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SUMMARY RECORD OF THE 22nd MEETING

Chairman: Mr. DIALLO (Mali)

later: Mr. CHAMORRO MORA (Nicaragua)

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The meeting was called to order at 3.40 p.m.

AGENDA ITEM 34: QUESTION OF NAMIBIA

REQUEST FOR A HEARING (A/C.4/40/8/Add.6)

1. The CHAIRMAN informed the Committee that he had received a communication containing a request for a hearing relating to the question of Namibia. If he heard no objection, he would take it that the Committee decided to grant the request.

2. It was so decided.

HEARING OF PETITIONERS (A/C.4/40/8 and Add.1-6)

3. At the invitation of the Chairman, Miss Talbot (World Peace Council) (A/C.4/40/8) took a place at the petitioners' table.

4. Miss TALBOT (World Peace Council) paid tribute to the United Nations for its many achievements in the area of decolonization and expressed regret that Namibia could not yet be numbered among its successes. Namibia had remained captive under the oppressor's boot for 100 years and the people of Namibia, victims of the genocidal policy of the army of South Africa's criminal racist régime, had been resisting and fighting to free themselves from the apartheid yoke. The whole world must cry out in unison with them that those abuses have gone on long enough.

5. How and why was it possible that South Africa, in defiance of Security Council resolution 435 (1978), could go on, exploiting and oppressing the Namibian people with impunity, illegally occupying their territory and using it as a staging ground for acts of aggression against Angola and neighbouring States? The two main reasons were, first, the continuing linkage, as a delaying tactic by the United States and South Africa, of the independence of Namibia to the totally extraneous issue of the withdrawal of Cuban troops from Angola to South Africa and, secondly, the increasing assistance rendered to South Africa by the Western countries and Israel, in defiance of United Nations resolutions, in the political, economic, financial, military and nuclear fields, assistance which strengthened the racist régime's hold over Namibia and thereby threatened international peace and security.

6. It was high time that the general public, particularly in the United States and Western Europe, became fully informed about that situation and compelled their Governments to stop dwelling on the issue of Cuban troops in Angola and to put an immediate end to the shameless collaboration of the western Powers with Pretoria. In order to mobilize it for action, the public must be made aware that the assistance rendered to South Africa by the United States Government and certain other western Powers, and which had been condemned by countless resolutions of the United Nations, the Organization of African Unity and the Movement of Non-Aligned Countries, was closely linked with the enormous profits being reaped by the transnational corporations in South Africa and Namibia. Efforts to bring about divestment should be redoubled in order to put an end to the plunder of Namibia's

(Miss Talbot)

natural resources in flagrant violation of Decree No. 1. It was particularly important that people in the United States should know that their tax dollars were being funnelled to support UNITA bandits trained and armed in South Africa for the purpose of undermining the sovereign Government of Angola.

7. In order to create such an awareness among Western public opinion, non-governmental organizations, with the help of the United Nations Department of Public Information, should mount a massive campaign to mobilize broad sectors of the population to work for the adoption of legislation ensuring compliance with Decree No. 1, instituting comprehensive and mandatory sanctions against South Africa and ending the delaying policies that were obstructing Namibia's independence. A major effort should also be made to achieve diplomatic recognition for SWAPO, the sole authentic representative of the Namibian people, in countries throughout the world, following the example of the Government of India.

8. The World Peace Council pledged itself to intensify its own efforts to mobilize its national committees in 140 countries towards those ends. In December, the Council would be touring several western European countries jointly with representatives of ANC and SWAPO, in preparation for a major Peace Congress to be held in Copenhagen in 1986. Mobilization of even greater solidarity with SWAPO and the Namibian people and for an immediate end to the South African racist régime's military occupation and ruthless domination of Namibia figured high on the agenda of that Congress.

9. In conclusion, she wished to reaffirm once again the World Peace Council's unswerving support for SWAPO, the sole authentic representative of the Namibian people, and for its military wing, the People's Liberation Army of Namibia (PLAN), in their all-out struggle for an end to South Africa's illegal occupation and for the immediate achievement of self-determination, freedom and genuine independence for Namibia.

10. Miss Talbot withdrew.

11. At the invitation of the Chairman, Ms. Woods (Afro-Asian Peoples' Solidarity Organization) (A/C.4/40/8/Add.1) took a place at the petitioners' table.

