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## GENERAL ASSEMBLY

## PROVISIONAL VERBATIM RECORD OF THE SEVENTY-FIRST MEETING

Held at Headquarters, New York,  
on Friday, 14 November 1986, at 10 a.m.

President:

Mr. DOS SANTOS  
(Vice-President)

(Mozambique)

- Elections to fill vacancies and subsidiary organs: [17]
  - (d) Election of the members of the International Law Commission
- Notes by the Secretary-General concerning the list of candidates
- Curricula vitae
- Question of Namibia: [36] (continued)
  - (a) Report of the United Nations Council for Namibia
  - (b) 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
  - (c) Report of the International Conference for the Immediate Independence of Namibia
  - (d) Report of the Secretary-General
  - (e) Report of the Fourth Committee
  - (f) Draft resolutions

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In the absence of the President, Mr. Dos Santos (Mozambique), Vice-President, took the Chair.

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 17

ELECTIONS TO FILL VACANCIES IN SUBSIDIARY ORGANS:

(d) ELECTION OF THE MEMBERS OF THE INTERNATIONAL LAW COMMISSION

- NOTES BY THE SECRETARY-GENERAL CONCERNING THE LIST OF CANDIDATES (A/41/439 and Add.1-3, A/41/762 and Add.1 and 2)
- CURRICULA VITAE (A/41/440 and Corr.1 and 2 and Add.1)

The PRESIDENT: This morning the Assembly will proceed to the election of the members of the International Law Commission.

In conformity with the provisions of chapter I of the statute of the Commission, the 34 members of the Commission are to be elected for a five-year term of office, in this case beginning on 1 January 1987.

In this connection, I first draw the attention of the Assembly to document A/41/762 of 24 October 1986, in which are listed in alphabetical order the candidates nominated by Governments of States Members of the United Nations for election to the International Law Commission. In addenda 1 and 2 to that document the Assembly is informed of the withdrawal of the candidature of Mr. Munim (Bangladesh) and Mr. Kane (Mauritania). Accordingly, these two names should be deleted from the list of candidates nominated for election to the International Law Commission set out in document A/41/762.

The curricula vitae of the candidates are contained in document A/41/440 and Corr.1 and 2 and Add.1.

(The President)

As delegations are aware, in accordance with article 5 of the statute of the International Law Commission, the names of candidates shall be submitted by 1 June of the year in which an election is held. However, in the past the General Assembly has not excluded from election any candidate whose name has been submitted after 1 June of the election year. I draw attention to this matter because the list of candidates as it now stands, after the withdrawal of two candidates, contains the name of one candidate nominated after 1 June 1986.

May I take it that the General Assembly agrees that the names of all the candidates contained in document A/41/762, with the exception of the two withdrawals, be considered as duly nominated - that is, as candidates for the purposes of this election of the members of the International Law Commission?

I hear no objection.

It was so decided.

The PRESIDENT: There are now 51 candidates eligible in this election. The persons to be elected to the Commission should individually possess the qualifications required - that is, they should be "persons of recognized competence in international law". The statute also provides that "in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured".

According to the statute, the members of the Commission are eligible for re-election. The present membership of the Commission is set out in the annex to document A/41/439, of 2 July 1986.

(The President)

In accordance with rule 92 of the rules of procedure of the General Assembly, the election will be held by secret ballot.

Representatives are requested to place a cross before the names of the candidates for whom they wish to vote, but not to mark more than the number of seats available for each regional group in accordance with paragraph 3 of General Assembly resolution 36/39, namely: A, eight nationals from African States, B, seven from Asian States, C, four from Eastern European States, D, seven from Latin American States, and E, eight from Western European and other States.

Those candidates, up to the maximum number of seats allocated for each regional group, who obtain the greatest number of votes and at least a majority of the votes of the States Members present and voting, will be declared elected.

Ballot papers, which take into account the prescribed number of seats for each regional group, are marked A, B, C, D and E. They will now be distributed. I request representatives to use only those ballot papers. As I have said, representatives should place a cross at the left of the names of the candidates for whom they wish to vote, but should not vote for more than the maximum number indicated on the ballot. Ballot papers containing more names than the maximum number for each group will be declared invalid.

Accordingly, please ensure that ballot papers marked A, for African States, do not contain votes for more than eight candidates, ballot papers marked B, for Asian States, do not contain votes for more than seven candidates, ballot papers marked C, for Eastern European States, do not contain votes for more than four candidates, ballot papers marked D, for Latin American States, do not contain votes for more than seven candidates and the ballot papers marked E, for Western European and other States, do not contain votes for more than eight candidates.

At the invitation of the President, Mr. Buben (Byelorussian Soviet Socialist Republic), Mr. Arce Rojas (Colombia), Mr. Hojersholt (Denmark), Mr. Suazo Tome (Honduras), Mr. Barbara (Portugal), Mr. Tan (Singapore), Mr. Al-Attar (Syrian Arab Republic), Mrs. Matovu Milindwa (Uganda) and Miss Senguruka (United Republic of Tanzania), acted as tellers.

A vote was taken by secret ballot.

The PRESIDENT: The result of the voting is as follows:

GROUP A

<u>Number of ballot papers:</u>	156
<u>Number of invalid ballots:</u>	0
<u>Number of valid ballots:</u>	156
<u>Abstentions:</u>	0
<u>Number of Members voting:</u>	156
<u>Required majority:</u>	79

Number of votes obtained:

Mr. Ahmed Mahiou (Algeria) .....	119
Mr. Boutros Boutros Ghali (Egypt) .....	118
Mr. Abdul G. Koroma (Sierra Leone) .....	116
Mr. Bola Adesumbo Ajibola (Nigeria) .....	114
Mr. Doudou Thiam (Senegal) .....	107
Mr. Mohamed Bennouna (Morocco) .....	88
Mr. Edilbert Razafindralambo (Madagascar) .....	86
Mr. Frank X. Njenga (Kenya) .....	83
Mr. Khalafalla El Rasheed Mohamed Ahmed (Sudan) ..	82
Mr. Abdillahi Said Osman (Somalia) .....	79
Mr. Mikuin Leliel Balanda (Zaire) .....	78
Mr. Yadh Ben Achour (Tunisia) .....	71
Mr. Hassan B. Jallow (Gambia) .....	40

## GROUP B

<u>Number of ballot papers:</u>	156
<u>Number of invalid ballots:</u>	0
<u>Number of valid ballots:</u>	156
<u>Abstentions:</u>	0
<u>Number of Members voting:</u>	156
<u>Required majority:</u>	79

Number of votes obtained:

Mr. Shi Jiuyong (China) .....	128
Mr. Motoo Ogiso (Japan) .....	119
Mr. Andreas J. Jacovides (Cyprus) .....	116
Mr. P. S. Rao (India) .....	106
Mr. Riyadh Mahmoud Sami Al-Qaysi (Iraq) .....	105
Mr. Awn S. Al-Khasawneh (Jordan) .....	100
Mr. Husain M. Al-Baharna (Bahrain) .....	95
Mr. Florentino P. Feliciano (Philippines) .....	90
Mr. Syed Sharifuddin Pirzada (Pakistan) .....	81
Mr. Chafic Malek (Lebanon) .....	49
Mr. Goudarz Eftekhari Jahromi (Islamic Republic of Iran) ..	33

## GROUP C

<u>Number of ballot papers:</u>	156
<u>Number of invalid ballots:</u>	0
<u>Number of valid ballots:</u>	156
<u>Abstentions:</u>	9
<u>Number of Members voting:</u>	147
<u>Required majority:</u>	74

Number of votes obtained:

Mr. Stanislaw M. Pawlak (Poland) .....	145
Mr. Bernhard Graefrath (German Democratic Republic) .....	144
Mr. Alexander Yankov (Bulgaria) .....	144
Mr. Yuri G. Barsegov (Union of Soviet Socialist Republics)	142



## GROUP D

<u>Number of ballot papers:</u>	156
<u>Number of invalid ballots:</u>	1
<u>Number of valid ballots:</u>	155
<u>Abstentions:</u>	0
<u>Number of Members voting:</u>	155
<u>Required majority:</u>	78

Number of votes obtained:

Mr. Julio Barboza (Argentina) .....	130
Mr. César Sepulveda Gutierrez (Mexico) .....	116
Mr. Carlos Calero Rodrigues (Brazil) .....	114
Mr. Luis Solari Tudela (Peru) .....	110
Mr. Laurel B. Francis (Jamaica) .....	108
Mr. Leonardo Diaz Gonzalez (Venezuela) .....	106
Mr. Jorge E. Illusca (Panama) .....	99
Mr. Carlos Arguello Gomez (Nicaragua) .....	70
Mr. Juan Larrea Holguin (Ecuador) .....	60
Mr. Carlos Garcia Bauer (Guatemala) .....	46
Mr. Alfredo Martinez Moreno (El Salvador) .....	27

## GROUP E

<u>Number of ballot papers:</u>	156
<u>Number of invalid ballots:</u>	1
<u>Number of valid ballots:</u>	155
<u>Abstentions:</u>	0
<u>Number of Members voting:</u>	155
<u>Required majority:</u>	78

