

United Nations
**GENERAL
ASSEMBLY**

TWENTY-SIXTH SESSION

Official Records



**FOURTH COMMITTEE, 1924th
MEETING**

Monday, 18 October 1971,
at 10.55 a.m.

NEW YORK

Chairman: Mr. Keith JOHNSON (Jamaica).

In the absence of the Chairman, Mrs. Skottsberg-Åhman (Sweden), Vice-Chairman, took the Chair.

AGENDA ITEMS 66, 67 AND 68

Question of Namibia (*continued*) (A/8388, A/8423/Add.1, A/8423/Add.3 (part I))

Question of Territories under Portuguese administration (*continued*) (A/8348 and Add.1, A/8403, chapter XIII (section A); A/8423/Add.1, A/8423/Add.4)

Question of Southern Rhodesia (*continued*) (A/8423/Add.1, A/8423/Add.2 (parts I and II))

GENERAL DEBATE (*continued*)

1. Mr. CHERKAOUI (Morocco) said that, although the United Nations had played a considerable part in the decolonization process throughout the world, progress in that direction had slowed down during the preceding few years. The situation in some parts of Africa, and particularly in southern Africa, was deteriorating. Colonial racist régimes were threatening the independence and safety of many States of the region and were consolidating their position despite the many General Assembly and Security Council resolutions.
2. South Africa was still practising the inhuman system of *apartheid*, in defiance of international public opinion, and was extending it to Namibia, despite the fact that the International Court of Justice had declared South Africa's presence in Namibia to be illegal. The United Nations had a special responsibility for Namibia and should strengthen the powers of the United Nations Council for Namibia and request Member States to take the necessary steps to put an end to South Africa's occupation of Namibia.
3. Portugal continued its anachronistic colonial policy and its campaign of repression against the people of Angola, Mozambique and so-called Portuguese Guinea, despite United Nations resolutions. It could not afford to do so were it not for the arms supplied by certain of its allies. It was that assistance which made Portugal a constant threat to the independent countries neighbouring its Territories, such as Guinea and Senegal. Portugal could not go on defending its doctrine of assimilation and ignoring the right of peoples to self-determination. Governments which tolerated the attitude of Portugal and South Africa, to safeguard their own selfish interests, were only prolonging a dangerous situation which was likely to have an adverse effect on

relations between African countries and the rest of the world. In that context, his delegation paid a tribute to the courageous freedom fighters, who were making great sacrifices but who would ultimately triumph.

4. The situation in Southern Rhodesia, where 5 per cent of the population still oppressed the black majority, was also a threat to the peace and stability of the African continent. The Salisbury régime was defying the United Nations and the Organization of African Unity (OAU). Thanks to the assistance which it received from Portugal and South Africa, Southern Rhodesia had managed not only to evade the economic sanctions imposed against it but even to increase the value of its external trade. Notwithstanding the United Nations and OAU resolutions concerning the economic sanctions against Southern Rhodesia and the arms embargo against South Africa, the régimes of those two countries were receiving more and more military and economic assistance from the great Powers. At the moment, nothing was known about the talks going on between the Government of the United Kingdom and the illegal Southern Rhodesian régime, but any agreement which failed to take into account the aspirations of the Zimbabwe people was doomed to failure. The United Kingdom, as administering Power, had a direct responsibility in Southern Rhodesia and should restore legality there, but that would only be possible if the African majority were allowed to enjoy all their political, economic and social rights.

5. The United Nations should take vigorous and decisive action to give the necessary material and moral assistance to the peoples of the Territories of southern Africa in their legitimate struggle for self-determination and independence. His delegation hoped that the Territories which were still under colonial rule would regain independence. Morocco would do all in its power, both in OAU and in the United Nations to hasten their achievement of self-determination.