12. Ms. WOODS (Afro-Asian Peoples' Solidarity Organization) said that, in its 40 years of existence, the United Nations had made its most noteworthy achievements in the field of decolonization. However, one essential question remained to be solved, that of Namibia. It was nearly 20 years since South Africa's mandate over Namibia had been terminated and it must be acknowledged that United Nations efforts had been deliberately frustrated by South Africa, backed by its western allies. The first manoeuvre had been the creation by the United States Government of the so-called "Contact Group", the purpose of which had been to undermine United Nations authority on the question of Namibia. After the obvious failure of that tactic, the Reagan Administration had created the notorious "linkage" pre-condition, which had been rejected by the entire international community. Despite world public opinion, however, the South African régime, aided and abetted

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(Ms. Woods)

by the Reagan Administration, remained intransigent in its refusal to abide by Security Council resolution 435 (1978) and, on 17 June 1985, had proceeded to install a puppet "interim Government" in the Territory.

13. The failure to achieve Namibian independence was not merely a blemish on the record of the United Nations but had meant the loss of hundreds of thousands of human lives and the destruction of billions of dollars of material resources sorely needed for development, a toll of death and destruction which also extended to the territory of Angola. "Linkage" was not in fact aimed at ridding the region of foreign troops but rather at delaying Namibia's independence until a neo-colonialist solution was found and overthrowing the Angolan Government and replacing it with UNITA, a murderous gang of bandits and mercenaries financed and deployed by racist South Africa and paid for in part by the CIA. The Afro-Asian Peoples' Solidarity Organization appealed to the United Nations to oppose unequivocally any assistance to that gang of puppets. The very notion of "linkage" was a derogation from the principles of the Charter and compromised the sovereignty of a Member State.

14. She had had the opportunity to travel through the front-line States with the assistance of the United Nations Council for Namibia, and had observed for herself, the fear, uncertainty, poverty and destruction caused by South Africa's direct aggression against those countries. In response to that situation and the escalating struggle in southern Africa, the Afro-Asian Peoples' Solidarity Organization had intensified its efforts to mobilize international public opinion for the total isolation of the South African régime, and to demand the adoption of comprehensive and mandatory sanctions, as well as increased solidarity with the South West Africa People's Organization, the sole and authentic representative of the Namibian people, and its military wing, the People's Liberation Army of Namibia (PLAN).

15. The Afro-Asian Peoples' Solidarity Organization called upon the United Nations not to waver in its support for the Namibian peoples' struggle for self-determination through all possible means, including armed struggle. The achievements of the past 25 years demonstrated that history was on the side of the Namibian people. They would be free. She wondered, however, how many lives would be lost and how many resources destroyed in that process. The response to that question lay with the international community. If it did not act, the blood of the peoples of southern Africa would be on its hands.

16. Ms. Woods withdrew.

17. At the invitation of the Chairman, Mr. Cason (American Committee on Africa) (A/C.4/40/8/Add.2) took a place at the petitioners' table.

18. Mr. CASON (American Committee on Africa) regretted the lack of progress during the past five years in the process of independence for Namibia. That goal was even more distant now. That unfortunate situation was a result of the intransigence of the South African Government, which, with the assistance of a number of States Members of the United Nations, in particular the United States, deliberately sought

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(Mr. Cason)

to impede any progress of the Namibian people towards self-determination. The United States, moreover, was collaborating with South Africa to make Namibia a springboard for destabilizing activities in Angola and henceforth, with the repeal of the Clark Amendment, it would be able openly and with impunity to support the UNITA bandits who were sowing death and destruction in Angola.

19. The failure of the so-called policy of "constructive engagement" was evident. The time was past for patient negotiations. The United Nations must immediately impose comprehensive and mandatory sanctions against South Africa and vigorously promote the policy of disinvestment in that country. It was essential for the United Nations Council for Namibia to retake control of the situation, and in that regard, the American Committee on Africa wished to propose for the consideration of the Fourth Committee, a resolution calling upon the United Nations Council for Namibia to go into the Territory and exercise the authority which it rightfully had. Furthermore, during consideration of the question of Namibia, the United Nations should denounce the United States, which openly supported UNITA with the aim of overthrowing the régime in place in Angola.

