants, new ships with decks or platforms especially constructed or reinforced for the reception of arms, aircraft and helicopters, aircraft engines and aeronautic equipment.

440. The Federal Republic of Germany also allowed exports of long-distance location or remote control installations, lasers and laser systems and so forth.

441. According to the same participant, material falling under sections A and B had in fact been delivered to South Africa. Since November 1977, companies in the Federal Republic of Germany had shipped to South Africa uranium isotope analysis and controlling systems, specially designed compressors and an electro-beam perforating machine for the uranium enrichment plant at Valindaba. In the beginning of 1982, enriched uranium for the Koeberg reactor had been delivered with the permission of the Government of the Federal Republic of Germany.

442. Since the imposition of the arms embargo against South Africa in 1977, deliveries from the Federal Republic of Germany to South Africa had included 3,000 military vehicles from Magirus Deutz; 2,000 military vehicles of the Unimog type from Daimler-Benz; three wide-body Airbus A-300 aircraft usable for military purposes; 150,000 type G-3 semi-automatic guns produced in Portugal under licence of the Federal Republic of Germany for use in Southern Rhodesia and Namibia; special magnetic motors for missile boats; and two mine sweepers. Also, the firm Abeking and Rasmussen of Bremen had granted Sandock-Austral a licence to build missile boats in Durban.

443. Furthermore, cargo ships of the Federal Republic of Germany had transported ammunition, helicopters, tanks and mine sweepers to South Africa.

444. Firms from the Federal Republic of Germany had helped build strategic factories in South Africa itself, in order to make the régime less vulnerable to an embargo: Linde, Lurgi, Deutsche Babcock, Siemens and others were currently involved in the construction of the coal liquefaction plants Sasol II and Sasol III. It was foreseen that those plants would produce not only fuel but also substances required for the production of explosives. Moreover, the Siemens company had begun the production of micro-electronic equipment in South Africa in an effort to by-pass the arms embargo.

445. The Volkswagen company had been producing jeeps in South Africa for a number of years. Daimler-Benz had supplied a licence for the production of engines for jeeps and other military vehicles and had also undertaken to build factories for that purpose.

446. Among other companies involved in the production of parts for military vehicles, the same participant cited the Sahnradfabrik Friedrichshafen and the Knorr company. In 1978, the companies Rheinmetall, Otto Junker, Süddeutsche Baubeschläge and Wasag had constructed in South Africa an ammunition-filling plant for the manufacture of 155-millimetre grenades for the NATO FH-70 artillery system; shells for that plant had been delivered by the Space Research Corporation.

447. The participant underscored the fact that the Government of the Federal Republic of Germany, which had authorized all the activities described above, had attempted to justify them by arguing that they were not covered by the terms of Security Council resolution 418 (1977).

448. On the subject of military collaboration between France and South Africa, it was pointed out that the new French Government had continued to provide armaments as well as assistance in the development of South Africa's military and nuclear capability despite early declarations to the effect that it would review its relations with South Africa, particularly as regards weapon sales.

449. One participant stated that South Africa owned Mirage jet fighters, Alouette helicopters, Puma helicopters, large numbers of Panhard machine-guns and missiles of French manufacture.

450. Although France had reportedly cancelled deliveries of submarines and corvettes to South Africa after the adoption of the arms embargo in 1977, France was still listed in the yearbook of the Stockholm International Peace Research Institute (SIPRI) 29/ and The Military Balance as the source of AS-12 air-to-surface missiles that had been delivered through 1980, as well as being the recipient of orders for Milan anti-tank rockets and Mirage 50-R reconnaissance fighter planes. The Military Balance also indicated that South Africa had recently acquired 13 additional Alouette III helicopters. In addition, the magazine Flight International had reported that South Africa might be the first customer for the French maritime patrol aircraft, the Transall C-160S.

451. A participant stated that there had not been any basic change since the current French Government had come to power. France and South Africa still exchanged military attachés, for example. The French oil company Total, refined and distributed oil in Namibia and supplied fuel to the army and police in South Africa. In circumvention of the arms embargo, spare parts delivered by France to Israel for its Mirages were used by Israeli technicians in South Africa to maintain French-built aircraft.

452. With regard to nuclear co-operation, it was well known that the previous French Government had signed in 1976 a FF 12,000-billion contract for the building of the Koeberg nuclear power station in South Africa. The construction of the power station was being undertaken by a consortium of French companies including Framatome, Alsthom Atlantique and others. Under the contract, Framatome was to build the power station, consisting of two reactors, and would supply certain replacement fuels.

453. The new French Government had assured its foreign clients that it would honour all commercial contracts with all countries except Chile and the Libyan Arab Jamahiriya. The Government had delivered the first parts of one reactor to South Africa in July 1981. It had stated that the delivery would not contribute to South Africa's military capacity because the nuclear power station was under the IAEA safeguard system and therefore South Africa would not be allowed to use any plutonium for military purposes.

454. Despite promises that Namibian uranium would not be imported by France, the traffic in Namibian uranium was still being carried out, but even more clandestinely. In January 1982, the Minister for Development and Co-operation had stated that France did not import uranium direct from Namibia but imported uranium from South Africa as a result of an agreement between the two Governments.

455. While the new French Government had adopted a policy of increased political and economic collaboration with the front-line States, trade relations between France and South Africa had not been reduced.

456. A participant discussed the significance of oil as fuel for South Africa's machinery of war and repression. He indicated that, in view of South Africa's dependency on oil to sustain its military apparatus, the United Nations, OAU, the Movement of Non-Aligned Countries and the Organization of Arab Petroleum Exporting Countries (OAPEC) had taken specific measures aimed at staunching the flow of oil to South Africa. Oil provided about 25 per cent of South Africa's primary energy needs; coal was the country's most important source of energy, accounting for three quarters of its total energy requirements. Hydro-electricity provided only 0.2 per cent of its energy needs, while nuclear power would only begin to produce small amounts of energy when the Koeberg plant came on stream in 1982.

457. Five foreign companies supplied most of the oil to South Africa: Shell, Mobil, Caltex, British Petroleum and Total. Shell was a Dutch-British company, Mobil was a United States company, Caltex was jointly owned by Texaco and Standard Oil of California, British Petroleum was completely British and Total was a French company. All five operated through subsidiaries in South Africa, which together dominated the oil industry in that country.

458. Oil was being transferred to South Africa by methods other than direct trade, mainly through independent European and United States-based tanker companies and oil traders. It was reported that a few independent companies such as Philbro, Marc Rich, Transworld and Irandinaft had been routing and rerouting crude oil to South African ports with the secret collaboration of major oil companies such as Shell.

459. The participant emphasized that the strategic links between oil and the South African military should be clearly identified in resolutions regarding a boycott of South Africa.

460. He proposed ways by which an effective oil embargo might be imposed on South Africa. First, the Organization of Petroleum Exporting Countries (OPEC) should join the embargo imposed by the Arab oil-producing countries and should adopt penalties against oil tankers that might circumvent the embargo. OPEC should insist that purchasers provide a certificate of unloading as part of the sales contract.
461. Secondly, the United Nations should call on the Western countries, particularly the United States and the United Kingdom, where most of the major oil companies were based, to refrain from undermining any oil sanctions against South Africa. Also, an appeal should be made to the home countries of tanker and shipping companies, as well as to flag-of-convenience countries, to participate in the observance and monitoring of oil sanctions against South Africa.
462. Furthermore, an international body should be established to monitor oil sanctions against South Africa and penalties should be imposed against those who violated the sanctions.
463. Some participants argued that although South Africa had increased its capacity to produce arms it was not anywhere near self-sufficiency with regard to a wide variety of strategic weapons. Thus, it was particularly important to press for the effective implementation of the arms embargo against South Africa.
464. A participant noted that the yearbook of SIPRI had listed Israel as supplying Reshef-class missile patrol boats, Gabriel anti-ship missiles and corvettes to South Africa. 29/ The latter were ships capable of carrying missiles and undertaking sustained operations at sea. Furthermore, the 1981-1982 edition of The Military Balance 27/ listed South Africa as having received two Dabur missile boats from Israel.
465. The same expert pointed out that SIPRI listed Italy as having received an order in 1979 for Aspide and Albatross missiles, although the Italian Government had denied authorizing any transfer or supply of such missiles to South Africa. Italy was also reported to have supplied M-109 self-propelled 155-millimetre howitzers, which had been ordered in 1977 and made in Italy under United States licence.
466. Among the new weapons reported to be in the possession of South Africa was the Sidewinder air-to-air missile of United States origin. According to a report in The Washington Post, South Africa had been manufacturing those missiles itself but the guidance system used computers made in the United States. Other reports indicated that 15 Lockheed Hercules heavy transport planes originally sold by the United States to South Africa's civilian airline formed part of the South African air force reserves, and that a United States company, Globe Aero, Ltd., had supplied South Africa with light aircraft that could be used for military purposes.
467. Other reports claimed that Portugal had been an important connection in at least 30 consignments of weapons transferred from various European countries to South Africa. According to one account, a ship had been loaded in Portugal with Baretta machine pistols of Italian origin and with Alouette helicopters originally used by the Portuguese air force.
468. It was therefore clear that South Africa continued to depend on direct imports of major arms, particularly sophisticated weapons, fighter planes and computer and

other high-technology equipment. While South Africa had obtained licences for the manufacture of some weapons, the licensing contracts often involved supply by the foreign licensor of major components and spare parts that South Africa did not produce. Even in the case of armoured cars, in which South Africa had proclaimed self-sufficiency for a number of years, it had only recently begun to manufacture the Atlantis diesel engines that powered the cars and still had to import other key components.

469. Turning to the nuclear field, there were reports that the United States Department of Commerce had recently approved five export licences for purchases of equipment for South Africa's nuclear programme.

470. The items included vibration test equipment for warheads and ballistic re-entry vehicles, as well as computers and multi-channel analysers that could be used to analyse data at a nuclear test site.

471. Reports also indicated that the Commerce Department was considering an application to re-export to South Africa uranium originally imported from that country and enriched in the United States, as well as to sell South Africa helium-3, which could theoretically be used to make tritium, a form of hydrogen used in thermonuclear weapons.

472. The present United States Administration had also allowed the export of "anti-terrorism" devices and of "civilian" equipment to the South African police and military agencies. That decision was considered evidence of the general erosion and weakening of United States observance of the arms embargo.

473. One participant pointed out that the transnational corporations which dominated Namibia's economy provided the illegal régime with substantial resources with which to pursue the militarization of the Territory. Those companies were contributing some R 233 million in taxes and duties alone, excluding non-resident shareholders' tax, customs duties, licensing payments and sales, excise and income taxes.

474. The South African Government was spending R 600 million or more per year for the South African forces it kept in Namibia and another R 134 million for SWATF and the South West Africa Police.

475. Those forces were supplemented by large civilian vigilante units which included commando groups made up of white farmers and commanded by South African officers; security guard forces used by transnational companies and large parastatal corporations such as the electricity, railway and harbour companies; and extreme right-wing terrorist groups.

476. At the hearings on Namibian uranium held in 1980, 30/ SWAPO had presented a secret document on the establishment of a 69-man security force to protect the Rössing uranium mine against attack. That force included a unit known as the Swakopmund Commando Industrial Protection Unit, which was thought to be part of the national key points system introduced in South Africa under the National Key Points Act of July 1980. That Act empowered the South African Ministry of Defence to designate any major installation as a national key point and therefore to make the enterprise finance its own security force or commando unit. In South Africa, 633 enterprises had been designated as national key points. It was likely that the Rössing mine had also been brought under the system. The participant indicated

that several large strategic mines in Namibia, such as those run by the Tsumeb Corporation, probably had similar squads.

477. With regard to white settler farmers, the State had been financing the fortification of farm-houses with double security fencing, dogs, security lights and radio alarm systems.

478. The participant quoted from a Windhoek newspaper that the G-3, the standard automatic assault rifle of NATO, could be found everywhere in Namibia because the entire white population and increasing numbers of the black population were armed by the South African forces.

479. The participant noted the importance of transport and communication equipment, much of which came from Western countries, to the South African military. A large quantity of oil going into Namibia came through Walvis Bay in tankers owned by British Petroleum and Shell and protected by SADF military convoys. Ford and Land Rover lorries were used by the puppet group União Nacional para a Independência Total de Angola (UNITA); and SADF used Isuzu trucks and the United States-made Kingair 200 turbo-prop aircraft.

480. Several participants noted that South Africa not only continued to receive support from its traditional Western partners but had successfully expanded its ties with other countries. One participant in particular examined the attempts by South Africa to create links across the South Atlantic with countries in the Southern Cone of the Americas. Rumours of a secret South Atlantic treaty, in circulation for at least 15 years, had been given new credence in April 1982 when a leading South African newspaper, the Sunday Times, had reported the existence of such a treaty dating back to 1969 and said to involve South Africa, Argentina, Brazil, Paraguay and Uruguay.

481. The existence of some form of South Atlantic agreement had been confirmed by Government sources on both sides of the Atlantic. At the end of April 1982, the South African Minister for Foreign Affairs had told Parliament that there was "an understanding on a military level" between South Africa and Argentina regarding "reciprocal courses and periodic joint naval exercises". At about the same time, a high-ranking Argentine naval officer had told a reporter of The Washington Post of the existence of a "grand strategic design" by the United States in the event of trouble in the Middle East and the closure of the Suez Canal. Under that scheme, South Africa and Argentina would take responsibility for protecting oil tankers in their respective sections of the South Atlantic.

482. According to the same participant, the special relationship between South Africa and Argentina was also evidenced by reports that members of the Argentine armed forces had received specialized military training in South Africa. Sailors had undergone commando courses at the naval college at Muizenberg and soldiers had been given instruction at the army air base near Pretoria. The training given to Argentine servicemen by SADF was reported to include intelligence work. Argentina continued to co-operate with the Silvermine military intelligence and communications centre in the Cape. That centre, which monitored Soviet and other shipping, had reportedly been linked to the NATO system.

483. The same participant also cited reports of South Africans training in Argentina.

484. In addition to Argentina, with which South Africa had developed particularly friendly relations, other countries in the Southern Cone collaborated with South Africa in military as well as economic affairs. In mid-1981, for example, the South African Minister of Defence had awarded military decorations to two visiting officers of the Chilean Defence Force. The expert gave other instances of State visits, trade relations and military exchanges between South Africa and Uruguay, Paraguay, Argentina and Chile. She added that it was important to recognize the role played in forging those links by large South African companies, such as the Anglo-American Corporation, which could use their economic power to gain political access for the Pretoria régime.

485. It was thus clear that there were various formal and informal linkages between South Africa and countries in the Southern Cone. Several participants indicated that the ultimate goal of South African military and political strategists was to forge some kind of formal alliance in the South Atlantic which, under ideal circumstances, would also include the United States. They had developed four themes in support of that notion: first, a growing Soviet challenge throughout the region; second, South Africa's staunch anti-communism and reliability as an ally of Western countries; third, South Africa's control of key strategic minerals; and fourth, South Africa's geographic position along the major oil routes of the Western world. While South Africa's first choice was a South Atlantic alliance modelled after NATO, the short-term prospects of forming such an organization were not very bright. The Pretoria Government had therefore taken steps towards establishing a network of bilateral links as an alternative strategy.

486. The approach of the United States towards a South Atlantic treaty organization had varied depending on the extent to which "security", "containment" and a perceived Soviet threat had become predominant considerations in United States foreign policy. The advent of the current United States Administration seemed to have revived serious discussion of some form of regional alliance because the United States had begun to identify South Africa as a friendly Power and was using Argentina as a spearhead to promote United States interests in Latin America.

487. Reference was also made by some participants to the growing links between South Africa, on the one hand, and the Republic of Korea and the local authorities in Taiwan, on the other, as exemplified by the recent exchange of visits between the South African Prime Minister and the "Prime Minister" of Taiwan.

488. Several participants indicated that there was evidence of Israeli involvement in South Africa's war against SWAPO and its acts of aggression against neighbouring African States. As far back as June 1976, Ms. Marcia Friedman, an opposition member of the Knesset, had alleged that hundreds of Israeli soldiers were attached to South African army units as instructors and participants in training manoeuvres. Although the Israeli Government had officially denied that report, similar accounts had appeared periodically over the years in the international press. Given the strict censorship regarding military matters in both Israel and South Africa, however, it was difficult to corroborate such reports.

489. It was also stated that Israel continued to supply South Africa with military equipment. One participant pointed out that Israel, the seventh largest armaments producer in the Western bloc, had admitted that South Africa was its largest arms purchaser. He also stated that Israel had, to a large extent, become an intermediary for certain Governments in their dealings with South Africa.

490. One participant expressed concern that South Africa's nuclear development programme was being enhanced through its membership in IAEA. He pointed out that by being a member of IAEA, South Africa was able to participate in various projects, symposia and working groups on uranium and thus to gain information on the development of techniques in that field. For example, South Africa participated in the OECD-IAEA joint steering group on uranium resources as well as the OECD-IAEA joint group of experts on research and development in uranium exploration techniques.

491. South Africa also participated at a high level in meetings of the Uranium Institute, a private London-based organization composed mainly of companies, but also of Governments engaged in extracting uranium. The activities conducted in the context of the Uranium Institute and the OECD-IAEA groups were vital to South Africa in the area of uranium extraction technology.

4. Implications of the military occupation of Namibia for international peace and security

492. In his opening statement, the Chairman of the Seminar stressed that the occupation régime continued to carry out armed attacks against independent States bordering Namibia. He added that those overt attacks as well as covert operations undertaken by groups in the pay of the Pretoria régime constituted odious attempts to destabilize the régimes of independent African States and contributed to the massive destruction of human lives and property. All those actions constituted an intolerable threat to international peace and security.

493. Several experts stated that the military occupation of Namibia by South Africa was an act of aggression against the United Nations itself. Furthermore, South Africa had persistently and defiantly used Namibia as a base from which to launch numerous raids and military attacks on neighbouring countries, thereby violating their territorial integrity, sovereignty and independence.

494. Some experts held that Namibia was not only a source of raw materials, cheap labour and substantial profits for South Africa, but also an indispensable part of its military apparatus, which was organized for action against liberation movements in southern Africa. South Africa's continuing presence in Namibia constituted a threat to southern African States backing those liberation movements and thus contributed to the consolidation of South African hegemony in the region.

495. Others indicated that South Africa had calculatedly and premeditatedly embarked on a policy of destabilization of the entire region, as exemplified by its ground and air incursions into Angola, cross-border raids into Zambia, support for UNITA rebels in Angola, training of Mozambican dissident groups and attacks on road and rail links and the oil pipeline connecting Zimbabwe with the port of Beira in Mozambique.

496. One of South Africa's main objectives in its destabilization attempts against Angola was to carve out a buffer State in southern Angola which would help South Africa perpetuate its domination of Namibia and the system of apartheid in South Africa.

497. Participants expressed grave concern and alarm over the development of South Africa's nuclear capability. They underscored the fact that the development of the

apartheid régime's capacity to produce nuclear weapons was an ominous threat to the peace and security not only of Africa but of the whole world. Given South Africa's refusal to become a party to the Treaty on the Non-Proliferation of Nuclear Weapons and to accept international inspection of all its nuclear installations, no distinction could be made between South Africa's development of nuclear power for peaceful purposes and for the production of nuclear weapons. The participants stressed that an urgent appeal should be made to those States that collaborated with South Africa in the nuclear field, to desist from doing so.

498. One expert stated that the impasse in settling the question of Namibia arose not from a dispute over electoral systems but from the very factors that entrenched apartheid rule and favoured South Africa's expansionist tendencies. The participant argued that South Africa sought to resolve the basic contradiction of its rapidly expanding productive capacity and its narrow internal market by exporting capital and manufactured goods and by importing foreign labour and raw materials. When those economic tactics failed, it employed military means. However, the participant was of the view that, in the long run, the war in Namibia was unwinnable for a beleaguered South Africa which was increasingly burdened with the spiralling costs of its military operations in Namibia, whose economy was affected by the fall in the price of gold and by the downward trend in the world market for diamonds and whose own apartheid régime was threatened by the victories of the liberation movements in Angola, Mozambique and Zimbabwe.

499. Another participant stated that SADF pursued the following objectives: first, to keep adjoining States militarily on the defensive through periodic acts of aggression; second, to create, wherever possible, régimes pliant to or mindful of South African political and military power on their borders; third, to use dissident groups in the adjoining States to foment trouble against the central authority; fourth, to undertake selective assassination of individuals considered a threat to the South African political system; fifth, to set up black-manned, white-led units in the army and security forces so as to use black people against each other; and finally, to destroy the transport system and destabilize the economic structures of front-line States assisting the liberation forces in southern Africa.

500. The participant's assessment was that, despite South Africa's tactical strength, strategically it was in a no-win position because SWAPO had created a situation in which the South African forces were not able decisively to change the tide in their favour. The number of South African troops and paramilitary units in Namibia was an indication of the intensity of the effort that South Africa had been forced to mount in response to the military challenge posed by SWAPO. However, the massive militarization of Namibia had not resulted in a military victory for South Africa, as evidenced by the continuing liberation struggle waged by SWAPO.

501. Several experts recommended that South Africa must be made to pay heavy reparations for the loss of lives, damage to property, and other premeditated and wanton destruction inflicted upon the Namibian and Angolan peoples.

5. Conclusions and recommendations

502. At the 7th meeting of the Seminar, on 11 June 1982, the participating experts adopted the following conclusions and recommendations for submission to the Council.

Conclusions

503. In defiance of the many United Nations resolutions concerning the removal of the illegal régime's occupying forces from Namibia, racist South Africa has been consistently militarizing the Territory with the aim of crushing the struggle for liberation and genuine independence of the Namibian people under the leadership of SWAPO, their sole and authentic representative. The defiance of the United Nations by the occupation régime is carried out with the active support and collusion of the major Western Powers and their allies.
504. South Africa's militarization of Namibia and its acts of aggression are not only destroying the social and economic infrastructure, the life and property of the Namibian people, but also destabilizing and weakening the front-line States.
505. South Africa is attempting to alter the nature of and to internationalize the anti-colonial war launched by SWAPO against the illegal administration. To this end, Pretoria is constantly launching armed attacks on the front-line States and is creating and supporting puppet and dissident groups and thus interfering in the internal affairs of these States. Contrary to Pretoria's allegations that SWAPO freedom fighters are operating from bases in Angola, the fact is that SWAPO is the Namibian national liberation movement and its gallant combatants are operating within Namibia with the support of the Namibian masses.
506. South Africa is attempting to "Namibianize" the conflict, notably through the forced conscription of black Namibians, in order to create hatred and division among the Namibian people. These manoeuvres are intended to camouflage the South African military presence in Namibia and to undermine United Nations efforts to achieve genuine independence for the Territory.
507. The new information revealed at the Seminar, notably on the increasing nuclear capacity which South Africa is acquiring in collaboration with the Western Powers and Israel, amply confirms the ever-increasing menace which South Africa's continuing occupation of Namibia presents to the United Nations, the anti-colonial movement in Africa and elsewhere in the world and to international peace and security.
508. The Seminar expressed concern at the increasing level of mercenary activity in South Africa and Namibia. Mercenary activity is found throughout the South African military forces, not only in the special forces but also in the conventional forces. The Seminar concluded that mercenaries are flowing into South Africa from Western and other countries, with the United States and the United Kingdom acting as leading centres of recruitment. Allowing such uncontrolled mercenary activity constitutes in effect a form of Western intervention that is likely to increase as the conflict in the region intensifies.
509. The international community has encountered a great deal of difficulty in defining a mercenary. However, the Seminar concluded that the problem of definition could be circumvented by the adoption of an international convention specifically to outlaw mercenary recruitment and enlistment for service in South Africa and Namibia. Finally, the Seminar concluded that it is the responsibility of all countries whose nationals are being recruited to enact and enforce appropriate legislation to outlaw all forms of participation in mercenary activity.

510. The participants noted that the supply of military-related materials to South Africa and the wide-ranging military collaboration with the apartheid régime is still continuing in clear violation of the United Nations arms embargo. Western countries have assisted South Africa's efforts to develop its own armaments industry in order to make the régime self-sufficient in arms production. Despite this, the racist régime remains heavily dependent on a great variety of foreign supplies of vital weapons, components and technology, including computers, electronics and communications equipment.

511. The participants agreed that the existing arms embargo against South Africa needed urgently to be reinforced and strengthened, particularly with respect to a ban on all nuclear collaboration with South Africa. However, the key problem has been the lack of effective implementation of the existing embargo by a number of countries, especially certain NATO Powers such as the United States, the Federal Republic of Germany, the United Kingdom and France. On an international level, participants made an urgent appeal for the supervisory committee established by Security Council resolution 421 (1977) of 9 December 1977 to be fully reactivated. In order to make implementation of the embargo more effective, the United Nations should take the lead by compiling a comprehensive and detailed list of strategic technology and equipment with military applications.

512. The participants drew attention to the collaboration in South Africa's nuclear programme, for instance, through such bodies as the IAEA-OECD joint working group on uranium extraction. That kind of collaboration should be stopped at once. The participants noted the dangerous expansion of the assistance given by several Western and other countries to South Africa's nuclear development, the latest example of which involves companies in France, the Federal Republic of Germany and Switzerland supplying quantities of nuclear reactor fuel to South Africa to enable it to run the Koeberg reactor plant. Participants noted the dangerous implications of the current direction of United States policy towards South Africa, which includes relaxation of United States regulations implementing the arms embargo and the expansion of supplies of nuclear-related materials and strategic equipment to South Africa. These were, until recently, prohibited.

513. Attention was drawn also to the increasingly open military collaboration between Israel and South Africa, symbolized recently by the visit of the Israeli Defence Minister to the war zones in occupied Namibia. In addition, the participants noted with alarm the growing military collaboration between South Africa and certain Latin American countries which is developing into a de facto military alliance.

514. Particular emphasis was placed by the participants on oil as a vital military commodity. The violation of the oil embargo imposed by OPAEC and other oil-producing countries against South Africa is being carried out by major oil companies operating in South Africa in collusion with certain trading and transporting companies whose Governments are ignoring these violations. Participants recommended that OPEC and other oil-producing countries should demand that the system of requiring a "certificate of unloading" be implemented more effectively, with specific penalties for violators of the oil embargo.

515. Finally, participants drew attention to particular transnational companies operating illegally in Namibia itself. These companies are engaged in the militarization of Namibia's economy, and assist South Africa's occupation through their vast revenue contributions, military-related contracts and by arming South

African-controlled "civilian" forces. Participants stressed that more specific measures should be taken by the United Nations Council for Namibia to make such companies liable for reparation payments to a future lawful government of Namibia.

Recommendations

516. The United Nations Council for Namibia should continue to promote international support for SWAPO as the sole and authentic representative of the Namibian people in their struggle to end South Africa's illegal occupation. The Council should continue to resist and condemn attempts by certain Western Governments to diminish the role of SWAPO and even to exclude SWAPO from the negotiations over Namibian independence.

517. The Council should request the immediate reactivation of the Security Council Committee established by resolution 421 (1977) to monitor the arms embargo.

518. The Council should actively promote more effective implementation of the arms embargo against South Africa by insisting that it cover:

- (a) All commodities on the Commodity Control List;
- (b) All forms of strategic or advanced technology such as electronics, computers, communications equipment and their components;
- (c) Transfers of strategic information and know-how, including training, technical information and servicing;
- (d) Exchanges with South Africa of military personnel as well as experts in nuclear and weapons technology and employees of arms factories;
- (e) Equipment and components sold from all facilities, including those that are outside the territory of the country in which the headquarters of the exporting company is located;
- (f) All exports destined for all South African Government bodies, including ARMSCOR and its subsidiaries, CSIR and its subsidiaries, all police, military and security agencies, all private security firms and all agencies that act as intermediaries for the above;
- (g) Penalties for violations of the provisions of the arms embargo.

519. The Council should continue to enlist the good will and support of all non-governmental organizations, including churches, trade unions and community groups, and request that they bring pressure to bear on their Governments and transnationals to stop all military and nuclear collaboration with South Africa in order to end its illegal occupation of Namibia. The Council should maintain close contact with groups seeking to mount campaigns to end collaboration with South Africa.

520. The Council should continue its comprehensive monitoring of the activities of all States maintaining military and nuclear links with South Africa, and should regularly inform the world public of the activities of all States and transnationals that violate the mandatory arms embargo.

521. The Council should investigate the extent to which South Africa's membership in IAEA, and especially its participation in various uranium groups convened under IAEA auspices, contributes to its ability to plunder Namibia's uranium resources and develop its nuclear capability.
522. The Council should pursue a ban on all nuclear collaboration with South Africa.
523. Considering that the development of South Africa's nuclear potential represents a danger to the entire region of the Atlantic and Indian Ocean basins and the Antarctic, the Council should press for international recognition of and adherence to the establishment of a nuclear-free zone in all Africa as provided for in the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of States and Government of OAU at its first ordinary session, held at Cairo from 17 to 21 July 1964.
524. The Council should examine the role of mercenaries in Namibia and in South Africa's conventional forces, its special battalions, destabilization units and citizen forces and contact all States to ascertain what their legislation is with regard to the recruitment and enlistment of mercenaries in their countries. It should establish how these laws are implemented and what the loop-holes are and make concrete suggestions to these States so as effectively to outlaw the recruitment and the enlistment of their nationals.
525. The Council should actively promote the establishment of an international convention to outlaw the recruitment and enlistment of mercenaries specifically for deployment in South Africa and Namibia, as soon as possible. To assist the implementation of such a convention, the United Nations should establish a register of known mercenaries to be made available to all States.
526. The Council should appeal to the States Members of the United Nations to report all mercenaries who have already been involved in southern Africa. They should be tried as war criminals by their national Governments, or those Governments within whose jurisdiction they may be living, and, on conviction, sentenced accordingly.
527. The Council should increase its efforts to secure the release of all PLAN combatants who have been imprisoned by the South African authorities, insisting on their prisoner-of-war status under the Geneva Convention of 12 August 1949 31/ and Additional Protocol I thereto (A/35/144, annex I).
528. Furthermore, the Council should make representations for the immediate release of the Cassinga detainees and all other Namibian refugees and citizens of the front-line States abducted by the occupation troops of South Africa operating illegally from Namibia.
529. The Council should draw international attention to South African efforts to establish tribal military and para-military forces in Namibia in addition to the presence of SADF and should examine the implications of those efforts for the independence negotiations. Furthermore, the Council should expose as direct illegal intervention South African attempts to use armed puppet groups within the front-line States in efforts to destabilize these States.
530. The Council should investigate the policies of all States concerning the granting of asylum to persons from Namibia and South Africa who are bona fide war

resisters having refused to serve in the South African military establishment. The Council should appeal to all Member States to grant asylum to such war resisters and should publicize offers of refuge.

531. Bearing in mind that oil is regarded by South Africa as a vital military commodity, the Council should assist in the study of all forms of violation of the oil embargo imposed by the General Assembly, OPAEC and other oil-producing countries, including an examination of the role of open-registry ships in the transfer of oil to South Africa. The Council should publicize widely the activities of all companies assisting in providing oil to South Africa and occupied Namibia.

532. The Council should encourage OPEC to endorse the resolution on an oil embargo adopted by OPAEC on 6 May 1981 and should seek to make the implementation of oil sanctions more effective by enlisting the co-operation of all countries in which tankers carrying oil to South Africa are registered.

533. The Council should promote the development of a code of penalties that might be used by any country against any company that breaks the oil sanctions against South Africa at any stage from production through shipping and refining.

534. Taking into account the provisions of General Assembly resolution 32/9 D of 4 November 1977 concerning the payment of war reparations by South Africa to the Namibian people, and in view of the evidence that transnational companies operating in Namibia are assisting South Africa's militarization of the occupied Territory, it is recommended that the Council enact a decree on war reparations payable by those companies to a future lawful Government of Namibia, should that Government wish to exercise that right.

535. The proposed decree should include specific clauses enabling a future lawful Government of Namibia to claim reparations from all those violating the arms and the oil embargo, in so far as such violations have led to arms-related and oil products illegally entering occupied Namibia.

536. The Council should continue to encourage all countries to expand the provision of material aid and humanitarian assistance to the people of Namibia and the front-line States, to alleviate the destructive effect of South Africa's military policies and operations and to assist SWAPO in its efforts to lay the foundations for a free, independent, non-racial and democratic Namibia. Assistance should also be directed toward helping the front-line States and members of the Southern Africa Development Co-ordination Conference (SADCC) reduce their economic dependence on South Africa.

537. The Council, in co-operation with UNESCO, should actively seek ways to sponsor a wide-ranging programme of public education on the issues at stake in Namibia, through the publication and distribution of books, films, exhibitions and other audio-visual material, drawing among other sources on the information made available at this Seminar.

VI. CONSIDERATION OF POLITICAL MATTERS CONCERNING NAMIBIA*

538. In the exercise of its responsibilities as the legal Administering Authority for Namibia until independence, the Council has been guided since its establishment by the principles enshrined in the Charter of the United Nations, General Assembly resolution 1514 (XV) and other resolutions adopted by the Assembly on the question of Namibia. In conformity with the mandate entrusted to it under Assembly resolution 2248 (S-V), the Council has exerted all efforts to obtain the withdrawal of the illegal South African administration from the Territory and to support the legitimate struggle of the Namibian people for self-determination, freedom and national independence under the leadership of SWAPO, their sole and authentic representative. In the fulfilment of its mandate, the Council has received extensive support from the international community, including governmental and non-governmental organizations.

A. Continued illegal occupation of the Territory by South Africa

539. During the period under consideration, Namibia remained the focus of global attention as the international community continued to review the political situation in and around the Territory. In a number of forums the international community articulated the global consensus concerning the heightened threat to international peace and security resulting from South Africa's continued illegal occupation of the Territory in defiance of numerous United Nations resolutions, its brutal repression of the Namibian people and its constant acts of aggression against the African States in the region.

540. At the same time, South Africa sought further to entrench its illegal occupation of Namibia. It continued to strengthen the illegal puppet institutions which it has created in Namibia and attempted to give them a semblance of legitimacy in violation of numerous United Nations resolutions, in particular Security Council resolution 439 (1978), by which the Council declared those institutions null and void. New repressive measures were imposed on the Namibian people. The racist troops and the so-called home guards continued to repress, torture and murder Namibian patriots, hundreds of whom are known to have been detained or imprisoned for political reasons.