Number of votes obtained:

Mr. Alan J. Beesley (Canada) .....	123
Mr. Gaetano Arangio-Ruiz (Italy) .....	112
Mr. Paul Reuter (France) .....	106
Mr. Christian Tomuschat (Federal Republic of Germany) .	103
Mr. Guðmundur Eiríksson (Iceland) .....	100
Mr. Stephen C. McCaffrey (United States of America) ...	92
Mr. Emmanouel J. Roukounas (Greece) .....	92
Mr. Francis Mahon Hayes (Ireland) .....	90
Mr. José Manuel Lacleta Muñoz (Spain) .....	88
Mr. Mehmet Guney (Turkey) .....	86
Mr. Willem Riphagen (Netherlands) .....	86
Sir Ian Sinclair (United Kingdom) .....	84

Having obtained the required majority, Mr. Mahiou (Algeria), Mr. Boutros Ghali (Egypt), Mr. Koroma (Sierra Leone), Mr. Ajibola (Nigeria), Mr. Thiam (Senegal), Mr. Bennouna (Morocco), Mr. Razafindralambo (Madagascar), Mr. Njenga (Kenya), Mr. Shi Jiuyong (China), Mr. Ogiso (Japan), Mr. Jacovides (Cyprus), Mr. Rao (India), Mr. Al-Qaysi (Iraq), Mr. Al-Khasawneh (Jordan), Mr. Al-Baharna (Bahrain), Mr. Pawlak (Poland), Mr. Graefrath (German Democratic Republic), Mr. Yankov (Bulgaria), Mr. Barsegov (Union of Soviet Socialist Republics), Mr. Barbosa (Argentina), Mr. Sepulveda Gutierrez (Mexico), Mr. Calero Rodrigues (Brazil), Mr. Solari Tudela (Peru), Mr. Francis (Jamaica), Mr. Diaz Gonzalez (Venezuela), Mr. Illueca (Panama), Mr. Beesley (Canada), Mr. Arangio-Ruiz (Italy), Mr. Reuter (France), Mr. Tomuschat (Federal Republic of Germany), Mr. Eiriksson (Iceland), Mr. McCaffrey (United States of America), Mr. Roukounas (Greece), and Mr. Hayes (Ireland) were elected members of the International Law Commission for a period of five years beginning on 1 January 1987.

The PRESIDENT: On behalf of the General Assembly, I wish to congratulate the persons who have been elected and say a special word of appreciation to the tellers for their assistance in this election.

The Assembly has completed its consideration of sub-item (d) of agenda item 17.

AGENDA ITEM 36 (continued)

## QUESTION OF NAMIBIA:

- (a) REPORT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA (A/41/24)
- (b) 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 (A/41/23 (Part V), (Part IX and Corr.1), A/AC.109/870)
- (c) REPORT OF THE INTERNATIONAL CONFERENCE FOR THE IMMEDIATE INDEPENDENCE OF NAMIBIA (A/CONF.138/11 and Add.1)
- (d) REPORT OF THE SECRETARY-GENERAL (A/41/614)
- (e) REPORT OF THE FOURTH COMMITTEE (A/41/761)
- (f) DRAFT RESOLUTIONS (A/41/24 (Part II and Corr.1), chapter I)

Mr. KABANDA (Rwanda) (interpretation from French): Before I begin my statement on Namibia, Mr. President, I should like to turn my thoughts to the late President of your country, His Excellency Samora Machel, who departed this life recently. He devoted himself to his country and to the cause of southern Africa. May he rest in peace.

Earlier this week the General Assembly completed its debate on one of the most dramatic problems facing the international community. The problem of apartheid has been described by the United Nations as a crime against humanity. In our debate on the subject we deplored the complicity - the open complicity - of those who try to prolong the days of apartheid by every possible means. Their designs are real. They are, however, short-sighted as are those who are opposing the independence of Namibia.

The system of apartheid and the unlawful occupation of Namibia proceed from the same evil: the régime of the white minority in South Africa.

(Mr. Kabanda, Rwanda)

The problem of Namibia could have been solved many years ago, but the situation has been complicated by machinations designed to distort the basic issues. Much has been said about the Territory - I would even say that everything has been said - but little has been done to respond appropriately to the legitimate aspirations of the people of Namibia. Today we must speak out and demand the independence of Namibia, at the risk of repeating ourselves or repeating what others before us have said. We must speak out ever more vigorously until we reach the solution that the international community has been demanding since 1966, or perhaps even earlier.

The fourteenth special session of the General Assembly, which ended on 19 September of this year, unfortunately did not make any notable progress towards the complete liberation of Namibia. In the course of the second special session of the General Assembly, on the question of Namibia, the debate clearly exposed profound divisions among us rather than what should unite us. We are divided on the question of freedom, the very freedom which resulted in the creation of this Organization.

Freedom, as we are all aware, is an essential attribute of human nature, as indeed of society at large. It is the common heritage of mankind, and that heritage is one and indivisible. No people have the right to abdicate their freedom. No country, no nation may deny others their share of this heritage.

We must denounce the attitude of those who, enjoying their own freedom, are opposed to the freedom of others. Some countries, perhaps even the majority of the membership of the United Nations, are proud that at one point or another in their history they took up arms in order to combat an unjust order. Those very nations are proud that they had to wage their liberation struggles. We must condemn

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the attitude of those who deny others the right to liberate themselves and, what is worse, try to obstruct their liberation struggle and to distort its nature. No individual, no people, should enjoy their freedom if they do not have the courage to use it in order to allow their own people or other peoples to win and enjoy their freedom.

(Mr. Kabanda, Rwanda)

Those are my profound beliefs today, and I pay a tribute to the just struggle and courage of the Namibian people fighting under the leadership of the South West Africa People's Organization (SWAPO). For over 25 years the vigilance of the leaders of SWAPO has enabled it to thwart attempts designed to bring about its internal disintegration. Today attempts are being made to distort the nature of that struggle, which is nothing but a struggle for freedom.

We have heard endless statements, endless speeches made here and through the media portraying SWAPO as a group of terrorists inspired by an alien ideology. To assert one's true nature, one hardly needs to espouse alien ideologies or systems that have not been freely chosen. If we were to ask the peoples who freed themselves before our present era of ideologies and systems what they had fought for, their clear and simple reply would certainly be that they had fought for freedom, the very freedom of which they are proud today. On the basis of what political or moral principle, therefore, can anyone today deny the right of others to fight for their freedom? What values should they be asked to defend? Whence this right to substitute one's own desires for the desires of the peoples concerned? This is a simple question addressed to those who set themselves up as models of freedom but who do everything to stifle the freedom of others. History will be the judge of such policies, and never will we exonerate those who will have been condemned in the minds of the people as the enemies of freedom in Namibia, in South Africa or elsewhere in the world, for, after all, freedom is one and indivisible.

On 29 September 1978 the Security Council, after long negotiations, unanimously adopted resolution 435 (1978) which, together with General Assembly resolution 1514 (XV) and Security Council resolution 242 (1967), has been among those referred to most frequently in this Hall. This resolution contains what we

(Mr. Kabanda, Rwanda)

have always called the United Nations plan for the settlement of the problem of Namibia. I should like to recall the contents of that resolution. It recommends: a cease-fire between SWAPO and the South African army; the establishment of a demilitarized zone; the deployment of an interim United Nations force; the establishment of a United Nations Transition Assistance Group (UNTAG); and free and fair elections under United Nations supervision.

The Western members of the Security Council offered to form what has been known as the contact group. This initiative was welcomed as being possibly useful, especially since it was felt that those countries held the key to the problem. However the plan suffered setbacks from the very outset. The first setback was that a member of the contact group tried to gain acceptance for the idea of revising the plan to allow South Africa to prepare a draft constitution for Namibia. Neither SWAPO nor the international community could possibly endorse such a proposal which was clearly aimed at gaining acceptance of and conferring legitimacy on a right that had been usurped and declared illegal by the General Assembly in resolution 2145 (XXI).

I shall refrain from commenting on all the subsequent machinations designed to enable South Africa to gain time and the transnational corporations operating illegally in Namibia to plunder the maximum amount of resources, although I should like to say a few words about the latest invention - the idea of linkage which was concocted out of thin air and holds an entire people hostage. The Namibian people are prisoners of these machinations, which are totally unrelated to the problem and designed only to delay a solution of the problem of Namibia and to bring death and destruction to southern Africa.

We do not wish to be guilty of remaining silent about these manoeuvres. SWAPO's struggle is not an ideological struggle but a struggle for freedom. The



(Mr. Kabanda, Rwanda)

United Nations has the duty, under the Charter and in accordance with resolution 2145 (XXI), to lead the Namibian people to independence.