20. The American Committee on Africa, the oldest anti-apartheid organization in the United States, was attempting to mobilize American public opinion in favour of the struggle of the Namibian people, under the leadership of SWAPO, and against the policy of "constructive engagement". With that aim, it was organizing conferences and seminars in American universities. The Committee was also trying to sensitize public opinion at the local level by going beyond the major metropolitan areas such as New York, Los Angeles and Washington, and reaching out to the America outside the big cities and thereby to its representatives in Congress.

21. In conclusion, he wished to reaffirm the unswerving support of his organization for the struggle of SWAPO and for the efforts of the United Nations Council for Namibia towards Namibian independence.

22. Mr. Cason withdrew.

23. At the invitation of the Chairman, Mr. Johnston (Episcopal Churchpeople for a Free Southern Africa) (A/C.4/40/8/Add.3) took a place at the petitioners' table.

24. Mr. JOHNSTON (Episcopal Churchpeople for a Free Southern Africa) said that the new American Government had betrayed the initial mandate of the Contact Group of Western Countries by making the Namibia question a regional one. South Africa was even less ready to withdraw from Namibia as the rich natural resources of that Territory (particularly the gas discovered under the territorial waters of Namibia) had become indispensable to it.

25. It was also clear, however, that over the past year and a half, the situation in South Africa had become explosive. It was therefore time for action against Pretoria. Unfortunately, the President of the United States had succeeded in having only painless sanctions adopted against South Africa. The American Government, moreover, now supported the UNITA bandits in Angola. At a time when it

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(Mr. Johnston)

was increasingly clear that the United States wished to use Namibia as a pretext to enter the war for the recolonization of southern Africa, it was time for the United Nations to reassert its authority over Namibia.

26. Mr. Johnston withdrew.

27. Mr. Chammora Mora (Nicaragua) took the Chair.

28. At the invitation of the Chairman, Ms. Garvey (National Lawyers Guild) (A/C.4/40/8/Add.4) took a place at the petitioners' table.

29. Ms. GARVEY (National Lawyers Guild) said that her organization consisted of some 10,000 law students, lawyers and legal workers, who were committed to the use of the law to expand and protect the social, economic and basic human rights of people. It was therefore working to eliminate racism in the United States and abroad, to end the threat of war and to support movements for political and economic self-determination. It therefore fully supported the responsibility of the United Nations for the implementation of Namibian independence, as set forth in Security Council resolution 435 (1978). The National Lawyers Guild, furthermore, recognized and supported SWAPO as the sole and authentic representative of the Namibian people.

30. It was common knowledge that some 20 years previously, the General Assembly had revoked the mandate of South Africa over Namibia, since the South African régime had not only failed to implement its provisions and provide for the independence of Namibia but instead, had moved to annex Namibia and impose a South African version of racial economic slavery called apartheid, which was a crime under international law. The United Nations Council for Namibia had then been established to carry out the implementation of Namibia's nationhood. In 1971, the International Court of Justice had ruled that South Africa's continuing occupation of Namibia was illegal. Since then, the South African régime had been able to thwart the authority of the United Nations because of the unfortunate interference of several Member States, in particular the United States. The so-called policy of "constructive engagement" and "linkage" was wholly irrelevant to the principles of self-determination and the right of peoples to self-determination, which were at stake in Namibia. By adopting it, the proponents of that policy had effectively aligned themselves with South Africa outside the rule of law. They further compounded the situation by allowing South Africa to use the territory of Namibia as a base to carry out its war against Angola, which was also a crime under international law. In addition to its policy of "constructive engagement" and "linkage", the Government of the United States proposed to join in South Africa's support of UNITA in order to overthrow the legitimate Government in Angola.

31. The National Lawyers Guild wished to stress that it condemned that policy as well as the measures which had been taken under the cloak of so-called "diplomacy". It called upon all the parties concerned to apply the rule of law and, more specifically, the Charter of the United Nations and Security Council resolution 435 (1978). It also urged the Security Council to consider the

(Ms. Garvey)

immediate and unconditional imposition of sanctions against South Africa for the continuing violation of its original mandate, its defiance of the Charter and resolutions of the United Nations and its violation of international law.