B. Efforts of the Council to counter attempts aimed at modifying Security Council resolution 435 (1978)

541. As the legal Administering Authority for Namibia the Council has, since its inception in 1967, worked untiringly for the establishment of a free and genuinely independent Namibia. In that respect, it has taken measures to mobilize international public opinion in support of the efforts to end South Africa's

* It has been necessary in parts of the present report to use South African designations such as "Administrator-General", "homelands" and "bantustans", as well as to refer to legislation, governmental structures and officials of the illegal minority régime in Namibia. The use of such terms and references without quotation marks does not in any way imply recognition by the United Nations of the illegal régime or the entities thus described.

illegal occupation of Namibia through the immediate and unconditional implementation of the United Nations plan embodied in Security Council resolutions 385 (1976) and 435 (1978) without modification, dilution or prevarication.

542. It will be recalled that the pre-implementation talks held at Geneva in January 1981 collapsed owing to the intransigence of South Africa, an attitude attributed to the expectation of United States support which the imminent assumption of office by the new United States Administration had aroused in the racist régime. Shortly after coming into office, that Administration made a number of friendly gestures to South Africa and, under the pretext of "strengthening" resolution 435 (1978), made proposals which actually sought to introduce new elements into the United Nations plan.

543. Those proposals, which would modify the terms and scope of resolution 435 (1978), drew strong opposition from the Council, SWAPO, the front-line States and the overwhelming majority of the international community.

544. In view of the continued lack of progress towards a peaceful settlement and the strong sentiments aroused in the international community, as well as the triple veto in the Security Council of resolutions calling for comprehensive mandatory sanctions against South Africa, 2/ the General Assembly, following initiatives by the Council, adopted resolutions ES-8/2 and 36/121 A to F at its eighth emergency special session and thirty-sixth session, respectively. The Assembly reaffirmed that Security Council resolution 435 (1978) was the only basis for a peaceful settlement and demanded the immediate commencement of its unconditional implementation. The Assembly explicitly rejected the manoeuvres by certain members of the Western contact group aimed at undermining resolution 435 (1978). It strongly urged the Security Council to impose comprehensive mandatory sanctions against South Africa as provided for under Chapter VII of the Charter of the United Nations. It further called upon all States to adopt a series of detailed legislative, administrative and other measures in order to isolate South Africa politically, economically, militarily and culturally so as to force it to comply with resolution 435 (1978) and other United Nations resolutions on Namibia (for further details see paras. 30-83 above).

545. Throughout the period under review, the Western contact group, SWAPO, South Africa and the front-line States were engaged in negotiations on the implementation of resolution 435 (1978). While those negotiations were taking place, the South African Government employed various tactics aimed at delaying agreement on a workable solution of the Namibian question.

546. South Africa and the United States have persistently attempted to link the Namibian question with extraneous and irrelevant issues. By so doing, they have sought to impart to the question of Namibia a character quite distinct from that of the decolonization problem which it essentially is and thus to justify South Africa's refusal to withdraw its occupation forces from the Territory as called for in the United Nations settlement plan. South Africa has furthermore continued to commit repeated acts of aggression against Angola.

547. Conversely, SWAPO has continually declared its readiness to implement the United Nations plan for Namibia without delay. In his statement at the opening of the Council's extraordinary plenary meetings at Arusha, Mr. Sam Nujoma, the

President of SWAPO, declared that the delay in the implementation of resolution 435 (1978) had been due to South Africa's intransigence and the duplicity of the Western contact group of five, which stemmed from their determination to perpetuate the colonial domination of Namibia and the continued plunder of its resources. Contrary to what the Western five claimed to be doing, the current stage of the negotiations had nothing to do with "strengthening" resolution 435 (1978) but everything to do with diluting it (A/AC.131/SR.375).

548. For its part, the Council has maintained, most recently in the Arusha Declaration and Programme of Action on Namibia (see para. 767 below), that the United Nations plan embodied in Security Council resolutions 385 (1976) and 435 (1978) is the sole and universally accepted basis for a negotiated settlement and has called for its immediate implementation without modification, dilution or prevarication. The Council has also denounced the United States policy of collaborating with the racist régime of South Africa and of engaging in hostile acts and propaganda against SWAPO, as well as its attempts to characterize the liberation struggle in Namibia as part of an East-West confrontation. In particular, the Council has declared that the attempts to link the question of Namibia with irrelevant and extraneous issues are designed solely to justify the illegal occupation of Namibia by racist South Africa, thus delaying the independence of the Territory. The Council has also opposed the attempts by the contact group to impose on the people of Namibia a totally unjustifiable electoral system which would lead to the establishment of a neo-colonial régime in Namibia. It has also reaffirmed its complete solidarity with and full support for SWAPO, the sole and authentic representative of the Namibian people, and has commended it for the constructive attitude, the high qualities of statesmanship and the diplomatic skill demonstrated during the negotiations.

549. The Council's position was conveyed to the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries held at Havana from 31 May to 5 June 1982, and was incorporated in the Final Communiqué adopted by the Bureau at the conclusion of the meeting (see paras. 118 and 125-139 above).

C. Armed struggle waged by SWAPO

550. In the face of the continued illegal occupation and militarization of their homeland and the increased repression visited upon them by the racist Pretoria régime, the people of Namibia under the leadership of SWAPO, their sole and authentic representative, have intensified their armed liberation struggle.

551. By its resolution 31/146 of 20 December 1976, the General Assembly recognized the legitimacy of the armed struggle waged by the people of Namibia. In numerous subsequent resolutions, the Assembly has continued to call for material support, including military support, to be rendered to SWAPO for the intensification of that struggle. This call has been endorsed by important intergovernmental organizations such as OAU and the Movement of Non-Aligned Countries.

552. During the period under review, the combatants of PLAN, the military wing of SWAPO, intensified the armed struggle and scored numerous successes against the racist South African forces in Namibia, resulting in heavy casualties and destruction of military installations and equipment on the side of the occupation forces.

553. While the world was being told that South Africa was ready to sign a cease-fire agreement and thereby put an end to the long, drawn-out military conflict in Namibia and come to a settlement, the illegal occupation forces launched a new military offensive. That offensive was further proof, if proof were indeed needed, of Pretoria's unwillingness to end its illegal and oppressive occupation of Namibia.

554. SWAPO responded to these new acts of belligerence with a series of successful operations against the occupation forces (see A/AC.131/L.251/Rev.1, paras. 81-90). One of the most recent of these was conducted in August 1982, when PLAN cadres brought down a total of seven South African helicopters and six Mirage jet-fighters.

555. The attempts by South Africa to crush PLAN and to conceal the successes of SWAPO in the military field have clearly failed.

556. The military achievements of PLAN have proved that Pretoria's sophisticated military machinery, which has been built up through the collusion of certain Western powers and Israel with racist South Africa, is not invulnerable when confronted by the steadfast determination of the Namibian people to achieve freedom and independence in a united Namibia.

557. In this respect, the Council expresses its continued solidarity with and support for the Namibian people in their legitimate armed struggle.

D. Contacts between Member States and South Africa

558. By paragraph 29 of its resolution 36/121 B, the General Assembly requested the Council to submit to the Assembly a comprehensive report on all contacts between Member States and South Africa, containing a systematic analysis of the information received from Member States and other sources on the continuing political, economic, financial and other relations of States and their economic and other interests with South Africa and of measures taken by Member States to terminate all dealings with the racist régime of South Africa.

559. In accordance with that request, the Council compiled, during the period under review, information regarding contacts between Member States and South Africa.

560. The Council is currently considering a comprehensive report prepared by the Secretariat on the basis of the information gathered. It is expected that the report on contacts between Member States and South Africa will be a document of the International Conference in Support of the Struggle of the Namibian People for Independence, to be held in 1983, and will subsequently be submitted to the General Assembly at its thirty-eighth session.

VII. CONSIDERATION OF LEGAL MATTERS CONCERNING NAMIBIA

561. By its resolution 2248 (S-V), the General Assembly delegated to the United Nations Council for Namibia the direct responsibility which the United Nations had assumed for Namibia following the termination of South Africa's mandate for the administration of the Territory.

562. Specifically, the Assembly entrusted to the Council the responsibility (a) of administering Namibia until independence; and (b) of promulgating such laws, decrees and administrative regulations as are necessary for the administration of the Territory until it achieves independence.

563. In pursuance of that mandate and in accordance with subsequent General Assembly resolutions defining the Council's responsibilities, the Council continued during the period under review to undertake various activities in the legal sphere with a view to safeguarding the interests of the Namibian people.

564. By resolution 3067 (XXVIII) of 16 November 1973, the General Assembly decided to convene the Third United Nations Conference on the Law of the Sea and requested the Secretary-General to invite the Council to participate in the Conference. Subsequently, the Assembly decided, in its resolution 34/92 C of 12 December 1979, to grant full membership in the Conference to Namibia, represented by the Council as the legal Administering Authority for the Territory.

565. The Council participated actively in the eleventh session of the Third United Nations Conference on the Law of the Sea, held in New York from 8 March to 30 April 1982, and was granted the right to sign and ratify, on behalf of Namibia, the United Nations Convention on the Law of the Sea, adopted at that session.

566. In the performance of its legal responsibilities towards Namibia, the Council undertook in its Arusha Declaration and Programme of Action on Namibia (see para. 767 below) to determine the extent of the territorial sea and of the contiguous zone of Namibia, proclaim Namibia's exclusive economic zone and delimit its continental shelf. In that context, the Council declared null and void South Africa's illegal attempts to extend the territorial sea of Namibia and to proclaim an exclusive economic zone for the Territory, over which it has no jurisdiction.

567. By its resolution 36/121 C, the General Assembly decided that the Council should take measures to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including consideration of the institution of legal proceedings in the domestic courts of States and other appropriate bodies.

568. Accordingly, the Council formulated guidelines for the preparation of studies by lawyers on the possibility of instituting legal proceedings in the domestic courts of various countries where corporations engaged in economic activities concerning Namibia's resources are based (see A/AC.131/L.254). These guidelines are in keeping with the recommendations of the Seminar on Legal Issues concerning the Question of Namibia, conducted by the Council at The Hague from 22 to 24 June 1981 (A/AC.131/L.218, paras. 41-54).

569. The preliminary list of countries to be covered by the studies includes the United States, Japan, France, the Federal Republic of Germany, the Netherlands, the United Kingdom and other members of EEC.

570. By the same resolution, the General Assembly decided that the Council should send missions of consultation to Governments whose corporations have investments in Namibia, in order to review with them all possible action to discourage the continuation of such investments. The Assembly also decided that the Council should contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis of their operations in the Territory.

571. In compliance with the latter provision, the Council dispatched a mission which contacted corporations in Western Europe in June and July 1982 to discuss their operations in Namibia, with a view to discouraging the illegal exploitation of the Territory's human and natural resources (see paras. 339 to 344 above).

572. By its resolution 36/121 D, the General Assembly requested all specialized agencies and other institutions of the United Nations system to grant full membership to Namibia, represented by the Council, so that it might participate as the legal Administering Authority for Namibia in the work of those organizations. As described in paragraphs 285 to 291 above, the Council continued, during the period under review, to represent Namibia in a number of international organizations and conferences.

VIII. CONSIDERATION OF SOCIAL MATTERS CONCERNING NAMIBIA

573. In the exercise of its mandate as the legal Administering Authority for Namibia until independence, the Council continues to maintain under constant review the social conditions in the Territory affecting the struggle of the Namibian people for self-determination, freedom and national independence in a united Namibia.

574. By its resolution 36/121 C, the General Assembly reaffirmed that mandate and requested the Council to review the progress of the liberation struggle in Namibia in its social aspect, among others, and to prepare periodic reports related thereto. The Assembly also decided that the Council should conduct hearings and seminars in order to obtain information on the exploitation of the people and resources of Namibia by South African and other foreign interests and to expose such activities.

575. During the period under review, the abject living conditions of the large majority of Namibians continued to deteriorate as a consequence of the increasingly repressive policies of the illegal occupation régime of South Africa. South Africa's racist and exploitative practices caused widespread malnutrition and a high incidence of disease in the Namibian population. Furthermore, there was serious unemployment resulting from the inhuman labour system and the lack of educational opportunities for Namibians.

A. Political repression and human rights violations

576. Throughout the period under review, South Africa continued to reinforce the subservient institutions it has installed in the Territory in violation of the relevant United Nations resolutions.

577. The racist South African administration, in turn, continued to enact illegal "legislative" measures in the Territory in an attempt to keep the Namibian people under its stranglehold.

578. On 24 April 1980, it enacted Proclamation AG.8, the Representative Authorities Proclamation, which was intended to serve as the "interim constitution" of the Territory. This proclamation purported to divide Namibian society into 12 mutually exclusive groups on the basis of racial origin.

579. During the period under review, the South African authorities continued to apply the proclamation rigorously in order to perpetuate their apartheid policies and further entrench South Africa's illegal occupation of the Territory.

580. Political repression and violation of the human rights of the Namibian people manifested themselves in a variety of forms, including blatantly discriminatory measures affecting all spheres of life in the Territory.

581. Contrary to claims by the illegal South African administration to the effect that there is no longer racial discrimination in Namibia, discriminatory practices against the black population not only endure but indeed have increased in number and intensity. The repressive and discriminatory laws which govern education, housing, employment and all other aspects of the daily life of Namibians have been directly imported from South Africa itself.

582. These repressive laws also serve as the basis for the effort to crush the national liberation struggle waged by SWAPO for self-determination and independence. Under these laws, the South African authorities have carried out mass arrests and held many SWAPO members and supporters without trial because of their opposition to South Africa's illegal occupation of the Territory.

583. In its 1981 report, Amnesty International confirmed that there continued to be extensive violations of human rights in Namibia. Many Namibians are detained without trial and tortured while others are subjected to restrictions under administrative orders such as "release warrants". Among other things, the victims of these measures may be placed under total or partial house arrest, prohibited from receiving visitors at home, restricted to a particular district or prohibited from working in public service. The so-called Terrorism Act of 1967 continues to be used against Namibian political activists.

584. Under Proclamation AG.26 of 1978, many political activists are arbitrarily detained and held incommunicado for indefinite periods. The detainees are denied any means of challenging their detention orders and can also be held for extensive periods of interrogation.

585. Large numbers of political prisoners are known to be held at various prisons in Namibia. These include some 120 detainees held incommunicado under Proclamation AG.9 since their abduction by South African military forces in May 1978 from a camp for Namibians at Cassinga in southern Angola.

586. An increasing number of people have reportedly been disappearing from their homes as a result of police or army action. Men or women are often arrested and held incommunicado indefinitely in "open-air" prisons or "iron stalls, with 10 to 11 individuals in a room measuring 3.5 metres by 3 metres in size". ^{32/} Many Namibians abducted in this way have never been seen alive again.

B. Refugees

587. South Africa's illegal occupation of Namibia and its repression of Namibians has caused a steady flow of Namibian refugees into the neighbouring States of Angola, Zambia and Botswana at an estimated rate of 500 new arrivals per week. The number of Namibians in exile is currently estimated by UNHCR at 75,000, with 70,000 in Angola, 4,300 in Zambia and a substantial number in Botswana.

588. SWAPO has taken steps to alleviate the plight of the refugees. The Department of Health and Social Welfare of SWAPO, working in close collaboration with the ministries of the host countries and the Council, has succeeded in obtaining some medical assistance. The Department of Education and Culture has been particularly active in developing and implementing a number of programmes for the education of the thousands of displaced and disabled Namibians in refugee camps.

589. During the review period, UNHCR also continued to render assistance to Namibian refugees. Its activities included supplementary feeding programmes, educational assistance at all levels, social counselling, supply of medicines and clothing, agricultural assistance and the development of health and educational facilities for refugees, such as the Nyango centre run by SWAPO in Zambia. Other agencies and organizations also contributed to the refugee assistance programme; for example, the World Food Programme provided food under a bilateral agreement with the host Government, Botswana.

590. The implementation of the UNHCR programme of assistance to Namibian refugees in Angola was made extremely difficult by the repeated armed attacks by South Africa against Angola which resulted in loss of life and destruction of property, making any planning by the agency virtually impossible and greatly straining existing resources.

C. Economic exploitation

591. Of the total area of Namibia (824,269 square kilometres), South Africa has appropriated more than 60 per cent, constituting the most economically viable part of the Territory, exclusively for occupation and utilization by the white minority. This area includes the best farming land, all urban areas and mineral deposits, as well as game parks.

592. On the other hand, South Africa has demarcated on a tribal basis 10 non-contiguous "homelands" in the most unproductive parts of the Territory, amounting to less than 40 per cent of the total area, for occupation by the African majority.

593. South Africa's occupation of Namibia has thus resulted in a colonial economy in which the colonialist white sector thrives on the ruthless exploitation of the dispossessed black majority.

594. In addition, South African and Western transnational corporations and financial interests, which illegally operate in defiance of Decree No. 1 for the Protection of the Natural Resources of Namibia, continue to absorb more than half of Namibia's gross domestic product each year and are party to South Africa's illegal exploitation of Namibian resources. Moreover, these corporations continue to practice racial discrimination by, inter alia, maintaining wage and salary differentials based on colour. White workers constitute about 75 per cent of the elite class of managerial, administrative and technical professionals, while black workers are forced to accept low-paying menial jobs.

595. The migrant labour system in Namibia has created deep resentment and opposition among the workers who are forced to live under it. The system involves spending long periods away from the worker's home. Accommodation at the place of work is provided under squalid conditions in male hostels, which are frequently raided by the illegal South African police. Black employees of Rössing Uranium, for example, are restricted to Arandis, where they are forced to live under miserable conditions.

596. Whenever attempts to form workers' unions are made, the illegal South African administration suppresses these efforts through banning and detention of the union leaders.

597. The ruthless economic exploitation of the Namibian people has led to an increased migration of the rural population to the towns in search of employment, which has greatly contributed to the serious unemployment problem throughout the Territory.

D. Health

598. During the period under review, the Council noted with deep concern the continuing lack of health care for the black majority in Namibia. The African population suffers from serious health problems as a result of poverty, malnutrition, squalid housing and poor working conditions, all of which stem from the unscrupulous exploitation to which they are subjected by South Africa. Among other things, there is widespread tuberculosis and a high infant mortality rate among the black population.

599. In its consideration of the social conditions in Namibia, the Council took into account the testimony given at the hearings on Namibian uranium, held at United Nations Headquarters in New York between 7 and 11 June 1980, where it was pointed out that Namibians working in the uranium mines at Rössing, as well as the general population in the surrounding areas, were subjected to serious health hazards as a result of the absence of safeguards against radio-active contamination.

600. In the spring of 1982, an epidemic of hepatitis broke out in northern Namibia. Thousands of Namibians were affected, many of whom died. The President of SWAPO appealed to the United Nations Commissioner for Namibia for medical assistance, observing that the South African authorities in the Territory were not making any effort to bring the disease under control. The SWAPO medical staff was treating those affected Namibians who had been brought to the SWAPO medical centres in Angola.

601. The Council authorized the Commissioner to take appropriate steps to ensure the delivery of medicines and medical supplies to those Namibians in need of assistance.

E. Education

602. The racist policy of the illegal régime is also reflected in the educational system, which is blatantly discriminatory against the majority black population and designed only to further the interests of the white minority.

603. White school-children enjoy a modern and comprehensive educational system, while educational facilities for black children are non-existent in some areas and, at best, mediocre in others. There are differences in school facilities, classroom practices, teacher training programmes, teachers' salaries, teacher-pupil ratios and in the amount of money spent per pupil per year.

604. The restrictions on the educational opportunities of black children are such that in 1981, out of a potential black secondary school population of 67,436, only 16 per cent attended secondary school.

IX. ACTIVITIES OF THE COUNCIL IN THE FIELD OF DISSEMINATION OF
INFORMATION AND PUBLICITY CONCERNING NAMIBIA

A. General

605. In its resolution 36/121 E on dissemination of information on Namibia, the General Assembly stressed the urgent need to mobilize international public opinion on a continuous basis with a view to assisting effectively the people of Namibia in the achievement of self-determination, freedom and independence in a united Namibia and, in particular, to intensify the world-wide and continuous dissemination of information on the struggle for liberation being waged by the people of Namibia under the leadership of SWAPO, their sole and authentic representative.

606. By the same resolution, the Assembly reiterated the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the Council and requested the Secretary-General to ensure that the Department of Public Information of the Secretariat, in all its activities of dissemination of information on the question of Namibia, would follow the policy guidelines laid down by the Council as the legal Administering Authority for Namibia.

607. The Assembly decided to launch an international campaign in support of the cause of Namibia and to expose and denounce the collusion of certain Western countries with the South African racists and, to that end, requested the Council to formulate a programme of activities on dissemination of information, including the following:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters and on the question of the territorial integrity of Namibia;

(b) Production and dissemination of radio programmes in English, French, German and Spanish, designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films, film-strips and slide sets on Namibia;

(f) Production and dissemination of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia;

(h) Production and dissemination of a comprehensive economic map of Namibia;

(i) Preparation and wide dissemination of booklets containing the texts of official declarations of the Council, joint communiqués and press releases issued by missions of consultation of the Council, and resolutions of the General Assembly

and the Security Council on the question of Namibia, together with relevant portions of Assembly resolutions on the question of foreign economic interests operating in Namibia and on military activities in Namibia;

(j) Publicity for and distribution of an indexed reference book on transnational corporations involved in Namibia;

(k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia;

(l) Acquisition of already published books and pamphlets for further dissemination.

608. During the period under review, the Council continued to disseminate information to Governments, leading opinion makers, media leaders, political and academic institutions and other concerned non-governmental organizations, cultural organizations and support groups concerning the objectives and functions of the Council and the struggle of the Namibian people under the leadership of SWAPO. It also held consultations with and sought the co-operation of those personalities and institutions by inviting them on special occasions to participate in the deliberations of the Council.

609. The Council worked closely, through its Standing Committee III, with the Department of Public Information in its endeavor to intensify informational activities related to the question of Namibia and to give that Department guidance on specific projects for dissemination of information to the general public.

610. Standing Committee III approved its programme of work for 1982 (A/AC.131/L.223) at its 88th and 89th meetings, on 28 and 29 January 1982.

**B. Celebration of Namibia Day and the Week of Solidarity
with the People of Namibia and their Liberation
Movement, SWAPO**

611. By its resolution 31/150 of 20 December 1976, the General Assembly decided to observe the week of 27 October as a week of solidarity with the people of Namibia and their liberation movement, SWAPO, as proposed by Mr. Leopold Sedar Senghor, then President of Senegal, at the Dakar International Conference on Namibia and Human Rights, held at Dakar from 5 to 8 January 1976. 33/ That decision was endorsed by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977. 34/ In 1981, the Council observed the Week of Solidarity from 26 to 30 October 1981. The observance in 1981 was of special significance, since it coincided with the fifteenth anniversary of the adoption of General Assembly resolution 2145 (XXI), by which the Assembly terminated the mandate of South Africa to administer Namibia and placed the Territory under the direct responsibility of the United Nations.

612. The programme for the observance of the Week of Solidarity, as approved by the Council, included two special meetings of the Council, the 364th and 365th meetings, held on 26 October 1981, at which statements were made by the President of the General Assembly, the Secretary-General of the United Nations, the President of the Security Council, the Chairman of the Special Committee on the Situation

with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Chairman of the Special Committee against Apartheid, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Chairman of the Non-Aligned Group at the United Nations, the President of the United Nations Council for Namibia, the representative of the Chairman of OAU, the Chairman of the Group of African States, the Chairman of the Group of Asian States, the Chairman of the Group of Eastern European States, the Chairman of the Group of Western European and Other States, the Chairman of the Group of Latin American States, the representative of the Chairman of the Organization of the Islamic Conference, the Permanent Observer of the League of Arab States, the Permanent Observer of the PLO, and the Secretary for Foreign Relations of SWAPO.

613. Messages from the heads of State or Government of Bangladesh, Guinea, Mali, Mauritania, Mauritius, Pakistan, Panama, Senegal, Suriname, Viet Nam, and Yugoslavia were received and read out by their respective representatives during the meeting.

614. Messages were also received from the Vice-Premier and Minister for Foreign Affairs of China, the Minister for Foreign Affairs of Indonesia and the Minister for Foreign Affairs of Japan. The Directors-General of ILO, FAO and UNESCO also sent messages. Other messages were received from the Polish Committee for Solidarity with the Peoples of Asia and Africa and the President of the Hungarian Solidarity Committee.

615. On behalf of the Council, the President thanked the Governments and organizations that had sent messages, as well as the speakers, representatives and others who had participated in the solemn meetings, for their expressions of support for the Council and of solidarity with the people of Namibia and their national liberation movement, SWAPO, the sole and authentic representative of the Namibian people.

616. At the United Nations, the Week of Solidarity was also marked by a photographic exhibition, as well as the screening of the films "Remember Cassinga", "Free Namibia" and "Namibia: A Trust Betrayed", and the video productions "South Africa's Bombshell", "Follow the Yellowcake Road" and "Mercenaries for Southern Africa".

617. At its 384th and 385th meetings, on 26 August 1982, the Council held its annual commemoration of Namibia Day, in accordance with General Assembly resolution 311 (XXVIII) of 12 December 1973. This is an important occasion as it marks the day in 1966 on which the combatants of PLAN, the military wing of SWAPO, launched the armed liberation struggle against the occupying forces of South Africa. The legitimacy of the armed struggle waged by SWAPO has been explicitly recognized by the General Assembly since 1976 (see para. 551 above). The Assembly has on numerous occasions, most recently in resolution 36/121 A, called on Member States, specialized agencies and other international organizations to render sustained and increased support as well as material, financial, military and other assistance to SWAPO to enable it to intensify the struggle for liberation of Namibia.

618. During the meetings, statements were made by the President of the Security Council, the representative of the Secretary-General, the Vice-Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the

Chairman of the Special Committee against Apartheid, the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and Chairman of the Non-Aligned Group; the Chairman of the Senate of the United Nations Institute for Namibia, the President of the United Nations Council for Namibia, the representative of the Chairman of OAU, the Chairman of the Group of Asian States, the Chairman of the Group of Eastern European States, the Chairman of the Group of Latin American States, the Chairman of the Group of Western European and other States, the Permanent Observer of the League of Arab States, the Chairman of the Organization of the Islamic Conference, the Permanent Observer of the PLO, the representative of ANC, the Chairman of the Southern Africa Sub-Committee of the NGO Committee on Human Rights, and the Permanent Observer of SWAPO.

619. Messages from the General Secretary of the People's Democratic Party of Afghanistan and President of the Revolutionary Council, the President of the Council of Ministers of the Government of Bangladesh, the Secretary-General of the Yemeni Socialist Party and Chairman of the Presidium of the Supreme People's Council and Premier of Democratic Yemen, the Prime Minister of Turkey, the President of Senegal, the President of Pakistan, the Prime Minister of Yemen, the President of Sierra Leone, the President of Guyana, the President of Egypt, the President of Guinea and the Head of State of Liberia and Chairman of the People's Redemption Council of Liberia were read by the representatives of their countries.

620. The President of the United Nations Council for Namibia expressed the thanks of the Council for: messages received from the Vice-President for Foreign Affairs of Democratic Kampuchea, the State Counsellor and Minister for Foreign Affairs of China, the Minister for Foreign Affairs of Bangladesh, the Minister for Foreign Affairs of Japan, the Minister for Foreign Affairs of Indonesia, the Minister for Foreign Affairs of Algeria, the Minister for External Relations of Ecuador and the Minister for External Relations and Worship of Argentina and the Minister for Foreign Affairs of the Republic of Korea; messages from the European Economic Community and the five Nordic countries; a joint statement received from the Solidarity Committee, the Peace Council and the Committee for the Decade for action to Combat Racism and Racial Discrimination of the German Democratic Republic and statements from ILO and FAO. The President announced that those messages would be reproduced in a document of the Council.

C. Press and publications

621. The Council, with the assistance of the Department of Public Information, gave wide publicity to its work through releases (in English and French) distributed to the press, delegations and non-governmental organizations at Headquarters, and to the United Nations information centres throughout the world. The Department issued releases on all public meetings of the Council at Headquarters as well as on the eighth emergency special session of the General Assembly, held in September 1981, the extraordinary plenary meetings of the Council held at Arusha from 10 to 14 May 1982 and the Seminar on the Military Situation in and relating to Namibia, held at Vienna from 8 to 11 June 1982.

622. Press releases were issued on the Council's mission of consultation to Asia (27 March to 13 April 1982). In addition, texts of statements concerning Namibia by the President of the Council, the Secretary-General and the President of the General Assembly were distributed to non-governmental organizations, the media and educational institutions.

623. The solemn meeting of the Council commemorating the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO (26 to 30 October 1981) was also given coverage.

624. The activities of the Council were publicized through the daily United Nations press briefings for the press corps and delegation press officers, and through press conferences given by representatives of the Council.

625. Material on the question of Namibia was provided to the pool of non-aligned news agencies on a regular basis and information on the Council's activities was transmitted to the network of United Nations information centres for dissemination to the local media.

626. The United Nations information centres assisted in the dissemination of press releases on major United Nations reports, statements and events relating to Namibia. These press releases were distributed to non-governmental organizations, the media and educational institutions. Centre directors also initiated direct contacts with the media so as to encourage the media to disseminate information on the question of Namibia. Several centres reported that articles had been written in the local press and special broadcasts made on the situation in Namibia.

627. In accordance with the Council's guidelines, the Department of Public Information continued to disseminate information on the work of the Council and other United Nations organs concerned with the question of Namibia through its periodical publications the United Nations Monthly Chronicle and Objective: Justice, and also in such general reference works as the Yearbook of the United Nations, Everyone's United Nations, Basic Facts about the United Nations and United Nations Today (Suggestions for Speakers).

628. In particular, the December 1981 and May 1982 issues of Objective: Justice included material related to Namibia. The April 1982 issue, which was devoted to the International Year of Mobilization for Sanctions against South Africa, carried an article on the continuing economic exploitation and militarization of Namibia. Excerpts from this article, dealing with the military situation in Namibia, were reprinted under separate cover in connection with the Seminar on the Military Situation in and relating to Namibia.

629. Two booklets produced under the supervision of Standing Committee III, entitled "Military Situation in and relating to Namibia" and "Namibian Uranium", were also disseminated at the Seminar.

630. During the period under review, the Department of Public Information published, at the request of the Council, a booklet entitled United Nations Council for Namibia: Meetings at Panama, which contains excerpts from statements made during those meetings, as well as the texts of the Panama Declaration and Programme of Action on Namibia and of Decree No. 1 for the Protection of the Natural Resources of Namibia. A booklet on the hearings on Namibian uranium and an up-dated version of the pamphlet Namibia: A Unique United Nations Responsibility are being produced.

631. In accordance with General Assembly resolution 35/227 H of 6 March 1981, the Council requested the Cartographic Unit of the Department of Conference Services to undertake the research necessary to prepare a comprehensive economic map of Namibia. Standing Committee III has maintained liaison with the Unit regarding

that request. The map is expected to be completed in time for the International Conference in Support of the Struggle of the Namibian People for Independence in 1983.

D. Radio and visual services

632. During the period under review, the Council continued to arrange for radio coverage of developments relating to Namibia and the work of the General Assembly, the Security Council, the United Nations Council for Namibia and other United Nations bodies concerned with Namibia. Coverage was provided in the following languages: Afrikaans, Arabic, Chinese, English, French, Greek, Hebrew, Japanese, Pilipino, Portuguese, Russian, Somali, Sotho, Spanish, Swahili, Tswana, Turkish, Xhosa and Zulu. Radio and photo coverage was also provided for the extraordinary plenary meetings of the Council held at Arusha, United Republic of Tanzania, in May 1982 as well as the Seminar on the Military Situation in and relating to Namibia.

633. The question of Namibia was featured in part or in full in the radio programmes Perspective, UN Calling Asia, UN Africa, l'Afrique à l'ONU, l'ONU et l'Afrique, Zona Internacional, Actualidades, A Vitrina do Mundo, Programa da ONU para Portugal, Afakon Almaiah, Puntos Cardinales, Perspectiva Internacional and a large number of the anti-apartheid programmes. A series of six radio programmes in Spanish entitled Namibia - the Legal Issues was produced and distributed to stations in Latin America. The English version of this series is under production. Also, production has begun on a new special series of six quarter-hour radio programmes in English entitled Namibia Update.

634. The Department of Public Information continued to provide television and photo coverage of the activities and programmes relating to the work of the Council. The coverage of the eighth emergency special session of the General Assembly was disseminated through the news agencies. The visual material was telecast by Eurovision and 36 other stations. In this regard, the Council feels it necessary that it be provided with full details, including scripts and/or outlines, of major undertakings by the Department in the field of dissemination of information on Namibia, particularly radio programmes and films, before their production.

635. A 60-second television spot on Namibia was released in English, French, Spanish and Arabic and distributed through the United Nations information centres and United Nations agencies in commemoration of Namibia Day.

E. Other activities

636. The President of the Council, accompanied by the United Nations Commissioner for Namibia, attended the Mass Media Leaders Round-table, held by the Department of Public Information at Budapest from 8 to 10 February 1982. The meeting, which was attended by 29 representatives of the news media from socialist countries, devoted one of its sessions to the problems of South Africa and Namibia. Similar round-table meetings were held in Paris, London, Bangkok, Arusha, Quito and many cities of the United States.

637. The 1981 United Nations fellowship programme organized by the Department of Public Information for educators in Africa, Europe and the Middle East was held at

Addis Ababa from 16 October to 6 November 1981. The programme included special lectures, films and displays on decolonization questions, including Namibia. Workshop sessions also dealt with methods of teaching the subject. The 1982 United Nations Day student leaflet, which was devoted to decolonization, included an informative section on Namibia.

638. A delegation of the Council gave a briefing and discussed the question of Namibia at length with approximately 20 students from the University of Wisconsin.

639. The 1982 graduate student intern programme gave significant attention to United Nations activities concerning Namibia. The question of Namibia was discussed in the course of a lecture programme that focused on the political role of the United Nations, the activities of the Security Council and the role of the United Nations Council for Namibia. Approximately 100 persons from 55 countries took part in the programme.

640. A short explanation of United Nations activities on Namibia has been included in the one-hour lecture tour given by United Nations guides at Headquarters. Several briefings on developments in Namibia were arranged for non-governmental and other organizations, and a variety of relevant materials on Namibia was distributed to the public.

F. Dissemination of information by the Office of the United Nations Commissioner for Namibia

641. The Commissioner's Office continued to serve as an additional source of information on the activities of the Council. It prepared the substantive parts of the Namibia Bulletin, a quarterly publication in English, Spanish, French and German. The Commissioner's Office also published Namibia in the News, a weekly newsletter distributed to all Member States and non-governmental organizations. The Office also gave briefings to non-governmental organizations, support organizations and student groups on the activities of the Council.