Here I should like to explain the position of my delegation concerning an idea which is gaining acceptance in our Organization. In doing so we think that our views are entirely in conformity with the very nature of the problem of Namibia, with General Assembly resolution 2145 (XXI) and Security resolution 435 (1978) and indeed with the original position of the Organization of African Unity. At present, reference is made to two parties to the conflict in Namibia - and this reference can even be found in one of the resolutions - namely that on the one hand there is South Africa and on the other the Namibian people, represented by SWAPO. But where is the United Nations in all this? Is an attempt being made to relieve it of its responsibility? - despite the fact that the United Nations is very much involved in view of the obligation it assumed by adopting, in 1966, resolution 2145 (XXI). Rwanda does not believe there are only two parties to the conflict. There are three parties: first, the Namibian people, under SWAPO, its sole legitimate representative, as recognized by the General Assembly in 1976; secondly, South Africa, the occupying Power, which has an obligation to liberate the Territory without any conditions; and, thirdly, the United Nations, which assumed the historic responsibility of guiding South West Africa to independence. For Rwanda those three are the real parties to the Namibian question.

I should like to quote what was stated by the Kenyan Minister for Foreign Affairs at the time, Mr. Robert Ouko, speaking on behalf of the Organization of African Unity on 4 September 1981 at the eighth emergency special session of the General Assembly, concerning Namibia:

(Mr. Kabanda, Rwanda)

"In our view, there are only three parties to the problem. One is the party representing oppression, racism and illegal occupation, that is, South Africa; another is the party representing the oppressed people of Namibia, that is, SWAPO; and the third party is the United Nations. Of course, we know that South Africa has many puppets in Namibia. We do not recognize these puppets." (A/ES-8/PV.3, p. 16)

(Mr. Kabanda, Rwanda)

Those are the very words of the representative of the Organization of African Unity at the first special session of the General Assembly devoted to Namibia. Rwanda can certainly endorse those words.

I should like now to state the position of my delegation on the question of present and future foreign investments in Namibia. The United Nations Council for Namibia, to which we wish to pay a tribute for its action, adopted Decree No. 1 under which the mineral and natural resources of Namibia belong to the Namibian people and cannot be appropriated in any way either by South Africa or by the transnational corporations operating in the Territory. In the first place, we deeply regret and strongly condemn the plundering of those resources by certain countries and companies, regardless of how that is done. Secondly, ever since the United Nations decided to take over responsibility for the fate of the Namibian people until independence, ever since it gave the United Nations Council for Namibia authority to administer the Territory and ever since the Security Council and the International Court of Justice, following the action taken by the General Assembly, declared the occupation of Namibia by South Africa to be illegal, it has been clear that the occupying authorities cannot perform any legal acts in that Territory or any acts which concern that Territory.

My delegation believes that the countries and foreign companies that have investments or propose to make investments in Namibia should register those investments with the only legal authority for the Territory, that is, the United Nations Council for Namibia, which will issue operating permits. Without that legal formality, these international corporations and countries may be exposed, after independence, to judicial reprisals without appeal. After that registration formality, the companies or corporations that have received authorization, should begin or continue their operations without undue concern, provided they act

(Mr. Kabanda, Rwanda)

strictly in accordance with Decree No. 1 and pay royalties to the United Nations Council for Namibia. A complete record of the operations of those transnational corporations should be kept. Those are the views of my delegation on the question of investments in Namibia.

With respect to the Territory, some countries say that they must keep neutral in order to play the role of arbiter. One cannot be a neutral when faced with a publicly identified criminal and his victim without being exposed to accusations of complicity with the wrongdoer. Neutrality in this situation, which has three aspects, where South Africa is the principal party accused, can only be explained by motivations other than a sense of justice and equity. We must condemn apartheid as a crime against mankind and we must do what we can to eliminate it. In the face of the illegal occupation of Namibia, which has been publicly declared as such, there can be no compromise. South Africa must unconditionally remove its administration and its army. Respect for the sovereignty and territorial integrity of the country and for the principle of the non-use of force in international relations are not principles which can be negotiated or to which any exceptions can be made.

The year 1987 will be a decisive year for the Security Council. Starting on 1 January 1987, the Council's membership will basically be the same as it was in 1978, when resolution 435 (1978) regarding the settlement of the problem of Namibia was adopted. That is when we witnessed the spontaneous establishment of the Western contact group. Is there any hope that we shall now see in the Council that good will and unanimity for which we have always longed in connection with problems threatening peace and security in various areas of the world and, in particular, in southern Africa, or will we once again regret the divisions which exist and which have undermined the moral authority of the Council? Those are the questions in the mind of my delegation today.

(Mr. Kabanda, Rwanda)

SWAPO has repeatedly said that it is willing to sign with the Government of South Africa a ceasefire agreement provided that Government agrees to accept Security Council resolution 435 (1978) without trying to alter it in any way or to make any demands. Furthermore, the Secretary-General, in his report on the work of the Organization and with respect to the implementation of that resolution, has said that the situation is ripe for solution. The details have been worked out and they need only to be implemented.

Furthermore, a number of Governments have said that they are prepared to make military contingents available to the United Nations for participation in the maintenance of security and order after the departure of South African troops and during the elections. All this should make it possible to bring about the speedy implementation of the United Nations plan for Namibia.

We consider it to be the plain truth that any people determined to liberate itself will find, whenever it thinks it must act, the means and courage to regain its freedom. One cannot fight nature and enjoy lasting success. If we are involved in such an enterprise, we must be prepared to suffer setbacks, for nature will turn against those that combat it and the weapons used by those who oppose freedom.

Let us view the struggle in southern Africa in this context. Let us act in such a way that a unanimous determination to render justice to the Namibian people will emerge from this debate.

Mr. TANIGUCHI (Japan): As Secretary-General Javier Pérez de Cuéllar recently affirmed,

"The most urgent remaining problem of decolonization is certainly that of Namibia". (A/41/1, p. 11)

It is a matter of profound concern to the international community that the people of Namibia are still being denied their right to self-determination, two decades after the General Assembly, by its resolution 2145 (XXI), terminated South Africa's Mandate over the Territory.

In the years since then, the international community has continued without respite its efforts to gain Namibia's independence. The Security Council and General Assembly have adopted a number of resolutions on the question of Namibia; the front-line States, the Secretary-General and other parties have made serious efforts to resolve the issue; and many countries, including my own, have been pressuring South Africa in various ways. But South Africa, in defiance of international opinion, continues its illegal occupation of Namibia.

Japan's position on this issue is firm and unambiguous: along with the overwhelming majority of Member States, it insists that Namibia's independence must be achieved in accordance with the wishes of its inhabitants, as expressed through a free election to be held under the supervision of the United Nations. It steadfastly supports Security Council resolution 435 (1978), which embodies the only universally accepted framework for a peaceful transition to independence. Both the Government of South Africa and the South West Africa People's Organization have indicated their acceptance of the settlement plan.

But while professing its willingness to co-operate with the international community, South Africa has in fact been working to block the implementation of resolution 435 (1978). Regrettably, Pretoria's actions speak louder than its words

Its introduction of the so-called linkage issue is a case in point. On

(Mr. Taniguchi, Japan)

3 March of this year South Africa proposed that 1 August 1986 be set as the date for the commencement of the implementation of the settlement plan. Although this proposal appears to be a positive step forward, it is not, since South Africa still insists on the pre-condition that

"a firm and satisfactory agreement ... be reached before that date on the withdrawal of [the] Cuban forces [from Angola]". (S/17892, p. 3)

Japan maintains that efforts to resolve the Namibian question must not be obstructed by extraneous issues.

It will also be recalled that in June 1985 South Africa set up what it calls an interim government in Namibia, in violation of the explicit provisions of Security Council resolution 435 (1978). Japan regards this so-called interim government as null and void. Its establishment is nothing but a ploy to circumvent the United Nations plan and further delay a peaceful settlement. Moreover, South Africa's armed attacks against neighbouring countries surely destabilize the situation throughout the region and make the possibility of settling the Namibian question even more remote. We particularly deplore the attack against Zambia, Zimbabwe and Botswana on 19 May this year, as well as the repeated armed incursions into Angolan territory.

Japan has taken vigorous measures to induce South Africa to end its illegal occupation of Namibia and abandon its racist policy of apartheid. Japan maintains no diplomatic relations with South Africa, limiting relations to the consular level. In demonstrating its disapproval of South Africa's illegal occupation of Namibia, Japan refrains from any action that would in effect acknowledge the present status of Namibia. For example, the Government of Japan does not extend co-operation such as grants, loans or technical assistance of any kind to South Africans in Namibia. The Government of Japan prohibits direct investment in South Africa and Namibia by Japanese nationals or corporations under its jurisdiction.

(Mr. Taniguchi, Japan)

It instituted that policy 20 years ago, long before this became a major issue in this Organization or in other major industrialized countries. In accordance with Decree No. 1 for the Protection of the Natural Resources of Namibia, which was enacted by the United Nations Council for Namibia in 1974, no Japanese national or corporation maintains mining concessions in Namibia. Japan strictly limits sports, cultural and educational exchanges with South Africa. Moreover, Japan prohibits trade in arms and all co-operation in the nuclear and military fields with South Africa. Apartheid enforcement agencies, such as the armed forces and police, are not permitted to purchase computers in Japan. Japanese nationals are instructed to refrain from importing Kruggerands and other South African gold coins.