32. In conclusion, the National Lawyers Guild pledged to continue and intensify, its efforts, together with those of hundreds and thousands of other organizations and citizens in the United States, to end United States complicity in the denial of the Namibian people's right to self-determination. It expressed the firm belief that without United States support of South Africa the people of Namibia would be free. Indeed, the people of South Africa would be free, and the front-line States would be able to live and develop in peace.

33. Ms. Garvey withdrew.

34. At the invitation of the Chairman, Mr. Singham (Brooklyn College) (A/C.4/40/8/Add.5) took a place at the petitioners' table.

35. Mr. SINGHAM (Brooklyn College) noted that there was an almost universal consensus regarding the question of Namibia and the legitimacy of SWAPO, in particular. It was regrettable, however, that nothing had been done to work out a real solution to the problem, despite the adoption of a plethora of resolutions. South Africa's violation of the Charter constituted a form of aggression against all the States Members of the United Nations. It was thereby threatening the very foundations of the Organization and undermining its credibility. In fact, if the Organization remained inactive, States would no longer trust it to defend their sovereignty. SWAPO had launched the struggle to defend the Namibian people precisely because the international community had failed to do so. South African policy was not restricted to military intervention; it was affecting all aspects of life: cultural, political, economic, etc.

36. Following the adoption of resolution 435 (1978) which had dampened the effect of resolution 385 (1976), the Contact Group of Western States had recommended a policy of so-called constructive involvement which was inconsistent with the two resolutions. However, the people of southern Africa had risen in revolt and thereby made them both invalid. Indeed, it was impossible to claim that the South African Government could negotiate legitimately since it was no longer in control of its own territory and was on the brink of political, economic and social disaster.

37. The time had come to establish a special inter-agency team responsible for advising the Secretary-General in matters pertaining to the protection of the economic, social, political and human rights of the Namibian people. Indeed, the role of the United Nations was not restricted to the defence of State interests. It must also protect the interests of the peoples. To that end, it should adopt a resolution laying down a plan for the independence of Namibia, rather than a resolution of condemnation. The Namibian people had been waiting for 100 years and that was much too long already.

38. Mr. Singham withdrew.

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39. At the invitation of the Chairman, Mr. Mesenbring (United States National Committee of the World Lutheran Federation) (A/C.4/40/8/Add.6) took a place at the petitioners' table.

40. Mr. MESENBRING (United States National Committee of the World Lutheran Federation) said that the Lutheran Church had many followers in Namibia where it was making considerable efforts to help the population by providing food, health and educational services, etc. The Lutheran Federation was endeavouring to help the Namibian people and supported SWAPO as its chosen representative.

41. Unfortunately, the Federation was constantly receiving reports of brutality and violence against the Namibian population on the part of the South African occupation forces. In that connection, he drew attention to the terrible loss of human life resulting from South African policy in Namibia. The situation was such that even food supplies were being disrupted by the police, which was opposing the distribution of "communist supplies", and efforts to assist the population were hampered by mismanagement. Even such basic health services as the vaccination of children could no longer be provided because of the ongoing guerrilla war and the widespread laying of land mines.

42. South Africa had recently tried to install what it called an "interim government of national unity" but it would never succeed in gaining recognition for it. Since that so-called Government had been installed, the situation had not improved; quite the contrary. Although that "interim government" had recognized a number of public freedoms, many telexes sent out by churches in Namibia indicated that the territory was still living in a state of terror, and reported countless cases of beatings or arbitrary killings, rape, detention for weeks and even months without indictment nor trial and cases in which detainees had usually died under highly suspect circumstances in detention. In that connection, he mentioned the example of a minister of 52 who was well known for defending the inhabitants of his parish against the acts of violence committed by the South African occupation forces. He had been arrested on 22 October and detained without a motive for the third time (he had already been arrested in 1975 and 1981).

43. The most important point that he wished to make was that the savage treatment meted out by the South African occupation forces to the Namibian population was causing the loss of precious human lives not only for Namibia itself but also for the rest of the world, which was thereby losing the unique contribution that the Namibian people could make. The United Nations must make every effort to ensure that that contribution would not be lost in a blood bath.

44. Mr. Mesenbring withdrew.

The meeting rose at 5.15 p.m.