642. By its resolution of 7 February 1980 (A/AC.131/74), the Council requested the Commissioner, in consultation with Standing Committee III of the Council, to prepare and publish an information booklet on the Nationhood Programme for Namibia as an activity of the Council. Accordingly, an information brochure was published in September 1981. The Office of the Commissioner also assisted the Council in the following activities:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters and on the question of the territorial integrity of Namibia;

(b) Dissemination of films, film-strips and slide sets on Namibia;

(c) Dissemination of posters;

(d) Acquisition of already published books and pamphlets for further dissemination.

X. UNITED NATIONS FUND FOR NAMIBIA

A. Establishment of the Fund, general developments and sources of financing

1. Establishment of the Fund

643. By its resolutions 2679 (XXV) of 9 December 1970 and 2872 (XXVI) of 20 December 1971, the General Assembly decided to establish a United Nations Fund for Namibia. Its decision was based on the consideration that, having terminated South Africa's mandate to administer the Territory and having itself assumed direct responsibility for Namibia until independence, the United Nations had incurred a solemn obligation to assist the people of the Territory in their struggle for independence and that, to that end, the United Nations should provide them with comprehensive assistance.

644. Since the Fund became operative in 1972, the programmes of assistance have been continuously expanded by the General Assembly on the recommendations of the United Nations Council for Namibia and the Security Council. In 1975, the Fund became the vehicle for financing the United Nations Institute for Namibia and a special account was approved by the Assembly under resolution 33/182 C of 21 December 1978 for financing the Nationhood Programme for Namibia, established pursuant to Assembly resolution 31/153 of 20 December 1976. The Fund is thus now composed of three separate accounts: (a) the General Account for educational, social and relief activities; (b) the Trust Fund for the Institute; and (c) the Trust Fund for the Nationhood Programme.

645. While, until 1973, the Council acted only in an advisory capacity to the Secretary-General as regards the administration and supervision of the Fund, the General Assembly, by resolution 3112 (XXVIII) of 12 December 1973, appointed the Council itself trustee of the Fund. The guidelines for the orientation, management and administration of the Fund were approved by the Assembly in its resolution 31/151 of 20 December 1976.

2. Sources of financing

646. It is the task of the Council, the Secretary-General and the United Nations Commissioner for Namibia to mobilize the resources for the financing of the Fund.

647. Voluntary contributions are to be the major source of financing of the Fund. The Assembly has appealed to Governments and their respective national organizations and institutions for voluntary contributions to the Fund, and for special contributions earmarked for the Institute and the Nationhood Programme. By its resolution 33/182 C, the Assembly requested the Secretary-General and the Council to appeal to Governments, the specialized agencies and other organizations and bodies within the United Nations system, governmental and non-governmental organizations and private individuals for additional financial contributions to the Fund.

648. Since the Fund was established in 1970, the General Assembly has each year authorized as an interim measure an allocation from the regular budget to help implement the Fund's programme. Thus, by resolution 36/121 F of 10 December 1981,

the Assembly decided as a temporary measure to allocate \$US 1 million to the Fund in 1982 from the regular budget.

649. UNDP finances assistance projects for Namibia and has for that purpose established an indicative planning figure for Namibia. In 1980, the Governing Council of UNDP set a figure of \$US 7,750,000 for Namibia for the 1982-1986 indicative planning cycle, of which \$US 6,200,000, or 80 per cent, was earmarked for programming. With an uncommitted balance of \$US 3,637,000 from the 1977-1981 cycle, the total resources available for Namibia now amount to \$US 9,837,000.

650. A delegation of the Council carried out fund-raising activities during February and March 1982 to ensure the financing of the activities of the Institute, the Nationhood Programme and other programmes financed from the Fund (see paras. 704-712 below). During the period under review, responses to appeals for funds were encouraging.

651. Through its three accounts, the Fund received the following income in 1981 and the first six months of 1982 (figures are in United States dollars):

	<u>1981</u>	<u>1982</u> <u>January-June</u>
General Account	2 196 766	1 429 023
Trust Fund for the United Nations Institute for Namibia	2 847 602	1 848 341
Trust Fund for the Nationhood Programme	<u>1 886 182</u>	<u>730 755</u>
Total	<u><u>6 930 550</u></u>	<u><u>4 008 119</u></u>

652. The pledges and contributions to the Fund for 1981 and the first six months of 1982 are shown in tables 1 and 2 below.

Table 1
United Nations Fund for Namibia: pledges and contributions for 1981
(United States dollars)

	<u>General Account</u>		<u>Trust Fund for the Institute</u>		<u>Trust Fund for the Nationhood Programme</u>	
	Pledges	Collections	Pledges	Collections	Pledges	Collections
Argentina	3 607	3 607	-	-	-	-
Australia	32 575	32 575	-	-	-	-
Austria	16 700	16 700	-	-	-	-
Bahamas	-	-	1 000	1 000	-	-
Barbados	500	500	-	-	-	-
Brazil	10 000	10 000	20 000	20 000	10 000	-
Canada	-	-	145 833	145 833	-	-
Chile	-	-	1 000	1 000	-	-
China	20 000	20 000	-	-	-	-
Denmark	-	-	200 000	200 000	126 264	126 264
Finland	48 031	48 031	168 108	168 108	459 794	114 443
France	-	-	126 126	126 126	-	-
Germany, Federal Republic of	-	-	83 096	43 984	-	-
Greece	4 500	4 500	5 500	5 500	-	-
Guyana	15 843	15 843	-	-	-	-
Iceland	4 400	4 400	-	-	-	-
India	1 000	1 000	2 000	2 000	1 000	1 000
Indonesia	4 000	-	-	-	-	-
Iran	4 000	4 000	-	-	-	-
Ireland	15 134	15 134	15 134	15 134	-	-
Italy	-	-	20 000	30 000	-	-
Japan	10 000	10 000	190 000	190 000	-	-
Mexico	5 000	5 000	-	-	-	-
Netherlands	89 549	42 674	79 600	37 933	-	-
New Zealand	4 280	4 280	-	-	-	-
Nigeria	20 000	20 000	5 000	5 000	5 000	5 000
Norway	-	-	176 227	176 227	168 223	168 223
Pakistan	3 000	3 000	-	-	-	-
Panama	1 000	1 000	-	-	-	-
Philippines	2 000	1 000	500	-	-	-
Suriname	1 000	1 000	1 000	1 000	1 000	1 000
Sweden	575 032	575 032	599 572	599 572	575 032	575 032
Trinidad and Tobago	1 493	1 493	-	-	-	-
Tunisia	19 461	-	4 865	-	-	-
Turkey	1 000	1 000	-	1 000	-	-
United States of America	-	-	500 000	500 000	-	-
Venezuela	2 000	2 000	1 000	1 000	-	-
Yugoslavia	10 000	10 000	-	-	-	-
Total	925 105	853 769	2 345 561	2 270 417	1 346 313	990 962

Table 2

United Nations Fund for Namibia: pledges and contributions for January to June 1982
(United States dollars)

	<u>General Account</u>		<u>Trust Fund for the Institute</u>		<u>Trust Fund for the Nationhood Programme</u>	
	Pledges	Collections	Pledges	Collections	Pledges	Collections
Argentina	1 393	1 393	-	-	-	-
Australia	35 284	35 284	-	-	-	-
Austria	16 700	16 700	-	-	-	-
Brazil	5 000	5 000	10 000	10 000	10 000	20 000
Canada	-	-	165 289	-	-	-
China	20 000	20 000	-	-	-	-
Cyprus	225	-	225	-	225	-
Democratic Yemen	500	-	-	-	-	-
Denmark	-	-	210 970	-	105 486	-
Finland	55 054	55 054	176 173	176 173	414 527	759 878 <u>a/</u>
France	158 333	-	124 167	-	-	-
Germany, Federal Republic of	-	-	71 366	71 366	-	-
Greece	4 500	4 500	5 500	5 500	-	-
Iceland	4 400	4 400	-	-	-	-
India	-	-	2 000	-	2 000	-
Indonesia	4 000	4 000	-	-	-	-
Ireland	8 307	-	-	-	-	-
Italy	-	-	9 486	-	-	-
Japan	10 000	-	210 000	-	-	-
Mexico	5 000	-	-	-	-	-
Netherlands	87 209	-	77 519	-	-	-
Norway	-	-	200 000	-	166 667	-
Pakistan	3 000	-	-	-	-	-
Panama	1 000	1 000	-	-	-	-
Philippines	2 000	-	500	-	-	-
Republic of Korea	-	-	50 000	-	-	-
Suriname	1 000	-	1 000	-	1 000	-
Sweden	-	-	504 348	-	-	-
Trinidad and Tobago	1 493	-	-	-	-	-
Turkey	1 500	-	-	-	-	-
Venezuela	2 000	-	1 000	-	-	-
Total	427 896	147 331	1 819 543	263 039	699 905	779 878

a/ Includes collection from previous year's pledge.

3. Main areas of assistance

653. Within its overall terms of reference, the Fund's activities were streamlined in 1978 and 1979 and are now concentrated in three main programmes: (a) the Nationhood Programme; (b) the United Nations Institute for Namibia; and (c) educational, social and relief assistance.

654. The Nationhood Programme was launched by the General Assembly to mobilize the specialized agencies and other organizations and bodies within the United Nations system to provide assistance in support of the nationhood of Namibia in the form of a consolidated and comprehensive assistance programme.

655. The Institute was established by the Council with the endorsement of the General Assembly, as a specific institution to undertake research, training, planning and related activities with special reference to the struggle for freedom and the establishment of an independent State of Namibia.

656. While the two above-mentioned programmes have been set up with particular reference to the future attainment of independence, the establishment of State machinery and the assumption of administrative responsibilities by Namibians, the third programme, the educational, social and relief assistance, gives particular emphasis to the immediate, present-day needs and welfare of Namibians in the struggle for independence. In accordance with the Council's decision, assistance in this area is administered, to the extent possible, through individual projects.

657. Expenditures from the Fund on behalf of the three programmes in 1981 and during the first six months of 1982 were as follows (figures are in United States dollars):

	<u>1981</u>	<u>1982</u> <u>January-June</u>
Nationhood Programme	3 154 780	330 319
United Nations Institute for Namibia	3 411 667	1 530 520
Educational, social and relief assistance	<u>1 178 570</u>	<u>488 817</u>
Total	<u><u>7 745 017</u></u>	<u><u>2 349 656</u></u>

B. Nationhood Programme for Namibia

1. Launching of the Programme

658. By its resolution 31/153, the General Assembly decided to launch, in support of the nationhood of Namibia, a comprehensive assistance programme within the United Nations system covering the present period of struggle for independence and the initial years of independence. By the same resolution, the Assembly called upon the Council to elaborate, in consultation with SWAPO, the guidelines and policies for such a programme and to direct and co-ordinate its implementation.

659. The projects of the Nationhood Programme fall into three broad categories: (a) pre-independence projects; (b) transitional projects; and (c) post-independence projects. The projects currently under way cover various economic and social fields addressing key problems of Namibian development under the following sectoral framework:

(a) Productive sectors, including mining, industries, fisheries and agriculture;

(b) Physical infrastructure and services, including trade, transport and communications, energy and water and land resources;

(c) Social infrastructure and administration, including labour; education; information; health, nutrition and social services; housing, building and land use planning; economic planning; public administration; and the judicial system.

660. In designing the projects, careful consideration is given to the special conditions under which the Nationhood Programme is being implemented during the present period of struggle for independence. Assistance to a country which is still under colonial domination and for which the United Nations has assumed direct responsibility requires an approach somewhat different from that of conventional technical assistance to independent countries. Implementation of the projects is made difficult by the general unavailability of reliable socio-economic data on Namibia. It is further complicated by the lack of access to the Territory owing to the illegal South African occupation. The training aspects of the projects require special attention because of the scarcity of educational opportunities for Namibians under South African rule.

2. Implementation of the Programme

661. The Nationhood Programme consists of two major components: (a) manpower training programmes for Namibians; and (b) surveys and analyses of the Namibian economy and social sectors, including identification of development tasks and policy options. Under the first component, fellowships and group training opportunities in various economic and social fields have been made available to several hundred Namibians. Training has also been provided for Namibian participants in courses and seminars held in Zambia and other African countries. The number of international experts and consultants employed by the various executing agencies in the pre-independence phase of the Programme is expected to exceed 70, for a total of more than 450 man-months. To assist in the implementation of the Programme, SWAPO, in June 1981, established a Committee on the Nationhood Programme to streamline procedures in general and to review the current projects.

Training programmes

662. During 1981 and the first half of 1982, Namibians took training courses at various institutions in a number of countries. Several new training activities commenced during this period: one group of students embarked on the third phase of

training in the administration of public enterprises, another group studied railways operations and a third group undertook pre-engineering studies in preparation for a mining engineering course. Training continued in the fields of food economics, food science and nutrition as well as in radio programme production and equipment maintenance.

663. Since the inception of the Programme, students have completed training in the fields of industrial development, food distribution, labour legislation, land use, human settlements development and development planning. A programme in writing and journalism, as well as study tours to various African countries, have been completed by Namibian women. Altogether some 200 Namibians have been trained or are being trained under the Programme. The United Nations Institute for Namibia continues to be a major source of candidates for training.

664. Other students are being selected and prepared for future training in key areas such as mining, fisheries, agriculture, transport, maritime transportation and ports administration, electricity, meteorology, teacher training and public administration.

665. The United Nations Vocational Training Centre is being established in Angola in order to provide vocational instruction to Namibians who have completed only primary education and who have limited access to opportunities for further training. Preparatory training in the English language, mathematics and basic sciences began in December 1981. At present, the Centre has an enrolment of 93 students. Some 100 students are expected to be enrolled each year when the Centre becomes fully operational. The construction work is in an advanced stage and is expected to be completed before the end of 1982. The second meeting of the Governing Board of the Centre was held at Luanda in September 1981. The third meeting took place in June 1982 with the participation of the Council. On both occasions, a visit to the site was arranged.

Sectoral surveys and analyses

666. There has been significant progress in the implementation of the sectoral survey projects. Since the beginning of the Programme, draft survey reports have been prepared in the following fields: mineral resources and mining activities; transnational corporations; transport; health; labour legislation; and land use and human settlement development. During the period under review, draft reports were submitted on the protection of food supplies and nutrition; land suitability (technical report only); maritime transportation and training; and civil aviation. Reports on agrarian reform and resettlement, public administration, criminal justice, agricultural education, telecommunications and energy are currently under preparation. All but five of the survey projects have either been completed or will be completed by the end of 1982.

Sectoral planning workshops

667. By its resolution of 7 February 1980 (A/AC.131/74), the Council, inter alia, requested the Commissioner to organize a series of sectoral planning workshops for the further development of the Nationhood Programme.

668. The objectives of the workshops were: (a) to review the ongoing pre-independence projects in each respective field; and (b) to analyse the need for further United Nations assistance for the pre-independence, transitional and post-independence phases and prepare plans for such activities.

669. The four sectoral planning workshops envisaged by the Council have now been completed. Participants included representatives of the Council, the Office of the Commissioner, UNDP, the relevant executing agencies, the United Nations Institute for Namibia, SWAPO and OAU, as well as experts from various African countries.

670. The fourth and most recent workshop, on mining, industries, trade and economic planning, was held at Harare in March-April 1982. The Council received a report on the deliberations and recommendations of all four workshops.

3. Administration and management

671. The Committee on the United Nations Fund for Namibia, within its overall terms of reference, formulates and reviews policies related to the Nationhood Programme, reviews the reports of the Commissioner and makes appropriate recommendations to the Council on all matters relating to the Programme. The Office of the Commissioner serves as the co-ordinating authority for the Nationhood Programme under the direction of the Committee on the Fund.

672. At its 369th meeting, on 16 December 1981, the Council decided to streamline the administration of the Programme by authorizing the Committee to approve new projects under the Nationhood Programme and the General Account of the Fund and to approve project revisions, unless the Committee decided to refer the decisions to the Council (see A/AC.131/L.243).

673. The United Nations Institute for Namibia is the implementing agency, on behalf of the Council, for a number of projects, thus giving it a role similar to that of a government implementing agency in standard UNDP procedures. In addition, the Institute is involved in the implementation of some 20 other projects in the present group of pre-independence projects.

Information

674. By its resolution of 7 February 1980 (A/AC.131/74), the Council requested the Commissioner, in consultation with Standing Committee III of the Council, to prepare and publish an information booklet on the Nationhood Programme for Namibia as an activity of the Council. Accordingly, an information brochure was published in September 1981.

4. Financing

675. The total cost of the projects currently under way is as follows:

	<u>Percentage</u>	<u>United States dollars</u>
Project costs	95.9	9 335 080
Executing agencies support costs	<u>4.1</u>	<u>403 960</u>
	<u>100.0</u>	<u>9 739 040</u>

676. The total cost of projects already completed is as follows:

	<u>Percentage</u>	<u>United States dollars</u>
Project costs	93.3	1 523 430
Executing agencies support costs	<u>6.7</u>	<u>109 040</u>
	<u>100.0</u>	<u>1 632 470</u>

677. Of the total cost of the projects in both categories, more than two thirds is covered by the Fund, about a fifth by UNDP and the remainder by the executing agencies, as indicated below:

	<u>Percentage</u>	<u>United States dollars</u>
United Nations Fund for Namibia	69.2	7 864 300
UNDP	21.9	2 495 760
Executing agencies	<u>8.9</u>	<u>1 011 450</u>
	<u>100.0</u>	<u>11 371 510</u>

678. The cost of each project and the corresponding sources of financing are shown in table 3 below.

679. The total expenditure and remittance to executing agencies to cover the cost of Nationhood Programme projects were, respectively, \$US 3,154,780 and \$US 1,732,777 in 1981 and \$US 330,319 and \$US 168,993 in the first six months of 1982. As indicated in tables 4 and 5 below, the total income of the Trust Fund for the Nationhood Programme was \$US 1,886,182 in 1981 and \$US 730,755 in the first six months of 1982.

Table 3

Nationhood Programme for Namibia: project costs and sources of financing
(United States dollars)

Executing agencies and project title	Costs			Sources		
	Project budget	Agency overhead costs a/	Total costs	Agency's own funds	UNDP	Fund for Namibia
<u>Department of Technical Co-operation for Development (DTCD)</u>						
NAM/79/001 Mineral fellowships	167 190	21 750	188 940	-	-	188 940
NAM/79/011 Energy survey	67 250	8 740	75 990	-	-	75 990
NAM/79/012 Electricity fellowships	40 000	5 600	45 600	-	-	45 600
NAM/79/013 Water resources survey	32 580	-	32 580	32 580	-	-
NAM/79/015 Water fellowships	21 800	3 100	24 900	-	-	24 900
NAM/78/001 Workshops on socio-economic policies	38 900	-	38 900	-	38 900	-
NAM/79/026 Statistical unit b/	154 820	20 220	175 040	-	-	175 040
NAM/79/027 Public administration system plans b/	103 360	13 760	117 120	-	-	117 120
NAM/79/028 Public administration fellowships b/	32 500	4 230	36 730	-	-	36 730
NAM/82/002 Public enterprises management course (Phase III)	239 550	29 230	268 780	-	-	268 780
NAM/79/029 Reform of criminal justice system b/	123 790	16 450	140 240	-	-	140 240
NAM/79/030 Control of economic crime	112 500	14 630	127 130	-	-	127 130
	<u>1 134 240</u>	<u>137 710</u>	<u>1 271 950</u>	<u>32 580</u>	<u>38 900</u>	<u>1 200 470</u>
<u>ILO</u>						
NAM/79/017 Training labour administrators	171 750	22 450	194 200	-	-	194 200
NAM/79/007 Labour legislation	71 930	-	71 930	-	71 930	-
NAM/78/008 Vocational training centre	3 436 800	70 000 c/	3 506 800	-	1 336 800	2 170 000
NAM/82/003 Rehabilitation of war victims	579 060	60 910	639 970	639 970 d/	-	-
	<u>4 259 540</u>	<u>153 360</u>	<u>4 412 900</u>	<u>639 970</u>	<u>1 408 730</u>	<u>2 364 200</u>
<u>FAO</u>						
NAM/78/005 Fisheries policy options	252 000	-	252 000	-	252 000	-
NAM/78/003 Fisheries fellowships	35 030	-	35 030	-	35 030	-
NAM/79/003 Agricultural education b/	21 300	- c/	21 300	-	-	21 300
NAM/79/004 Agrarian reform b/	119 500	- c/	119 500	-	-	119 500
NAM/79/014 Water development for agriculture	163 500	- c/	163 500	-	-	163 500
NAM/78/004 Potential land suitability b/	231 300	- c/	231 300	-	231 300	-
NAM/79/021 Food and nutrition fellowships	355 520	- c/	355 520	-	-	355 520
NAM/79/022 Protection of food supplies b/	128 600	-	128 600	-	-	128 600
	<u>1 306 750</u>	<u>-</u>	<u>1 306 750</u>	<u>-</u>	<u>518 330</u>	<u>788 420</u>
<u>UNESCO</u>						
NAM/79/018 Educational system plans b/	135 700	- c/	135 700	20 000	-	115 700
NAM/79/019 Teacher trainer fellowships	62 300	-	62 300	62 300	-	-
NAM/79/020 Communications training and equipment	610 990	- c/	610 990	50 000	-	560 990
	<u>808 990</u>	<u>-</u>	<u>808 990</u>	<u>132 300</u>	<u>-</u>	<u>676 690</u>
<u>ICAO</u>						
NAM/79/008 Civil aviation adviser	57 600	8 070	65 670	-	-	65 670
NAM/79/009 Civil aviation fellowships	241 900	33 900	275 800	-	-	275 800
	<u>299 500</u>	<u>41 970</u>	<u>341 470</u>	<u>-</u>	<u>-</u>	<u>341 470</u>
<u>WMO</u>						
NAM/79/015 Meteorology fellowships	89 300	12 500	101 800	-	-	101 800
<u>IMO</u>						
NAM/79/007 Maritime training and harbour survey	171 500	-	171 500	-	-	171 500
<u>ITU</u>						
NAM/79/010 Telecommunications plans	45 500	6 400	51 900	-	-	51 900
<u>UNIDO</u>						
NAM/79/002 Industrial training	96 000	5 500	101 500	57 000	-	44 500
<u>UNCTAD</u>						
NAM/78/006 External economic policies b/	253 000	- c/	253 000	-	253 000	-
<u>ECA</u>						
NAM/79/005 Transport survey	141 500	19 800	161 300	-	-	161 300
NAM/79/006 Transport fellowships	190 360	26 720	217 580	-	-	217 580
	<u>332 360</u>	<u>46 520</u>	<u>378 880</u>	<u>-</u>	<u>-</u>	<u>378 880</u>
<u>UNCTC</u>						
NAM/78/002 Transnational corporations	124 400	-	124 400	7 500	116 900	-
<u>Officer of the Commissioner</u>						
NAM/82/001 Clerical and transport support	414 000	-	414 000	-	-	414 000
Subtotal	<u>9 335 080</u>	<u>403 960</u>	<u>9 739 040</u>	<u>869 350</u>	<u>2 335 860</u>	<u>6 533 830</u>

Table 3 (continued)

Executing agencies and project title	Costs			Sources		
	Project budget	Agency overhead costs ^{a/}	Total costs	Agency's own funds	UNDP	Fund for Namibia
<u>Completed projects</u>						
NAM/78/009 Mineral survey (DTCD)	4 000	-	4 000	4 000	-	-
NAM/79/025 Training in development planning (DTCD)	152 100	21 300	173 400	-	-	173 400
NAM/79/034 Public enterprises management course (Phase I) (DTCD)	177 400	24 850	202 250	-	-	202 250
NAM/81/002 Public enterprises management course (Phase II) (DTCD)	176 880	24 760	201 640	-	-	201 640
NAM/79/033 Food distribution training (FAO)	90 000	-	90 000	90 000	-	-
SWP/78/004 Participation of women (UNESCO)	159 900	-	159 900	-	159 900	-
NAM/78/010 Country health programme (WHO)	45 600	-	45 600	45 600	-	-
NAM/79/023 Land use and human settlements (HABITAT)	143 750	20 130	163 880	-	-	163 880
NAM/81/001 Human settlement development (HABITAT) ^{b/}	128 000	18 000	146 000	-	-	146 000
NAM/79/031 Clerical and transport support (Office of the Commissioner)	443 300	-	443 300	-	-	443 300
NAM/79/032 Survey of rehabilitation needs (ILO)	2 500	-	2 500	2 500	-	-
Subtotal	1 523 430	109 040	1 632 470	142 100	159 900	1 330 300
GRAND TOTAL	10 858 510	513 000	11 371 510	1 011 450	2 495 760	7 864 300

^{a/} In accordance with UNDP procedures, these figures do not show the normal overhead cost in UNDP-funded projects. Overhead costs shown for projects funded by the Fund for Namibia are specified in the project budget and exclude partially or fully waived overhead costs.

^{b/} The United Nations Institute for Namibia is the implementing agency.

^{c/} The executing agencies have granted a waiver of overhead costs amounting to: ILO, \$224,000; FAO, \$110,380; UNESCO, \$94,735; IMO, \$24,010.

^{d/} Multilateral or bilateral funding.

Table 4

United Nations Fund for Namibia: Trust Fund for the Nationhood Programme

(United States dollars)

I. Income and expenditure for 1981

INCOME

Pledged contributions	1 346 313
Public donations	373
Subventions	25 000
Interest income	462 444
Miscellaneous income	<u>52 052</u>
TOTAL INCOME	<u>1 886 182</u>

EXPENDITURE

Salaries and common staff costs	1 150 884
Travel	56 598
Contractual services	549 020
Operating expenses	65 504
Acquisitions	56 450
Fellowships, grants, other	854 536
Transfer to the United Nations Fund for Namibia	300 000
Programme support costs	<u>121 788</u>
TOTAL EXPENDITURE	<u>3 154 780</u>

EXCESS OF INCOME OVER EXPENDITURE (1 268 598)

II. Statement of assets and liabilities as at 31 December 1981

ASSETS

Cash	839 948
Pledged contributions unpaid	360 351
Accounts receivable	187 602
Operating funds provided to executing agencies	4 642 124
Due from United Nations General Fund	<u>93 387</u>
TOTAL ASSETS	<u>6 123 412</u>

LIABILITIES

Accounts payable	42 455
Unliquidated obligations	280 877
Reserve for allocations	<u>3 822 628</u>
TOTAL LIABILITIES	<u>4 145 960</u>

FUND BALANCE

Balance available 1 January 1981	1 513 273
Add: Transfers from reserves	1 732 777
Excess of income over expenditure	(1 268 598)
Balance available 31 December 1981	<u>1 977 452</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>6 123 412</u>

Table 5

United Nations Fund for Namibia: Trust Fund for the Nationhood Programme

(United States dollars)

I. Income and expenditure for the six-month period ended 30 June 1982

INCOME

Pledged contributions	699 905
Interest income	548
Miscellaneous income	<u>30 302</u>
TOTAL INCOME	<u>730 755</u>

EXPENDITURE

Salaries and common staff costs	54 313
Travel	19 005
Operating expenses	90 894
Acquisitions	50 107
Fellowships, grants, other	<u>116 000</u>
TOTAL EXPENDITURE	<u>330 319 a/</u>
EXCESS OF INCOME OVER EXPENDITURE	<u>400 436</u>

II. Statement of assets and liabilities as at 30 June 1982

ASSETS

Cash	1 221 298
Pledged contributions unpaid	174 892
Accounts receivable	283 256
Operating funds provided to executing agencies	4 709 590
Due from United Nations General Fund	<u>8 033</u>
TOTAL ASSETS	<u>6 397 069</u>

LIABILITIES

Unliquidated obligations - current period	192 356
Unliquidated obligations - prior period	4 197
Reserve for allocations	<u>3 991 621</u>
TOTAL LIABILITIES	<u>4 188 174</u>

FUND BALANCE

Balance available 1 January 1982	1 977 452
Add: Excess of income over expenditure	<u>400 436</u>
Subtotal	2 377 888
Less: Transfers to reserve for allocations	<u>(168 993)</u>
Balance available 30 June 1982	<u>2 208 895</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>6 397 069</u>

a/ Excludes UNDP expenditure pending receipt of UNDP project-level accounting reports.

C. United Nations Institute for Namibia

680. The Institute came into operation in 1976. Admission to the Institute is open to all persons of Namibian origin who fulfil the requirements established by the Senate of the Institute. Through its activities, the Institute helps to train skilled manpower for an independent Namibia.

681. The Institute is administered by a Senate. The Senate, which at present consists of 16 members, submits annual reports to the Council. The budget estimates of the Institute, approved by the Senate, are endorsed annually by the Council subject to the availability of financial resources.

682. In accordance with article 8 of its charter, 35/ the Institute is financed by the Council through the Fund, with the account of the Institute being maintained separately. At its extraordinary plenary meetings held at Arusha from 10 to 14 May 1982, the Council approved the provision of further assistance to the Institute from the UNDP indicative planning figure for Namibia.

683. The Commissioner has continued his fund-raising efforts for the Institute on behalf of the Council and the Secretary-General to ensure adequate financial resources for the implementation of the programme of work of the Institute. During the period under review, the response of Member States and other donors in making voluntary contributions to finance the Institute has been encouraging.

684. In 1982, the Institute had a student body of 415. The curriculum of the Institute has been expanded to include teacher training courses, secretarial instruction and special preparatory courses in the English language, statistics and mathematics, in view of the urgent need to train Namibians in those areas.

685. On 16 January 1982, 74 students, the third group, graduated from the Institute with diplomas in management and development studies, thus bringing the total number of Institute graduates to 220. The Institute's diploma is underwritten by the University of Zambia. A group of 20 students also graduated from the secretarial course and a new group of 58 students has been admitted to the course.

686. The Institute continues to undertake applied research in various fields. The research programme is intended to make available basic documentation for policy formulation by the future Government of an independent Namibia. A number of studies have been completed and published in the fields of manpower requirements and development implications, constitutional options, agrarian reform, a language policy for Namibia and, most recently, a new legal system for an independent Namibia. Studies in the fields of health, education and mining, among others, are under way.

687. During the period under review, the Institute made substantial progress in the preparation of a comprehensive reference book on Namibia covering aspects of the question of Namibia as considered by the United Nations since its inception, in accordance with the outline prepared by the Council. It was expected that the draft of the comprehensive reference book would be completed by September 1982.

688. At its 12th meeting, held at Lusaka on 23 and 24 January 1981, the Senate approved the appointment of a team to evaluate the training and research activities of the Institute. The Institute will submit a report on the evaluation to the Council for its consideration during 1982.

689. The Namibian Extension Unit, established by the Institute to administer a distance education programme for Namibians whose access to formal education is limited, came into operation in November 1981. It currently serves some 40,000 Namibian adults and youths in Zambia and Angola.

690. The Unit is an autonomous body within the Institute and has its own Board of Project Management, of which the Chairman of the Institute is Director. The Commissioner or his representative is also a member of the Board. The Institute administers the Unit's funds in accordance with United Nations financial regulations. The Unit submits an annual report to the Senate of the Institute.

691. The total expenditure of the Institute was \$US 3,411,667 in 1981 and \$US 1,530,520 in the first six months of 1982. At the same time, the total income (from various sources) of the Trust Fund for the Institute within the United Nations Fund for Namibia was \$US 2,847,602 in 1981 and \$US 1,848,341 in the first six months of 1982. Detailed information on the Trust Fund for the Institute is given in tables 6 and 7 below.

Table 6
United Nations Fund for Namibia: Trust Fund for the
United Nations Institute for Namibia
(United States dollars)

I. Income and expenditure for 1981

INCOME

Pledged contributions	2 345 561
Public donations	152 046
Interest income	268 137
Miscellaneous income	<u>81 858</u>
TOTAL INCOME	<u>2 847 602</u>

EXPENDITURE

Salaries and common staff costs	1 851 217
Travel	149 864
Contractual services	38 471
Operating expenses	387 649
Acquisitions	25 347
Fellowships, grants, other	<u>959 119</u>
TOTAL EXPENDITURE	<u>3 411 667</u>

EXCESS OF INCOME OVER EXPENDITURE	<u>(564 065)</u>
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II. Statement of assets and liabilities as at 31 December 1981

ASSETS

Cash	2 051 387
Pledged contributions unpaid	90 723
Accounts receivable	395 650
Due from United Nations General Fund	<u>253 083</u>
TOTAL ASSETS	<u>2 790 843</u>

LIABILITIES

Accounts payable	168 915
Unliquidated obligations	<u>95 367</u>
TOTAL LIABILITIES	<u>264 282</u>

FUND BALANCE

Balance available 1 January 1981	3 090 626
Add: Excess of income over expenditure	<u>(564 065)</u>
Balance available 31 December 1981	<u>2 526 561</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>2 790 843</u>

Table 7

United Nations Fund for Namibia: Trust Fund for the
United Nations Institute for Namibia

(United States dollars)

I. Income and expenditure for the six-month period ended 30 June 1982

INCOME

Pledged contributions	1 819 543
Subventions	25 000
Interest income	2 692
Miscellaneous income	<u>1 106</u>
TOTAL INCOME	<u>1 848 341</u>

EXPENDITURE

Salaries and common staff costs	985 519
Travel	29 719
Contractual services	3 620
Operating expenses	147 826
Fellowships, grants, other	<u>363 838</u>
TOTAL EXPENDITURE	<u>1 530 520</u>

EXCESS OF INCOME OVER EXPENDITURE	<u><u>317 821</u></u>
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II. Statement of assets and liabilities as at 30 June 1982

ASSETS

Cash	972 647
Pledged contributions unpaid	1 436 257
Accounts receivable	<u>510 115</u>
TOTAL ASSETS	<u>2 919 019</u>

LIABILITIES

Unliquidated obligations - current period	15 618
Unliquidated obligations - prior period	19 540
Due to United Nations General Fund	<u>39 479</u>
TOTAL LIABILITIES	<u>74 637</u>

FUND BALANCE

Balance available 1 January 1982	2 526 561
Add: Excess of income over expenditure	<u>317 821</u>
Balance available 30 June 1982	<u>2 844 382</u>
TOTAL LIABILITIES AND FUND BALANCE	<u><u>2 919 019</u></u>

D. Educational, social and relief assistance

692. Educational, social and relief assistance is administered by the Commissioner's Office. The main activity in this category is the Namibian scholarship programme, which provides educational assistance to Namibians. The General Account of the Fund is also used to: finance vocational and technical training; provide assistance in the fields of health and medical care, nutrition and social welfare; acquire books and periodicals for Namibian refugee camps and SWAPO offices; and facilitate the attendance of Namibian representatives at international seminars, meetings and conferences.