In view of Pretoria's intransigence and the deteriorating situation in South Africa, on 19 September Japan announced additional measures. As a result, first, Japan prohibits the import of iron and steel from South Africa; secondly, it does not issue tourist visas to South African nationals and discourages its citizens from making tourist trips to South Africa; thirdly, it confirms the suspension of all air links with South Africa; and, fourthly, it prohibits Japanese Government officials from using international flights of South African Airways.

The people who are most seriously affected by South Africa's illegal occupation of the Territory are, of course, the Namibians: those who are suffering directly under the yoke of their oppressor as well as those who have been forced out of their native land as refugees. The neighbouring countries that are accepting these refugees are also experiencing serious difficulties.

Japan has long been extending assistance to the Namibian people through its contributions to the humanitarian and educational funds and programmes administered by the United Nations, including the United Nations Institute for Namibia. Japan is determined to extend such assistance as long as the need continues. When the United Nations Transition Assistance Group (UNTAG) comes into being, Japan will



(Mr. Taniguchi, Japan)

provide assistance in the forms of financial contributions and personnel. And once the independence of Namibia is achieved Japan looks forward to extending bilateral economic and technical co-operation for its people's nation-building efforts.

At the same time, Japan believes that the plight of the States neighbouring South Africa, which are constantly threatened by military incursions and economic blackmail from Pretoria, must not be forgotten. Recognizing that those States are suffering economic difficulties, Japan intends to step up its economic and technical co-operation with them, especially the front-line States, with a view to strengthening their economic viability and resilience. Towards that end, Japan is preparing to send a study mission for possible future economic co-operation to those States.

The people of the world are united in calling for Namibian independence and the eradication of apartheid; their voice is growing louder with each passing day. The patience of the international community is wearing thin; it can no longer tolerate Pretoria's prevarications and empty excuses. Japan demands once again that South Africa co-operate with international efforts to settle the question without further delay so that Namibia can assume its rightful place as a sovereign State in the world community.

Mr. OUDOVENKO (Ukrainian Soviet Socialist Republic) (interpretation from Russian): Twenty years ago, at its twenty-first session, the General Assembly deprived South Africa of its Trusteeship Mandate over South West Africa. Since 1966 the Namibian people, headed by its sole legitimate representative, the South West Africa People's Organization (SWAPO), have persistently waged a struggle against the South African occupiers for their freedom and independence. In that struggle they have the broad support and solidarity of world public opinion.

There is a real and universally recognized basis for a peaceful settlement to the problem in the United Nations decisions on the issue - first and foremost in Security Council resolutions 385 (1976) and 435 (1978). However, the question of granting genuine independence to Namibia still remains unresolved.

Throughout all these years, South Africa has been stubbornly sabotaging the implementation of the Council's resolutions, which provide for the withdrawal of South African troops from Namibia and the granting to Namibia of independence through the holding of free elections under United Nations supervision.

With the support of a number of imperialist Powers, South Africa is trying to exclude the United Nations and SWAPO from the process of finding a settlement in Namibia and is trying to perpetuate the Territory's colonial status.

Namibia, which has been annexed by the Pretoria racists, is governed by them as an appendage of South Africa in which the laws of apartheid reign. South African and Western monopolies are plundering the country's natural riches. The scale of exploitation of Namibian resources by foreign economic interests is attested to by, for example, the following data in a document of the Council for Namibia (A/AC.131/203):

(Mr. Oudovenko, Ukrainian SSR)

"as much as 60 per cent of Namibia's GDP is repatriated abroad as company profits before taxes. Of the remaining 40 per cent, a large part is used as operating expenses of the foreign economic interests in Namibia".

(A/AC.131/203, para. 7)

The racist régime is also trying to keep Namibia as a beachhead for aggression against independent African States. A South African army numbering more than 100,000 men is deployed on the territory of that country. During the past few months Pretoria has again started a propaganda game with regard to Namibia; there have once again been statements about an intention to resolve the Namibian problem.

At the beginning of March Pieter Botha solemnly declared that he was ready to make the Namibian people a present of their independence. A specific date was even given for beginning to implement the United Nations plan for Namibia - 1 August this year. However, such alleged readiness in fact turned out to be only an attempt to mislead world public opinion. The rulers of South Africa yet again set up an artificial barrier to a solution to the Namibian problem, once again making the granting of independence to Namibia dependent on the withdrawal of Cuban internationalists from Angola.

The Government of Angola, SWAPO, the Organization of African Unity, the Non-Aligned Movement and all those others who oppose high-handed interference in the internal affairs of other countries and favour a speedy resolution of the Namibian problem firmly rejected any such inadmissible linkage.

Last year the Security Council in its resolution 566 (1985) once again rejected the unfounded demand for linkage between the granting of independence to Namibia and other, totally irrelevant, issues.

(Mr. Oudovenko, Ukrainian SSR)

Moreover, Pretoria was clearly counting on such a refusal. It is now trying to wash its hands of the matter, making hypocritical references to a lack of any desire by the Angolan side to make concessions, in order to find some basis for the further illegal occupation of Namibian territory. That is shown by, for example, the letter of the South African Foreign Minister, Pik Botha, to the Secretary-General on 28 July this year, which is a clear attempt to turn the whole matter upside down.

Nor is there any end to the illegal manoeuvres to bring about a so-called internal settlement, side-stepping the United Nations. All of these machinations have been rejected by the General Assembly, at its fourteenth special session and on other occasions, by the Security Council and by the whole international community.

The reason for the racists' refusal to implement United Nations decisions on the decolonization of Namibia is not the omnipotence of Pretoria but the comprehensive support for the apartheid régime by certain imperialist Powers - primarily the United States. As a result of the active policy of constructive engagement and the maintenance of extensive trade and economic ties with South Africa on the part of a number of Western countries, and Israel, which help Pretoria in the military and nuclear fields and give it political and diplomatic protection on the international scene - inter alia, at the United Nations and in particular in the Security Council, the racist régime of South Africa has become even more inflexible about its occupation of Namibia and the continuation of its policy of apartheid, and has extended its acts of aggression and its economic and political pressure directed against neighbouring independent African States. That is the sole result of the policy of co-operation with the racist régime, a policy hypocritically justified by the protectors of South Africa as imaginary moves towards something better.

(Mr. Oudovenko, Ukrainian SSR)

Moreover, the group of States collaborating with South Africa is not limited to the major Western countries, such as the United States, the United Kingdom and the Federal Republic of Germany. For example, according to the data given in document A/AC.131/226, of all the countries with transnational corporations operating in South Africa, Canada stood in fifth place, in terms of numbers of companies, and of all those operating in Namibia it stood in fourth place, after South Africa itself, the United States and the United Kingdom, according to document A/AC.131/203. The Canadian company Rio Algom Ltd., which is participating in exploiting uranium in Namibia, has 10 per cent of the shares in the Rössing Uranium mining company. There is no need to dwell in detail on the pernicious role played by the rapacious activity of foreign economic circles in South Africa and Namibia, since this was clearly set out in resolution 41/14, which the Assembly adopted recently.

(Mr. Oudovenko, Ukrainian SSR)

The Ukrainian SSR firmly condemns the policy of so-called constructive engagement with the racist régime of South Africa of certain Western countries and Israel, which is designed to preserve a broad network of ties with Pretoria under the thin veil of verbal censure and pseudo-sanctions. We fully agree with the following conclusion of the International Conference for the Immediate Independence of Namibia, which took place in Vienna in July of this year, that

"such collaboration undermines the effort of the international community against the apartheid régime and helps to perpetuate that régime's illegal occupation of Namibia". (A/CONF.138/11, p. 29)

The Ukrainian SSR believes that the people of Namibia should be enabled to exercise immediately its inalienable right to self-determination and independence on the basis of the preservation of the unity and territorial integrity of the country, including Walvis Bay and the offshore islands. We demand the immediate and total withdrawal of South African troops and administration from Namibia and the transfer of all power to the South West Africa People's Organization (SWAPO), which is recognized by the United Nations and the Organization of African Unity as the sole legitimate representative of the Namibian people.

We fully share the concern regarding the situation in southern Africa, in particular Namibia, expressed at the summit meetings of the Non-Aligned Movement in Harare and the Organization of African Unity in Addis Ababa. We support the demand that was again reaffirmed at those meetings for unswerving compliance by all States with the Security Council embargo on supplying South Africa with weapons, the introduction of a mandatory embargo on the delivery to Pretoria of oil and oil products, the cessation of any kind of co-operation with South Africa in the nuclear field and the adoption against the racist régime of South Africa of other

(Mr. Oudovenko, Ukrainian SSR)

effective measures, including the immediate imposition against South Africa by the Security Council of comprehensive mandatory sanctions in accordance with Chapter VII of the United Nations Charter.

There is an urgent need to ensure implementation of United Nations decisions on this issue, above all Security Council decisions, by those that are still blocking a just solution to the Namibian question - that is, the Pretoria régime and its Western protectors - and to exert pressure on them to abide by the will of the overwhelming majority of the countries of the world.

The Ukrainian SSR supports and greatly values the activities of the United Nations Council for Namibia as the Administering Authority for the Territory until independence. Until recently, the activities of that Council were guided by the experienced diplomat and well-known fighter for the freedom of Africa, Paul Lusaka, and we congratulate the Ambassador of Zambia, Peter Zuze, on his election to the post of President of the Council and to assure him of our support.