6. Mr. MORENO-SALCEDO (Philippines) said that the relatively successful efforts of the United Nations in bringing about decolonization were meeting with stiff resistance in southern Africa. In the introduction to his report on the work of the Organization (A/8401/Add.1, para. 298), the Secretary-General stated that the affront to the United Nations was particularly grave in the case of Namibia, a Territory which had legally been the direct responsibility of the United Nations ever since South Africa's Mandate to administer it had been terminated in 1966. According to Articles 73 and 77 of the Charter, Member States which had a mandate for the administration of Non-Self-Governing Territories were responsible to the United Nations. That had been the case of South Africa, which, at the time that it had signed the United Nations

Charter in 1945, had been administering South West Africa—now legally known as Namibia—as a Mandated Territory under the League of Nations. When the United Nations had suggested a system of supervision which would not exceed that which had applied under the Mandates System, South Africa had rejected it and had introduced the revolting policy of *apartheid* into Namibia.

7. In the case of Namibia *apartheid* did not only mean discrimination against the Namibians on grounds of colour, their segregation into so-called homelands, their conversion into serfs forced to work for starvation wages or die of hunger; it also meant that the Namibian people would never attain the unity of purpose, community of interest, degree of education and level of competence which would enable them to govern themselves as a free and sovereign people.

8. In 1967 the General Assembly had established the United Nations Council for Namibia to administer the Territory, which had come under the responsibility of the United Nations under General Assembly resolution 2145 (XXI) of 27 October 1966, and in 1969 it had appointed an Acting United Nations Commissioner for Namibia. Neither the Acting Commissioner nor the Council for Namibia had been able to enter Namibia and discharge the functions entrusted to them.

9. Three principal organs of the United Nations, the General Assembly, the Security Council and the International Court of Justice, were unanimously agreed that South Africa's continued presence in Namibia was illegal; that South Africa should immediately withdraw its administration and put an end to its occupation of Namibia; and that all members of the international community were in duty bound to refrain from acts or dealings with South Africa implying recognition of the legality of, or lending support to, such presence and administration in Namibia. It was important to emphasize that unanimity among the principal organs of the United Nations because it had been argued that the General Assembly had no authority to divest South Africa of the Mandate and that the Security Council's declaration that South Africa's presence in Namibia was illegal was contrary to the Charter. South Africa, by a process of severely strained legalism, had refused to accept the Advisory Opinion of the International Court. All that legal quibbling was for the sole purpose of denying the right of the Namibians to be free and the right, and indeed duty, of the United Nations to help them to attain freedom.

10. The United Nations was now faced with the need to impose its authority, for the issue at stake was not an ordinary dispute among Member States but the ability of the United Nations to compel a recalcitrant Member State to comply with its obligations under the Charter. It was a matter that affected the whole future of the United Nations.

11. Hence it was incumbent on all Member States which wanted the United Nations to survive as an effective organization to spare no effort in compelling South Africa to end its illegal occupation of Namibia and to hand the Territory over to the United Nations. The possibility of granting the United Nations Council for Namibia greater powers should be considered and the Acting Commissioner

for Namibia should be empowered to take the necessary legal steps to protect the rights of the Namibian people and the natural resources of Namibia. He could for example be authorized to inform all natural and juridical persons that the authority to exploit the natural resources of Namibia or to conduct business there could be granted only by the United Nations; that persons or firms paying Namibians starvation wages would be made to answer judicially for those acts; and that any person or firm violating the laws and regulations promulgated by the Council for Namibia for the protection of the Namibian people, their territory and their resources would be held accountable in the appropriate courts of justice of the States Members of the United Nations. An accelerated programme should be adopted by the United Nations for the training of Namibian leaders and civil servants, who would take over the administration of their own country at the earliest possible moment.

12. Of the 505 students studying under the United Nations Educational and Training Programme for Southern Africa, only 56 were Namibians. The scholarships immediately available to Namibians should be increased tenfold within the next five years and airlines could perhaps be persuaded to allocate a few free tickets to United Nations Namibian scholars.

13. A greater effort should be made to publicize the right of the Namibian people to freedom, the duty of South Africa to cease its illegal occupation of the Territory and the incalculable harm that would be caused to the United Nations if South Africa successfully defied its authority to administer Namibia. If world public opinion was fully aroused, South Africa would surely realize that its survival did not lie in proud isolation and the ruthless exploitation of its black citizens, but in a rule of law and justice within the United Nations and in consonance with the Charter. His delegation trusted that the Security Council, with the co-operation of the big Powers, would soon find the effective means to remove the South African administration from Namibia.