1. Scholarship programme

693. During the period under review, 12 students completed their studies, 3 were withdrawn and 114 continued their education under scholarships provided under the General Account. The various fields of study in 10 countries were as follows:

<u>Country</u>	<u>Courses</u>	<u>Number of students</u>
Algeria	Primary education	2
Canada	Geography	1
Egypt	Administration	1
Ireland	Nursing and aircraft maintenance	3
Norway	Engineering	1
Sweden	Political science	2
United Kingdom	Liberal arts, education, political science, social science, chemistry, secretarial science, primary and secondary education, distance education	22
United States	Liberal arts, education, law, biology, political science, economics, public and business administration, social science, medicine, nursing, chemistry, agriculture, electronics, secretarial science, health services administration and secondary education	77
Zambia	Primary, secondary and vocational education	4
Zimbabwe	Medicine	1

2. Training projects

694. As requested by the Committee on the Fund, new activities have been constituted as projects. During the period under review, four training projects were financed by the General Account: 21 Namibians received in-service and refresher training in broadcasting; 230 took a law enforcement training course; 83 received vocational training in such specialized fields as teacher training, electricity supply, water supply, agriculture, weaving, photography, mechanics and sewing; and 7 were enrolled in an English language improvement course given after office hours.

3. Social and relief assistance

695. The Fund also provides medical care, social services and relief aid to Namibians. During the period under review, assistance was provided to 74 individual Namibians in need of emergency medical treatment and other forms of humanitarian assistance.

696. By paragraph 2 of its resolution 35/227 C of 6 March 1981, the General Assembly requested the Council to review the destructive effects of South African policies on Namibian children and to formulate, in co-operation with UNICEF and UNESCO, an appropriate programme of action to assist Namibian children outside Namibia.

697. The review undertaken by the Commissioner in consultation with SWAPO revealed that some 26,000 young Namibians are living in exile in Angola, Zambia and Botswana. Of those, approximately 6,000 are less than 6 years old and 20,000 are between 6 and 17 years of age.

698. This influx of displaced young people, who are particularly vulnerable to malnutrition and different types of diseases, has imposed enormous financial burdens on SWAPO. Although some doctors and nurses from Scandinavian countries are now serving in SWAPO centres as volunteers, many of the basic needs of the young Namibian exiles remain unfulfilled. The Council has received a detailed list of articles urgently required for the care of the children. The list includes relief items such as clothing, blankets, soap, petroleum jelly, building materials and transport equipment. The educational items vary from text books, pencils and paper to blackboards, classroom furniture and sports equipment. School buses and electric generators are also requested. On the basis of the list, the Office of the Commissioner is working out a detailed programme of action in co-operation with UNICEF and UNESCO.

4. Books and periodicals

699. Subscriptions to various publications on Namibia and southern Africa, as well as books and library materials, were made available to Namibian refugee camps and to SWAPO offices.

5. Representation

700. At its 363rd meeting, on 30 September 1981, the Council approved a contribution of \$US 10,000 from the Fund to defray the costs of the Conference in Solidarity with the Liberation Struggles of the Peoples of Southern Africa, held in New York from 9 to 11 October 1981. The Conference was convened by SWAPO and non-governmental organizations active in the Namibian liberation struggle.

701. At the same meeting, the Council approved a grant of \$US 25,000 to defray the cost of the International Conference of Youth and Students in Solidarity with the People, Youth and Students of Southern Africa, held at Luanda from 13 to 15 November 1981. The Conference was convened at the request of SWAPO and the Pan-African Youth Movement.

702. In addition, funds were provided to facilitate the attendance of Namibians at eight international seminars and conferences.

6. Financing

703. Expenditures on educational, social and relief assistance amounted to \$US 1,178,570 in 1981 and to \$US 488,817 during the first six months of 1982. The total income of the General Account of the Fund was \$US 2,196,766 in 1981 and \$US 1,429,023 during the first six months of 1982. Detailed information on the General Account is presented in tables 8 and 9 below.

Table 8
United Nations Fund for Namibia: General Account
 (United States dollars)

I. Income and expenditure for 1981

INCOME

Pledged contributions	925 105
Public donations	270
Subventions	1 000 000
Interest income	236 466
Miscellaneous income	<u>34 925</u>
TOTAL INCOME	<u>2 196 766</u>

EXPENDITURE

Salaries and common staff costs	2 400
Operating expenses	91 435
Acquisitions	19 190
Fellowships, grants, other	<u>1 065 545</u>
TOTAL EXPENDITURE	<u>1 178 570</u>

EXCESS OF INCOME OVER EXPENDITURE	<u>1 018 196</u>
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II. Statement of assets and liabilities as at 31 December 1981

ASSETS

Cash	1 315 659
Pledged contributions unpaid	84 586
Accounts receivable	579 711
Operating funds provided to executing agencies	<u>583 658</u>
TOTAL ASSETS	<u>2 563 614</u>

LIABILITIES

Accounts payable	326 264
Unliquidated obligations	702 051
Reserve for allocations	77 294
Due to United Nations General Fund	38 741
Deferred income	<u>35 284</u>
TOTAL LIABILITIES	<u>1 179 634</u>

FUND BALANCE

Balance available 1 January 1981	212 912
Add: Transfers from reserves	152 872
Excess of income over expenditure	<u>1 018 196</u>
Balance available 31 December 1981	<u>1 383,980</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>2 563 614</u>

Table 9
United Nations Fund for Namibia: General Account
(United States dollars)

I. Income and expenditure for the six-month period ended 30 June 1982

INCOME

Pledged contributions	427 898
Public donations	1 125
Subventions	<u>1 000 000</u>
TOTAL INCOME	<u>1 429 023</u>

EXPENDITURE

Salaries and common staff costs	44 304
Travel	10 073
Operating expenses	94 563
Acquisitions	57 039
Fellowships, grants, other	<u>282 838</u>
TOTAL EXPENDITURE	<u>488 817</u>

EXCESS OF INCOME OVER EXPENDITURE	<u>940 206</u>
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II. Statement of assets and liabilities as at 30 June 1982

ASSETS

Cash	1 462 342
Pledged contributions unpaid	673 302
Accounts receivable	98 696
Operating funds provided to executing agencies	152 541
Due from United Nations General Fund	<u>979 540</u>
TOTAL ASSETS	<u>3 366 421</u>

LIABILITIES

Accounts payable	326 264
Unliquidated obligations - current period	418 638
Unliquidated obligations - prior period	220 039
Reserve for allocations	<u>77 294</u>
TOTAL LIABILITIES	<u>1 042 235</u>

FUND BALANCE

Balance available 1 January 1982	1 383 980
Add: Excess of income over expenditure	<u>940 206</u>
Balance available 30 June 1982	<u>2 324 186</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>3 366 421</u>

E. Fund-Raising Mission to Western Europe and Canada

704. The Fund-Raising Mission to Western Europe and Canada was led by Mr. A. Coskun Kirca (Turkey) and included Messrs. Tommo Monthe (United Republic of Cameroon) and Pedro Sorensen-Mosquera (Venezuela), Vice-Chairman and Rapporteur of the Committee on the Fund. Mr. Sorensen-Mosquera represented the Mission in the Nordic countries and Canada.

705. The Mission visited Austria, Belgium, Canada, Denmark, Finland, France, the Federal Republic of Germany, the Netherlands, Norway, Sweden and EEC between 9 February and 12 March 1982.

706. In its discussions with representatives of the various Governments, the Mission explained the origin and purposes of the Fund and described the various projects being financed by the three accounts of which it is composed, as well as the financial status of the accounts. It also reviewed the priority projects for which new contributions were being sought.

707. In all the countries visited, the Mission was received at a high political level. This provided a valuable opportunity to remind the Governments concerned of the pressing needs of the Namibian people and to clarify some important technical points.

708. The Governments visited were unanimous in their recognition of the need to prepare the Namibian people for independence. They expressed their continuing support for the Council's assistance programmes, emphasizing the need for continuity and improved co-ordination of assistance activities. Several Governments stressed that the activities of the Fund should be constituted as projects in order to attract contributions.

709. The Government delegations expressed their appreciation for the regular contacts and consultations on the activities of the Fund and for the opportunity to receive up-dated information on the plans for future assistance, which would help determine their level of contribution. They emphasized that such visits were particularly useful because they offered an opportunity for a thorough exchange of views and information on many aspects of the Namibian situation. The Governments further stressed the importance to the donor countries of thorough project evaluation.

710. Among the recommendations contained in its report (A/AC.131/L.256), the Mission suggested that the Council might wish to consider providing more information on the co-ordination of assistance rendered to the Namibian people by international organizations. Although the Mission had informed the donors that all contributions should be channelled through one of the three accounts of the Fund, the Mission suggested that it might be desirable, in the light of its discussions with the donors, to increase slightly the financial autonomy of the United Nations Institute for Namibia so that it could accept direct contributions as well as receive block grants from the Trust Fund for the Institute.

711. The Mission also recommended that the Council should consider the possibility of promoting increased assistance to the Namibian people by encouraging the co-financing of projects by non-governmental organizations on the one hand and Governments and intergovernmental organizations on the other.

712. At its 379th meeting, held at Arusha on 12 May 1982, the Council approved the report of the Fund-Raising Mission and the recommendations contained therein.

XI. ACTIVITIES OF THE UNITED NATIONS COMMISSIONER FOR NAMIBIA

A. General

713. By its resolution 2248 (S-V), the General Assembly decided that the Council should entrust such executive and administrative tasks as it deemed necessary to the United Nations Commissioner for Namibia. The Assembly further decided that, in the performance of his tasks, the Commissioner should be responsible to the Council.

714. The programme of work of the Council, defined by General Assembly resolution 36/121 C, forms the basis and framework for the activities carried out by the Office of the Commissioner under the authority of the Council. (The Council's programme of work has been further elaborated in the proposed medium-term plan for the period 1984-1989; see A/37/6, chap. IV, sect. II.)

715. During the period under review, the Office of the Commissioner issued 1,011 new and renewed travel and identity documents to Namibians in Africa, 35 in North America, 23 in Latin America and the Caribbean, 9 in Western Europe and 2 in Asia.

716. The Office also continued to collect and analyse information relating to Namibia and closely followed internal political and legal developments in South Africa concerning Namibia.

717. It continued to work for the effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia and undertook appropriate activities to that end, which included, among other things, the preparation of the North American portion of a reference book on transnational corporations operating in Namibia; consultations with government experts on the framework of a continuing investigation into the shipment and sale of Namibian products by foreign economic interests; consideration of measures which might be recommended to further the implementation of Decree No. 1; and a review of the recommendations of the Panel for hearings on Namibian uranium (A/AC.131/82/Add.6 and Corr.1) and the documentation submitted to the Panel with a view to further action.

B. Assistance to Namibians

718. The Office of the Commissioner administers the assistance programmes under the United Nations Fund for Namibia. The Fund has three major components: (a) the educational, social and relief activities under the General Account of the Fund; (b) the Nationhood Programme for Namibia; and (c) the United Nations Institute for Namibia.

1. Educational, social and relief assistance

719. During the period under review, the Office of the Commissioner continued to co-ordinate and manage, in accordance with the approved guidelines for the administration of the United Nations Fund for Namibia, programmes of educational, social and relief assistance for Namibians. The Office of the Commissioner prepares project proposals for consideration by the Committee on the Fund and reports semi-annually to the Committee on the activities financed from the General

Account of the Fund. A detailed report on these activities is included in paragraphs 692-703 above.

720. Arrangements have been made for the Office of the Commissioner to administer the scholarship programme under the Fund.

2. Nationhood Programme for Namibia

721. The Office of the Commissioner is the co-ordinating authority for the implementation of the Nationhood Programme.

722. Pursuant to paragraph 19 of General Assembly resolution 36/121 F, in which the Assembly requested the Secretary-General to provide the Office of the Commissioner with the necessary resources for the performance of its expanded responsibilities, the Commissioner's Office in New York and the Regional Office at Lusaka were strengthened during the period under review.

723. As co-ordinating authority, the Commissioner's Office has established and consolidated a framework of close and continuous working relations with SWAPO, the United Nations Institute for Namibia, OAU, UNDP, the specialized agencies and other organizations and institutions of the United Nations system.

724. In accordance with decisions of the Council, the Commissioner has maintained consultations with UNDP concerning the administration of the Nationhood Programme through an arrangement reached in 1979 between UNDP and the Office of the Commissioner on the administration of the projects. According to the agreed guidelines, the transmission of funds from the United Nations Fund for Namibia to the executing agencies continues to take place through UNDP under the arrangement of a "UNDP Trust Fund for the Nationhood Programme of the Fund for Namibia", established on 20 April 1979 by the Controller of the United Nations and delegated to the Administrator of UNDP. UNDP subsequently makes allocations and remittances to the executing agencies to meet the project expenditures.

725. During the period under review, members of the Commissioner's Office conducted consultations regarding the implementation and evaluation of the Nationhood Programme with SWAPO, the United Nations Institute for Namibia and specialized agencies of the United Nations system. Further consultations were held with authorities of the institutions where Namibians are undergoing training. In December 1981, the Commissioner participated in an inter-agency meeting in Dar es Salaam convened by UNDP to discuss UNDP assistance to national liberation movements. During the meeting, the Commissioner stressed the role of the Council and his office in co-ordinating the assistance provided by the United Nations system to Namibia, including activities financed by the indicative planning figure for Namibia.

726. Pursuant to the resolution adopted by the Council on 7 February 1980 (A/AC.131/74), which requested the Commissioner to organize a series of sectoral planning workshops for the further development of the Nationhood Programme, members of the Commissioner's Office held consultations with the representatives of the Governments of Angola, Botswana, Ethiopia, Ghana, Mozambique, Nigeria, the Sudan, the United Republic of Tanzania, Zambia and Zimbabwe regarding the proposed workshops. As a consequence of those consultations, planning workshops were held in Mozambique and the United Republic of Tanzania in August 1980, in Ethiopia in April 1981 and Zimbabwe in March-April 1982 (see also paras. 667-670 above).

727. The activities of the Nationhood Programme have continued to expand. Many consultants have been recruited under the various sectoral survey projects to undertake the necessary studies and several students have been selected for the training fellowships provided under the Programme. Candidates are being considered for the consultancies under the five remaining survey projects and suitable students are being selected for the remaining training projects. In addition, the recommendations emanating from the sectoral planning workshops, once considered by the Council, will provide the basis for the further planning and elaboration of a comprehensive programme of assistance for Namibia within the framework of the Nationhood Programme.

3. United Nations Institute for Namibia

728. The Office of the Commissioner is not directly involved in the administration of the Institute; however, it provides assistance to the Institute through its fund-raising activities and by serving in an advisory capacity as requested. The Commissioner is a member of the Senate of the Institute.

4. Fund-raising activities

729. During the period under review, the Office of the Commissioner carried out fund-raising activities to ensure the financing of the activities under the Fund.

C. Offices of the Commissioner at Lusaka, Gaborone and Luanda

1. Lusaka

730. During the period under review, the Office of the Commissioner at Lusaka continued to contribute to the provision of assistance to Namibians. Following the launching of the Nationhood Programme in 1976, the Regional Office at Lusaka diversified its operations, placing greater emphasis on programmes of assistance. In addition to servicing current programmes, such as those involving scholarships, training and emergency provisions, the Regional Office has been actively involved in new initiatives in the field to meet the long-term needs and aspirations of the Namibian people.

731. The Regional Office at Lusaka continued to collaborate with UNDP, UNHCR and the specialized agencies of the United Nations in working out an integrated approach to programmes of assistance for Namibians. In the same connection, the Regional Office continued to maintain effective liaison with the Institute, particularly in respect of providing remedial training to Namibians in English and mathematics as a means of strengthening their educational background.

732. The role of the Regional Office with regard to the Nationhood Programme follows from the planning workshop held at Lusaka in May 1978. The Regional Office has been actively involved in the work of appraising and preparing projects for implementation in consultation with SWAPO and the executing agencies concerned. During the period under review, several projects under the Nationhood Programme reached the stage of implementation. The Regional Office played a major role in the co-ordination of activities associated with those projects. Among other things, it co-ordinated the placement of approximately 400 Namibians in training

programmes in various countries. The Office continues to provide facilities and services to approximately 30 consultants engaged in various endeavours under the Nationhood Programme.

733. The Regional Office continued to maintain close liaison with SWAPO on all matters of mutual concern within the context of relevant policies and decisions of the Council.

734. The Regional Office also participated in a number of project review meetings and in the four sectoral planning workshops organized by the Office of the Commissioner. Among other things, the Office was actively involved in establishing contacts with African Governments and making conference arrangements.

735. The administrative support project established at the Regional Office continued to ensure that sufficient and qualified services were available to the project personnel so as to enable the Office to cope with the increased volume of work generated by the Nationhood Programme. As a result, the Nationhood Programme was one of the main preoccupations of the Regional Office in 1981 and the first half of 1982.

736. During the period under review, the Regional Office issued 654 new travel and identity documents and 357 renewals. In that regard, it maintained close liaison with the appropriate authorities of the Government of Zambia.

2. Gaborone

737. During the period under review, the Office of the Commissioner at Gaborone also continued to contribute to the provision of assistance to Namibians. The Office has served a particularly useful function in monitoring and keeping the New York Office apprised of developments in southern Africa.

738. The Gaborone Office also continued to work in co-ordination with the Government of Botswana, SWAPO, UNDP and UNHCR in providing assistance to Namibian refugees. The Office Representative undertook periodic visits to refugee settlements in order to assess the needs of Namibians there.

739. The Gaborone Office maintained contact with educational institutions in Botswana in connection with the implementation of Nationhood Programme projects. The Office facilitated the work of consultants who were conducting studies under the Nationhood Programme and assisted in placing Namibians in educational institutions. In February 1982, the third group of 10 Namibian students from the United Nations Institute for Namibia arrived on a secondment programme to undergo practical training in Botswana. Concerning travel documents issued to Namibians by the Council, the Office initiated and concluded negotiations with the Government of Botswana for the signing of a United Nations Council for Namibia travel documents agreement. The agreement between the Council and the Government of Botswana was signed on 20 August 1981.

740. In addition, the Gaborone Office participated in the African Seminar on Law and Human Rights in Development, held at Gaborone from 24 to 29 May 1982, the thirty-ninth ordinary session of the OAU Co-ordinating Committee for the Liberation of Africa, held at Arusha from 7 to 11 June 1982, and the twelfth ordinary session of the Co-ordinating Committee of the OAU Bureau for the Placement and Education of

African Refugees, held at Arusha from 14 to 18 June 1982. It also undertook missions to contact various African Governments and other activities in connection with the sectoral planning workshops organized by the Office of the Commissioner.

3. Luanda

741. By its resolution 36/121 C, the General Assembly requested the Secretary-General to establish an office of the Commissioner at Luanda in 1982. The Office of the United Nations Commissioner for Namibia at Luanda was opened on 26 August 1982 to coincide with the observance of Namibia Day.

**XII. PARTICIPATION OF THE SOUTH WEST AFRICA PEOPLE'S ORGANIZATION AS
THE SOLE AND AUTHENTIC REPRESENTATIVE OF THE NAMIBIAN PEOPLE**

742. SWAPO, the sole and authentic representative of the Namibian people, has for many years spearheaded the patriotic and heroic struggle of the Namibian people for self-determination and genuine national independence. Through its courageous and persistent struggle against racist South Africa's colonial oppression and illegal occupation, under which the Namibian people have languished for many decades, SWAPO has earned the recognition and respect of the international community. It has also received a standing invitation to participate as an observer in the work of the United Nations.

743. The representatives of SWAPO continued during the period under review to participate actively in the work of the Council, its Steering Committee and other subsidiary bodies of the Council at United Nations Headquarters.

744. The Council continued to consult with SWAPO in the formulation and implementation of its programme of work, as well as on other matters of interest to the Namibian people, in accordance with General Assembly resolution 36/121 C.

745. SWAPO representatives also co-operated and consulted with the Office of the United Nations Commissioner for Namibia at Headquarters and the Regional Offices in Africa, through which various assistance programmes for Namibians are being implemented.

746. The President of SWAPO, Mr. Sam Nujoma, led a large delegation to the extraordinary plenary meetings of the Council held at Arusha, United Republic of Tanzania in May 1982 and addressed the opening session. In his statement, Mr. Nujoma apprised the Council of the critical situation inside Namibia, which he said was characterized by a general reign of terror as a result of the continued illegal occupation and massive militarization of the Territory by South Africa, and said that the people of Namibia were following the meetings of the Council in Arusha with keen interest in the expectation that the declaration and programme of action which would be adopted by the Council in Arusha would be commensurate with that critical situation (see paras. 167-178 above).

747. In addition, the SWAPO delegation to the Arusha meetings took an active part in the preparation of the draft declaration and programme of action of the Council. The SWAPO delegation also participated, in conjunction with the Working Group of the Council, in the drafting of the provisional agenda of the International Conference in Support of the Struggle of the Namibian People for Independence, to be held in Paris in 1983.

748. SWAPO representatives also participated in the organization of the Seminar on the Military Situation in and relating to Namibia, conducted by the Council at Vienna from 11 to 14 June 1982 (see paras. 367-537 above).

749. The representatives of SWAPO continued to participate in the Council's missions of consultation with Governments of States Members of the United Nations and in delegations of the Council to meetings of the specialized agencies of the United Nations and other international organizations and conferences.

750. During the period under review, the Council responded positively to the request made by the Permanent Observer Mission of SWAPO to the United Nations by making financial contributions to two non-governmental organizations, in order to enable those organizations to advance the cause of the freedom of the Namibian people under the terms of paragraph 10 of General Assembly resolution 36/121 D. The first contribution of the Council was made to a Canadian support group for the purpose of assisting it in the organization of the Canadian Conference in Solidarity with the Liberation Struggle of the People of Southern Africa, held at Ottawa from 7 to 9 May 1982. The second contribution was made to the International Defence and Aid Fund for Southern Africa for the mounting of an art exhibition on the plight of political prisoners in Namibia and South Africa.

PART THREE

ORGANIZATION AND DECISIONS OF THE COUNCIL

I. ORGANIZATION OF THE WORK OF THE COUNCIL

A. Establishment of the Council

751. The Council, as established under General Assembly 2248 (S-V), consisted of 11 members, and was subsequently enlarged pursuant to Assembly resolutions 3031 (XXVII) of 18 December 1972, 3295 (XXIX) of 13 December 1974 and 33/182 A of 21 December 1978. The Council now consists of the following 31 members: Algeria, Angola, Australia, Bangladesh, Belgium, Botswana, Bulgaria, Burundi, Chile, China, Colombia, Cyprus, Egypt, Finland, Guyana, Haiti, India, Indonesia, Liberia, Mexico, Nigeria, Pakistan, Poland, Romania, Senegal, Turkey, Union of Soviet Socialist Republics, United Republic of Cameroon, Venezuela, Yugoslavia and Zambia.

B. Presidency of the Council

752. At its 370th meeting, on 7 January 1982, the Council re-elected Mr. Paul J. F. Lusaka of Zambia as its President for 1982. At the same meeting, the Council elected Messrs. Mohammed Bedjaoui (Algeria), Noel G. Sinclair (Guyana), Natarajan Krishnan (India), A. Coskun Kirca (Turkey) and Miljan Komatina (Yugoslavia) as Vice-Presidents of the Council for 1982.

C. Steering Committee

753. The Steering Committee of the Council consists of the President of the Council, the five Vice-Presidents, the Chairmen of the three Standing Committees and the Vice-Chairman and Rapporteur of the Committee on the United Nations Fund for Namibia.

D. Standing Committees

754. At its 100th meeting, on 12 January 1982, Standing Committee I re-elected Mr. Tommo Monthe (United Republic of Cameroon) as its Chairman. Mr. Tuluy Tanc (Turkey) was elected Vice-Chairman at the 102nd meeting, on 25 January 1982.

755. At its 74th meeting, on 12 January 1982, Standing Committee II elected Mr. Khalid Mahmood (Pakistan) as its Chairman. Mrs. Famatta Rose Osode (Liberia) was re-elected Vice-Chairman at the 75th meeting, on 21 January 1982.

756. At its 87th meeting, on 12 January 1982, Standing Committee III re-elected Mr. Georgy Denichin (Bulgaria) as its Chairman. Mr. Jorge Eduardo Chen Charpentier (Mexico) was re-elected Vice-Chairman at the 88th meeting, on 27 January 1982.

757. The composition of the Standing Committees at 1 January 1982 was as follows:

- Standing Committee I: Algeria, Belgium, China, Colombia, Finland, Haiti, Indonesia, Nigeria, Poland, Senegal, Turkey, Union of Soviet Socialist Republics, United Republic of Cameroon, Venezuela, Zambia.
- Standing Committee II: Angola, Australia, Bangladesh, Botswana, Bulgaria, Chile, Colombia, Cyprus, Finland, Guyana, Liberia, Mexico, Pakistan, Romania, Zambia.
- Standing Committee III: Algeria, Angola, Australia, Belgium, Bulgaria, Burundi, Colombia, Cyprus, Egypt, India, Mexico, Nigeria, Pakistan, Romania, Venezuela, Yugoslavia, Zambia.

758. At its 297th meeting, on 17 April 1979, the Council approved the terms of reference of Standing Committees I, II and III. 36/

E. Committee on the United Nations Fund for Namibia

759. In accordance with the terms of reference of this Committee, approved by the Council at its 297th meeting, on 17 April 1979, 37/ the President of the Council acts as Chairman of the Committee on the Fund. At its 46th meeting, on 11 January 1982, the Committee on the Fund re-elected Mr. Pedro Sorensen-Mosquera (Venezuela) as its Vice-Chairman and Rapporteur for 1982.

760. The composition of the Committee on the Fund is as follows:

Australia, Finland, India, Nigeria, Romania, Senegal, Turkey, Venezuela, Yugoslavia, Zambia.

F. Other committees and working groups

761. During the period under review, the Council established a number of committees and working groups. Working groups of the Steering Committee prepared recommendations for the Council on (a) the thirty-sixth session of the General Assembly; and (b) the extraordinary plenary meetings of the Council held at Arusha from 10 to 14 May 1982. A drafting committee and a committee of the whole prepared the Arusha Declaration and Programme of Action on Namibia; a drafting committee prepared the annual report of the Council to the General Assembly.

G. Office of the United Nations Commissioner for Namibia

762. By its resolution 2248 (S-V), the General Assembly decided that the Council should entrust such executive and administrative tasks as it deemed necessary to a United Nations Commissioner for Namibia, appointed by the Assembly on the nomination of the Secretary-General. The Assembly further decided that, in the performance of his tasks, the Commissioner should be responsible to the Council. The Commissioner is appointed with an annual mandate.

763. At its 109th plenary meeting, on 29 March 1982, the General Assembly, on the proposal of the Secretary-General (A/36/870), appointed Mr. Brajesh Chandra Mishra

as United Nations Commissioner for Namibia for a nine-month term beginning on 1 April 1982 (see Assembly decision 36/325).

H. Secretariat services

764. The secretariat of the Council services the Council, its Steering Committee, the three Standing Committees, the Committee on the United Nations Fund for Namibia and other committees and working groups, as well as seminars and missions of the Council, as required. It also undertakes research on developments in Namibia and prepares working papers and other documentation as requested by the Council and its committees.

765. The secretariat comprised the following established posts within the Department of Political Affairs, Trusteeship and Decolonization as of mid-August 1982: one D-1 (Secretary of the Council), two P-5s, two P-3s, one P-2, one G-5 and five G-4s; as well as two temporary posts at the P-4 level and two at the P-3 level.

II. DECLARATIONS, RESOLUTIONS, FORMAL STATEMENTS, COMMUNIQUEES AND DECISIONS

766. The present chapter contains the texts of the declarations, resolutions, formal statements and communiqués issued by the Council, its President and its missions of consultation during the period under review, as well as a summary of the decisions taken by the Council during the same period.

A. Arusha Declaration and Programme of Action on Namibia*

767. The Arusha Declaration and Programme of Action on Namibia, adopted by the Council at the conclusion of its extraordinary plenary meetings held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982 (see paras. 141-219 above), reads as follows:

I. .DECLARATION ON NAMIBIA

1. The United Nations Council for Namibia, as the legal Administering Authority for Namibia until independence, held a series of extraordinary plenary meetings at Arusha, United Republic of Tanzania, from 10 to 14 May 1982 in accordance with General Assembly resolution 36/121 C of 10 December 1981, which requested the Council to hold a series of plenary meetings in Africa during 1982 in order to recommend to the General Assembly appropriate action to be taken against South Africa in the light of its obstinate refusal to terminate its illegal occupation of Namibia.
2. The meetings of the Council in the United Republic of Tanzania have served to draw attention to the current critical nature of the situation in and around Namibia and further to intensify concrete action by the international community in support of the struggle of the Namibian people under the leadership of the South West Africa People's Organization (SWAPO), their sole and authentic representative.
3. The Council's meetings at Arusha further served to underscore the solidarity of the international community with the front-line States. In this connection, the meetings of the Council in the United Republic of Tanzania were of special significance because they took place in one of the front-line States which have extended unqualified support to SWAPO on the political, diplomatic and military fronts. In this context, the Council pays tribute to the Tanzanian people and to their President and Chairman of the front-line States, His Excellency Mr. Mwalimu Julius Nyerere, a great statesman of independent Africa and a staunch champion of the cause of Namibia.
4. Inaugurating the extraordinary plenary meetings of the Council, His Excellency Mr. Salim A. Salim, Minister for Foreign Affairs of the United Republic of Tanzania and Honorary President of the meetings, stated, inter alia:

* Previously issued as document A/37/230-S/15089, annex.

"This extraordinary session of the Council of Namibia is being held at a very crucial moment in the history of the liberation struggle for Namibia. It comes at a time when there has been a further deterioration of the over-all situation in southern Africa ... This session of the Council also comes at a time when there has been more said than done towards the implementation of Security Council resolution 435 (1978) ... Despite an international consensus on the imperative need to put an end to South Africa's illegal occupation of Namibia, the régime in Pretoria has been able to defy the will of the international community. This defiance has been encouraged by the inability of the Security Council to adopt appropriate and prompt measures because of the unwillingness of some of its permanent members to act decisively ... Yet some of these very countries which have opposed the adoption of sanctions against South Africa have not hesitated to adopt sanctions against other States and, indeed, to call for the universal application of such sanctions against these States

"South Africa also continues to use the territory of Namibia as a spring-board for launching a systematic and comprehensive programme of destabilization, invasion, aggression and occupation against its neighbouring African States. As we speak here, two provinces of southern Angola continue to be occupied by South Africa in complete violation of and disregard to international law and norms that govern relations between States ... From this rostrum we must also demand an end to systematic acts of aggression and campaigns of destabilization perpetrated by the South African régime against Mozambique and Zambia; its attempts to destabilize the Government of Mozambique through the phenomenon of training and equipping armed groups; its policies and actions aimed at subverting the newly independent State of Zimbabwe; its threats and harassment against Botswana, Swaziland and Lesotho; and, lest we forget, South Africa's involvement in the recent attempt by mercenaries to subvert the Government of the Seychelles

"I am confident that this Council, like the rest of the United Nations, are committed to the implementation of Security Council resolution 435 (1978). Yet unnecessary as it may be, it is important to remind ourselves that in the first place, resolution 435 (1978) was the initiative of the [Western] contact group of five

"In October last year, in an attempt to accommodate South Africa's stubbornness and refusal to carry out the [United Nations] plan, the Western contact group introduced a phased approach to the negotiations ... But, as you are all aware, seven months have elapsed since last October, and, up to now, negotiations on phase one have not yet been completed. The negotiations seem to have been bogged down on the electoral system ... SWAPO, which has always shown great flexibility in the negotiations, opted for proportional representation while being ready to accept the system of single-member constituency. But the Western five later zeroed in on the combination system which was acceptable to South Africa ... Unfortunately, despite the flexibility shown by SWAPO by accepting two of the original three possible electoral methods put forward by the Western five, there have been attempts in some quarters to depict SWAPO and the front-line States as the obstacle to negotiations

"SWAPO has now put forward a proposal to overcome, or at least circumvent, the present impasse in the protracted negotiations. It involves the setting aside of the phase-to-phase approach to the negotiations and, instead, calls for a comprehensive treatment of all the outstanding issues. Here let me quote the communiqué of the front-line States' meeting:

'The Ministers accordingly supported SWAPO's proposal that a viable alternative way out of the present stalemate was to set aside the present phase-to-phase approach in the negotiations. The Ministers supported SWAPO's proposal conveyed to the Western five that all outstanding issues should be discussed together in a comprehensive manner in order to resolve them as a package. Such negotiation should ideally take place in a Geneva-type conference under the auspices of the United Nations. But other means of achieving that objective were not excluded'."

5. In his statement before the Council, Mr. Sam Nujoma, President of SWAPO, stated, inter alia:

"Tanzania, as it is well known has been spearheading the liberation struggle in southern Africa since the early 1960s and is still continuing to lead the struggle being the country of the Chairman of the front-line States ...

"The role that Tanzania has played in the struggles of the peoples of southern Africa has been significant and exemplary. It was in this country that the freedom fighters gathered to map out strategies and tactics to liberate their countries from the yoke of colonialism, racist domination and imperialist exploitation. As a matter of fact, it was in Tanzania that the initial formation of the People's Liberation Army of Namibia - SWAPO's military wing - was conceived and consequent military actions against racist South Africa launched. It is in that spirit that we have come back to the same source for inspiration, once again, to map out new strategies for the final but crucial phase of our struggle.

"The embattled people of Namibia are closely following the deliberations of the Council in the expectation that the new strategies and tactics that will be mapped out here and the final declaration and programme of action will be commensurate with the current critical situation in and relating to Namibia.

"For our part, we, the struggling people of Namibia, under the leadership of SWAPO, pursuant to the Maputo communiqué, have decided to launch a concerted offensive by opening up new fronts throughout and beyond what the enemy refers to as the 'disaster triangle'. While the primary front of the struggle between the forces of colonial and illegal occupation and imperialism, on the one hand, and the forces of national liberation, led by SWAPO, inside Namibia, on the other, remains the central focus of the situation in Namibia today, we have also been engaged on the other fronts, like the diplomatic front. In this regard, I would like to clarify SWAPO's position.

"Concerning the Western proposal for an electoral system, the five have totally failed to convince us that there is any justification for 'one man two votes' or 'one man one vote, one vote two counts'. On the contrary, we are convinced that the procedure is a double-edged sword, intended to cut SWAPO's electoral strength from two different angles. For instance, Pretoria and the Western five think that, on the one hand, there is some advantage in proportional representation when it comes to the counting of white votes. On the other hand, Pretoria and the Western five hope that some of the black tribal puppets might have a better chance of winning seats in a narrowly contested election with small constituencies where they could appeal to narrow local interests and on the basis of narrow tribal sentiments. We are, therefore, sure that the motives behind the choice of such electoral procedure are sinister.