The Council is making great efforts to mobilize world public opinion in support of the just struggle of the Namibian people for self-determination in a united, independent Namibia, with its territorial integrity preserved. However, in our view, greater efforts should be made to disseminate information regarding SWAPO's struggle against the illegal occupation of Namibia by South Africa. This is all the more pressing in that the apartheid régime has embarked on a real propaganda war against SWAPO, with the assistance of its so-called foreign representatives of the puppet administration of Namibia in a number of Western capitals, in an attempt to influence public opinion in those States.

We also very much appreciate the work and the final documents of the International Conference for the Immediate Independence of Namibia, which took place in Vienna in July of this year, and the fourteenth special session of the

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General Assembly, on Namibia. The documents and decisions of these important forums must give a fresh impetus to the struggle for the independence of Namibia.

The Ukrainian SSR, which has consistently favoured the immediate granting of independence to Namibia, expresses its solidarity with and support for the courageous Namibian people in its just struggle for liberation, under the leadership of its vanguard, SWAPO, by all the means available to it.

Mr. MAHBUBANI (Singapore): We have been asked to be brief, and I shall be, not because the issue of Namibia is unimportant but because, of all the items on the United Nations agenda, it is the one issue on which there is an open-and-shut-case. There is no moral or political ambiguity. Indeed, on the essentials there is total unanimity among Member States. With such unanimity, it is a crying shame that the question of Namibia remains unresolved.

At the recent special session on the question of Namibia, held barely two months ago, the verdict of the international community was once again clearly delivered. At that special session the General Assembly reaffirmed the direct responsibility of the United Nations over Namibia until genuine self-determination and national independence are achieved. It also reaffirmed that the United Nations plan for the independence of Namibia, in accordance with Security Council resolutions 385 (1976) and 435 (1978), is the only internationally accepted basis for a peaceful settlement of the Namibian question.

Regrettably, however, there is no sign of any change of mind in Pretoria. The South African régime continues to frustrate the implementation of the Security Council resolutions with their insistence on linking the question of full independence for Namibia to irrelevant and extraneous issues. This linkage is unacceptable. Indeed, in raising these irrelevant and extraneous issues



(Mr. Mahbubani, Singapore)

South Africa's behaviour is no different from that of other Powers which have constantly tried to distract attention from their continued illegal occupation of territories.

Under the South African régime the people of Namibia continue to suffer not from one evil but from two evils: the evils of colonization and apartheid. While the people are exploited and the economy plundered, neighbouring countries are also destabilized.

Clearly, one of the main reasons why the South African régime has refused to grant full independence is Namibia's wealth. It is, after all, a Territory rich in diamonds, copper, uranium and other strategic minerals. Sanford Ungar, a journalist with years of experience in Africa, has written recently that even today the people of Namibia could live in relative prosperity if only a substantial share of the proceeds of the Territory's mineral wealth were kept within its borders, but, alas, it is not. As much as 60 per cent of Namibia's gross domestic product is repatriated abroad as company profits before taxes, and of the remaining 40 per cent a large part is used as operating expenses of the foreign economic interests in Namibia. The Assembly will find these statistics in a study done by the British Council of Churches and the Catholic Institute of International Relations.

At the same time, the Office of the United Nations Commissioner for Namibia has also reported that the economy is controlled exclusively by the South African régime and its settlers, along with other foreign investors. Namibia is completely tied to South Africa in the fields of trade, investment capital and technical as well as managerial skills. More than 50 per cent of all its raw material exports go to South Africa and 95 per cent of its imports come from there.

(Mr. Mahbubani, Singapore)

To maintain this continued domination and total economic control over Namibia, South Africa annexed Namibia's major port, Walvis Bay, in 1977 and considers sovereignty over it to be a non-negotiable issue. The United Nations, however, has firmly rejected this annexation and called for its reintegration with Namibia. Unfortunately, with its traditional defiance of the United Nations, South Africa has strengthened its forces there and, indeed, given Walvis Bay direct representation in South Africa's white parliament. We all know, however, that Walvis Bay is geographically part of Namibia. In fact, without Walvis Bay, Namibia would effectively become a landlocked country and subject to Pretoria's stranglehold, because Walvis Bay is Namibia's only deep-water port, the centre of the Territory's fishing industry and the base for extensive exploration for oil and natural gas. Given the recent confirmation of a sizeable gas find in the Kudu field, rated to be among the largest finds in the world, the importance of Walvis Bay has been further enhanced. The only other port, Luderitz, is too shallow for ocean-going freighters, lacks a heavy duty rail link, and is too far south of the main centres of production and consumption.

At the same time, the interim government system established by South Africa in Namibia has also turned out to be a highly sophisticated form of apartheid. It provides two separate tiers of government. The first tier ostensibly has national authority, but, indeed, with little responsibility for the important matters that affect the people's daily lives, such as education, housing, health and agriculture. These were reserved, for the most part, for the second tier of "ethnic authorities" - as defined by the Pretoria régime - including one for all whites. This is a mechanism by which the whites continue to assure themselves of the best schools and other services without having to think of sharing them with

(Mr. Mahbubani, Singapore)

the others. But when it became inconvenient for the South Africans, the first tier of national authority was dismissed and direct rule was imposed from Pretoria. In 1985, the Pretoria régime moved unilaterally to establish a new internal administration in Windhoek outside the United Nations framework. This development, according to the Secretary-General, raises further serious questions about the real intentions of South Africa in seeking a solution to the Namibian problem.

The United Nations Council for Namibia's report also points to repression and violation of human rights. Repressive legislation has been passed. The population is terrorized. Various independent sources in fact have provided evidence of this terror. The Council for Namibia also reports that:

"The dispossession of land and the war and repression brought about by the illegal South African occupation régime have continued to force thousands of Namibians to flee their native land in order to seek refuge in neighbouring countries ..." (A/41/24 (Part I), para. 416)

The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that there are approximately 70,000 to 80,000 Namibian refugees in neighbouring countries. But even there, these refugees are not safe for these camps have been frequent targets of the South African forces.

Increased military force is also used to suppress popular resistance to and destabilize neighbouring countries. These policies remain of grave concern to the international community, especially as repeated acts of subversion and aggression are launched against the front-line States. In the light of the developments in the region, the Security Council adopted resolution 581 (1986) by which it strongly condemned South Africa for its threats to perpetrate acts of aggression against the front-line and other States in southern Africa.

(Mr. Mahbubani, Singapore)

Finally, it is incumbent on the United Nations to send timely reminders and strong messages to Pretoria condemning South Africa's policies and actions in Namibia, for these messages will serve to remind South Africa that we will not relent in our continued support for the Namibian people's right to self-determination and independence. There is understandable impatience and frustration with South Africa's intransigence and with what appears to be futile United Nations efforts to bring an end to the illegal occupation of Namibia. However, history is on the side of Namibia. South Africa cannot live in isolation forever. Faced with the present political and economic crisis of its own making, the South African régime is now more vulnerable than ever to international pressures. Soon it will have no choice but to grant Namibia its independence. We in Singapore look forward to the day when Namibia will join the United Nations as a free and independent State.

Mr. ZARIF (Afghanistan): After more than one and a half centuries, it is an irony that the world allows Namibia to remain criminally enslaved, its people brutally exploited, its natural resources plundered and its Territory arrogantly used as a springboard for aggression and destabilization. Not only have the Namibian people been robbed of their inherent and legitimate right to self-determination and independence, but their human dignity has also been trampled under the iron heel of the horrendous apartheid system. Thus, the people of Namibia have borne the yoke of two subjugations: outright colonialism and unbridled racism.

Twenty years ago the United Nations, as the legal heir of the League of Nations, terminated South Africa's Mandate over the Territory of Namibia and established the United Nations Council for Namibia to administer the Territory

(Mr. Zarif, Afghanistan)

until its full independence. Scores of resolutions have since been adopted by the Security Council and the General Assembly calling on the racist and colonialist régime of Pretoria to put an end to its illegal occupation of Namibia.

Faced with the rising tide of awareness and condemnation by world public opinion, the racist Pretoria régime has reacted with unprecedented rigidity and intransigence, totally defying the repeated demands of the international community.

The institutionalized racism and colonialism chaining South Africa and Namibia, which are an affront to human conscience and to the most basic aspirations of free men, continue their shameful existence thanks only to those who hypocritically portray themselves as champions of human rights.

(Mr. Zarif, Afghanistan)

It is obvious that the racist régime could not have withstood the pressure of world-wide criticism had it not been for the political, diplomatic, moral, economic and military backing of United States imperialism and its staunchest followers. Through the scandalous policy of so-called constructive engagement the present United States Administration has provided a safety net for the Pretoria régime, diminishing the efficacy of any positive international action.

At a time when all other peaceful avenues towards a solution have reached a dead end, the United States and the United Kingdom repeatedly resort to the abuse of their veto power in the Security Council to prevent the adoption and enforcement of comprehensive mandatory sanctions against South Africa under Chapter VII of the United Nations Charter.

