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LETTER DATED 13 APRIL 1978 FROM THE ACTING CHAIRMAN OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a consensus on the question of Namibia adopted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, at its 1107th meeting, on 13 April 1978.

In this connexion, I should also like to draw your attention to the records of the Special Committee containing the statements made by its members on the question (A/AC.109/PV.1103 to PV.1107)*.

(Signed) Anders I. THUNBORG
Acting Chairman
Special Committee on the Situation
with regard to the Implementation
of the Declaration on the Granting
of Independence to Colonial
Countries and Peoples

* Not reproduced in the present document.

Annex

QUESTION OF NAMIBIA

Consensus adopted by the Special Committee
at its 1107th meeting, on 13 April 1978

1. Having considered the question of Namibia within the context of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and having heard the statements by the President of the United Nations Council for Namibia 1/ and by the representative of the South West Africa People's Organization, 2/ the Special Committee reaffirms its previous resolutions and decisions on the question.
2. The Special Committee strongly condemns the South African régime for its continued illegal occupation of Namibia, in defiance of repeated demands by the General Assembly and the Security Council for its withdrawal from the Territory, its outright violation of its obligations under the Charter of the United Nations in respect of Namibia and its attempt to perpetuate its domination over the Namibian people by creating an atmosphere of terror and intimidation throughout the Territory and by employing tactics which have as their objective to destroy the national unity and territorial integrity of Namibia and stifle the genuine aspirations of its people.
3. The true aspirations of the Namibian people are evidenced by their widespread demonstrations of support for the South West Africa People's Organization, the sole, authentic representative of the Namibian people, which is unequivocally opposed to any political settlement that does not lead to genuine self-determination and independence and is not based on the territorial integrity and unity of Namibia, in accordance with the resolutions and decisions of the United Nations. In its efforts to suppress these manifestations of unanimous opposition to its illegal presence in Namibia and also in an attempt to combat the growing strength and successes of the People's Liberation Army of Namibia, the South African régime has resorted increasingly to arrests, intimidation and violence. Large areas of Namibia have been placed under military rule and there is ample evidence of widespread brutality and ill treatment of civilians by units of the South African armed forces and security police.
4. The South African régime has embarked of late on the reinforcement of its already huge army in Namibia in preparation for a major confrontation with the liberation forces led by the South West Africa People's Organization. South Africa's activities involve a massive military build-up within Namibia, including the

1/ A/AC.109/PV.1103.

2/ Ibid.

shipment into the Territory of large numbers of tanks and substantial quantities of ammunition, the construction of army barracks and the development of nuclear weapons. The immediate objective of this military build-up is to consolidate the position of the occupation régime, carry out its hegemonistic ambitions in the region, prevent the oppressed Namibian people from achieving genuine national independence and create conditions for imposing a puppet régime in Namibia drawn from tribal groups.

5. The South African régime has also initiated a scheme of officially instigated and organized violence against the South West Africa People's Organization, which is being carried out by South Africa's puppets and collaborators in Namibia. This sinister scheme is aimed at aggravating ethnic strife and hostilities within Namibia to justify the continued illegal occupation of the Territory by South Africa and the consolidation of its policies of apartheid and "bantustanization".

6. The Special Committee further condemns this increasing resort to violence and intimidation by the South African régime in Namibia. In particular, it deplores the arrest and sentencing of Namibians for opposing South Africa's occupation of the international Territory of Namibia by courts having no legal jurisdiction in the Territory. It once again demands the unconditional release of all Namibian political prisoners.

7. The Special Committee categorically rejects any manoeuvres by the illegal racist régime of South Africa to impose a so-called internal settlement aimed at giving its illegal occupation some recognition by installing a puppet régime controlled from Pretoria, and calls upon all States not to accord any recognition to such a settlement.

8. The Special Committee also strongly condemns South Africa for its continued exploitation and plundering of the human and natural resources of the Territory, in disregard of the legitimate interests of the Namibian people, and demands that such exploitation cease forthwith. It also condemns the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa, and reaffirms that the activities of those corporations are illegal.

9. Given South Africa's increasing resort to force in order to perpetuate its illegal domination of the Territory, its flagrant refusal to comply with the terms of Security Council resolution 385 (1976) of 30 January 1976 and its repeated acts of aggression against neighbouring African States, the Special Committee recommends that the Security Council should consider taking all appropriate measures under the Charter, including further measures as provided for under Chapter VII, with a view to securing the speedy compliance by the Government of South Africa with the decisions of the Security Council. In this connexion, the Committee is mindful not only that Namibia, as an international Territory, is a special responsibility of the United Nations, which has a duty to do everything possible to terminate South Africa's illegal occupation, but also that the war being waged in the Territory of South Africa constitutes a threat to international peace and security.

10. The Special Committee further calls upon all States to take effective measures to prevent the recruitment of mercenaries for service in Namibia or South Africa.
11. The Special Committee reaffirms that the only political solution for Namibia must be one based on the free and unfettered exercise by all the Namibian people of their right to self-determination and independence within a united Namibia, in accordance with General Assembly resolution 1514 (XV). To this end, the Committee reaffirms the need to hold free elections under the supervision and control of the United Nations in the whole of Namibia as one political entity, in accordance with Security Council resolution 385 (1976). Furthermore, any negotiations leading to the independence of Namibia must be entered into by the South African régime with the South West Africa People's Organization, as the only authentic representative of the Namibian people, under the auspices of the United Nations. Such negotiations must be for the sole purpose of deciding the modalities of the transfer of power to the people of Namibia.
12. The Special Committee strongly condemns and denounces South Africa for its decision to annex Walvis Bay, as this constitutes an act of provocation and aggression against the Namibian people. The United Nations has categorically rejected attempts by South Africa to separate Walvis Bay from the rest of Namibia. The Committee demands the withdrawal of the illegal South African occupation from the whole of Namibia, including Walvis Bay, and requests all States not to take any action which may give any semblance of legitimacy to South Africa's claim to Walvis Bay.
13. The Special Committee reaffirms its continued support for the people of Namibia, led by their sole and authentic national liberation movement, the South West Africa People's Organization, in their courageous and unyielding liberation struggle against the ruthless repression of the illegal South African régime. Now, more than ever, it is the clear responsibility of the international community to render and strengthen all moral and material support and assistance to the Namibian people and their national liberation movement in the conduct of their legitimate and just struggle for freedom and independence and to deny to the South African régime any recognition or co-operation which may encourage it to continue its illegal occupation of Namibia in defiance of United Nations decisions.
14. Mindful of the direct responsibility of the United Nations for Namibia and its people, the Special Committee appeals to all States Members of the United Nations which have not already done so to contribute to the United Nations Fund for Namibia and through it to the Institute for Namibia, in order that the latter may continue and expand the valuable work which it is doing in training Namibians in the skills needed for an independent Namibia. The Committee commends the example of those States which are already contributing to the Fund and the Institute and expresses the hope that they will increase their contribution.
15. The Special Committee, conscious of the mandate of the United Nations Council for Namibia as the only legal authority for Namibia until independence, reaffirms

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its support for the activities of the Council and endorses the policies and programmes defined by the Council in co-operation with the South West Africa People's Organization to promote the cause of self-determination and independence of the Namibian people. It also commends the Council for its adoption of the 1978 Lusaka Declaration of the United Nations Council for Namibia. 3/

16. The Special Committee decides to keep the situation and developments in the Territory under continuous review.

3/ A/S-9/2, annex.