"Moreover, we believe that SWAPO has already demonstrated its goodwill and readiness to make concessions. Since the beginning of the negotiations on so-called 'phase one', we have made three key concessions: that is, we have agreed to the guarantee for the protection of white minority rights, the guarantee for the protection of white property rights and that the constitution of an independent Namibia should be adopted only by a two-thirds majority in the Constituent Assembly ... We have presented to the Western five a proposal for direct talks on the line of a Geneva-type conference, in order to bring the phases together and resolve all the issues as a package."

6. In a message delivered on the occasion, the Secretary-General of the United Nations said, inter alia:

"This special session of the United Nations Council for Namibia takes place at a time of considerable concern over the continued lack of progress in the search for a settlement of this very urgent problem ... I am deeply concerned at the unsettling and dangerous effects of the present impasse in the resolution of the problem ...

"It is most important that we continue to press for the implementation of Security Council resolution 435 (1978) which has established a practical framework and remains the basis for a peaceful settlement in conformity with the legitimate rights and aspirations of the Namibian people.

"Considerable time and effort has been devoted by the front-line States, the Western contact group and others in preparing the groundwork for effecting a solution of the problem acceptable to the parties concerned. Some success has been achieved in these collective endeavours: important commitments and agreements have been worked out and all concerned have a better understanding of the remaining issues to be resolved. The immediate objective must be to break the impasse which is holding up negotiations. I trust that the renewed attempts made in recent months to move the negotiations forward will prove successful."

7. The Council draws the attention of the international community to the important debate and decisions taken by the General Assembly at its eighth emergency special session, held from 3 to 14 September 1981. In its resolution ES-8/2 adopted at that session, the Assembly noted with regret and

concern that the Security Council had failed to exercise its primary responsibility for the maintenance of international peace and security when a series of resolutions calling for comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations had been vetoed by the three Western permanent members of the Council on 30 April 1981. By the same resolution, the Assembly strongly urged the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions as provided for in Chapter VII of the Charter. The Assembly also called upon all States, in view of the threat to international peace and security posed by South Africa, to impose against that country comprehensive mandatory sanctions in accordance with the provisions of the Charter.

8. The Council has given the greatest attention to the final communiqués of the summit meeting of the front-line States held at Maputo on 6 and 7 March 1982 and the meetings of the Foreign Ministers of the front-line States held at Lusaka on 23 January 1982 and at Dar es Salaam on 4 May 1982, as well as to the SWAPO memorandum to the Western five of 30 April 1982.

9. The Council takes note with appreciation of the resolutions on Namibia (see A/37/161, annex) adopted by the Council of Ministers of the Organization of African Unity at its thirty-eighth ordinary session, held at Addis Ababa from 22 to 28 February 1982.

10. The Council welcomes the appointment by the General Assembly at its thirty-sixth session of the new United Nations Commissioner for Namibia, Mr. B. C. Mishra, and expresses its conviction that the appointment will enhance further the effectiveness of the Council in discharging its mandate.

11. The Council reiterates the responsibility for Namibia assumed by the United Nations pursuant to General Assembly resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967. The Council, in promoting initiatives reinforcing United Nations policy in support of the liberation of Namibia and as the legal Administering Authority for Namibia until independence, has been guided since its establishment by the principles of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and other resolutions adopted by the Assembly on the question of Namibia. Through international political mobilization, the Council has endeavoured to obtain the withdrawal of the illegal South African administration from the Territory and to support the legitimate struggle of the Namibian people for self-determination, freedom and national independence under the leadership of SWAPO, their sole and authentic representative. The Council has taken measures to counter the policies of South Africa against the Namibian people and has denounced and rejected all South African manoeuvres through which the illegal régime has attempted to perpetuate its occupation of Namibia. In the fulfilment of its mandate, the Council has received extensive support from the international community including intergovernmental and non-governmental organizations.

12. The Council strongly condemns the racist Pretoria régime for its continued illegal occupation of Namibia in defiance of the resolutions and decisions of the General Assembly and Security Council and demands that South Africa comply with them without any further delay.
13. The Council reaffirms its complete solidarity with and full support for SWAPO, the sole and authentic representative of the Namibian people, whose just struggle enjoys the support and admiration of the international community. It commends SWAPO for its courage and heroism on the battlefield in defence of the inalienable rights of the Namibian people to self-determination, freedom and independence and for the constructive attitude, the highest qualities of statesmanship and the diplomatic skill demonstrated during the negotiations.
14. The Council reiterates its full support for the armed liberation struggle of the Namibian people under the leadership of SWAPO, their sole and authentic representative. The Council further reiterates its conviction that the intensified armed liberation struggle by the Namibian people continues to be a decisive factor in the efforts to achieve self-determination, freedom and national independence in a united Namibia.
15. The Council denounces and rejects the attempts by South Africa and its allies to distort the nature of the question of Namibia and give it a dimension contrary to that of an act of colonial domination in violation of the principles and objectives of the Charter of the United Nations and the decisions and resolutions of the United Nations. The Council reiterates that the question of Namibia is one of decolonization and must be resolved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV). The Council also denounces the policy of the United States of America of collaborating with the racist régime of South Africa and of engaging in hostile acts and propaganda against SWAPO, the sole and authentic representative of the oppressed people of Namibia, as well as its attempts to characterize the liberation struggle in Namibia as part of an East-West confrontation. The attempts to link the question of Namibia with irrelevant issues, such as that of co-operation between Angola and certain other countries, which fall under the exclusive competence of the sovereign Government of Angola, are designed solely to justify the illegal occupation of Namibia by racist South Africa, thus delaying the independence of that Territory.
16. The Council strongly and vehemently condemns the colonialist and racist régime of South Africa for its militarization of Namibia and the use of that Territory for launching armed attacks against neighbouring States, particularly its repeated armed aggression against Angola. The militarization of Namibia has led to the forced conscription of Namibians and to a greatly intensified flow of refugees, disorganizing to a tragic extent the family life of the Namibian people. South Africa is currently maintaining a force of more than 75,000 troops in addition to 110,000 minority white settlers who are armed and supported by heavy armaments, air power and special mercenary commando units. A variety of military, paramilitary and police units are deployed in Namibia in defence of South Africa's illegal occupation and the apartheid system. In line with its attempts to undermine the unity of the Namibian people, the illegal South African régime has created local tribal

armies and puppet groups. Mercenaries are being extensively used by South Africa in its armed repression of Namibian patriots. By collaborating with the occupation forces in South Africa's over-all military strategy, foreign economic interests play a direct role in helping South Africa to continue its illegal occupation of the Territory.

17. The Council expresses its unflinching support for and solidarity with the Government and the people of Angola and salutes them for the untold sacrifice and the heavy burden they are shouldering in support of the liberation struggle of Namibia. In this context, it condemns racist South Africa's unprovoked acts of aggression, invasion and occupation of parts of southern Angola which constitute a breach of international peace and security and demands the immediate and unconditional withdrawal of South Africa's forces from Angola.

18. The Council declares that the increasing political, economic and military support being extended to South Africa by its major Western trading partners has enabled the racist régime to defy the will of the international community. Such support has been demonstrated by the misuse of the veto in the Security Council by the three Western permanent members and by the apparent reluctance of the Western contact group to apply sufficient pressure on South Africa to compel it to comply with the decisions of the United Nations. The Council calls upon the Governments concerned to stop colluding with the racist régime and to act in accordance with the principles of the Charter of the United Nations.

19. The Council declares once more that the United Nations plan contained in Security Council resolutions 385 (1976) and 435 (1978) is the only and universally accepted basis for a negotiated settlement, and calls for its immediate implementation without modification, dilution or prevarication. By its resolution 385 (1976), the Security Council, inter alia, condemned the continued illegal occupation of Namibia by South Africa and declared that it was imperative that free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity to enable Namibians to determine their own future. The Security Council further demanded that South Africa urgently make a solemn declaration accepting the foregoing provisions, undertaking to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice 1/ in regard to Namibia, and recognizing the territorial integrity and unity of Namibia as a nation. In this regard, the Council condemns South Africa and its Western allies for attempting to undermine the international consensus embodied in those resolutions with the objective of gaining international recognition for illegitimate groups in Namibia and to consolidate South Africa's colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for self-determination, freedom and genuine independence in a united Namibia.

20. The Council condemns the attempts in the ongoing negotiations to impose on the people of Namibia a totally unjustifiable electoral system which would lead to the establishment of a neo-colonialist régime in Namibia, thus depriving its people of their hard-won victories in the struggle for liberation.

21. The Council shares the deep dissatisfaction of SWAPO with the current state of negotiations for the implementation of the United Nations plan resulting from racist South Africa's continued intransigence. It supports the latest proposal made by SWAPO in order to overcome the present stalemate for a Geneva-type conference under United Nations auspices at which all outstanding issues would be discussed and resolved together in a comprehensive manner.
22. The Council urges the Western five to accept this constructive proposal of SWAPO for the early implementation of the United Nations plan and to exert firm and genuine pressure on South Africa in this regard.
23. The Council solemnly declares that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the offshore islands. The Council unequivocally reaffirms the relevant decisions of the General Assembly to the effect that Walvis Bay and the offshore islands are an integral part of Namibia and that any action by South Africa to separate them from the Territory is illegal, null and void.
24. The Council reaffirms that the natural resources of Namibia are the inviolable heritage of the Namibian people and in this regard it underlines the importance of the effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, 3/ which was approved by General Assembly resolution 3295 (XXIX) of 13 December 1974. The rapid depletion of the natural resources of the Territory as a result of the systematic plunder by South Africa's Western trading partners 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 detrimental to Namibia and its people.
25. The inhumanity, suffering and subjugation perpetrated by the racist régime of South Africa in Namibia represent a blatant violation of the dignity, value and sacred character of the human being and must end forthwith. While this violation continues, the escalation of conflict in Namibia is inevitable. The situation has confronted the United Nations with one of the most severe crises in its history, and represents the gravest and most enduring challenge to the authority as well as the purposes and principles of the Organization, while at the same time endangering the peace and security not only of the southern Africa region but of the world at large.

II. PROGRAMME OF ACTION ON NAMIBIA

26. The United Nations Council for Namibia, having assessed the current situation in Namibia resulting from South Africa's continued illegal occupation of the Territory, its intransigence encouraged by its Western supporters, the enhancement of its military strength including the acquisition by it of nuclear-weapons capability, its armed aggression against neighbouring African States and its attempts to destabilize them - in particular Angola - and expressing its profound concern over the grave situation in and relating to Namibia, adopts the following programme of action to intensify international support in all fields for the oppressed people of Namibia with a view to enabling them to exercise their inalienable right to self-determination, freedom and national independence in a united Namibia.

27. The Council declares its determination to intensify its efforts for the early decolonization of Namibia by mobilizing international public opinion, by exposing the political, military and economic activities of the Pretoria régime and its allies, by taking suitable measures to preserve the territorial integrity of Namibia and to protect its natural resources, by safeguarding the interests of Namibia in international fora, by dispatching missions of consultation to Governments and by organizing international assistance to Namibians with a view to equipping them for the responsibility of nationhood.
28. The Council considers that the situation in and around Namibia constitutes a manifest breach of international peace and security as defined in the Charter of the United Nations, and reiterates its recommendation to the Security Council that comprehensive mandatory sanctions, as provided for by Chapter VII of the Charter, be adopted in order to compel South Africa to comply with the relevant decisions and resolutions of the General Assembly and the Security Council.
29. The Council urges the international community to extend all support and assistance, including military assistance, to SWAPO for its liberation struggle and to the front-line States for the defence of their sovereignty and territorial integrity against South African aggression.
30. The Council calls upon all Member States of the United Nations to work resolutely towards the early achievement of a negotiated settlement of the Namibian problem based on the provisions of Security Council resolutions 385 (1976) and 435 (1978). In this connection, the Council urges all Member States not to recognize any puppet groups or illegal entities in the Territory, or any internal settlement of the question of Namibia, and reiterates that free and fair elections under the supervision and control of the United Nations are an essential prerequisite to the full implementation of the United Nations plan for Namibia. In this context, the Council supports and calls upon all Member States to support the proposal of SWAPO to convene, under the auspices of the United Nations, a Geneva-type conference at which all outstanding issues would be discussed and resolved together in a comprehensive manner on the basis of all relevant United Nations resolutions on Namibia.
31. 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 by the Council to initiate legal action in appropriate courts against those who violate the provisions of the Decree.
32. All the Western European countries which are parties to the Treaty of Almelo must be held responsible for processing Namibian uranium since they do not take measures to identify the source of uranium which is further processed at the Urenco uranium-enrichment plant. The Council will continue its policy of denouncing all multinational corporations such as the Rio Tinto Zinc Corporation, Ltd. (RTZ) which, in total disregard to the position of the United Nations and the advisory opinion of the International Court of Justice, continue to exploit for profit the basic resources of a future independent Namibia. In this regard, the Council calls on all States to prohibit State-controlled corporations from investing or obtaining concessions in Namibia and to prohibit companies of their nationality not under direct

governmental control from investing or obtaining concessions in Namibia, and to announce that they will not protect such investments against claims by the Council or the future lawful Government of an independent Namibia.

33. The Council will determine the extent of the territorial sea and of the contiguous zone of Namibia, proclaim Namibia's exclusive economic zone and delimit its continental shelf, especially in view of the fact that the United Nations Convention on the Law of the Sea has been adopted and that the Council is entitled to sign and ratify it on behalf of Namibia. In this context, the Council denounces South Africa's attempts to extend in its own name the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia, and declares such acts to be null and void.

34. The Council decides to strengthen its over-all assistance to the Namibian people and to its liberation movement, SWAPO, and in this framework will actively protect the needs of Namibian refugees through its participation in the Executive Committee of the Office of the United Nations High Commissioner for Refugees. The needs of refugees are particularly crucial because, in addition to their suffering resulting from the disorganization of the Namibian family, there is the added misfortune of an imposed exile from their homeland. The international community has the duty and responsibility to do all in its power to lessen such a tragic burden imposed by conditions beyond the control of their victims.

35. The Council renews its call upon all Governments, pending the imposition of comprehensive mandatory sanctions under Chapter VII of the Charter of the United Nations, to impose voluntary comprehensive sanctions against South Africa, including an arms embargo, an oil embargo, economic sanctions and other suitable measures, as provided for in General Assembly resolutions ES-8/2 of 14 September 1981, 36/121 B of 10 December 1981 and the Panama Declaration and Programme of Action on Namibia adopted by the Council on 5 June 1981. 13/

36. The Council decides to intensify its efforts to promote the early independence of Namibia by broadening contacts with national parliaments, intergovernmental and non-governmental organizations, liberation support and solidarity groups, trade unions and other mass organizations in all States.

37. The Council calls upon all States to adopt legislative and other effective measures to prevent the recruitment, training and transit of mercenaries for service in Namibia.

38. The Council demands the immediate and unconditional release of all Namibian political prisoners held at Robben Island and other racist jails and detention centres in apartheid South Africa and occupied Namibia. The Council further demands that the three SWAPO freedom fighters who have been charged under the repressive "Terrorism Act" by the illegal Pretoria régime, together with all the other captured Namibian freedom fighters, be accorded prisoner-of-war status under the Geneva Convention of 12 August 1949 8/ and Additional Protocol I thereto (A/32/144, annex I) pending their release.

39. The Council decides to support the communiqué issued on 4 May 1982 following the meeting of the Foreign Ministers of the front-line States, Kenya and Nigeria and the President of SWAPO, and calls upon all States to do likewise.

B. Resolutions

768. The Council adopted the following resolution at its 381st meeting, held at Arusha on 13 May 1982:

EXPRESSION OF THANKS TO THE GOVERNMENT AND PEOPLE OF THE UNITED REPUBLIC OF TANZANIA*

The United Nations Council for Namibia,

Having met at Arusha from 10 to 14 May 1982 for the purpose of assessing the current situation in and concerning Namibia and considering measures to press for the implementation of United Nations resolutions on Namibia,

Having heard an inspiring statement made by His Excellency Mr. Salim A. Salim, Minister for Foreign Affairs of the United Republic of Tanzania, at the inaugural meeting on 10 May,

Expresses its profound gratitude to the Government and the people of the United Republic of Tanzania for providing the Council with the necessary facilities for its extraordinary plenary meetings, for the outstanding contribution they have made to the success of the meetings and in particular for the very generous and kind hospitality and the warm and cordial reception accorded to the participants and observers throughout their stay in Arusha.

C. Formal statements

749. On 17 March 1982, the President of the Council issued the following statement concerning the South African attack on a Namibian refugee settlement in Angola:

1. The United Nations Council for Namibia has learned with dismay and indignation that the racist illegal occupation régime of South Africa has once more staged a massive attack on a Namibian refugee settlement in Angola.
2. In this raid, South African racist troops are reported to have slaughtered over 200 Namibian refugees in Angola and to have caused massive destruction to property.
3. The racist régime of South Africa, using illegally occupied Namibia as a launching pad, has, in addition, violated the territorial integrity and sovereignty of Angola and it is reported that the Thirty-second Battalion, which is a division of a secret counter-insurgency unit, is still conducting military operations inside Angolan territory.
4. This battalion is composed of troops of the regular army of the South African racists, of black and white mercenaries who served in the former Portuguese army before Angolan independence, of mercenary groups from the former Southern Rhodesia and is assisted by units of the so-called South West Africa Territory Force.

* Previously issued under the symbol A/AC.131/88.

5. This attack on a South West Africa People's Organization refugee settlement, taking place as it does during the process of negotiations towards the achievement of an internationally acceptable peaceful solution of the question of Namibia, is yet another demonstration that South Africa is not sincere in its statements that it desires a peaceful solution to the question of Namibia.

6. This massive attack on a Namibian refugee settlement in Angola is a total violation of the Charter of the United Nations and a vicious transgression of international norms. It also constitutes a flagrant violation of Security Council resolutions 385 (1976) and 435 (1978) which were designed to achieve a peaceful settlement of the question of Namibia.

7. The United Nations Council for Namibia strongly condemns South Africa for this act of barbarity and its reckless destruction of lives and property. The attack once more exposes the racist régime's true character as a war-monger.

8. The Council once more reaffirms the commitment of the United Nations to seeking a peaceful and internationally acceptable solution of the question of Namibia within the framework of Security Council resolution 435 (1978).

D. Communiqués

770. The present section contains the texts of the communiqués and statements issued by the Mission of Consultation of the Council to Cyprus, Sri Lanka and Bangladesh.

1. Joint communiqué issued by the Government of Cyprus and the Mission at Nicosia on 30 March 1982*

1. At the invitation of the Government of Cyprus, a mission of consultation of the United Nations Council for Namibia visited Cyprus from 28 to 31 March 1982.

2. The Mission was composed of the following members: Mr. Noel G. Sinclair (Guyana), Chairman; Mr. Michael Sherifis (Cyprus); Mr. Valentin N. Berezovsky (Union of Soviet Socialist Republics); Mr. Tommo Monthe (United Republic of Cameroon); and Mr. Hingyangerwa P. Asheeke (South West Africa People's Organization (SWAPO)).

3. Mr. Spiriyos Kyprianou, President of the Republic of Cyprus, received in audience the members of the United Nations Council for Namibia. Mr. George Ladas, President of the House of Representatives, and Mr. N. A. Rolandis, the Minister for Foreign Affairs, also received the Mission.

4. The purpose of the Mission's visit was to hold consultations with the Government of Cyprus and to examine ways and means of intensifying the joint action of the Government and Council in the United Nations and, wherever possible, in other international fora with a view to achieving the speedy

* Previously issued under the symbol A/AC.131/L.246.

implementation of the resolutions of the General Assembly and the Security Council which have consistently affirmed the inalienable and imprescriptible right of the people of Namibia to self-determination, freedom and national independence in a united Namibia.

5. The Mission held intensive consultations with a delegation of the Ministry of Foreign Affairs comprising Mr. Elias Ypserides, Director of Political Affairs; Mr. K. Malliotis, Head of Section for International Organizations; Mr. Andreas Skarparis, Head of Section for Bilateral Relations; Mr. Leonidas Markides, Section for International Organizations; and Mr. Marios Ieronimides, Section for Bilateral Affairs.

6. The Mission expresses its appreciation for the policies of the Government of Cyprus in support of the efforts of the Namibian people to achieve self-determination, freedom and national independence in a united Namibia. The Government of Cyprus reaffirms its well-known support for the Council as the legal Administering Authority for Namibia until independence.

7. The Government of Cyprus and the Mission stress that the question of Namibia must remain one of the top priorities on the agenda of the international community and must always be in the forefront of the international conscience.

8. The Government of Cyprus and the Mission vigorously condemn the continued illegal presence of the South African régime in Namibia; the policies of apartheid and practices of division, including the establishment of so-called homelands; and the continuous violence and acts of intimidation and brutal repression by which the occupation forces of the illegal administration attempt to perpetuate the odious exploitation of the people of Namibia.

9. The Government of Cyprus and the Mission declare that South Africa's policies of repression in Namibia, its militarization of the Territory, its use of the Territory as a spring-board for repeated acts of aggression against neighbouring African States, its depletion of Namibia's natural resources in violation of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the Council on 27 September 1974, 3/ its possession and exploitation of massive reserves of Namibian uranium and its efforts to develop nuclear weapons with the assistance and collaboration of certain countries constitute a threat to international peace and security within the meaning of Chapter VII of the Charter of the United Nations.

10. The Government of Cyprus and the Mission reiterate their position that the strong political, economic, diplomatic and military support which South Africa receives from certain Western permanent members of the Security Council encourages South Africa to refuse to comply with United Nations resolutions and decisions on Namibia and has prevented the Security Council from imposing mandatory sanctions against South Africa. This encouragement confirms existing doubts about the real intentions of the five Western Powers with regard to the strict implementation of the United Nations plan for Namibia of which they themselves were the authors.

11. The Government of Cyprus and the Mission reiterate their strong condemnation of the continued armed invasions mounted by racist South African troops against neighbouring countries, particularly Angola. The Government of Cyprus and the Mission reaffirm their solidarity with the front-line States.

12. The Government of Cyprus and the Mission oppose any attempt to distort the nature of the question of Namibia or to deprive the Namibian issue of its universal dimensions and underplay the degree of defiance by South Africa of the decisions of the United Nations as a whole. They denounce attempts by South Africa and its allies to label SWAPO, the sole and authentic representative of the Namibian people, as a terrorist organization and to characterize the liberation struggle in Namibia as part of an East-West confrontation.
13. The Government of Cyprus and the Mission reaffirm strongly that the question of Namibia is specifically a problem of decolonization and of illegal occupation.
14. The Government of Cyprus reiterates the need for a peaceful solution of the problem of Namibia on the basis of Security Council resolutions 385 (1976) of 30 January 1976, 431 (1978) of 27 July 1978, 435 (1978) of 29 September 1978, and 439 (1978) of 13 November 1978. It also reaffirms its principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence in a united Namibia under the leadership of SWAPO, the sole and authentic representative of the Namibian people.
15. The Government of Cyprus and the Mission denounce attempts by South Africa and certain Western Powers to elevate the so-called internal parties in Namibia to equal status with SWAPO. They stress the importance of respecting the demand of the General Assembly and the Security Council that recognition be withheld from any fraudulent entities which South Africa may establish in Namibia. They reject any moves to revise, modify or undermine Security Council resolution 435 (1978), which provides the only universally acceptable basis for a settlement. They also denounce any manoeuvres by South Africa to impose a neo-colonial régime upon the Namibian people through a so-called internal settlement.
16. The Government of Cyprus and the Mission express their support for the imposition by the Security Council of mandatory comprehensive sanctions against South Africa under Chapter VII of the Charter of the United Nations as called for by the General Assembly, the Movement of Non-Aligned Countries and the Organization of African Unity, as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.
17. The Government of Cyprus and the Mission reiterate that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the offshore islands, in accordance with the Charter and General Assembly resolutions 1514 (XV) of 14 December 1960 and 2145 (XXI) of 27 October 1966, as well as in subsequent resolutions of the Assembly and the Security Council relating to Namibia.
18. The Government of Cyprus and the Mission reiterate the importance of compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia. The two sides reaffirm the importance of requesting all States to take legislative, administrative and other measures in order effectively to isolate South Africa politically, economically, militarily and culturally in accordance with General Assembly resolution ES-8/2 of 14 September 1981.

19. The Government of Cyprus and the Mission strongly condemn the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa. These activities constitute a major obstacle to the genuine independence of Namibia. The Government of Cyprus and the Mission reiterate that the people of Namibia, through the Government of a genuinely independent Namibia, will be entitled to seek reparations for the exploitation and depletion of their natural resources.
20. The Government of Cyprus and the Mission are of the view that the struggle of the people of Namibia for self-determination and independence under the leadership of their liberation movement, SWAPO, has reached a new and critical stage. In the light of recent developments, the Government of Cyprus and the Mission reaffirm their complete solidarity with and full support for SWAPO.
21. The Government of Cyprus and the Mission consider that in these circumstances it is necessary for the international community to undertake an active and concerted political campaign in support of the struggle of the Namibian people.
22. The Government of Cyprus and the Mission consider that it is essential to seek the full implementation of all Security Council resolutions on the question of Namibia, which are binding on all States Members of the United Nations.
23. The Government of Cyprus and the Mission consider that programmes of assistance to the Namibian people should be strengthened and that the United Nations should consolidate all activities directed toward support of the Namibian people.
24. The Mission, on behalf of the Council, expresses its appreciation to the Government of Cyprus for the support which it has extended and continues to extend to SWAPO, the sole and authentic representative of the Namibian people.
25. The Mission, on behalf of the Council, expresses its appreciation to the Government of Cyprus for its contributions to the United Nations Fund for Namibia and welcomes its decision to offer scholarships to Namibian students.
26. The Mission, on behalf of the Council, expresses its gratitude for the firm and consistent support given by the Government of Cyprus to the efforts of the Council in support of genuine independence for the Namibian people and expresses its sincere thanks to the Government of Cyprus for the warm welcome and the generous hospitality extended to the Mission during its stay.

2. Joint press statement issued by the Government of Sri Lanka and the Mission at Colombo on 6 April 1982*

1. At the invitation of the Government of Sri Lanka, a mission of consultation of the United Nations Council for Namibia visited Sri Lanka from 1 to 6 April 1982.

* Previously issued under the symbol A/AC.131/L.247.

2. The Mission was composed of the following members: Mr. Noel G. Sinclair (Guyana), Chairman; Mr. Michael Sherifis (Cyprus); Mr. T. P. Sreenivasan (India); Mr. Valentin N. Berezovsky (Union of Soviet Socialist Republics); Mr. Tommo Monthe (United Republic of Cameroon); and Mr. Hingyangerwa P. Asheeke (South West Africa People's Organization (SWAPO)).
3. During its stay the Mission was received by Mr. A. C. Shahul Hameed, Minister for Foreign Affairs of Sri Lanka.
4. The purpose of the Mission's visit was to inform the Government of Sri Lanka about the present situation and developments regarding Namibia, to describe various activities undertaken by the Council, the legal Administering Authority for Namibia, in its efforts to ensure the liberation of the Territory, and more particularly, to exchange views with the Government on areas for possible urgent action directed towards the mobilization of maximum international support for the struggle of the Namibian people under the leadership of SWAPO, their sole and authentic representative, for self-determination and genuine independence. The consultations were considered all the more important in view of the need to exert the necessary pressure on South Africa to bring about the desired progress in the negotiations with the Pretoria régime for the implementation of Security Council resolution 435 (1978) of 29 September 1978.
5. The Mission held intensive consultations with a delegation from the Ministry of Foreign Affairs comprising Mr. H. T. Jayasinghe, Foreign Secretary; Mr. B. P. Tilakaratne, Director-General; Mr. W. P. S. R. Jayaweera, Director, Africa Division; Mr. Ananda Gunasekera, Deputy Director, United Nations Division; Mr. W. P. R. B. Wickremasinghe, Deputy Director, Non-Aligned Division; and Mr. R. H. Jayasinghe, Assistant Director, United Nations Division.
6. The Mission commended the staunch support of the Government of Sri Lanka for the liberation of Namibia and for the work of the Council as the legal Administering Authority for the Territory until independence.
7. Reviewing the current situation in Namibia, both sides expressed profound concern at and condemned the continuing illegal occupation of the Territory by the racist régime of South Africa, its increasing contempt for the decisions of the United Nations and its policy of aggression and brutality against the Namibian people, especially those who manifest any support for SWAPO. They deplored the continuing collaboration of certain countries with the Pretoria régime in various fields and stressed the need for a greater commitment on the part of all countries to the speedy liberation of Namibia. Both sides also drew the attention of the world community to the grave crisis that the situation in Namibia represented. They reiterated the need for concerted international action to ensure the speedy implementation of Security Council resolution 435 (1978) and the enjoyment of the people of Namibia of their inalienable right to self-determination and independence.
8. They likewise vehemently condemned South Africa's increasing militarization of the Territory, including the formation of the so-called South West Africa Territorial Force, the use of mercenaries inside and outside the Territory and the forced conscription of Namibian nationals for its expanded war of aggression against the people of Namibia and the neighbouring

African States. They expressed the view that that militarization, combined with the fact that the Pretoria régime had been acting in a completely unrestrained manner against Namibia and the neighbouring States, assumed even greater proportions in view of South Africa's development of a nuclear weapons capability. They furthermore drew attention with profound concern to the threat to international peace and security created by South Africa's systematic and continued violation of the political independence, sovereignty and territorial integrity of neighbouring African States, especially Angola, which continued to be the object of South Africa's brutal aggression.

9. Both sides strongly condemned South Africa's policy of systematically trying to eliminate SWAPO, its leaders, cadres and supporters, both inside and outside the Territory. They likewise strongly condemned South Africa's manoeuvres aimed at undermining the role of SWAPO as the sole and authentic representative of the people of Namibia and called upon all States, in accordance with the relevant resolutions of the General Assembly and the Security Council, to reaffirm their support for SWAPO and to refrain from co-operating with or according recognition to any régime or authority which the illegal South African administration might seek to impose on the Namibian people.

10. The Government and the Mission further denounced and condemned South Africa's violation of the territorial integrity of Namibia through the attempted imposition of its bantustanization policies in the Territory and its annexation of Walvis Bay and the offshore islands in an act of colonial expansion which has been declared by the General Assembly to be illegal, null and void.

11. The Government and the Mission condemned in unequivocal terms the illegal plundering of Namibia's natural resources by South Africa and other foreign interests operating in Namibia under the illegal South African administration in violation of the relevant United Nations resolutions, the advisory opinion of the International Court of Justice of 21 June 1971 ^{1/} and Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the Council on 27 September 1974. ^{3/} They reiterated the well-known position that such exploitation contributed to the perpetuation of the illegal occupation régime in Namibia and that South Africa and other foreign economic interests would be liable to pay reparations to an independent Namibia for the illegal exploitation of its resources.

12. The Government and the Mission expressed concern about the lack of progress in the negotiations for the implementations of Security Council resolution 435 (1978) and cautioned that the international community should be vigilant and not be lulled into feeling that the very momentum of the talks constituted progress. They reiterated their position that resolution 435 (1978) constituted the only universally accepted basis for a settlement of the Namibian question and expressed their hope that the members of the Western contact group, whose ideas formed the basis of the settlement plan contained in resolution 435 (1978), would press for its speedy implementation without modification.

13. The two sides reiterated the position that the question of Namibia was one of occupation and of decolonization and deplored any attempt by South

Africa and its allies to distort the struggle of the people of Namibia or characterize it as part of an East-West ideological conflict, or to label SWAPO as a terrorist organization.

14. They expressly condemned the current manoeuvres aimed at revising, modifying or thwarting the implementation of Security Council resolution 435 (1978) and imposing a neo-colonial situation in Namibia with the purpose of maintaining the status quo. They reiterated the need for a peaceful solution of the problem of Namibia on the basis of Security Council resolutions 385 (1976) of 30 January 1976, 431 (1978) of 27 July 1978, 435 (1978) and 439 (1978) of 13 November 1978. They also reaffirmed their principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence in a united Namibia under the leadership of SWAPO, their sole and authentic representative.
15. The Government and the Mission expressed their support for the imposition by the Security Council of comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations as called for by the General Assembly, the Movement of Non-Aligned Countries and the Organization of African Unity, as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.
16. The Government and the Mission recognized that the struggle for the liberation of Namibia was in a crucial phase during which all forces of imperialism had found renewed energy and were concentrating on new tactics for the maintenance of the status quo, while giving the impression of a desire to see a genuine change. The Government and the Mission recognized that at the current juncture it was essential for peace and freedom-loving forces to unite their energies solidly behind SWAPO and to continue to expose and condemn all stratagems designed to frustrate the legitimate struggle of the people of Namibia for their independence. In that context, the Mission welcomed the reaffirmation by the Government of Sri Lanka of its unswerving commitment and dedication to the work of the United Nations Council for Namibia and to the freedom struggle of the people of Namibia.
17. The Government and the Mission reiterated their solidarity with the firm principled stand of the front-line States, which continued to render moral and material support to SWAPO even at great sacrifice to themselves.
18. The Government and the Mission considered that programmes of assistance to the Namibian people should be strengthened and that the United Nations should consolidate all activities directed towards support of the Namibian people. The Government assured the Mission that Sri Lanka would extend its fullest support to any initiative taken by the United Nations to bring about the speedy liberation of Namibia and that it would also exert its efforts to achieve that end through all appropriate international organizations and fora, including the Commonwealth.
19. The Mission, on behalf of the Council, expressed its appreciation to the Government of Sri Lanka for the support which it had extended and continued to extend to SWAPO, the sole and authentic representative of the Namibian people.

20. The Mission expressed its appreciation to the Government of Sri Lanka for its material manifestation of support to the struggling people of Namibia.

21. The Mission, on behalf of the Council, expressed gratitude for the firm and consistent support given by the Government of Sri Lanka to the efforts of the Council in support of genuine independence for the Namibian people, and expressed its sincere thanks to the Government of Sri Lanka for the warm welcome and generous hospitality extended to the Mission during its stay.

3. Joint communiqué issued by the Government of Bangladesh and the Mission at Dacca on 13 April 1982*

1. At the invitation of the Government of Bangladesh, a mission of consultation of the United Nations Council for Namibia visited Bangladesh from 9 to 13 April 1982.

2. The Mission was composed of the following members: Mr. Noel G. Sinclair (Guyana), Chairman; Mr. Patriot L. B. Yane (Botswana); Mr. T. P. Sreenivasan (India); Mr. Valentin N. Berezovsky (Union of Soviet Socialist Republics); and Mr. Hingyangerwa P. Asheeke (South West Africa People's Organization (SWAPO)).

3. During its stay in Bangladesh the Mission was received by Lieutenant General H. M. Ershad, Chief Martial Law Administrator and Commander-in-Chief of the armed forces of Bangladesh.