To create deliberate hurdles in the way of the implementation of the United Nations plan for the independence of Namibia under Security Council resolution 435 (1978), the United States and the racist régime are introducing such irrelevant and extraneous issues as the presence of the Cuban internationalist contingent in Angola.

The world has categorically rejected attempts to portray the question of Namibia as one falling within the context of East-West confrontation. The international community has recognized and confirmed repeatedly the legitimacy of the struggle of the Namibian people, under the leadership of their sole, legitimate and authentic vanguard, the South West Africa People's Organization (SWAPO), for self-determination and independence within a united Namibia, including Walvis Bay and the Penguin and other offshore islands. Pretoria's efforts to win a semblance of legitimacy for its puppet and subservient clique in Windhoek have been all but in vain.

(Mr. Zarif, Afghanistan)

Although belatedly, the conscience of the international community has awakened to reject apartheid, that illegitimate brainchild of imperialism and colonialism, which has been declared a crime against humanity by the international community.

The World Conference on Sanctions against Racist South Africa, held in Paris in June 1986, the Vienna International Conference on the Immediate Independence of Namibia, held last July, and several meetings of the Organization of African Unity (OAU) were important steps towards giving momentum to the struggle for the eradication of the most abominable of legacies of the dark ages. The non-aligned countries, representing the overwhelming majority of nations, at their Eighth Conference of Heads of State or Government, held in September in Harare, condemned the obstructionist policies of the racist régime and its imperialist allies, and called for the urgent application of comprehensive and binding sanctions against Pretoria.

The fourteenth special session of the General Assembly in September, which in fact was the culmination of widespread global action, gave a sober analysis of the grim situation and called urgently for the speedy implementation of the United Nations plan on Namibia.

The Government of the Democratic Republic of Afghanistan, in full solidarity with the people of Namibia, under the leadership of SWAPO, has lent its full support to all those international efforts and sincerely hopes that this session emphatically reiterates its previous calls on the Security Council to recognize the urgent need to force South Africa to dismantle the obnoxious apartheid system, terminate its illegal hold over Namibia and put an end to its policy of State terrorism, acts of aggression and destabilization against neighbouring countries, particularly Angola.

(Mr. Zarif, Afghanistan)

While hailing SWAPO on the occasion of the twentieth anniversary of the launching of its armed struggle, we call for increased military, political, economic, moral and diplomatic assistance to be given to SWAPO to carry out its final assault on the racist and occupationist régime and achieve the full independence of Namibia.

The experiences of the recent past have proved that nothing short of comprehensive mandatory sanctions against the racist and colonialist régime of South Africa will ensure a peaceful solution to the problems affecting southern Africa. The heroic peoples of South Africa and Namibia have had enough of verbal solidarity. They are now anxiously waiting for serious, concrete, practical and effective action to be taken. Let us not fail them in their reasonable expectations.

Mr. ZHULATI (Albania): Twenty years have elapsed since the General Assembly terminated South Africa's Mandate over Namibia. Many important resolutions and decisions have already been adopted, calling for the independence of Namibia and for an end to the brutal and illegal occupation of that Territory by the racist régime in South Africa. Unfortunately, the situation there has not only failed to improve, but on the contrary has continued to worsen.

This has brought about the increased indignation and the strong condemnation of that régime by progressive public opinion throughout the world and here at the United Nations as has been borne out by the debate in the special session held on Namibia and by the many statements made by representatives at the current session.

Pretoria pursues its criminal policy of defying the will of the Namibian people and international public opinion, and also of overtly rejecting the resolutions, the decisions and the demands of the General Assembly and the Security Council.



(Mr. Zhulati, Albania)

The situation in Namibia, as in South Africa itself, has been deteriorating. As in the past, the South African racists continue to trample upon the basic rights and freedoms of the Namibian people, killing women and children, and carrying out arbitrary arrests, detentions and tortures.

The racist Pretoria régime is a fascist régime that relies solely on the use of violence and the maintenance of their forces of occupation in Namibia, equipped with modern weapons ready to put down with fire and sword the revolt of the Namibian people.

The Pretoria régime attempts to preserve its occupation of Namibia and its oppressive apparatus of the apartheid system by increasing its barbarous methods and by relentlessly and callously plundering the precious sub-soil and other resources of the long-suffering Namibian people.

The so-called policy of constructive engagement or quiet diplomacy of the United States of America towards South Africa is but their total commitment in an alliance with the racists of South Africa to use them as a stronghold in their attempts to achieve hegemony in Africa in rivalry with the social-imperialist Soviet Union and other imperialist powers.

The offers of so-called peaceful solutions presented by the United States and the other Western Powers are not aimed at finding a solution to the problem - that of putting an end to the occupation and to racial discrimination - but rather at directing the issue towards the blind alley of compromises and bargains.

(Mr. Zhulati, Albania)

This serves as an acceptable cover for their concrete and all-embracing activities to sustain this ugly régime, to prolong its life and to continue the neo-colonialist exploitation of the great riches of Namibia. Nor is the struggle of the Namibian people for their national liberation helped by the advice given by the Soviet social-imperialists that they should follow the path of reconciliation, that of talks with the racist and fascist régime of Pretoria and its imperialist patrons. The cunning policy pursued by the imperialist Powers, and above all by the two super Powers, has further aggravated the situation in Namibia and in the African continent. It has fanned animosity between African peoples as a means of creating a favourable environment for the attainment of the hegemonistic aims of those Powers and facilitating the realization of the racist and colonialist policy of the Pretoria régime.

The Albanian Government and people have always supported the just struggle of the Namibian people aimed at realizing their legitimate aspirations for independence, freedom and social progress, and have resolutely condemned the aggressive acts of the Pretoria régime against neighbouring countries. Pretoria's repeated acts of aggression against Angola, Zambia, Zimbabwe, Botswana, Mozambique and so on have aggravated the situation and have caused to the peoples of those countries considerable human and material losses.

Like the other colonial Powers, the South African racists will not be able to withstand and put down the struggle of the Namibian people to be free in their own country. The Namibian people are led by their sole and legitimate representative, the South West Africa People's Organization (SWAPO), which has been engaged in a difficult struggle - but a struggle which will one day end in victory - for more than a quarter of a century, in its armed battle for freedom and independence.

The puppet clique installed in Windhoek under the shadow of Pretoria's bayonets represents an unlawful régime which is completely isolated from the people.

(Mr. Zhulati, Albania)

By resolutely opposing the colonialist occupation of their country, the Namibian people, together with the Azanian people, have shown their determination in the heroic struggle for their just and legitimate cause.

The struggle of the Namibian people for freedom and independence is a continuation of the centuries-old struggle of the peoples of Africa against colonialism and racism. The African people will not tolerate for much longer that Namibia remains an ugly stain of racist savagery and colonialist oppression on the map of their continent.

The Albanian delegation reiterates that its Government and people have resolutely opposed the policy of racial discrimination and apartheid pursued by the racists of South Africa and is of the opinion that through its armed struggle it will put an end to all attacks, plots and intrigues of the Pretoria racists, of imperialism and world reaction and will win its freedom, independence and full sovereignty.

The leader of the Albanian people, Comrade Ramiz Alia, pointed out at the Ninth Congress of the Party of Labour of Albania which held its proceedings early this month:

"The Party of Labour of Albania and the People's Socialist Republic of Albania have given and are giving resolute support to the just struggle of the African people for national liberation, for the defence and strengthening of their freedom and national independence, to their struggle against racial discrimination and apartheid and the interference of imperialists and neo-colonialist Powers."

Mr. FARAH DIRIR (Djibouti): The illegal occupation by South Africa of the Territory of Namibia and the denial to the Namibian people of their inalienable rights to self-determination and national independence, in defiance of the resolutions of the United Nations, the Organization of African Unity (OA) and the Non-Aligned Movement relating to Namibia, has created an intolerable situation.

The racist régime of South Africa, despite international outrage and condemnation, continues its occupation of and domination over the Territory of Namibia with impunity. By intensifying its repression through increasing military and police brutality, the racist régime manoeuvres to subjugate the Namibian people to a level at which it would encounter less and less opposition to its policy of stealing and squandering the vast natural and mineral resources of the Territory for the benefit and in the interest of the small white minority and its foreign allies.

When the South African racist régime - in an effort to achieve and consolidate its colonial domination over Namibia - came up with its so-called internal settlement policy to circumvent the United Nations plan for Namibian independence, the international community did not hesitate to reject it at its inception, because it was obvious that that policy was intended to isolate the South West People's Organization (SWAPO) and to install a puppet government that would not threaten or oppose the apartheid system practised in the Territory. The Security Council, outraged by the flagrant violation of its resolutions by the racist régime, had to adopt yet another resolution - resolution 566 (1985) - which, inter alia, declared that action to be null and void.

The international community must exert every possible effort to extend the necessary moral, material and financial assistance to the Namibian people so that they will be able to counter South African aggression and carry out their struggle under the wise leadership of SWAPO - their sole and authentic representative - for genuine freedom and independence.