14. There were two other major problems facing the United Nations in southern Africa, namely the Portuguese Territories and Southern Rhodesia. General Assembly resolutions 2621 (XXV) and 2652 (XXV) of 12 October and 3 December 1970, respectively, had reaffirmed the inherent right of colonial peoples to struggle against colonial Powers and had declared illegal all measures taken by the racist minority régime of Southern Rhodesia to deprive the people of Zimbabwe of their legitimate rights. Resolution 2652 (XXV) had also called for the adoption of measures by Member States and the Security Council, with a view to making the sanctions against Southern Rhodesia more effective and to imposing sanctions against South Africa and Portugal. Numerous resolutions had been adopted by the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples regarding measures that could be adopted by the Security Council and Member States to accelerate the end of Portuguese rule in southern Africa. The Philippines would continue to support all actions of the United Nations designed to bring about the liberation of all the oppressed peoples of southern Africa.

15. General Assembly resolution 2621 (XXV), which had declared the further continuation of colonialism in all its forms and manifestations a crime, should not be taken lightly by the current leaders of Portugal, Southern Rhodesia and South Africa. While it was true that the oppressed peoples of southern Africa were weak and might not have sufficient means with which to defend themselves from exploitation, the day would come when, with the help of an outraged humanity, the shackles of despotism would be broken and the oppressors would be brought to the bar of justice.

16. Mr. MONTOYA (Peru) said that his Government deplored the attitude of the Government of South Africa in refusing to carry out the General Assembly and Security Council resolutions concerning southern Africa, for the situation in Namibia was a threat to the peace and security of the neighbouring independent African States. The present occupation of Namibia by South Africa had been declared illegal by the International Court of Justice, and the General Assembly, in resolution 2145 (XXI), had terminated South Africa's Mandate for Namibia. Various resolutions had declared South Africa's presence in Namibia illegal and had called on Member States to refrain from any relations, diplomatic, consular or commercial, with South Africa in connexion with Namibia.

17. It was common knowledge that foreign monopolies were applying economic and financial policies in Namibia with the sole aim of obtaining profits; they developed only the economic sectors which were most useful to them and completely ignored the legitimate interests of the Namibians. That was one of the most important factors accounting for the colonial situation in Namibia and in southern Africa in general; for it was for that reason that the Powers and private firms with economic interests there had ignored the recommendations of the United Nations and were continuing their activities in the area.

18. Peru supported any measure designed to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples and it encouraged the people of Namibia to continue their struggle for freedom. In view of the lack of progress achieved so far with regard to colonialism, steps should be taken to ensure the implementation of the United Nations resolutions, as well as the measures provided in Chapter VII of the Charter, as had been recommended by the United Nations Council for Namibia. The lack of progress should not discourage those fighting against injustice in Namibia, but should rather be a reason for even more resolute anti-colonialist efforts. He hoped that the anti-colonialist struggle would promote the attainment of independence by the peoples still under foreign domination. His country fully supported any measure endorsing the principles of General Assembly resolution 1514 (XV) of 14 December 1960 and of the Advisory Opinion of 21 June 1971 of the International Court of Justice, which confirmed the direct responsibility of the United Nations for the Territory of Namibia and condemned South Africa's violation of its international obligations and the attitude of the States which, for their own interests, provided arms and other assistance for the repression of the liberation movements in Namibia.

19. Peru, a country of the third world, considered that the continuation of colonial domination, racial discrimination and *apartheid* was one of the greatest obstacles to the International Development Strategy. In its review and appraisal of the objectives and policies of the Strategy, the General Assembly should consider not only national, regional, sectoral and global measures of an economic and social nature, but the international situations which, as in the case of Namibia, profoundly affected the development of international co-operation and created tensions which endangered world peace and security.

The meeting rose at 11.35 a.m.