4. The Mission held substantive discussions at the Ministry of Foreign Affairs with a Bangladeshi delegation consisting of Mr. Humayun Rasheed Chowdhury, Foreign Secretary, Mr. M. R. Osmany, Director-General for the United Nations and Mr. Ruhul Amin, Director for the United Nations.

5. The purpose of the visit was to explore ways and means by which the Government of Bangladesh and the Mission could mobilize maximum international support for the struggle of the Namibian people and for implementation of Security Council resolution 435 (1978) of 29 September 1978. The two parties also discussed the prospects for further strengthening the co-operation of the Government of Bangladesh with the United Nations Council for Namibia, particularly in the context of the delay in implementation of Security Council resolution 435 (1978) and of the forthcoming extraordinary plenary meetings of the Council to be held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982.

6. The Government of Bangladesh reiterates solidarity with and unequivocal support for the just struggle of the people of Namibia. The Government of Bangladesh expresses appreciation for the steps taken by the United Nations Council for Namibia as the legal Administering Authority for Namibia in its

* Previously issued under the symbol A/AC.131/L.248.

efforts for the fulfilment of its mandate in accordance with the relevant General Assembly resolutions.

7. The Government of Bangladesh and the Mission strongly condemn South Africa's continued illegal occupation of Namibia, its policies of apartheid and inhuman repression in Namibia, its massive militarization of the Territory and its blatant use of the Territory as a spring-board for naked acts of aggression against neighbouring African States, its illegal exploitation of the natural resources of Namibia, its use of mercenaries, the creation of tribal armies, the forced conscription of Namibians for military service, the establishment of so-called homelands and its efforts to develop nuclear weapons with the assistance and collaboration of certain countries.

8. The Government of Bangladesh and the Mission maintain that the strong political, economic, diplomatic and military support which South Africa has been receiving from some permanent members of the Security Council in violation of the resolutions of the General Assembly in this regard encourage South Africa to defy the decisions and resolutions of the United Nations on Namibia. They regret that the insidious stand taken by some permanent members prevented the Security Council from imposing mandatory sanctions against South Africa. These facts tend to confirm the doubts about the real objectives and intentions of these Powers, who took upon themselves the task of implementing the United Nations plan for Namibia through diplomatic means.

9. Despite growing disappointment over the progress made by the concerned Powers towards the implementation of the relevant Security Council resolutions and in bringing about a peaceful resolution of the problem, the Government of Bangladesh expresses the hope that they will see the logic and urgency of bringing sufficient pressure to bear on South Africa so as to oblige it to comply with the United Nations decisions on Namibia without further delay.

10. The Government of Bangladesh and the Mission reaffirm their principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence in a united Namibia under the leadership of SWAPO, the sole and authentic representative of the Namibian people. They reaffirm the right of the Namibian people to employ all means at their disposal to secure their freedom and national independence.

11. The Government of Bangladesh and the Mission reiterate their position that Security Council resolution 435 (1978) constitutes the only universally accepted basis for a settlement of the Namibian question and demand that the resolution be implemented without modification, qualification, prevarication or delay. They expressly condemn the current manoeuvres aimed at revising the terms of and thwarting the implementation of resolution 435 (1978) and imposing a neo-colonial situation in Namibia with the purpose of maintaining the status quo. The two sides call for concerted international action to ensure the speedy implementation of the United Nations plan.

12. The Government of Bangladesh and the Mission commend the positive and constructive attitude of SWAPO, which has consistently expressed its readiness to co-operate fully with the United Nations in the implementation of Security Council resolution 435 (1978).

13. The Government of Bangladesh and the Mission strongly condemn South Africa's manoeuvres aimed at undermining the role of SWAPO as the sole and authentic representative of the Namibian people and declare that all States Members of the United Nations should, in accordance with the relevant resolutions of the General Assembly and the Security Council, refrain from according any recognition to or co-operating with any régime or authority which the illegal South African Administration may impose upon the Namibian people.

14. They denounce the attempts by South Africa and its allies to present the liberation struggle in Namibia as yet another aspect of an East-West confrontation in Africa and as so-called international terrorism, thus misrepresenting and derogating the ideals and purposes of the legitimate struggle of the Namibian people against the illegal and barbarous occupation of their country.

15. The Government of Bangladesh and the Mission firmly reject any attempt to characterize the Namibian issue as a regional conflict with a view to depriving it of its universal dimensions and underplaying the degree of brazen defiance by South Africa of the decisions of the United Nations as a whole.

16. The Government of Bangladesh and the Mission strongly condemn the arrest, detention and torture of SWAPO patriots by the South African régime and demand that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, and declare that South Africa shall be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained.

17. The Government of Bangladesh and the Mission strongly condemn the repeated acts of aggression committed by the racist Pretoria régime against the front-line States. They reaffirm their solidarity with the front-line States and condemn all acts by South Africa and its allies aimed at destabilizing them or at forcing them to withdraw their support for the struggle of the Namibian people. They commend the front-line States for their principled and steadfast support to the cause of the Namibian people and call upon the international community to intensify its efforts to extend, as a matter of urgency, all support and assistance, including military assistance, to the front-line States in order to enable them to strengthen their capability for defence against South African aggression.

18. The Government of Bangladesh and the Mission reiterate that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the offshore islands, and that any action by South Africa to fragment the Territory would be unacceptable, illegal, null and void.

19. The Government of Bangladesh and the Mission condemn in unequivocal terms the illegal plundering of Namibia's natural resources by South Africa and other foreign interests operating in Namibia under the illegal South African administration in violation of the relevant United Nations resolutions, the advisory opinion of the International Court of Justice of 21 June 1971 1/ and

Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 29 September 1974. 3/ They reiterate the well-known position that such exploitation contributes to the perpetuation of the illegal occupation régime in Namibia and that South Africa and other foreign economic interests are liable to pay reparations to an independent Namibia for the illegal exploitation of its human and natural resources.

20. The Government of Bangladesh and the Mission express their conviction that the imposition by the Security Council of mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations, as called for by the General Assembly, the Movement of Non-Aligned Countries and the Organization of African Unity, is one of the most effective ways to secure South Africa's compliance with the relevant Security Council resolutions and urge the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to take urgent action to this end.

21. The Government of Bangladesh and the Mission recognize that the struggle for the liberation of Namibia is now in a crucial phase during which forces of imperialism and reaction have found renewed energy and are concentrating on new tactics aimed at maintaining the status quo. The Government of Bangladesh and the Mission recognize that at this juncture it is essential for peace and freedom-loving forces to unite their energies solidly behind SWAPO and to continue to expose and condemn all manoeuvres designed to frustrate the legitimate and just struggle of the people of Namibia for their independence.

22. The Mission expresses, on behalf of the United Nations Council for Namibia, its appreciation to the Government of Bangladesh for the consistent and principled support which it has extended to SWAPO and the Council in their efforts to secure genuine independence for the Namibian people. It also accepts with appreciation the generous offer of the Government of Bangladesh to make training and education facilities in Bangladesh available to Namibians.

23. The Mission conveys to the Government of Bangladesh its gratitude for the warm welcome and the generous hospitality extended to the Mission during its stay.

E. Decisions

1. Election of officers

771. At its 370th meeting, on 7 January 1982, the Council, having heard the nominations by the representatives of Egypt, India and Turkey, re-elected Mr. Paul J. F. Lusaka as President of the Council for 1982. At the same meeting, the Council, having heard the nominations by the representatives of Bangladesh, Botswana and Cyprus, re-elected Messrs. Mohammed Bedjaoui (Algeria), Noel G. Sinclair (Guyana), Natarajan Krishnan (India), A. Coskun Kirca (Turkey) and Miljan Komatina (Yugoslavia) as Vice-Presidents of the Council for 1982.

2. Programmes of work of subsidiary bodies

772. At its 371st meeting, on 7 January 1982, the Council approved the reports of Standing Committees I, II and III and of the Committee on the United Nations Fund for Namibia on the programmes of work of those Committees for 1982 (A/AC.131/L.227, and Corr.1, L.229, L.233 and L.236 and Corr.1, respectively).

3. Reports of Standing Committee II

773. At its 383rd meeting, on 14 July 1982, the Council approved the reports of Standing Committee II on the activities of foreign economic interests operating in Namibia (A/AC.131/L.250 and Corr.1) and on the military situation in and relating to Namibia (A/AC.131/L.251/Rev.1 and Corr.1).

4. Reports of the Committee on the United Nations Fund for Namibia

774. At its 369th meeting, on 16 December 1981, the Council approved the reports of the Committee on the Fund concerning:

(a) Projects NAM/79/020/B/13, NAM/78/008/D/11, NAM/79/021/B/11, NAM/82/001/A and NAM/82/002 of the Nationhood Programme for Namibia (A/AC.131/L.244);

(b) The annual report of the Senate of the United Nations Institute for Namibia (A/AC.131/L.234);

(c) The report on the audit of the Institute (A/AC.131/L.235);

(d) The revised budget of the Institute for 1981 (A/AC.131/L.241);

(e) The budget of the Institute for 1982 (A/AC.131/L.242);

(f) The Nationhood Programme and educational, social and relief activities under the General Account of the Fund (A/AC.131/L.243).

5. Seminars and conferences organized by the Council

775. At the same meeting, the Council took note with appreciation of the report of its delegation to the Seminar on Legal Issues concerning the Question of Namibia, held at the Hague from 22 to 24 June 1981 (A/AC.131/L.218).

776. At its 373rd meeting, on 12 April 1982, the Council approved the report of Standing Committee II containing the guidelines for the Seminar on the Military Situation in and relating to Namibia, to be held at Vienna from 8 to 11 June 1982 (A/AC.131/L.239 and Corr.1), as well as the rules of procedure for the Seminar (A/AC.131/L.240).

777. At its 380th meeting, held at Arusha on 13 May 1982, the Council approved the report of the President on preparations for the International Conference in Support of the Struggle of the Namibian People for Independence, to be held in Paris in May 1983 (A/AC.131/L.253).

6. Extraordinary plenary meetings

778. At its 373rd meeting, the Council approved the report of the President on the selection of a host country for the extraordinary plenary meetings to be held by the Council in 1982 (A/AC.131/L.245).

779. At its 374th meeting, on 26 April 1982, the Council approved the report of the President on the organization of the extraordinary plenary meetings, to be held at Arusha from 10 to 14 May 1982 (A/AC.131/L.252).

7. Reports of missions and delegations

780. At its 369th meeting, the Council took note with appreciation of the reports of its missions of consultation to Latin America (A/AC.131/L.203), Eastern Europe (A/AC.131/L.214), the Netherlands (A/AC.131/L.225), Asia (A/AC.131/L.231) and Western Europe (A/AC.131/L.237).

781. At the same meeting, the Council took note with appreciation of the report of its delegation to the trade unions seminar, held in London on 29 and 30 June 1981 (A/AC.131/L.219).

782. At the same meeting, the Council took note with appreciation of the reports of its delegations to the 12th and 13th meetings of the Senate of the United Nations Institute for Namibia (A/AC.131/L.228 and L.232, respectively).

783. At its 372nd meeting, on 12 March 1982, the Council approved the report of the President on the missions of consultation of the Council (A/AC.131/L.238).

784. At its 379th meeting, held at Arusha on 12 May 1982, the Council approved the report of its Mission of Consultation to Cyprus, Sri Lanka and Bangladesh.

785. At the same meeting, the Council took note with appreciation of the report of its Fund-Raising Mission to Western Europe and Canada (A/AC.131/L.256).

PART FOUR

RECOMMENDATIONS AND ACTIVITIES INVOLVING FINANCIAL IMPLICATIONS

I. RECOMMENDATIONS

786. The United Nations Council for Namibia recommends to the General Assembly the adoption of the following draft resolutions on the question of Namibia:

A

Situation in Namibia resulting from the illegal occupation
of the Territory by South Africa

The General Assembly,

Having examined the report of the United Nations Council for Namibia 38/ and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 39/

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971, 1/ delivered in response to the request addressed to it by the Security Council in its resolution 284 (1970) of 29 July 1970,

Recalling also its resolutions 3111 (XXVIII) of 12 December 1973 and 31/146 and 31/152 of 20 December 1976, by which it, inter alia, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

Further recalling its resolutions ES-8/2 of 14 September 1981 and 36/121 B of 10 December 1981, by which it called upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it in the political, economic, military and cultural fields,

Recalling the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia, 40/ adopted by the International Conference on Sanctions against South Africa, held in Paris from 20 to 27 May 1981,

Taking into consideration the Arusha Declaration and Programme of Action on Namibia, 41/ adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Arusha, United Republic of Tanzania from 10 to 14 May 1982,

Strongly reiterating that the continuing illegal and colonial occupation of Namibia by South Africa, in defiance of repeated General Assembly and Security Council resolutions, constitutes an act of aggression against the Namibian people

and a challenge to the authority of the United Nations, which has direct responsibility for Namibia until its independence,

Stressing the grave responsibility of the international community to take all possible measures in support of the Namibian people in their liberation struggle under the leadership of their sole and authentic representative, the South West Africa People's Organization,

Reaffirming its full support for the armed struggle of the Namibian people under the leadership of the South West Africa People's Organization to achieve self-determination, freedom and national independence in a united Namibia,

Indignant at South Africa's refusal to comply with repeated resolutions of the Security Council, in particular resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978 and at its manoeuvres aimed at perpetuating its brutal domination and exploitation of the Namibian people, as repeatedly manifested in the course of the consultations for the implementation of the United Nations plan for the independence of Namibia,

Commending the front-line States and the South West Africa People's Organization for the statesmanlike and constructive attitude which they have displayed throughout the consultations to implement Security Council resolution 435 (1978),

Strongly condemning South Africa's continued illegal occupation of Namibia, its brutal repression of the Namibian people and its ruthless exploitation of the people and resources of Namibia, as well as its attempts to destroy the national unity and territorial integrity of Namibia,

Strongly condemning the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes,

Deeply concerned at the increasing militarization of Namibia, the forceful conscription of Namibians, the creation of tribal armies and the use of mercenaries for internal repression and external aggression,

Noting with grave concern that, as a result of the Security Council's failure on 31 August 1981, ^{42/} on account of the veto of the United States of America, to exercise its responsibilities, unprovoked massive armed aggression against Angola continues,

Expressing its strong condemnation of South Africa's continuing acts of aggression against independent African States, particularly Angola, which have caused extensive loss of human life and destruction of economic infrastructures,

Reaffirming that the resources of Namibia are the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the illegal colonial administration, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, ^{3/} enacted by the United Nations Council for Namibia on 27 September 1974, and in disregard of the advisory opinion of the International Court of Justice of 21 June 1971, is illegal and contributes to the maintenance of the illegal occupation régime,

Deeply deploring the continued collaboration with South Africa of certain Western countries, in particular the United States of America, as well as that of Israel, in disregard of the relevant resolutions of the General Assembly and the Security Council,

Deeply concerned at the continued assistance rendered to the racist Pretoria régime by certain international organizations and institutions, in particular the International Monetary Fund, in disregard of the relevant resolutions of the General Assembly,

Indignant at the continuing arbitrary imprisonment and detention of political leaders and followers of the South West Africa People's Organization, the killing of Namibian patriots and other acts of brutality, including the wanton beating, torture and murder of innocent Namibians, and the arbitrary inhuman measures of collective punishment and measures designed to intimidate the Namibian people and to destroy their will to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia,

Noting with grave concern that the Security Council has been prevented on several occasions from taking effective action against South Africa in the discharge of its responsibilities under Chapter VII of the Charter on account of the vetoes cast by one or more of the Western permanent members of the Security Council,

Commending the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it under the relevant resolutions of the General Assembly as the legal Administering Authority for Namibia until independence,

1. Approves the report of the United Nations Council for Namibia;
2. Reaffirms the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI) and in subsequent resolutions of the Assembly relating to Namibia, as well as the legitimacy of their struggle by all means at their disposal, including armed struggle, against the illegal occupation of their territory by South Africa;
3. Reiterates that, in accordance with General Assembly resolution 2145 (XXI), Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory and, for this purpose, reaffirms the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence under resolution 2248 (S-V) and subsequent resolutions of the General Assembly;
4. Reaffirms that the South West Africa People's Organization, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people;
5. Solemnly reaffirms that the genuine independence of Namibia can be achieved only with the direct and full participation of the South West Africa People's Organization in all efforts to implement resolutions of the United Nations relating to Namibia and further reaffirms that the only parties to the conflict in

Namibia are, on the one hand, South Africa, as the illegal occupying Power, and, on the other, the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative;

6. Strongly condemns the South African régime for its continued illegal occupation of Namibia in defiance of the resolutions of the United Nations relating to Namibia;

7. Declares that South Africa's illegal occupation of Namibia constitutes an act of aggression against the Namibian people in terms of the Definition of Aggression contained in General Assembly resolution 3341 (XXIX) of 14 December 1974 and supports the armed struggle of the Namibian people, under the leadership of the South West Africa People's Organization, to achieve self-determination, freedom and national independence in a united Namibia;

8. Reiterates that, in accordance with the resolutions of the United Nations, in particular Security Council resolution 432 (1978) of 27 July 1978 and General Assembly resolutions S-9/2 of 3 May 1978 and 35/227 A of 6 March 1981, Walvis Bay and the offshore islands of Namibia are an integral part of Namibia and that all attempts by South Africa to annex them are therefore illegal, null and void;

9. Reaffirms that Security Council resolution 435 (1978), together with Council resolution 385 (1976), is the only basis for a peaceful settlement of the Namibian question and calls for its immediate and unconditional implementation without modification or qualification;

10. Firmly rejects the manoeuvres by one member of the Western contact group aimed at undermining the international consensus embodied in Security Council resolution 435 (1978) and at depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation;

11. Expresses its appreciation to the front-line States and the South West Africa People's Organization for their constructive and statesmanlike attitude throughout the consultations to implement Security Council resolution 435 (1978);

12. Strongly condemns South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and for its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia;

13. Denounces all fraudulent constitutional and political schemes through which the illegal régime of racist South Africa may attempt to perpetuate its colonial domination in Namibia and, in particular, calls upon the international community, especially all Member States, to continue to refrain from according any recognition or extending any co-operation to any régime which the illegal South African administration may impose upon the Namibian people in disregard of the present resolution, of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and of other relevant resolutions of the General Assembly and the Council;

14. Strongly urges the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of the South West Africa People's Organization, for self-determination and national liberation, as well as at negating the achievements of their just struggle;
15. Declares that all so-called laws and proclamations issued by the illegal occupation régime in Namibia are illegal, null and void;
16. Calls upon Member States and the specialized agencies and other international organizations associated with the United Nations to render sustained and increased support as well as material, financial, military and other assistance to the South West Africa People's Organization so as to enable it to intensify its struggle for the liberation of Namibia;
17. Deeply deplores the increased assistance rendered by certain Western countries to South Africa in the political, economic, military and cultural fields and expresses its conviction that this assistance should be exposed before the world public at large and demands that such assistance be immediately terminated;
18. Strongly condemns South Africa for its military build-up in Namibia, its introduction of compulsory military service for Namibians, its recruitment and training of Namibians for tribal armies and the use of mercenaries to suppress the Namibian people and to carry out its military attacks against independent African States, its threats and acts of subversion and aggression against those countries and the forcible displacement of Namibians from their homes;
19. Strongly condemns South Africa for its persistent acts of subversion and aggression against Angola, including the occupation of a part of its territory, and calls upon South Africa to cease all acts of aggression against and withdraw all its troops from that country;
20. Calls upon the international community to extend, as a matter of urgency, full support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the repeated acts of aggression by South Africa;
21. Requests the Secretary-General to continue to develop, in consultation with the United Nations Development Programme, a comprehensive programme of assistance to States which are neighbours of South Africa and Namibia, on the understanding that such assistance should not only envisage the overcoming of short-term difficulties but be designed to enable those States to move towards complete self-reliance, and requests the Secretary-General to report to the General Assembly at its thirty-eighth session on the development of this programme;
22. Reiterates its call upon all States to take legislative and other appropriate measures to prevent the recruitment, training and transit of mercenaries for service in Namibia;
23. Strongly condemns the illegal South African administration for its massive repression of the people of Namibia and their national liberation movement, the South West Africa People's Organization, with the intention of establishing an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian

people a political arrangement aimed at undermining the territorial integrity and unity of Namibia as well as perpetuating the systematic plunder of the natural resources of the Territory;

24. Demands that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such Namibians have been charged or tried or are being held without charge in Namibia or South Africa;

25. Demands that South Africa account for all "disappeared" Namibians and release any who are still alive and declares that South Africa shall be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;

26. Strongly condemns the collusion by the Governments of certain Western and other countries, particularly those of the United States of America and Israel, with the racist régime of South Africa in the nuclear field and calls upon France and all other States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium or other nuclear materials, reactors or military equipment;

27. Strongly condemns the activities of all foreign economic interests operating in Namibia under the illegal South African administration which are illegally exploiting the resources of the Territory and demands that transnational corporations engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately refraining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;

28. Requests once again all Member States to take all appropriate measures, including legislation and enforcement action, to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia;

29. Declares that, by their depletive exploitation of natural resources and continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating at present in Namibia constitute a major obstacle to its political independence;

30. Requests the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium-enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco;

31. Deeply deplores the continued collaboration of the International Monetary Fund with South Africa, as exemplified by the recent grant of a credit of one billion special drawing rights in disregard of General Assembly resolution 37/2 of 21 October 1982, and calls on the Fund to put an end to such collaboration;

32. Reiterates its request to all States to take legislative, administrative and other measures, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolutions ES-8/2 and 36/121 B;

33. Requests the United Nations Council for Namibia to continue to follow the implementation of the provisions of paragraph 32 above on the basis of information received from States as well as other sources;

34. Requests the United Nations Council for Namibia, in implementation of paragraph 15 of General Assembly resolution ES-8/2 and of the provisions of Assembly resolution 36/121 B, to continue to monitor the boycott of South Africa and to submit to the Assembly at its thirty-eighth session a comprehensive report on all contacts between all States and South Africa, containing an analysis of the information received from Member States and other sources on the continuing political, economic, financial and other relations of States and their economic and other interest groups with South Africa and of measures taken by States to terminate all dealings with the racist régime of South Africa;

35. Requests all States to co-operate fully with the United Nations Council for Namibia in the fulfilment of its tasks concerning the implementation of General Assembly resolutions ES-8/2 and 36/121 B and to report to the Secretary-General by the thirty-eighth session of the Assembly on the measures taken by them in implementation of those resolutions;

36. Declares that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policies of apartheid and its development of nuclear weapons constitute a serious threat to international peace and security;

37. Strongly urges the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions, as provided for in Chapter VII of the Charter of the United Nations;

38. Requests the Secretary-General to report to the General Assembly at its thirty-eighth session on the implementation of the present resolution.

B

Implementation of Security Council resolution 435 (1978)

The General Assembly,

Reaffirming the imperative need to proceed without any further delay with the implementation of Security Council resolution 435 (1978) of 29 September 1978, which, together with Council resolution 385 (1976) of 30 January 1976, is the only basis for a peaceful settlement of the question of Namibia,

Taking note of the consultations which have been held with a view to achieving the implementation of Security Council resolution 435 (1978) and also noting that those consultations have so far failed to bring about its implementation,

Condemning the attempts to link the independence of Namibia with totally extraneous issues, in particular the withdrawal of Cuban troops from Angola, an issue which falls within the exclusive domestic jurisdiction of a sovereign Member State,

1. Reaffirms the direct responsibility of the United Nations for Namibia pending its achievement of genuine self-determination and national independence;

2. Reiterates that Security Council resolution 435 (1978), in which the Council endorsed the United Nations plan for the independence of Namibia, is the only basis for a peaceful settlement of the question of Namibia and demands its immediate and unconditional implementation without qualification or modification;

3. Firmly rejects the persistent attempts by the United States of America and South Africa to establish any linkage or parallelism between the independence of Namibia and any extraneous issues, in particular the withdrawal of Cuban forces from Angola, and emphasizes unequivocally that the persistence of such attempts would only retard the decolonization process in Namibia as well as constitute interference in the internal affairs of Angola;

4. Requests the Security Council to exercise its authority for the implementation of its resolution 435 (1978) so as to bring about the independence of Namibia without further delay.

C

Programme of work of the United Nations Council for Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia, 38/

Reaffirming that Namibia is the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence in a united Namibia,

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence,

Taking into consideration the Arusha Declaration and Programme of Action on Namibia, 41/ adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982,

Convinced of the need for continued consultations with the South West Africa People's Organization in the formulation and implementation of the programme of work of the United Nations Council for Namibia as well as in any matter of interest to the Namibian people,

Recalling paragraph 18 of its resolution 36/121 C of 10 December 1981, by which it requested the Secretary-General, after consulting the United Nations Council for Namibia regarding its assessment of the situation pertaining to Namibia, to carry out preparatory work with a view to organizing, at an appropriate time, an international conference in support of the struggle of the Namibian people for independence,

Deeply conscious of the urgent and continuing need to press for the termination of South Africa's illegal occupation of Namibia and to put an end to its repression of the Namibian people and its exploitation of the natural resources of the Territory,

Bearing in mind the constructive results achieved by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, 43/

1. Approves the report of the United Nations Council for Namibia, including the recommendations contained therein, and decides to make adequate financial provision for their implementation;
2. Expresses its strong support for the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it both as the legal Administering Authority for Namibia and as a policy-making organ of the United Nations;
3. Requests all Member States to co-operate fully with the United Nations Council for Namibia in the discharge of the mandate entrusted to it under the provisions of General Assembly resolution 2248 (S-V) and subsequent resolutions of the Assembly;
4. Decides that the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, shall:
 - (a) Continue to mobilize international support in order to press for the speedy withdrawal of the illegal South African administration from Namibia in accordance with the resolutions of the United Nations relating to Namibia;
 - (b) Counter the policies of South Africa against the Namibian people and against the United Nations, as well as against the United Nations Council for Namibia as the legal Administering Authority for Namibia;
 - (c) Denounce and seek the rejection by all States of all fraudulent constitutional or political schemes through which South Africa may attempt to perpetuate its presence in Namibia;
 - (d) Ensure non-recognition of any administration or entity installed at Windhoek not issuing from free elections in Namibia conducted under the supervision and control of the United Nations, in accordance with the relevant resolutions of the Security Council;
 - (e) Undertake a concerted effort to counter the attempts to establish any linkage or parallelism between the decolonization of Namibia and extraneous issues;
5. Decides that the United Nations Council for Namibia shall:
 - (a) Consult Governments in order to further the implementation of United Nations resolutions on the question of Namibia and to mobilize support for the cause of Namibia;

(b) Represent Namibia in United Nations conferences and intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be adequately protected;

6. Decides that Namibia, represented by the United Nations Council for Namibia, shall participate as a full member in all conferences and meetings organized by the United Nations to which all States or, in the case of regional conferences and meetings, all African States are invited;

7. Requests all committees and other subsidiary bodies of the General Assembly and of the Economic and Social Council to continue to invite a representative of the United Nations Council for Namibia to participate whenever the rights and interests of Namibians are discussed, and to consult closely with the Council before submitting any draft resolution which may involve the rights and interests of Namibians;

8. Reiterates its request to all specialized agencies and other organizations and conferences of the United Nations system to grant full membership to Namibia, represented by the United Nations Council for Namibia, so that the Council may participate as the legal Administering Authority for Namibia in the work of those agencies, organizations and conferences;

9. Reiterates its request to all specialized agencies and other organizations of the United Nations system that have not yet done so to grant a waiver of the assessment of Namibia during the period in which it is represented by the United Nations Council for Namibia;

10. Again requests all intergovernmental organizations, bodies and conferences to ensure that the rights and interests of Namibia are protected and to invite Namibia, represented by the United Nations Council for Namibia, to participate as a full member whenever such rights and interests are involved;

11. Welcomes the recent admission of Namibia, represented by the United Nations Council for Namibia, as a full member of the International Atomic Energy Agency and of the International Telecommunication Union, as well as Economic and Social Council decision 1982/110 of 16 April 1982 to grant membership to Namibia, represented by the United Nations Council for Namibia, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees;

12. Takes note of the accession by the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, to the International Convention on the Elimination of All Forms of Racial Discrimination 44/ and the International Convention on the Suppression and Punishment of the Crime of Apartheid 45/ and requests the Council to accede to the Geneva Conventions of 12 August 1949 46/ and the Additional Protocols thereto 47/ and to such other international conventions as it may deem appropriate;

13. Takes note of the signing by the United Nations Council for Namibia, on behalf of Namibia, of the United Nations Convention on the Law of the Sea and the Final Act of the Third United Nations Conference on the Law of the Sea;

14. Decides that the United Nations Council for Namibia shall

- (a) Review the progress of the liberation struggle in Namibia in its political, military and social aspects and prepare periodic reports related thereto;
- (b) Consider the compliance of Member States with the relevant United Nations resolutions relating to Namibia, taking into account the advisory opinion of the International Court of Justice of 21 June 1971; 1/
- (c) Consider the activities of foreign economic interests operating in Namibia with a view to recommending appropriate policies to the General Assembly in order to counter the support which those foreign economic interests give to the illegal South African administration in Namibia;
- (d) Continue to examine the exploitation of and trade in Namibian uranium by foreign economic interests and report on its findings to the General Assembly at its thirty-eighth session;
- (e) Notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations;
- (f) Send missions of consultation to Governments whose corporations have investments in Namibia in order to review with them all possible action to discourage the continuation of such investments;
- (g) Contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis on which they are operating in the Territory;
- (h) Contact specialized agencies and international institutions associated with the United Nations, in particular the International Monetary Fund, with a view to protecting Namibia's interests;
- (i) Draw the attention of the specialized agencies to Decree No. 1 for the Protection of the Natural Resources of Namibia, 3/ enacted by the United Nations Council for Namibia on 27 September 1974;
- (j) Take all measures to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including consideration of the institution of legal proceedings in the domestic courts of States and other appropriate bodies;
- (k) Conduct hearings, seminars and workshops in order to obtain relevant information on the exploitation of the people and resources of Namibia by South African and other foreign interests and to expose such activities;
- (l) Organize regional symposia on the situation in Namibia with a view to intensifying active support for the Namibian cause;
- (m) Prepare and publish reports on the political, economic, military, legal and social situation in and relating to Namibia;
- (n) Secure the territorial integrity of Namibia as a unitary State, including Walvis Bay and the offshore islands of Namibia;

15. Requests the Secretary-General to complete, in accordance with the guidelines established by the United Nations Council for Namibia, the preparation of an indexed reference book on transnational corporations operating in Namibia;

16. Decides to make adequate financial provision in the section of the programme budget of the United Nations relating to the United Nations Council for Namibia to finance the office of the South West Africa People's Organization in New York in order to ensure appropriate representation of the people of Namibia through the South West Africa People's Organization at the United Nations;

17. Decides to continue to defray the expenses of representatives of the South West Africa People's Organization, whenever the United Nations Council for Namibia so decides;

18. Requests the United Nations Council for Namibia to continue to consult with the South West Africa People's Organization in the formulation and implementation of its programme of work, as well as in any matter of interest to the Namibian people;

19. Requests the Secretary-General, in order to facilitate financial reporting to the United Nations Council for Namibia, to ensure that, within the section of the programme budget of the United Nations relating to the Council, the accounts shall reflect closely the activities of the Council as described in the report of the Council to the General Assembly at its thirty-seventh session;

20. Further requests the Secretary-General to ensure the establishment of an appropriate accounting system which will enable the Council, in its capacity as the legal Administering Authority for Namibia, to receive speedy and comprehensive financial data on projects for which the Council is directly responsible;

21. Requests the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to review the requirements of personnel and facilities of all units which service the Council so that the Council may fully and effectively discharge all tasks and functions arising out of its mandate;

22. Requests the Secretary-General to provide the Office of the United Nations Commissioner for Namibia with the necessary resources in order for it to strengthen, under the guidance of the United Nations Council for Namibia, the assistance programmes and services for Namibians, the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, the preparation of economic and legal studies and the existing activities of dissemination of information undertaken by that Office;

23. Requests the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia, to hold plenary meetings away from Headquarters whenever it deems it necessary, and requests the Secretary-General to defray the cost of these meetings and to provide the necessary staff and services for them;

24. Decides that an International Conference in Support of the Struggle of the Namibian People for Independence shall be held at the headquarters of the United Nations Educational, Scientific and Cultural Organization in Paris during 1983;

25. Requests the Secretary-General to organize the above-mentioned Conference in co-operation with the United Nations Council for Namibia and in consultation with the Organization of African Unity and, to this end to appoint, in consultation with the United Nations Council for Namibia, a Secretary-General of the Conference and provide other necessary staff and services for the Conference.