(Mr. Farah Dirir, Djibouti)

The encroachment of the apartheid system has not been limited to Namibian and South African territory but has gone beyond their borders. The South African régime, using the Territory of Namibia as a springboard, has repeatedly intimidated and waged war against the neighbouring independent front-line States in order to destabilize and disrupt them and to prevent them from extending support to the courageous people of Namibia.

The international community should denounce these acts of aggression by South Africa and extend adequate moral, material and financial support to the front-line States to enable them to defend themselves against the repeated attacks of South Africa's armed forces.

The international community should wholeheartedly support the Namibian people in their struggle against South Africa's colonization and in their heroic efforts to resist the exploitation of their land and the rapid depletion of their natural and mineral resources by South Africa and other foreign economic interests, in contravention of the relevant resolutions of the United Nations and of Decree No. I for the Protection of the Natural Resources of Namibia.

We reaffirm the legitimacy of the struggle of the Namibian people against the apartheid policy which, with the collaboration of foreign economic interests, is endangering the political, economic and social welfare of the Namibian population.

(Mr. Farah Dirir, Djibouti)

We are very confident that the courageous people of Namibia, under the wise leadership of SWAPO, their sole, authentic representative, will continue to step up their rightful struggle for self-determination and the achievement of full independence. SWAPO, in its quest for freedom and national independence, has always tried peaceful means for transition to majority rule and national independence.

In this regard, we reject the proposal linking Namibian independence to extraneous and unrelated matters that have no relevance to the implementation of Security Council resolution 435 (1978). We understand such linkage as outrageous delaying tactics that could buy time for the racist regime of South Africa to exaggerate its apartheid practices, to the detriment of the defenceless Namibian people.

We commend SWAPO's patience and readiness to sign a cease-fire agreement with the South African régime within the context of Security Council resolution 435 (1978) without pre-conditions or further delay. We believe that Security Council resolution 435 (1978) is the only genuine basis for solutions that could lead to the peaceful independence of Namibia.

In this connection, we support the Declaration of the International Conference for the Immediate Independence of Namibia, made in Vienna, Austria, in July 1986, and the Programme of Action designed to mobilize and strengthen further international support for the immediate and unconditional implementation of Security Council resolution 435 (1978). Any other plan or strategy that deviates from that of the United Nations will only increase the intransigence of South Africa and encourage it to delay the process of speeding up the freedom and independence of the Namibian people.

(Mr. Farah Dirir, Djibouti)

It is the primary responsibility of the United Nations, which is the legal Administering Authority, to strive further in the search for political solutions that could successfully enable the people of Namibia to exercise their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV), of 14 December 1960.

Twenty years have elapsed since South Africa's Mandate over the Territory of Namibia was terminated by the adoption of United Nations General Assembly resolution 2145 (XXI), of October 1966, and the Territory was placed under the direct responsibility of the United Nations. The Security Council, in its resolution 264 (1969), declared South Africa's occupation of Namibia illegal and called upon that régime to withdraw immediately its administration from the territory of Namibia.

Since that distant period of time, the Namibian people have passed through tragic experiences characterized by the violence and atrocities that have been inflicted upon them by South Africa's occupation forces.

Since that time countless resolutions and decisions have been adopted by the General Assembly and the Security Council. Many solemn declarations have been made at many international conferences. Countless messages and signals have been overtly or covertly addressed to the Pretoria régime to warn it against the ominous dangers inherent in its belligerent and barbaric behaviour towards the Namibian people and the black South African majority.

It is indeed tragic to observe the racist régime, despite all these facts, defiantly insisting on denying the Namibian people their right to self-determination and independence. In these circumstances, the international community should search for more persuasive options that could bring the South African racist régime to its senses.

(Mr. Farah Dirir, Djibouti)

We believe that the best option could be found within the domain of the Security Council. We say this because the maintenance of international peace and security is the primary responsibility of the Security Council, and we believe that the Council has the capacity and the resolve to accomplish this difficult task. We believe that this is the right time for the Security Council to take a decision because the security and stability of the southern African region, if not the whole of Africa, are at stake. We call upon the Security Council to shoulder, before it is too late, its responsibility to establish peace and security in southern Africa by imposing against South Africa comprehensive mandatory sanctions under Chapter VII of the United Nations Charter, including an arms embargo, an oil embargo, economic sanctions and other suitable means in accordance with the relevant United Nations resolutions. Only through the application of sanctions under the Charter can the South African racist régime be compelled to accept the relevant United Nations resolutions on Namibia.

Before I conclude, I should like to congratulate the members of the United Nations Council for Namibia and their President, Ambassador Zuze of Zambia, on the comprehensive report they have so ably represented to the Assembly. I commend their tireless efforts in mobilizing concerted international action to promote the Namibian cause and to bring an end to the illegal occupation of Namibia by South Africa.

Mr. OSMAN (Somalia): For many years the question of Namibia has been in the forefront of the agenda of the United Nations General Assembly. The current stalemate clearly indicates a sad lack of political will to discharge the world body's direct responsibility for Namibia's independence.



(Mr. Osman, Somalia)

I am sure that it would have been unthinkable to the representatives at the first session of the General Assembly that, after four decades of debate and several international conferences and special sessions, the Territory then known as South West Africa would remain one of the last to be liberated from colonial rule. As it is, while we resort to debate, South Africa continues its illegal occupation of Namibia, in defiance of decisions of the International Court of Justice and in flagrant violation of Security Council resolution 435 (1978), which established the sole legal basis for Namibia's independence.

Regrettably, over the years the United Nations has allowed itself to be manoeuvred into inaction as a result of South Africa's intransigence, machinations and bad faith. We are meeting once again because of our serious concern over an impasse the existence of which detracts from the authority and credibility of the United Nations. However, we must keep in mind that this situation is, above all, a great tragedy for the Namibian people. They would prefer to live in peace, but as proud and freedom-loving people they have no alternative but to continue their long and painful struggle under the courageous leadership of their sole and legitimate representative, the South West Africa People's Organization (SWAPO).

A great many Member States, including some of the most powerful, achieved their freedom, independence and national identity through armed struggle against colonial and other types of oppression. Consequently there should be the widest sympathy for the legitimate armed struggle of the Namibian people, and they should be supported by all possible means as they strive for freedom from colonial and racist oppression.

(Mr. Osman, Somalia)

The nature of the tyranny under which they suffer must not be overlooked or forgotten. Namibians, as well as their brothers in South Africa, are subjected to the indignity of an apartheid system which denies them basic human rights and causes widespread deprivation and poverty. Harsh political repression is heightened by the intimidating presence of a pervasive occupation force. National unity and solidarity are attacked by divisive policies, such as the designation of tribal homelands, the recruitment of tribal armies and the conscription of Namibians to fight against their brothers in the freedom struggle. South Africa's callous disregard for the present needs and future interests of the Namibian people is further illustrated by its ruthless plunder of Namibia's natural resources, in collusion with foreign corporations and interests, and by its arrogant and illegal decision to annex Walvis Bay and the offshore islands.

It is imperative that this forty-first General Assembly session should give a new impetus to efforts to implement Namibia's independence. Fortunately, our purpose is supported by a rising tide of public opinion around the world which supports the liberation struggle in Namibia and South Africa and which calls for the total isolation of the Pretoria régime. I strongly hope that the voice of the people at the grassroots level will be heard by the leaders of countries which continue to provide economic, financial, political, military and nuclear assistance to South Africa.

The most important requirement now for ending the Namibian stalemate is undoubtedly strong and effective leadership by the Security Council. My Government has welcomed time and again the Council's condemnation of South Africa's attempts to bring about a neo-colonial solution through puppet régimes. We also welcomed the Council's rejection of any linkage between the implementation of the United Nations plan for Namibia's independence and extraneous issues. However, the

(Mr. Osman, Somalia)

Council has failed to make good its many threats to take action under the Charter because of South Africa's non-compliance with resolution 435 (1978). The apparent paralysis of the Security Council has encouraged South Africa in its intransigence, and the vetoing of moderate proposals for selective sanctions has given comfort and support to the Pretoria régime.

My Government welcomes the efforts of Governments with significant economic and financial links to South Africa to break or reduce their ties with that country, but we believe that their efforts do not go far enough. We strongly support the international consensus which calls for the imposition of comprehensive and mandatory economic sanctions against South Africa. This is the only effective but peaceful measure available to the United Nations.

The imposition of such sanctions is eminently justified on a number of counts. It has long been established that South Africa's apartheid policies constitute a crime against humanity and a threat to peace. Today we are seeing the steady escalation of tension, conflict, violence and bloodshed in the southern African region as a result of the racist and colonial policies of the Pretoria régime. More specifically, the Security Council itself has judged that South Africa's continued occupation of Namibia is an act of aggression against the Namibian people. If any further reason for punitive measures under Chapter VII of the Charter were needed, South Africa's acts of military aggression, occupation and subversion directed against Angola and other front-line States have clearly been intolerable breaches of regional and international peace and security.

It has been claimed that sanctions would bring the greatest harm to the oppressed people of Namibia and South Africa, and that in any case sanctions would not be effective. I believe that both of these claims have been discredited. The authentic leaders of the people of southern Africa have pointed out that the

(Mr. Osman, Somalia)

possible hardships of sanctions, accompanied by the hope of liberation, would be highly preferable to the reality of steadily escalating oppression, violence and conflict.