D

Dissemination of information and mobilization of international public opinion in support of Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia, 38/

Recalling its resolutions 36/121 A to F of 10 December 1981 and all other relevant resolutions and decisions of the United Nations on the question of Namibia,

Taking into consideration the Arusha Declaration and Programme of Action on Namibia, 41/ adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982,

Stressing the urgent need to intensify efforts to mobilize international public opinion on a continuous basis with a view to assisting effectively the people of Namibia, under the leadership of the South West Africa People's Organization, in their legitimate struggle for self-determination, freedom and independence in a united Namibia;

Recognizing the important role that non-governmental organizations are playing in the dissemination of information on Namibia and in the mobilization of international public opinion in support of the Namibian cause,

Reiterating the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the United Nations Council for Namibia and mindful of the pressing need for the Department of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia, in accordance with policy guidelines formulated by the Council,

1. Requests the United Nations Council for Namibia, in pursuance of its international campaign in support of Namibia, to continue to consider ways and means of increasing the dissemination of information relating to Namibia;
2. Requests the Secretary-General to ensure that the Department of Public Information of the Secretariat, in all its activities of dissemination of information on the question of Namibia, follows the policy guidelines laid down by the United Nations Council for Namibia as the legal Administering Authority for Namibia;
3. Requests the Secretary-General to direct the Department of Public Information, in addition to its responsibilities relating to southern Africa, to assist, as a matter of priority, the United Nations Council for Namibia in the

implementation of its programme of dissemination of information in order that the United Nations may intensify its efforts to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia, particularly in the Western countries;

4. Requests the Secretary-General to give the widest possible publicity to the forthcoming International Conference in Support of the Struggle of the Namibian People for Independence, convened pursuant to paragraph 24 of resolution C above, through all the means at his disposal, including special publications, press releases and radio and television broadcasts;

5. Decides to intensify its international campaign in support of Namibia and to expose and denounce the collusion of certain Western countries with the South African racists and, to this end, requests the United Nations Council for Namibia to include in its programme of dissemination of information for 1983 the following activities:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters and on the question of the territorial integrity of Namibia;

(b) Production and dissemination of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films, film-strips and slide sets on Namibia;

(f) Production and dissemination of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia;

(h) Production and dissemination of a comprehensive economic map of Namibia;

(i) Preparation and wide dissemination of booklets, containing:

(i) Official declarations of the Council;

(ii) Joint communiqués and press releases issued by missions of consultation of the Council;

(iii) Resolutions of the General Assembly and the Security Council on the question of Namibia, together with relevant portions of Assembly resolutions on the question of foreign economic interests operating in Namibia and on military activities in Namibia;

(j) Publicity for and distribution of an indexed reference book on transnational corporations involved in Namibia;

(k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, 3/ enacted by the Council on 27 September 1974;

(l) Acquisition of books, pamphlets and other materials relating to Namibia for further dissemination;

6. Requests the United Nations Council for Namibia, on the occasion of the International Conference in Support of the Struggle of the Namibian People for Independence to organize, in co-operation with the Department of Public Information, an international seminar of media leaders with a view to alerting the mass media to the need to increase publicity on the question of Namibia, particularly in its political, economic and military aspects;

7. Requests the Secretary-General to allocate, in consultation with the United Nations Council for Namibia, sales numbers to publications on Namibia selected by the Council;

8. Requests the Secretary-General to provide the United Nations Council for Namibia with the work programme of the Department of Public Information for the year 1983 covering the activities of dissemination of information on Namibia, followed by periodic reports on the programmes undertaken, including details of expenses incurred;

9. Requests the Secretary-General in the section of the programme budget for the biennium 1984-1985 relating to the Department of Public Information, to group under a single heading all the activities of the Department related to dissemination of information on Namibia;

10. Requests Member States to broadcast programmes on their national radio and television networks and to publish material in their official news media, informing their populations about the situation in Namibia and the obligation of Governments and peoples to assist in the struggle of Namibians for independence;

11. Calls upon the United Nations Council for Namibia to enlist the support of non-governmental organizations in its efforts to mobilize international public opinion in support of the liberation struggle of the Namibian people and of their liberation movement, the South West Africa People's Organization;

12. Requests the United Nations Council for Namibia to organize, at the conclusion of the International Conference in Support of the Struggle of the Namibian People for Independence, a workshop for non-governmental organizations concerned with the question of Namibia at which those organizations will consider their contribution to the implementation of the decisions of the Conference;

13. Requests those non-governmental organizations and support groups that are actively engaged in supporting the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, to intensify, in co-operation with the United Nations Council for Namibia, international action in support of the liberation struggle of the Namibian

people, including assistance to the Council in the monitoring of the boycott of South Africa called for in General Assembly resolution ES-8/2 of 14 September 1981;

14. Decides to allocate a sum of \$US 200,000 to be used by the United Nations Council for Namibia for its programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of conclusions of such conferences and support to such other activities as will promote the cause of the liberation struggle of the Namibian people, subject to decisions of the Council in each individual case on the recommendation of the South West Africa People's Organization.

E

United Nations Fund for Namibia

The General Assembly,

Having examined the sections of the report of the United Nations Council for Namibia relating to the United Nations Fund for Namibia, 48/

Recalling its resolution 2679 (XXV) of 9 December 1970, by which it decided to establish the United Nations Fund for Namibia,

Recalling also its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United Nations Council for Namibia trustee of the United Nations Fund for Namibia,

Recalling its resolution 31/153 of 20 December 1976, by which it decided to launch the Nationhood Programme for Namibia;

Further recalling its resolution 34/A of 12 December 1979, by which it approved the Charter of the United Nations Institute for Namibia,

1. Takes note of the relevant sections of the report of the United Nations Council for Namibia;

2. Expresses its appreciation to all States, specialized agencies and other organizations of the United Nations system, governmental and non-governmental organizations and individuals that have made voluntary contributions to the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia, and calls upon them to increase their assistance to Namibians through those channels;

3. Decides to allocate as a temporary measure to the United Nations Fund for Namibia a sum of \$US 1 million from the regular budget of the United Nations for 1983;

4. Urges the organizations of the United Nations system to waive programme-support costs in respect of projects in favour of Namibians financed from the United Nations Fund for Namibia and other sources;

5. Requests the Secretary-General and the President of the United Nations Council for Namibia to intensify appeals to Governments, intergovernmental and non-governmental organizations and individuals for generous voluntary contributions to the General Account of the United Nations Fund for Namibia and to the Trust Funds for the Nationhood Programme for Namibia and the United Nations Institute for Namibia and, in this connection, emphasizes the need for contributions in order to increase the number of scholarships awarded to Namibians under the United Nations Fund for Namibia;
6. Invites Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;
7. Decides that the United Nations Fund for Namibia, including the Trust Funds for the Nationhood Programme for Namibia and the United Nations Institute for Namibia, shall be the primary source of assistance to Namibians;
8. Decides that Namibians shall continue to be eligible for assistance through the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;
9. Requests the specialized agencies and other organizations and bodies in the United Nations system, when planning and initiating their new measures of assistance to Namibians, to do so within the context of the Nationhood Programme for Namibia and the United Nations Institute for Namibia;
10. Requests the specialized agencies and other organizations and bodies within the United Nations system, in the light of the urgent need to strengthen the programme of assistance to the Namibian people, to make every effort to expedite the execution of Nationhood Programme projects and other projects in favour of Namibians and to execute these projects on the basis of procedures which will reflect the role of the United Nations Council for Namibia as the legal Administering Authority for Namibia;
11. Expresses its appreciation for the efforts of the United Nations High Commissioner for Refugees to assist Namibian refugees and requests him to expand these efforts in view of the substantial increase in the number of Namibian refugees;
12. Decides that the United Nations Council for Namibia shall:
 - (a) Continue to formulate policies of assistance to Namibians and co-ordinate assistance for Namibia provided by the specialized agencies and other organizations and bodies in the United Nations system;
 - (b) Continue to act as trustee of the United Nations Fund for Namibia and, in this capacity, administer and manage the Fund;
 - (c) Continue to provide broad guidelines and formulate the principles and policies for the United Nations Institute for Namibia;
 - (d) Continue to co-ordinate, plan and direct the Nationhood Programme for Namibia in consultation with the South West Africa People's Organization, with the aim of consolidating all measures of assistance by the specialized agencies and

other organizations and bodies of the United Nations system into a comprehensive assistance programme;

(e) Continue to consult with the South West Africa People's Organization in the formulation and implementation of assistance programmes for Namibians;

(f) Report to the General Assembly at its thirty-eighth session on activities in respect of the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia;

13. Approves the amendments to the Charter of the United Nations Institute for Namibia adopted by the United Nations Council for Namibia at its 391st meeting, on 10 November 1982; 49/

14. Commends the United Nations Institute for Namibia for the effectiveness of its training programmes for Namibians and its research activities on Namibia, which contribute substantially to the struggle for freedom of the Namibian people and to the establishment of an independent State of Namibia;

15. Requests the United Nations Council for Namibia to complete the preparation of and publish at an early date, through the United Nations Institute for Namibia, a comprehensive reference book on Namibia covering aspects of the question of Namibia as considered by the United Nations since its inception, in accordance with the outline prepared by the Council;

16. Commends the progress made in the implementation of the pre-independence components of the Nationhood Programme for Namibia and requests the United Nations Council for Namibia to elaborate and consider in due course policies and contingency plans regarding the transitional and post-independence phases of the Programme;

17. Requests the United Nations Institute for Namibia to prepare, in co-operation with the South West Africa People's Organization, the Office of the United Nations Commissioner for Namibia and the United Nations Development Programme, a comprehensive document on all aspects of economic planning in an independent Namibia, and requests the Secretary-General to provide substantive support through the Office of the United Nations Commissioner for Namibia for the preparation of that document;

18. Requests the United Nations Council for Namibia to carry out, in consultation with the Office of the United Nations Commissioner for Namibia, a demographic study of the Namibian population and a study of its educational needs;

19. Urges the specialized agencies and other organizations and bodies of the United Nations system to co-operate closely with the United Nations Institute for Namibia in strengthening its programme of activities;

20. Expresses its appreciation to those specialized agencies and other organizations and bodies of the United Nations system that have contributed to the Nationhood Programme for Namibia and calls upon them to continue their participation in the Programme by:

(a) Implementing projects approved by the United Nations Council for Namibia;

(b) Preparing new project proposals at the request of the Council;

(c) Allocating funds from their own financial resources for the implementation of the projects approved by the Council;

21. Expresses its appreciation to the United Nations Development Programme for its contribution to the financing and administration of the Nationhood Programme for Namibia and calls upon it to continue to allocate, at the request of the United Nations Council for Namibia, funds from the indicative planning figure for Namibia for the implementation of the projects within the Nationhood Programme and to increase the indicative planning figure for Namibia;

22. Requests the Secretary-General to continue to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of the responsibilities entrusted to it by the United Nations Council for Namibia as the co-ordinating authority in the implementation of the Nationhood Programme for Namibia.

II. DESCRIPTION OF ACTIVITIES WHICH WILL REQUIRE THE PREPARATION
OF A STATEMENT OF ADMINISTRATIVE AND FINANCIAL IMPLICATIONS

787. In the light of the foregoing recommendations and subject to further directives that might be given by the General Assembly at its thirty-seventh session, the United Nations Council for Namibia will continue to carry out its mandate as the legal Administering Authority for Namibia until independence, as established by the Assembly in its resolution 2248 (S-V).

788. The Council notes that, in accordance with rule 153 of the rules of procedure of the General Assembly, certain of its recommendations contained in section I above will require preparation by the Secretary-General of a statement of administrative and financial implications. In order to assist with the preparation of this statement, the Council has decided, as in the past, to provide further information regarding certain of its recommendations.

A. Activities of the Council regarding compliance by States
with General Assembly resolution ES-8/2 and other
relevant resolutions relating to Namibia

789. The monitoring of the boycott and the preparation of a comprehensive report for the General Assembly at its thirty-eighth session mentioned in paragraph 34 of recommendation A (see para. 786 above), as well as the activities of the Council envisaged in paragraph 14 (b) of recommendation C regarding the compliance of Member States with United Nations resolutions relating to Namibia, would require the retention in the Council secretariat in 1983 of two temporary P-3 posts and one temporary G-4 post created by the Assembly at its thirty-sixth session.

790. The preparation of the necessary reports would include the compilation of information, preparation of questionnaires to be sent to all States, analysis of replies and follow-up on activities undertaken by States in compliance with United Nations resolutions on Namibia.

B. Missions of consultation with Governments and representation
of Namibia at international conferences and other forums

791. In fulfilment of paragraphs 5 (a) and 14 (f) of recommendation C (see para. 786 above), it is expected that during 1983 the Council will undertake three missions to conduct political consultations with Governments in Western Europe, Latin America, and either Asia or Africa. The mission to Western Europe would include discussions with Governments of possible action to discourage continuation of investments by their corporations in Namibia.

792. By paragraph 14 (h) of recommendation C, the Council would undertake a high-level mission to the International Monetary Fund, with a view to ensuring the protection of Namibia's interests.

793. A similar mission would also be sent to the International Atomic Energy Agency regarding the membership of South Africa in some of the Agency's subsidiary bodies.

794. It is anticipated that each mission in 1983 will consist of four Council members and a representative of the South West Africa People's Organization. The missions will be serviced by a principal secretary, an administrative officer, a secretary and, where appropriate, an information officer from the nearest information centre. The duration of each mission will be from one to three weeks.

795. In implementation of paragraphs 5 (b), 6 and 7 of recommendation C, it is expected that the Council will represent Namibia at meetings of the Organization of African Unity, where it has permanent observer status, and at meetings of the Movement of Non-Aligned Countries, where it has guest status. The Council will also participate in meetings of the specialized agencies and international organizations associated with the United Nations, United Nations conferences and other international conferences and meetings according to the priorities of its programme of work. These missions will include up to three Council members, a representative of SWAPO and not more than two staff members. It is anticipated that there will be 25 such missions with a duration of approximately five days each.

796. In particular, included in the above activities would be attendance by Council delegations at meetings of the Second World Conference to Combat Racism and Racial Discrimination, the United Nations Conference on Succession of States in respect of State Property, Archives and Debts and the Commission on Human Rights, as well as meetings of the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Atomic Energy Agency, the International Telecommunication Union, the United Nations Industrial Development Organization, the United Nations Conference on Trade and Development and the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, of which Namibia, represented by the Council, is a full member.

797. In accordance with paragraphs 8 and 10 of recommendation C, full membership for Namibia in various organizations would be sought. If Namibia, represented by the Council, acquires full membership in new organizations, this could entail payment of the appropriate membership fee or contribution.

798. Furthermore, paragraph 12 of recommendation C notes the accession of the Council to two conventions and requests the Council to accede to other international conventions. By acceding to conventions, the Council assumes certain obligations which in some cases include the preparation of periodic reports.

C. Studies on the political, economic, military, legal and social situation in and related to Namibia

799. Paragraph 14 (a), (c) and (d) of recommendation C (see para. 786 above) indicates that the Council will require at least five draft reports to be prepared by the secretariat of the Council on the political, economic, military, legal and social situation in and related to Namibia. The economic report would include the question of uranium. These activities will require the retention in 1983 in the Council secretariat of the existent two P-4 posts and one G-4 post as temporary assistance.

800. The completion of the preparation of the indexed reference book on transnational corporations operating in Namibia called for by paragraph 15 of recommendation C would require the engagement of one consultant to be attached to the Office of the United Nations Commissioner for Namibia for approximately one year.

D. Implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia and activities in respect of foreign economic interests in Namibia

801. In accordance with paragraph 14 (j) of recommendation C (see para. 786 above), the Council will, inter alia, consider the institution of legal proceedings in the domestic courts of 10 Western and other countries where corporations or individuals engaged in economic activities in Namibia are based. Funds will be required to engage two lawyers with international experience as consultants for six months each to prepare a comprehensive plan of action within the framework of paragraph 14 (j) of recommendation C.

E. Mission to contact corporations

802. By paragraph 14 (g) of recommendation C (see para. 786 above), the Council would send a mission to contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis of their operations.

803. The mission would contact corporations based in Western Europe. The mission would be composed of three Council members and one representative each of SWAPO and the Commissioner's Office and would be serviced by a principal secretary and a secretary where appropriate. The mission would be accompanied by an information officer from the nearest United Nations information centre. The duration of the mission would be two weeks.

F. Hearings, seminars and workshops on major issues concerning Namibia

804. In order to obtain relevant information on the political, military, economic and social situation in Namibia, including the activities of foreign economic interests in the Territory, the Council will hold hearings/seminars/workshops during 1983 as envisaged in paragraph 14 (k) of recommendation C (see para. 786 above).

805. In this connection, the Council will require budgetary allocations to cover expenditures related to five days of hearings/seminars/workshops in Western or Eastern Europe for the production of transcript of proceedings, the provision of meeting services and the production of pre-, in- and post-session documentation and the cost of inviting approximately 20 experts to Western or Eastern Europe for one hearing/seminar/workshop in 1983. In addition, provision will be required for the travel of a delegation of the Council consisting of up to five members and a representative of SWAPO and of the office of the United Nations Commissioner for Namibia, as well as of the appropriate Secretariat staff (not more than three Professionals and two General Service from the secretariat of the Council, as well

as an administrative/finance officer). The dissemination of information and publicity costs of these activities will be met by the Department of Public Information.

G. Regional symposia in support of the struggle of the Namibian people

806. Beginning in 1983, the Council will hold a series of regional symposia with the participation of individual experts, non-governmental organizations, national support groups and, where appropriate, parliamentarians and trade unionists, in order to mobilize concerted action in the various regions in support of the Namibian people in accordance with paragraph 14 (1) of recommendation C (see para. 786 above). It is expected that the Council will hold two regional symposia a year. However, given the number of activities scheduled for 1983, in particular the international conference in Paris (see para. 813 below), only one regional symposium will be held in 1983, in either Latin America or Western Europe.

807. In this connection, the Council will require budgetary allocations to cover expenditures related to the envisaged symposium of up to five days' duration, for the provision of meeting services and the production of pre-, in- and post-session documentation and the cost of inviting up to 30 experts from each country in the region chosen to the country hosting the symposium for an estimated stay of five days each. In addition, provision will be required for the travel of a delegation of the Council consisting of not more than three members and a representative of the office of the United Nations Commissioner for Namibia and of SWAPO, as well as of the appropriate Secretariat staff (not more than three Professionals and two General Service from the secretariat of the Council, as well as an administrative/finance officer).

808. It is expected that there will be two regional symposia in 1984. The dissemination of information and publicity costs of these activities will be met by the Department of Public Information.

H. Financial reporting to the Council

809. By paragraph 19 of recommendation C (see para. 786 above), the General Assembly would request the Secretary-General to ensure that an appropriate accounting system is established which will enable the Council in its capacity as the legal Administering Authority for Namibia to receive speedy and comprehensive financial data on projects for which the Council is directly responsible.

I. Support for the South West Africa People's Organization

810. In accordance with the provisions of recommendation C (see para. 786 above), the General Assembly would decide to continue to defray the expenses of the SWAPO office in New York in order to ensure the proper representation of the people of Namibia through SWAPO at the United Nations. The requirements of SWAPO for 1983 will remain at the same level as in 1982, taking into account the inflation correction factor established for the regular budget of the United Nations, for the following items: (a) salaries; (b) rent; (c) telex; (d) telephone; (e) news agency service; (f) utilities (electricity, water etc.); (g) rental of copying equipment;

(h) stationery; (i) postage; (j) printing; (k) films, books, newspapers and periodicals (information purposes); (l) supply and delivery of official United Nations documents to the SWAPO office; and (m) official travel (expenses of the Permanent Observer and his Deputy, as well as travel and subsistence of other SWAPO members, to New York for the purpose of representing Namibia at the United Nations, to the extent not otherwise covered by the budget for 1982 and 1983 with regard to representation of SWAPO in missions of the Council).

811. The Council will continue to invite, whenever necessary, SWAPO officials based outside Headquarters to attend meetings dealing with matters of interest to the liberation struggle of the Namibian people. It is expected that approximately 20 persons will be invited to New York, each for an approximate duration of one week.

J. Extraordinary plenary meetings of the Council

812. In accordance with paragraph 23 of recommendation C (see para. 786 above), the General Assembly would request the Council to hold extraordinary plenary meetings away from Headquarters whenever it deems necessary and would request the Secretary-General to provide the staff and services for the meetings. Extraordinary plenary meetings would be held in 1983 only if the international conference were not to take place. The meetings would last for five working days. In addition to provision for travel expenses of the President, the Vice-Presidents and the members of the Council and its secretariat staff, in accordance with the United Nations guidelines covering the holding of meetings away from Headquarters, it would be required that the Department of Conference Services make appropriate arrangements for pre-, in- and post-session documentation, meeting services and verbatim or summary records of the plenary meetings. Interpretation into six languages would be required for 10 plenary meetings held during the five-day period and also for a committee which would meet simultaneously with the plenary. Arrangement for amplification and recording only, without interpretation, would be made for two other committee meetings. Arrangements would also be made for interpretation equipment, local staff, office equipment and supplies and local transportation.

K. International Conference in Support of the Struggle of the Namibian People for Independence

813. By paragraphs 24 and 25 of recommendation C (see para. 786 above), the General Assembly would decide that an International Conference in Support of the Struggle of the Namibian People for Independence should be held at the headquarters of the United Nations Educational, Scientific and Cultural Organization, in Paris in 1983 and would request the Secretary-General to organize the Conference in consultation with the Council and OAU and would authorize him to provide the necessary staff and services for the Conference.

814. It is expected that the Conference will last five working days. Provision should be made for travel expenses of the members of the Council, its President and Vice-President and the secretariat of the Conference.

815. The Department of Conference Services should make appropriate arrangements for pre-, in- and post-session documentation and meeting services. Interpretation into six languages will be required for 10 plenary meetings held during the five-day period and also for two working groups which may meet simultaneously with the plenary. The Department of Public Information will provide a publicity programme related to the Conference.

816. Since reconstruction work on the UNESCO conference hall facilities was in progress at the time of the first survey mission, it was not possible to determine the number of offices that UNESCO might have available for the Conference. In view of the above, a second survey mission, consisting of no more than three members of the United Nations Secretariat, will be required at the beginning of 1983.

817. The secretariat of the Council will serve as the secretariat for the Conference and will be largely responsible for the organization of the Conference. Furthermore, in the light of the extraordinarily short time available to prepare for the Conference, appropriations will be needed for the following temporary staff: one consultant to assist the secretariat of the Council in maintaining liaison with Governments and representatives of subsidiary bodies of the United Nations, attending to the large volume of correspondence expected in connection with their contributions to the Conference, conducting consultations with the staffs of permanent missions in New York on matters not requiring the direct participation of the Secretary-General of the Conference, and making arrangements with various departments at Headquarters; and one consultant to assist the Council secretariat in maintaining liaison with specialized agencies and intergovernmental organizations and institutions within the United Nations system as well as with international and national non-governmental organizations. Appropriations will also be required for one General Service post for work connected with the organization of the Conference.

818. Other staff to assist the secretariat of the Council in servicing the Conference will be provided on the basis of redeployment within the Department of Political Affairs, Trusteeship and Decolonization. It is envisaged that the follow-up action regarding decisions of the Conference on assistance to front-line States will require the engagement by the Office of the United Nations Commissioner for Namibia of a consultant possessing substantial knowledge in the field of economic assistance programmes.

L. Dissemination of information and mobilization of international public opinion in support of Namibia

819. By paragraph 3 of recommendation D (see para. 786 above), the General Assembly would request the Secretary-General to direct the Department of Public Information to assist the Council in the implementation of its programme of dissemination of information. It is expected that the Department of Public Information will, from its general budget, provide press, radio and television coverage and produce general publications, as appropriate, for regular, commemorative and extraordinary meetings of the Council. The Department will also provide press coverage for the missions of consultation of the Council.

1. Special publications, films and radio programmes

820. In implementation of paragraph 5 of recommendation D, it is expected that in 1983 the following activities relating to the dissemination of information on the question of Namibia will be undertaken under the guidance of the Council with the involvement, where necessary, of the Office of the Commissioner:

- (a) Preparation and dissemination of booklets, brochures and pamphlets dealing with: (i) political matters; (ii) economic matters; (iii) military questions; (iv) social matters; (v) legal questions; and (vi) the question of the territorial integrity of Namibia;
- (b) Production and dissemination of four series of radio programmes in English, French, German and Spanish, with each series consisting of six 15-minute programmes;
- (c) Production of material for publicity through radio and television broadcasts;
- (d) Placement of advertisements in major newspapers for special activities of the Council;
- (e) Production of a full-length feature film on the question of Namibia, film-strip and slide sets;
- (f) Production and dissemination of five posters and dissemination of existing posters;
- (g) Production and dissemination of a comprehensive economic map of Namibia on the scale of 1:1,000,000; and dissemination of existing United Nations maps of Namibia;
- (h) Production and distribution of four issues of the Namibia Bulletin, and weekly production of "Namibia in the News", with a wider distribution. This would entail a subscription to the Africa service of an established press agency, mimeograph, collating and document storage equipment and increased allocations for postage and shipping;
- (i) Production and dissemination of three booklets containing (i) the declarations and formal statements of the Council; (ii) joint communiqués, communiqués and press statements issued by missions of consultation of the Council; and (iii) resolutions of the Security Council and General Assembly on the question of Namibia, together with the relevant portions of resolutions dealing with the activities of foreign economic interests and military activities in Namibia. Provision should also be made for the reprinting of existing United Nations booklets;
- (j) Publicity and distribution of an indexed reference book on transnational corporations;
- (k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia;

(1) Acquisition, reproduction and distribution of United Nations and non-United Nations materials, which would entail the obtaining of appropriate documentation racks and pigeon-holes. The list of materials would include the following:

<u>Materials required</u>	<u>Copies required</u>
<u>Publications</u>	
Red folders <u>a/</u>	English 15 000 Arabic 500 French 500 German 500 Spanish 500
Indexed reference book of transnational corporations operating in Namibia (in course of preparation) <u>b/</u>	English 15 000 Arabic 500 French 500 German 500 Spanish 500
Military situation in Namibia (15-25 pp.)	English 15 000 Afrikaans 500 Arabic 500 French 500 German 500 Japanese 500 Spanish 500
Social situation in Namibia (15-25 pp.)	English 15 000 Afrikaans 500 Arabic 500 French 500 German 500 Japanese 500 Spanish 500
Compendium of United Nations resolutions on Namibia	English 5 000 Arabic 250 French 250 German 250 Spanish 250
Pamphlet on purported legislation promulgated in Namibia	English 2 000 Arabic 100 French 100 German 100 Spanish 100
<u>Objective: Justice</u> , vol. XIV, No. 1 (April 1982): Special issue on International Year of Mobilisation for Sanctions against South Africa (DPI/707)	English 2 000 Arabic 100 French 100 German 100 Japanese 100 Spanish 100

Materials required**Copies required**

"International Conference on Sanctions: against South Africa, Paris, 20-27 May 1981"	English	2 000
	Arabic	100
	French	100
	German	100
	Japanese	100
	Spanish	100
Report of the Senate of the United Nations Institute for Namibia	English	500
"The Plight of Black Women in <u>Apartheid</u> South Africa" (DPI/684)	English	2 000
	Arabic	100
	French	100
	German	100
	Spanish	100
"Namibia: the Facts" (International Defence and Aid Fund for Southern Africa)	English	5 000
	Afrikaans	300
	Arabic	300
	French	300
	German	300
	Japanese	300
	Spanish	300
"Namibia's Stolen Wealth" (50 pp.) (The Africa Fund, New York)	English	5 000
	Arabic	250
	French	250
	German	250
	Japanese	250
	Spanish	250
"The Rössing File" (Alun Roberts)	English	2 000
	Arabic	100
	French	100
	German	100
	Spanish	100
"Battlefront Namibia" (John Ya Otto)	English	1 000
	Arabic	50
	French	50
	German	50
	Spanish	50
Handbook to assist oil and tanker workers to detect illegal shipments of oil to Namibia and South Africa (International Oil Working Group)	English	2 000
	Arabic	100
	French	100
	German	100
	Spanish	100

Materials required**Copies required****"Let Us Die Fighting"**

English	500
Arabic	50
French	50
German	50
Spanish	50

Map

**Economic map of Namibia b/
Scale 1:1,000,000**

English	25 000
Afrikaans	1 000
Arabic	500
French	1 000
German	500
Spanish	1 000

Posters (pre-folded)

"Stop the plunder of Namibia uranium"

English	5 000
Arabic	250
French	250
German	250
Spanish	250

"For a free and independent Namibia"

English	5 000
Arabic	250
French	250
German	250
Spanish	250

SWAPO poster

English	10 000
Arabic	500
French	500
German	500
Spanish	...

**First poster to be devised by
Standing Committee III**

English	10 000
Arabic	500
French	500
German	500
Spanish	500

**Second poster to be devised by
Standing Committee III**

English	10 000
Arabic	500
French	500
German	500
Spanish	500

Materials required**Copies required****Films (16 mm)**

'Free Namibia "	English	20
	Arabic	6
	French	12
	German	6
	Japanese	6
	Spanish	12
'Trust Betrayed "	English	20
	Arabic	6
	French	12
	German	6
	Japanese	6
	Spanish	12
"Follow the Yellowcake Road"	English	20
	Arabic	6
	French	12
	German	6
	Japanese	6
	Spanish	12
New film to be prepared under the guidance of Standing Committee III	English	40
	Arabic	12
	French	24
	German	12
	Japanese	12
	Spanish	24

Video cassettes

South Africa's Bombshell	English	20
	Arabic	6
	French	12
	German	6
	Japanese	6
	Spanish	12

a/ The red folders will contain the following materials:

"A crime against Humanity: Questions and answers on apartheid in South Africa" (DPI/1705);
Constitution of SWAPO;
Decree No. 1 for the Protection of the Natural Resources of Namibia;
Disarmament Study Series No. 2: "South Africa's Plan and Capability in the Nuclear Field";

List of transnational corporations operating in Namibia (as prepared for the International Conference in Support of the Struggle of the Namibian People for Independence by the Office of the Commissioner);

Map 16" x 16";

"Namibia: A Trust Betrayed";

"Namibia: A Unique United Nations Responsibility";

Nationhood Programme booklet;

Booklet on Walvis Bay by the International Defence and Aid Fund for Southern Africa;

Pamphlet on the plunder of Namibian uranium;

Pamphlet on labour in Namibia;

Pamphlet on scholarships and other activities under the General Account of the United Nations Fund for Namibia;

Political programme of SWAPO;

Poster: "For a Free and Independent Namibia";

Poster: "Stop the plunder of Namibian uranium";

Poster of Sam Nujoma;

"The United Nations Council for Namibia: What it is, what it does" (DPI/603);

"To be Born a Nation".

b/ To be submitted to the Publications Board for sale as a United Nations publication.

821. It is also foreseen that after completion of the demographic study mentioned in paragraph 12 of recommendation E, appropriate data on Namibia would be included in the United Nations Statistical Yearbook, the United Nations Demographic Quarterly and other United Nations statistical publications.

2. Co-operation with non-governmental organizations

822. By paragraphs 11 and 14 of recommendation D, the General Assembly would request non-governmental organizations to intensify, in co-operation with the Council, international action in support of the liberation struggle of the people of Namibia; it would also decide to allocate the sum of \$US 200,000 to be used by the Council in its programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of the conclusions of such conferences and support to research on Namibia and such other activities as well promote the cause of the liberation struggle of the Namibian people, subject to approval by the Council in each individual case, in consultation with SWAPO.

823. By paragraph 12 of recommendation D, the General Assembly would request the Council to organize a workshop for non-governmental organizations concerned with Namibia immediately following the international conference at UNESCO House. The workshop would last two days and would require conference services and interpretation in two languages, translation of pre-session and in-session documentation in two languages and translation of post-session documentation in all official languages.

M. United Nations Fund for Namibia

824. In accordance with paragraph 3 of recommendation E (see para. 786 above), the General Assembly would decide to allocate to the Fund as a temporary measure the sum of \$US 1,000,000 from the regular budget of the United Nations for 1983.

825. The implementation of paragraph 5 of recommendation E, dealing with an appeal for voluntary contributions, implies that the Secretary-General would continue to assume administrative responsibilities in respect of the Fund as a whole and the Trust Funds for the Institute and the Nationhood Programme.

826. The implementation of paragraph 5 would also require, in addition to the fund-raising activities of the United Nations Commissioner for Namibia, four fund-raising missions conducted by the Council. Such missions would consist of the Vice-Chairman and Rapporteur of the Committee on the Fund, one other Council member, the United Nations Commissioner for Namibia, a principal secretary and a secretary. These missions would visit the Nordic countries, other West European countries, North America and the Far East.

827. Under the terms of paragraph 12 (b) of recommendation E, the Council would continue to act as trustee of the Fund and, in this capacity, to administer and manage the Fund. The Council would exercise this responsibility through its Committee on the United Nations Fund for Namibia, subject, in the case of certain major decisions, to the approval of its recommendations by the Council as a whole. The Secretary-General retains the fiduciary responsibility which he exercises in respect of all trust funds.

828. In accordance with paragraph 17 of recommendation E, the General Assembly would request the Secretary-General to provide substantive support for the preparation of a comprehensive document on all aspects of economic planning in an independent Namibia. This would entail the engagement of two consultants by the Office of the United Nations Commissioner for Namibia.

829. In paragraph 18 of recommendation E, the Secretary-General is requested to carry out demographic and educational studies of the Namibian population. This would entail the engagement by the Office of the United Nations Commissioner for Namibia of two consultants, one to carry out a demographic study which would provide a basis for economic planning, establish generally acceptable statistics for the population of Namibia and assist in the formulation of a number of projects under the Nationhood Programme, and the other to carry out an evaluation of the individual scholarships supported by the United Nations Fund for Namibia, in order to establish ways and means of increasing the effectiveness of these scholarships and of increasing the proportion of students studying in Africa.

N. United Nations Institute for Namibia

830. The implementation of paragraph 15 of recommendation E (see para. 786 above) would require the Council to prepare and publish, through the Institute, a comprehensive reference book on Namibia. It is understood that at least half the cost of the compilation of the reference book, which would take place in 1983, would be borne by the Institute from its own funds. It is also expected that the Council will in 1983 request the Department of Public Information to publish the reference book and distribute it widely.

831. The Council will invite the Chairman of the Senate of the Institute or the Director of the Institute to attend those meetings of the Council at which the report of the Institute is considered.

832. The President of the Council or his representative, the Vice-Chairman and Rapporteur of the Committee on the Fund and two members of the Council represent the Council in the Senate of the Institute, which meets at Lusaka. During 1983, it is anticipated that delegations of the Council, accompanied by appropriate staff members of the Secretariat, will participate in three meetings of the Senate in order to continue to provide the policy guidance necessary to ensure the effectiveness of the Council in the exercise of its responsibilities with respect to the Institute.

O. Requirements of the secretariat of the Council

833. In implementation of recommendation C (see para. 786 above), the Council will meet in continuous session throughout 1983.

834. The intensification of the efforts of the Council in support of self-determination, freedom and national independence for the Namibian people has greatly expanded the activities of the Council with respect to consultations with Governments, participation in international organizations and conferences, organization of extraordinary meetings and seminars, monitoring of the boycott of South Africa, activities related to the implementation of Decree No. 1, preparation

of documentation and contacts with leading personalities in the information media and with non-governmental organizations actively supporting the cause of the liberation struggle of the Namibian people. In order to enable the Council to discharge the programme of work envisaged for 1983, the Council recommends that the General Assembly should decide to maintain during that year the temporary posts which were filled in 1982, namely, two P-4 posts for research on political, military, economic, legal and social matters and two P-3 posts for research and other activities relating to the boycott against South Africa.

835. In addition to the activities described above, the Council will also organize the International Conference in Support of the Struggle of the Namibian People for Independence; an international seminar on a major issue concerning Namibia; a regional symposium for non-governmental organizations; and an international seminar of media leaders (paras. 25 and 14 (k) and (l) of recommendation C and para. 6 of recommendation D).

836. Furthermore, the Council, by having acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, has assumed the responsibility of submitting biennial reports on this matter to Namibia (para. 12 of recommendation C).

837. Similarly, the Council's participation in an increasing number of conferences and meetings of international organizations of which it is a member has placed greater demands on the Council in terms of extensive preparations for each of these meetings. The Council's membership in IAEA, which is the only organization in the United Nations system of which both the Council and South Africa are members, imposes upon it the obligation to formulate and develop policies relating to matters on the agenda of the Agency's annual and other periodic meetings. It is also worth noting that there is a need for in-depth preparation for missions such as the ones to IMF and IAEA (para. 14 (h) of recommendation C).

838. Also, the Council's membership in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees requires that the Council undertake extensive preparation for the effective participation in meetings of the Executive Committee (para. 11 of recommendation C).

839. It is expected that the Council's participation in the United Nations Conference on Succession of States in respect of State Property, Archives and Debts and in the Commission on Human Rights and its subsidiary committees will also require substantial preparation (paras. 6 and 7 of recommendation C).

840. In view of all the above, the Council recommends that in order to enable the Secretariat to provide the services required for the Council to carry out its increased representational activities, which necessitate, inter alia, preparation of briefs for Council delegations, the General Assembly should decide to create, for 1983, two P-3 posts on a temporary assistance basis. Also within the framework of temporary assistance, the Council recommends that one G-3 and one G-4 post be provided to the secretariat of the Council. The G-4 post would be attached to Standing Committee I, primarily for administrative work connected with the dispatching of missions of the Council and representation in the specialized agencies and other international organizations. The G-3 post would be to provide regular secretarial assistance connected primarily with conferences away from Headquarters, such as the international conference in Paris, as well as assisting

with the organization of hearings and seminars and the programme of co-operation with non-governmental organizations.

841. With regard to the international conference referred to above, the Council recommends General Assembly approval of the creation of two temporary assistance posts at the P-3 level from 1 January to 30 June 1983. This time-frame would take into account the period necessary for the extensive preparations for the Conference, to be followed by the preparation of reports and other documents emanating from the Conference.

P. Requirements of the Office of the Commissioner

842. By paragraph 22 of recommendation C (see para. 786 above), the General Assembly would request the Secretary-General to provide the necessary resources for the Office of the United Nations Commissioner for Namibia to strengthen a number of its activities.

843. It is considered that compliance with this request would entail the creation of one P-4 post and five G-4 posts in the Office of the Commissioner. The P-4 post is intended to be occupied by a First Officer who will supervise information gathering assistance to individual Namibians and the travel documents programme. Of the General Service posts, one is to provide secretarial services to the existing Senior Political Affairs Officer; one is to assist the two existing information officers, who will engage in increased information activities; one is to assist the person occupying the requested P-4 post; one is for increased assistance to individual Namibians; and one is to assist with financial aspects of the United Nations Fund for Namibia.

844. It is also understood that the request in paragraph 22 would imply the provision of appropriate electronic and other equipment to the Office of the United Nations Commissioner for Namibia to enable that Office to keep accurate records of the approximately 5,000 travel documents which are now in circulation under the programme for travel documents of the United Nations Council for Namibia and to expedite the production by the Office of project documents and revisions together with related statistical data.

845. By paragraph 22 of recommendation E, the Secretary-General is requested to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of its responsibilities as the co-ordinating authority in the implementation of the Nationhood Programme for Namibia. It is envisaged that this would entail, inter alia, in 1983 and subsequent years, arrangements by which official documents of the United Nations would be supplied to the Office of the United Nations Commissioner for Namibia in Luanda, which was created by the General Assembly at its thirty-sixth session, and also to the Office of the Commissioner in Lusaka, to the United Nations Institute for Namibia in Lusaka and to the Office of the Commissioner in Gaborone.

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/ See Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), paras. 154-159.

3/ Ibid., Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

4/ Ibid., Thirty-sixth Session, Supplement No. 24 (A/36/24).

5/ Ibid., Eighth Emergency Special Session, Plenary Meetings, 3rd meeting.

6/ Ibid., Thirty-sixth Session, Supplement No. 24 (A/36/24), paras. 163-168.

7/ Ibid., Thirty-sixth Session, Plenary Meetings, 64th meeting.

8/ United Nations, Treaty Series, vol. 15, No. 102, p. 295.

9/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 23 (A/37/23/Rev.1), chap. VIII, para. 13.

10/ A/37/261-S/15150, annex. For the printed text, see Official Records of the Security Council, Thirty-seventh Year, Supplement for April, May and June 1982.

11/ A/36/222-S/14458 and Corr.1., annex. For the printed text see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

12/ A/37/333-S/15278, annex. For the printed text, see Official Records of the Security Council, Thirty-seventh Year, Supplement for July, August and September 1981.

13/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), para. 222.

14/ Ibid., Twenty-ninth Session, Supplement No. 24 (A/9624), vol. II, annex VI.

15/ Ibid., Supplement No. 24A (A/9624/Add.1), paras. 38-60.

16/ Ibid., Thirtieth Session, Supplement No. 24 (A/10024), vol. II, annex V.

17/ Ibid., Thirty-first Session, Supplement No. 24 (A/31/24), vol. II, annex XII.

18/ Ibid., vol. III, annex XIV.

19/ Ibid., Thirty-second Session, Supplement No. 24 (A/32/24), vol. II, annex II.

20/ Ibid., Ninth Special Session, Supplement No. 1 (A/S-9/4), paras. 42-261.

21/ Ibid., paras. 262-312.

22/ Ibid., Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. III, annexes II and III.

23/ Ibid., annex IV.

24/ Ibid., annex V.

25/ For the reports of the missions, see A/35/339-S/14067 (Latin America), A/35/300-S/14014 (Western Europe), A/35/338-S/14066 (Caribbean), A/35/301-S/14015 (South Pacific), A/35/337-S/14065 (North America) and A/35/364-S/14083 (Middle East). For the printed texts of the reports, see Official Records of the Security Council, Thirty-fifth Year, Supplement for April, May and June 1980; and ibid., Supplement for July, August and September 1980.

26/ For the reports of the missions, see A/AC.131/L.203 (Colombia, Peru and Argentina), L.237 (Spain, Ireland and Finland), L.225 (Netherlands), L.214 (German Democratic Republic, Hungary and Romania) and L.231 (India and Viet Nam).

27/ The Military Balance (1981-1982) (London, International Institute for Strategic Studies, 1981).

28/ The American Journal of International Law, January 1978.

29/ World Armaments and Disarmament: SIPRI Yearbook 1981 (Stockholm, Stockholm International Peace Research Institute, 1981).

30/ For the report of the Council on the hearings on Namibian uranium, see Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. III.

31/ United Nations, Treaty Series, vol. 75, No. 972, p. 135.

32/ Focus, No. 32 (February 1981), p. 3.

33/ Official Records of the General Assembly, Thirty-first Session, Supplement No. 24 (A/31/24), vol. II, annex II, para. 25.

34/ A/32/109/Rev.1-S/12344/Rev.1, annex V, para. 38 (f). For the printed text, see Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.

35/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. IV, annex XXXII.

36/ Ibid., vol. II, paras. 33, 35 and 37-38.

37/ Ibid., paras. 44-45.

38/ Ibid., Thirty-seventh Session, Supplement No. 24 (A/37/24).

39/ Ibid., Supplement No. 23 (A/37/23/Rev.1), chaps. I-VI and VIII.

40/ A/36/319-S/14531, annexes I and II. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

41/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), para. 767.

42/ See Official Records of the Security Council, Thirty-sixth Year, 2300th meeting.

43/ See 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, document S/12344/Rev.1.

44/ General Assembly resolution 2106 A (XX), annex.

45/ General Assembly resolution 3068 (XXVIII), annex.

46/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

47/ A/32/144, annexes I and II.

48/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), part two, chap. X and chap. XI, sect. B.

49/ See Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), annex IV.

ANNEX I

Reservations on the Arusha Declaration and Programme of Action on Namibia

A. Australia

[Original: English]

1. Australia joined the consensus on the Arusha Declaration because its general thrust accords with Australian policy; namely, the achievement of independence for Namibia. There are, however, a number of formulations in the Declaration on which Australia has very serious reservations.
2. Australia fully supports the efforts of the Western contact group and believes it to be acting in good faith. We disassociate ourselves from any suggestion to the contrary. Further we believe that progress is being made in the contact group's negotiations and that this progress should be acknowledged by the United Nations Council for Namibia.
3. For reasons which are well known, Australia cannot associate itself with support for armed struggle.
4. Australia recognizes the South West Africa People's Organization as an important protagonist in Namibia but believes it is for the people of Namibia, in free and fair elections, to decide who should represent them.
5. The selective naming of countries is seen by Australia as unwarranted and unhelpful.
6. Speaking generally, Australia regrets the extravagance of language employed in the Declaration and believes it would command greater international attention and respect if it were more soberly worded.

B. Belgium

[Original: French]

7. The Government of Belgium did not oppose the consensus on the Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at Arusha, on 13 May 1982.
8. However, several references contained in those documents elicit reservations on the part of Belgium.
9. While we recognize the prominent role played by SWAPO, we feel that its status cannot be determined until after free and fair elections.
10. We remain convinced that the peaceful course is the only viable course and we cannot accept any references to armed struggle.

11. We refute the allegation that certain Western Powers are trying to distort the essentially colonial nature of the Namibian problem.
12. We do not accept the unwarranted attacks against what the Programme of Action describes as a collaborationist policy of the United States of America with South Africa, or the references to alleged political, economic and military support from Western nations.
13. Belgium considers that the United Nations Council for Namibia also has no grounds for pronouncing on so-called misuse by permanent members of the Security Council of the right of veto.
14. Moreover Belgium sees no sign of "apparent reluctance" on the part of the contact group to apply pressure on South Africa and refrains from passing judgement on the electoral systems that have been proposed.
15. While Belgium believes that incorporation of Walvis Bay and the islands within Namibian territory may be advisable, it considers that the question should be the subject of negotiation between the future Namibian authorities and South Africa.
16. The Belgian Government considers that the question of imposing sanctions falls exclusively within the purview of the Security Council.
17. Belgium is opposed, in principle, to selective references to countries or groups of countries in official United Nations documents.
18. Lastly, Belgium is not convinced that a Geneva-type conference would be the best approach for the solution of the Namibian question.

C. Finland

[Original: English]

19. The Government of Finland endeavours to work constructively with other members of the United Nations Council for Namibia for the independence of Namibia. Finland is convinced that the illegal South African occupation of Namibia must be brought to an end through increased international pressure on South Africa. The Namibian people must be allowed, without further delay, to exercise their inalienable right to self-determination and national independence by means of free and fair elections under the supervision and control of the United Nations on the basis of Security Council resolution 435 (1978) of 29 September 1978. Finland urges the Western contact group to use its influence on South Africa and to continue negotiations towards this end in co-operation with all concerned.
20. Thus Finland understands the political motivation of the Arusha Declaration and Programme of Action on Namibia and shares the concern over the situation in Namibia, reflected in that final document. Finland therefore joins the consensus.
21. The decision of Finland to join the consensus is not to be interpreted as constituting a departure from certain basic principles to which it continues to adhere. Specifically, Finland reiterates the following:

(a) Finland cannot accept endorsement by the United Nations of armed struggle nor requests for military assistance. The United Nations was established in order to promote peaceful solutions to international disputes;

(b) Finland dissociates itself from any arbitrary singling out of countries as responsible for the policies of South Africa;

(c) Finland continues to maintain the view that, in accordance with the Charter of the United Nations, the adoption of sanctions is within the exclusive purview of the Security Council, which is the only organ with competence to take decisions binding on Member States;

(d) No political organization enjoying popular support should be excluded from a political solution in Namibia through free and fair elections. SWAPO, which has played a constructive and crucial role in the search for a negotiated settlement, is such an organization and must be part of any solution. Finland has given and continues to give humanitarian assistance to SWAPO.

ANNEX II

Allocation of resources to the Council for 1982 within the programme budget for 1982-1983

1. In its report to the General Assembly at its thirty-sixth session, the Council made a number of recommendations and gave a description of the activities which would require the preparation of a statement of administrative and financial implications. a/

2. The Council's recommendations were incorporated into draft resolutions which were placed before the General Assembly under the following headings:

- (a) Situation in Namibia resulting from the illegal occupation of the Territory by South Africa (A/36/L.23/Rev.1 and Add.1);
- (b) Action by Member States in support of Namibia (A/36/L.24 and Add.1);
- (c) Programme of work of the United Nations Council for Namibia (A/36/L.25 and Add.1);
- (d) Action by intergovernmental and non-governmental organizations with respect to Namibia (A/36/L.26 and Add.1);
- (e) Dissemination of information on Namibia (A/36/L.27 and Add.1);
- (f) United Nations Fund for Namibia (A/36/L.28 and Add.1).

The draft resolutions were adopted by the General Assembly at its 93rd plenary meeting, on 10 December 1981, as resolutions 36/121 A, B, C, D, E and F, respectively.

3. Prior to consideration of the draft resolutions by the plenary, the Secretary-General submitted to the Fifth Committee a statement of their administrative and financial implications (A/C.5/36/59). The statement analysed the financial implications of all the draft resolutions taken together as follows (figures are in United States dollars):

Proposed activity	Estimated cost	Section of the programme budget					
		3B.2	3C.1	3C.2	27	28D	29
Monitoring of the boycott of South Africa	134 700	109 600	-	-	-	25 100	-
Missions of consultation and representation of Namibia at conferences	420 600	-	420 600	-	-	-	-
Studies on the political, economic, military, legal and social situation	50 700	-	-	50 700	-	-	-
Implementation of Decree No. 1	58 000	-	-	58 000	-	-	-
SWAPO office in New York	289 000	-	289 000	-	-	-	-
Extraordinary plenary meetings	966 400	-	544 400 a/	-	12 400	-	409 600
International conference	14 900	-	14 900	-	-	-	-
Hearings, seminars and workshops	781 000	-	262 400 b/	-	3 400	-	515 200
Co-operation with non-governmental organizations	200 000	-	200 000	-	-	-	-
Dissemination of information	576 800	-	-	-	576 800	-	-
United Nations Fund for Namibia	1 019 400	-	1 019 400	-	-	-	-
United Nations Institute for Namibia	56 800	-	56 800	-	-	-	-
Office of the Commissioner	373 100	-	-	373 100	-	-	-
	4 941 400	109 600	2 807 500	481 800	592 600	25 100	924 800

Proposed activity	Estimated cost	Section of the programme budget				
		3B.2	3C.1	3C.2	27	28D 29
1982 portion of resources requested in proposed 1982-1983 budget	1 218 500	-	995 500	27 300	195 700	-
To be included in the consolidated statement on conference services	915 800	-	-	-	-	915 800
Balance requested for appropriation	2 807 100	109 600	1 812 000	454 500	396 900	25 100 9 000

a/ Includes \$US 319,300 as additional requirements in connection with provision of conference services for meetings away from Headquarters.

b/ Includes \$US 77 200 as additional requirements in connection with provision of conference services for meetings away from Headquarters.

Key to budget sections:

3B.2 - Department of Political Affairs, Trusteeship and Decolonization

3C.1 - United Nations Council for Namibia

3C.2 - Office of the United Nations Commissioner for Namibia

27 - Department of Public Information

28D - Office of General Services

29 - Department of Conference Services

4. In his statement, the Secretary-General indicated that if the draft resolutions were adopted by the General Assembly, an additional appropriation of \$US 2,807,100 would be required. In addition, an amount of \$US 66,000 would be required for staff assessment, offset by an equivalent amount in income.
5. Subsequently, the Advisory Committee on Administrative and Budgetary Questions recommended a reduction of \$US 126,000 in the appropriation under section 3C.1 for the extraordinary plenary meetings of the Council. b/
6. At its 68th meeting, held on 9 December 1981, the Fifth Committee decided by a recorded vote of 87 to 5, with 8 abstentions, to inform the General Assembly that if it adopted the draft resolutions on the question of Namibia, the following appropriations would be required: \$US 109,600 under section 3B.2; \$US 1,686,000 under section 3C.1; \$US 454,500 under section 3C.2; \$US 396,900 under section 27; \$US 25,100 under section 28; \$US 9,000 under section 29.
7. As mentioned in paragraph 2 above, the General Assembly adopted the draft resolutions at its 93rd meeting on 10 December 1981.

Notes

a/ See Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), part four.

b/ Ibid., Supplement No. 7A (A/36/7/Add.1-21), document A/36/7/Add.16, para. 16.

ANNEX III

List of official documents of the Council

(22 August 1981 to 31 August 1982) a/

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
<u>Documents issued in the general series</u>		
A/AC.131/88	Expression of thanks to the Government and people of the United Republic of Tanzania: resolution adopted by the Council at its 381st meeting held at Arusha on 13 May 1982	24 May 1982
<u>Documents issued in the limited series</u>		
A/AC.131/L.184-L.193	Draft annual report of the Council to the General Assembly b/	24 August-3 September 1981
A/AC.131/L.194	Statement issued by the Mission of Consultation of the Council at The Hague on 25 June 1981	8 September 1981
A/AC.131/L.195-L.202	Draft annual report of the Council to the General Assembly b/	8-17 September 1981
A/AC.131/L.203	Report of the Mission of Consultation of the Council to Peru, Argentina and Colombia, 3 to 16 May 1981	18 September 1981
A/AC.131/L.204-L.206	Draft annual report of the Council to the General Assembly b/	18-21 September 1981
A/AC.131/L.207	Report of the representative of the Council to the United Nations Symposium on transnational corporations in South Africa and Namibia, held in London on 6 and 7 November 1980	22 September 1981
A/AC.131/L.208-L.209	Draft annual report of the Council to the General Assembly b/	22-24 September 1981
A/AC.131/L.210	Joint communiqué issued by the Government of the German Democratic Republic and the Mission of Consultation of the Council at Berlin on 17 July 1981	29 September 1981
A/AC.131/L.211	Communiqué issued by the Government of Hungary and the Mission of Consultation of the Council at Budapest on 23 July 1981	29 September 1981

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/L.212	Communiqué issued by the Government of Romania and the Mission of Consultation of the Council at Bucharest on 25 July 1981	
A/AC.131/L.213	Draft annual report of the Council to the General Assembly <u>b/</u>	30 September 1981
A/AC.131/L.214	Report of the Mission of Consultation of the Council to the German Democratic Republic, Hungary and Romania, 15 to 16 July 1981	30 September 1981
A/AC.131/L.215-L.217	Draft annual report of the Council to the General Assembly <u>b/</u>	30 September- 5 October 1981
A/AC.131/L.218	Report of the delegation of the Council to the Seminar on Legal Issues concerning the Question of Namibia, held at The Hague from 22 to 24 June 1981	9 October 1981
A/AC.131/L.219	Report of the delegation of the Council to the trade unions seminar, held in London on 29 and 30 June 1981	13 October 1981
A/AC.131/L.220	Programme of work of Standing Committee III for 1981: report of the Chairman	22 October 1981
A/AC.131/L.221-L.222	Draft annual report of the Council to the General Assembly <u>b/</u>	5-9 November 1981
A/AC.131/L.223	South Africa's military operations and installations in Namibia: report of Standing Committee II	10 November 1981
A/AC.131/L.224	Activities of foreign economic interests operating in Namibia: report of Standing Committee II	3 December 1981
A/AC.131/L.225	Report of the Mission of Consultation of the Council to the Netherlands, 25 June 1981	14 December 1981
A/AC.131/L.226	Report of the delegation of the Council to the thirty-sixth ordinary session of the Council of Ministers of the Organization of African Unity, held at Addis Ababa from 23 February to 1 March 1981	16 December 1981
A/AC.131/L.227 and Corr.1	Programme of work of Standing Committee I for 1982	26 January 1982 4 February 1982

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/L.228	Report of the delegation of the Council to the 12th meeting of the Senate of the United Nations Institute for Namibia, held at Lusaka on 23 and 24 January 1981	27 January 1982
A/AC.131/L.229	Programme of work of Standing Committee II	2 February 1982
A/AC.131/L.230	Programme of work of the Council for 1982	18 February 1982
A/AC.131/L.231	Report of the Mission of Consultation of the Council to India and Viet Nam, 2 to 12 August 1981	24 February 1982
A/AC.131/L.232	Report of the delegation of the Council to the 13th meeting of the Senate of the United Nations Institute for Namibia, held at Lusaka on 6 and 7 August 1981	
A/AC.131/L.233	Programme of work of Standing Committee III for 1982	2 March 1982
A/AC.131/L.234	United Nations Institute for Namibia: annual report of the Senate - report of the Committee on the United Nations Fund for Namibia	
A/AC.131/L.235	Report on the audit of the United Nations Institute for Namibia: report of the Committee on the United Nations Fund for Namibia	4 March 1982
A/AC.131/L.236 and Corr.1	Programme of work of the Committee on the United Nations Fund for Namibia for 1982	17 March 1982 23 March 1982
A/AC.131/L.237	Report of the Mission of Consultation of the Council to Spain, Ireland and Finland, 6 to 18 May 1981	26 March 1982
A/AC.131/L.238	Missions of consultation of the Council: report of the President	26 March 1982
A/AC.131/L.239 and Corr.1	Guidelines for the seminar on the Military Situation in and relating to Namibia: report of Standing Committee II	30 March 1982 13 April 1982
A/AC.131/L.240	Seminar on the Military Situation in and relating to Namibia, to be held at Vienna from 8 to 11 June 1982: rules of procedure	30 March 1982

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/L.241	Revised budget of the United Nations Institute for Namibia for 1981: report of the Committee on the United Nations Fund for Namibia	2 April 1982
A/AC.131/L.242	Budget of the United Nations Institute for Namibia for 1982: report of the Committee on the United Nations Fund for Namibia	2 April 1982
A/AC.131/L.243	Nationhood Programme for Namibia and educational, social and relief activities under the General Account of the United Nations Fund for Namibia: report of the Committee on the United Nations Fund for Namibia	2 April 1982
A/AC.131/L.244	Nationhood Programme for Namibia: consideration of project proposals - report of the Committee on the United Nations Fund for Namibia	7 April 1982
A/AC.131/L.245	Extraordinary plenary meetings of the Council: report of the President	14 April 1982
A/AC.131/L.246	Joint communiqué issued by the Government of Cyprus and the Mission of Consultation of the Council at Nicosia on 30 March 1982	19 April 1982
A/AC.131/L.247	Joint press statement issued by the Government of Sri Lanka and the Mission of Consultation of the Council at Colombo on 6 April 1982	19 April 1982
A/AC.131/L.248	Joint communiqué issued by the Government of Bangladesh and the Mission of Consultation of the Council at Dacca on 13 April 1982	19 April 1982
A/AC.131/L.249 and Rev.1	Provisional agenda of the extraordinary plenary meetings of the Council to be held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982	20 April 1982 27 April 1982
A/AC.131/L.250 and Corr.1	Activities of foreign economic interests operating in Namibia: report of Standing Committee II	23 April 1982 20 July 1982
A/AC.131/L.251	South Africa's military operations and installations in Namibia: report of Standing Committee II	29 April 1982

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/L.251/ Rev.1 and Corr.1	The military situation in and relating to Namibia: report of Standing Committee II	1 June 1982 30 July 1982
A/AC.131/L.252	Organization of the extraordinary plenary meetings of the Council to be held at Arusha, United Republic of Tanzania, from 10 to 14 May 1982	28 April 1982
A/AC.131/L.253	Preparations for the International Conference in Support of the Struggle of the Namibian People for Independence; report of the President	18 June 1982
A/AC.131/L.254	Implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia: guidelines for the preparation of a study on the possibility of instituting legal proceedings in the domestic courts of States: report of Standing Committee II	2 August 1982
A/AC.131/L.255	Report of the delegation of the Council to the thirty-eighth ordinary session of the Council of Ministers of the Organization of African Unity, held at Addis Ababa from 22 to 28 February 1982	11 August 1982
A/AC.131/L.256	United Nations Fund for Namibia: report of the Fund-Raising Mission of the Council to Austria, Belgium, Canada, Denmark, the Federal Republic of Germany, Finland, France, the Netherlands, Norway, Sweden and the European Economic Community, 9 February to 12 March 1982	16 August 1982
A/AC.131/L.257	Report of the delegation of the Council to the 14th meeting of the Senate of the United Nations Institute for Namibia, held at Lusaka on 18 August 1982	18 August 1982
A/AC.131/L.258	Nationhood Programme for Namibia: consideration of reports of the United Nations Commissioner for Namibia	25 August 1982
A/AC.131/L.259	Report of the delegation of the Council to the International Conference on Women and <u>Apartheid</u> , held at Brussels from 17 to 19 May 1982	26 August 1982

Special documents for the Seminar on Legal Issues concerning the Question of Namibia (English and French only)

- A/AC.131/SLI/L.1 Namibian Uranium (J. P. Verheul) 27 January 1982
- A/AC.131/SLI/L.2 Walvis Bay: Self-Determination and International Law (Kader Asmal) 27 January 1982

Notes

a/ The official documents of the Council issued prior to those shown in the present annex are listed in Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex III; and ibid., Thirty-sixth Session, Supplement No. 24 (A/36/24), annex III.

b/ The report of the Council to the General Assembly at its thirty-sixth session has been issued in final form as Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24).

Amendment to the Charter of the United Nations Institute for Namibia

1. At its 314th meeting, held on 5 December 1979, the Council approved the Charter of the United Nations Institute for Namibia. The Charter was subsequently published in the report of the Council to the General Assembly at its thirty-fourth session. a/
2. At its 391st meeting, held on 10 November 1982, the Council decided to amend article 6 of the Charter, which now reads as follows:

Charter of the United Nations Institute for Namibia

Article 1

Name

The name of the Institute shall be the United Nations Institute for Namibia, hereafter referred to as "the Institute".

Article 2

Purpose of the Institute

The purpose of the Institute shall be:

(a) To enable Namibians, under the aegis of the United Nations Council for Namibia, to develop and acquire the necessary skills required for manning the public service of an independent Namibia;

(b) To undertake research into the various political and socio-economic aspects of Namibia which shall contribute to the struggle for the emancipation of Namibia, as well as assist in the formulation of policies and programmes of an independent Namibia;

(c) To serve as an information and documentation centre on Namibia;

(d) To offer such substantive support in its areas of competence as may be essential to the struggle for freedom of the Namibians and the establishment of an independent State of Namibia.

Article 3

Location and operation of the Institute

With the kind consent of the Government of the Republic of Zambia, the Institute shall be located in and operated from Lusaka until South Africa's illegal occupation of Namibia is terminated. The Institute will be so organized that it can be moved to Namibia immediately after the termination of the illegal occupation of the Territory and handed over to the Government of an independent State of Namibia.

Article 4

Functions of the Institute

The work of the Institute shall fall into five categories:

(a) To provide Namibians with the necessary education and manpower development so as to strengthen all their efforts, including those at the political level, in the struggle for freedom and to equip them for the future planning of, and participation in, the organization and administration of various government departments and public services in an independent Namibia; the Institute shall therefore provide training in the following areas:

- (i) A three-year diploma course in development studies and management;
- (ii) Short-term courses in supportive skills;
- (iii) Such remedial courses as may be required.

The Institute shall further organize workshops and seminars with a view to training Namibians in and exposing them to specific skills. The Institute shall also supervise the further training and/or placement of its graduates;

(b) To prepare and, where appropriate, publish memoranda, studies, draft legislation, reports on various aspects of the research work undertaken and such other material which may be useful to the liberation movement and the Government of an independent Namibia;

(c) To undertake and carry out research into all aspects of the historical, political, cultural, social, educational, economic, agricultural, legal, and judicial matters affecting Namibia as listed in the appendix to the present Charter (see below), provided that the Senate may, as appropriate, call upon the Institute to undertake research into additional subjects not mentioned in the appendix;

(d) To provide substantive support, within the areas of competence of the Institute, to the struggle for the liberation of Namibia;

(e) To serve as an information and documentation centre on Namibia.

Article 5

Responsibilities of the United Nations Council for Namibia

The United Nations Council for Namibia, under whose aegis the Institute has been established, shall perform the following functions in relation to the Institute:

- (a) Consider and endorse the annual budget estimates of the Institute;
- (b) Receive and consider the annual report and the audited accounts of the Institute;

(c) Mobilize adequate resources for the financing of the Institute, through the Committee on the United Nations Fund for Namibia, acting on behalf of the United Nations Council for Namibia and with the assistance of the United Nations Commissioner for Namibia.

Article 6

Organization of the Institute

The Senate

1. The Institute shall be administered by a Senate consisting of sixteen members as follows:

- (a) The President of the United Nations Council for Namibia;
- (b) Two representatives of the United Nations Council for Namibia nominated by the President of the Council;
- (c) The Rapporteur of the Committee on the United Nations Fund for Namibia;
- (d) One member appointed by the Chancellor of the University of Zambia;
- (e) One member appointed by the Government of Zambia;
- (f) The Vice-Chancellor of the University of Zambia or a representative nominated by him;
- (g) Two members appointed from within the United Nations system by the Secretary-General in consultation with the President of the United Nations Council for Namibia and the Executive Secretary of the Economic Commission for Africa;
- (h) One member appointed by the United Nations Development Programme;
- (i) One member appointed by the Secretary-General of the Organization of African Unity;
- (j) Three members of the South West Africa People's Organization appointed by its President;
- (k) The United Nations Commissioner for Namibia or a deputy nominated by him;
- (l) One member appointed by the Executive Secretary of the Economic Commission for Africa.

The Director of the Institute shall be the Secretary to the Senate.

Functions of the Senate

2. The Chairman of the Senate shall be elected by its members and shall have a casting vote. The quorum of the Senate shall be eight members.

3. The responsibilities of the Senate shall be as follows:

- (a) To formulate the principles and policies which will govern the activities of the Institute;
- (b) To organize the Institute into such divisions as may be required to enable it to carry out its functions;
- (c) To review and approve the programme of work of the Institute, including the curriculum;
- (d) To approve the annual budget estimates of the Institute and to forward them to the United Nations Council for Namibia for its comments and endorsement;
- (e) To make the necessary arrangements for the auditing of the accounts of the Institute;
- (f) To submit an annual report on the Institute to the United Nations Council for Namibia and to the Secretary-General of the United Nations;
- (g) To appoint the Director, the Deputy Director and the assistant directors of the various divisions, as well as the Chief Administrative Officer;
- (h) To ratify the appointments of the professional staff made by the Director;
- (i) To award diplomas and certificates of the Institute.

Functions of the Director

4. The Senate of the Institute shall appoint the Director of the Institute.

5. The Director shall be the Chief Executive Officer of the Institute and shall be responsible to the Senate of the Institute for the following:

- (a) Proper administration of the Institute in accordance with the general principles and policies determined by the Senate;
- (b) Submission for consideration and approval by the Senate of the work programme and corresponding budgets of the Institute;
- (c) Execution of the approved work programme of the Institute and the management of its finances;
- (d) Submission to the Senate of biannual budget revisions and adjustments;
- (e) Submission for consideration and approval by the Senate of the annual reports on the activities and progress of the Institute, including a budgetary and financial report on the preceding year;
- (f) Appointment of the professional staff on the recommendation of the Committee of Management;
- (g) Appointment of locally recruited staff;

(h) Discipline, conduct and welfare of students and staff;

(i) Supervision of training, research and planning.

6. The Director shall, for the purpose of privileges and immunities, be assimilated into the category of officials mentioned in section 17 of the Convention on the Privileges and Immunities of the United Nations. b/

7. The Director shall be assisted by the Deputy Director and Assistant Directors, who shall also be the substantive heads of divisions.

8. There shall be a Committee of Management composed of the Director as Chairman, the Deputy Director, the Assistant Directors and such other members of staff and students that the Director may decide upon when matters within their fields of competence are being discussed. It shall be the task of the Committee to assist the Director in carrying out his responsibilities and duties.

Article 7

Admission to the Institute

Only persons of Namibian origin whose admission requirements shall be determined by the Senate of the Institute shall be admitted as students to the Institute.

Article 8

Financing of the Institute

1. The funds for the Institute shall be provided by the United Nations Council for Namibia through the United Nations Fund for Namibia, but the accounts of the Institute shall be maintained separately so that, while the Fund shall be the vehicle for financing the Institute, separate, identifiable accounts for the Institute shall be embodied in the accounts of the Fund. The Institute shall apply United Nations administrative and financial rules and regulations and such other additional rules as the Senate may from time to time promulgate.

2. The General Assembly shall take appropriate action in such a manner as to promote the financing of the Institute.

3. The source of funds for the Institute shall be:

(a) The United Nations and specialized agencies;

(b) Governments;

(c) Foundations;

(d) Non-governmental organizations;

(e) Individuals.

Article 9

Staff regulations

The staff of the Institute shall be appointed under regulations drawn up by the Senate.

Article 10

General remarks

The present Charter supersedes the "Plan for the establishment of the Institute for Namibia" contained in the addendum of the report of the Council to the General Assembly at its twenty-ninth session. c/

Notes

a/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. IV, annex XXXII.

b/ General Assembly resolution 22 A (I) of 13 February 1946.

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

APPENDIX

List of major research topics

A. History, politics and culture

1. History and culture of the people of Namibia.
2. Foreign invasions and illegal occupations.
3. Effect of extermination policies on the population of Namibia.
4. Foreign exploitation, confiscation of lands and resources and creation of white-owned ranches and property.
5. Introduction of apartheid and racial discrimination.
6. Effects of "bantustanization" and the Native reserve policies of South Africa.
7. Effects of the contract labour law system.
8. Resultant economic and social inequalities.
9. Cultural history and development of the Namibian people.
10. Namibians in exile.
11. Historical research and teaching of history.

B. Economics

1. Finance.
2. Manpower resources and wage structure.
3. Present and future sources of energy.
4. Mineral exploitation (including diamonds) and its future development.
5. Fishing and existing industries based on fishing and future development.
6. Present industries based on agriculture and future development (excluding agriculture itself).
7. Present and future import and export requirements.
8. Present and future requirements in communications, including roads, railways, shipping, air transport and postal services.

C. Agriculture and land resources

1. Water resources.
2. Present and future tillage possibilities.
3. Present livestock and future possibilities.
4. Dairy production and future development.
5. Present and future requirements and sources for artificial fertilizers.
6. Present and future development of afforestation.
7. Possible development of land reclamation.
8. Conversion of white-owned ranches, Native reserves and bantustans.

D. Social and educational

1. Replacement of the so-called Bantu education system by a proper system of primary, secondary, technical and university education.
2. Linguistic problems.
3. Present and future ethnic and race relations.
4. Present health problems and medical services and future requirements.
5. Present social services and future requirements.
6. Cultural affairs, including literature, visual and musical arts and folklore.

E. Constitutional, legal and judicial affairs

1. Constitutional and legal questions set forth in General Assembly resolution 2248 (S-V) of 19 May 1967.
2. Review of so-called treaties purportedly entered into on behalf of Namibia by previous colonial administrators and the illegal South Africa régime.
3. Review of subsisting treaty obligations, treaties that will require renegotiation, treaties that will be completely abrogated and required new treaties.
4. Survey of existing laws and treaties which are repugnant to the Charter of the United Nations, conventions and the Universal Declaration of Human Rights.

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