If mandatory and comprehensive economic sanctions are adopted it would certainly be necessary for strong support to be given to the front-line States, which are already the victims of economic pressure and terrorist aggression, as they continue their courageous support for the liberation struggles in southern Africa. We hope that all sections of the international community will support initiatives in this regard already begun by the non-aligned group of countries.

With regard to the effectiveness of sanctions, it is apparent that even the limited economic and financial pressures recently directed against South Africa have brought about developments that could not have been envisaged a short time ago. It is certainly reasonable to believe that stronger measures backed by wider international support would be even more effective.

No political issue before the United Nations has been governed by more specific directives or earned a stronger international consensus on the means for its resolution than has the question of Namibia's independence. It is clearly the duty of the Security Council to take effective action to remove a serious threat to international peace and security, to bring an end to the long agony of the Namibian people and to discharge the responsibility of the United Nations for Namibia's independence. We hope that all the members of the Council will co-operate closely and positively with efforts to ensure for Namibia a steady, orderly and peaceful transfer from colonial rule to independent and sovereign status.

Mr. WIJEWARDANE (Sri Lanka): The General Assembly is once again going through its annual exercise of discussing the question of Namibia. It was only the other day that the Assembly held its fourteenth special session, on the same question. The fourteenth special session of the General Assembly, marked 20 years of failure.

It was by resolution 21/45 (XXI) that the General Assembly, at its twenty-first session, terminated the Mandate of South Africa over Namibia and placed the Territory under the direct responsibility of the United Nations. Since then this Assembly has continued its efforts to assist the people of Namibia under the leadership of the South West Africa People's Organization (SWAPO) to exercise their right to self-determination, freedom and national independence.

(Mr. Wijewardane, Sri Lanka)

Despite the efforts of the General Assembly and notwithstanding the resolutions of the Security Council, particularly resolution 435 (1978), South Africa continues its illegal administration of Namibia. The United Nations has evolved a plan of action for the independence of Namibia. We have accepted that plan as the only basis for a peaceful settlement of the Namibian problem. Notwithstanding all these good intentions, South Africa, as I said earlier, continues its illegal occupation of Namibia. Perhaps the reason for its illegal occupation is that Pretoria has got wrong signals from the deliberations of the Assembly and of the Security Council. South Africa maintains over 100,000 troops in Namibia in its brutal attempt to plunder Namibia, which is massively endowed with natural resources. In this unashamed exploitation it has sought to take refuge in many pretexts, the most obnoxious of which is the deliberate linkage between the presence of Cuban troops in Angola and Namibian independence. That argument by the racist régime of Pretoria, which links the independence plan to the withdrawal of Cuban troops from Angola, has been rejected by enlightened thinking. The world has seen through the undercover escalation by the South African régime in order to retain control over Namibia. As is customary, it has bolstered its claim over that country by hoisting a puppet régime euphemistically referred to as the "Provisional Government of Windhoek". Its Constitution and formulation do not lend it either credibility or legitimacy. This puppet régime has attempted to infiltrate the international scene by opening so-called Information Offices abroad. From these Information Offices South Africa plans to disseminate disinformation in the capitals of the world in an attempt to seek credibility for a wholly unrepresentative régime.

The South African Government has also very shrewdly sought to introduce an element of great-Power rivalry into southern Africa for its own selfish gains.

(Mr. Wijewardane, Sri Lanka)

While it continues its propaganda and disinformation abroad, the Pretoria régime continues to inflict within the Territory and outside it brutally repressive measures against the Namibian people and their immediate neighbours, particularly Angola. South Africa not only is illegally enriching itself by its illegitimate occupation of Namibia, but is using that unfortunate country as a springboard for terrorizing the front-line States on the pretext that they harbour dissident groups within their territories. The attempts by the South African régime to hide behind a facade of responsibility and respectability have been seen through at the international level. Member States have assessed these claims impartially and have condemned South Africa's patent attempts to escalate violence and bloodshed within and beyond Namibian borders, all to serve its selfish aims.

It is in that context that we welcome international agitation against apartheid. The Seminar on World Action for the Immediate Independence of Namibia, held at Valletta from 19 to 23 May 1986, and the International Conference for the Immediate Independence of Namibia, held at Vienna from 7 to 11 July 1986, have had overwhelming support. The international community is clearly impatient with the gross intransigence with which South Africa deals with the implementation of resolutions on Namibia and continues its stranglehold and illegal occupation of that Territory.

It is no wonder that the brave people of Namibia, under the flag of the South West Africa People's Organization (SWAPO), their national liberation movement, continue to resist the illegal régime of South Africa, battling against its inhumanity. Twenty years after the United Nations resolution, we are back to square one. Namibia is an illegally occupied Territory yet to be decolonized, and the great sweeps to liberate colonized people and to assure them their right to self-determination have still not touched the Territory of Namibia.

(Mr. Wijewardane, Sri Lanka)

Namibia produces a wealth of resources that South Africa is exploiting and marketing on the international scene. The report of the Council on Namibia indicates the extent to which foreign economic interests exploit the Territory's resources. A study by the British Council of Churches and the Catholic Institute of International Relations shows that as much as 60 per cent of Namibia's gross domestic product is repatriated abroad as company profits, with a large portion of the remaining 40 per cent being used as operating expenses for foreign economic interests in the Territory. White per-capita income is approximately 3,000 Rand, while the corresponding figure for the black population is around 125 Rand - a ratio of 24 to 1.

Given those circumstances, it is no wonder that Pretoria continues its stranglehold on that unfortunate country. The international community has to make one final effort to free Namibia. My delegation firmly holds the view that the need of the hour is political will. Countries that to date have not viewed the illegal occupation of Namibia as a denial of the rights of the Namibian people, as usurpation of the birthright of a nation by a small racist clique hell-bent on converting the riches of that country to unlawful and illegal gains, must remember their professions to abide by the Charter of the United Nations. Sanctions by themselves will still be defeatable unless and until the Security Council firmly lends its prestige and strength to the implementation of an appropriately worded resolution. In the implementation of such a resolution the entire international community must show firm resolve, committing itself to cherish the concept of independence, liberty and freedom for all Namibian people - as it surely must under the United Nations Charter.



(Mr. Wijewardane, Sri Lanka)

We seem to be far away from such a resolution. The need of the hour is for lobbying in the halls of power where legislators wield political clout and influence, so that the aspirations of the denied and deprived people of Namibia can be heard at the decision-making level. Let the cry to banish apartheid ring loud and clear so that with the end of that obnoxious system the decolonization of Namibia will become yet another achievement of the General Assembly.

Mr. THOMPSON (Fiji): The views of my delegation on the question of Namibia were stated at the fourteenth special session of the General Assembly, only two months ago. Let me use this opportunity to restate briefly Fiji's position on what is undoubtedly the most difficult and intractable of all the decolonization issues confronting the world community today.

We are part of the international unanimity on the immediate independence of Namibia, in accordance with Security Council resolution 435 (1978), which still constitutes the only legitimate and viable basis for Namibia's independence. Unfortunately, despite that unanimity the international community remains impotent in the face of South Africa's adamant refusal to implement the plan. We deplore the continuing resort to the linking of extraneous and irrelevant factors to independence as an excuse for not taking action.

We share the almost total support for comprehensive and mandatory economic sanctions against South Africa as the most effective peaceful means to induce that country to comply with the wishes of the international community and to terminate its illegal occupation of Namibia. However, we are encouraged to note the progress evidenced recently by the agreement of Commonwealth countries to impose further

(Mr. Thompson, Fiji)

sanctions, by the European Community's decision to implement a number of measures and by the landmark decision of the United States Congress. The momentum of these measures must be maintained and strengthened. Political isolation of South Africa has not been sufficient to induce the changes we all seek. It must now be complemented and reinforced by the concerted application of effective economic sanctions.

(Mr. Thompson, Fiji)

Much firmer measures are now long overdue. The small handful of countries which have the leverage to make South Africa take what is clearly the right course should replace rhetoric by positive and meaningful action. For two decades the rest of the world has pressed for it. When will the few be moved enough to heed the anguish of the suffering people of Namibia?

We fear that, sadly, the intensifying cycle of repression, brutality and violence will, if left unchecked for much longer, spread its destabilizing influence well beyond the borders of southern Africa. That would spell tragedy for us all. This we recognize, remote as we are in the heart of the Pacific Ocean. We must act collectively, and act now, to prevent what would otherwise become an inevitable and horrible reality.

Even now it is not too late for South Africa to abandon the path of confrontation and intransigence and move to implement Security Council resolution 435 (1978), on Namibia. There is a reservoir of concerned people in South Africa, who must come forward to help avoid what can only be very tragic consequences.

My delegation congratulates the Secretary-General on his initiative and his untiring and dedicated efforts in the search for a solution to the Namibian problem. He must be given every support.

The PRESIDENT: We have heard the last speaker for this morning. The Assembly will take a decision on the draft resolutions contained in document A/41/24 (Part II and Corr.1), chapter I, at a subsequent meeting, to be announced in the Journal.

The meeting rose at 1.10 p.m.