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**AGENDA ITEM 36**

**Question of Namibia (concluded):**

- (a) **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;**
- (b) **Report of the United Nations Council for Namibia**

1. The PRESIDENT: I shall now call on those delegations that wish to explain their votes.

2. Mr. OYAKE (Japan): My delegation abstained in the voting on draft resolutions adopted at the 93rd meeting, mainly for the following reasons.

3. Japan has consistently supported efforts to achieve the early independence of Namibia through peaceful means. But, as my delegation has made clear on many occasions, we cannot support armed struggle, even in the settlement of the vexing Namibian question. Further, while Japan recognizes the significant role being played by the South West Africa People's Organization [SWAPO] in the movement for Namibian independence, it continues to maintain the position that representation of the Namibian people should ultimately be determined by the Namibian people themselves, through free and fair elections.

4. These draft resolutions also contain some paragraphs which mention and criticize particular Member States. My delegation does not believe that this approach will contribute in a positive way to the solution of the problem. Further, in the present circumstances my delegation has doubts as to whether comprehensive mandatory sanctions against South Africa would in fact be the most effective and expeditious means of achieving the desired end.

5. In addition, while my delegation attaches importance to the dissemination of information on Namibia, we believe that the information must be accurate, fair and balanced. It is also appropriate that close co-operation be

maintained between the United Nations Council for Namibia and the Department of Public Information to ensure that the Department's facilities will be effectively utilized and that information will be disseminated in a co-ordinated manner.

6. My delegation voted in favour of draft resolutions A/36/L.25 and L.28. However, our affirmative vote should not be construed as support for all the paragraphs of the resolutions. My delegation's position, which it has made clear on various occasions, has not changed.

7. For reasons that we have explained, my delegation has reservations about some parts of the report [A/36/24] and programme of work of the United Nations Council for Namibia. Although we recognize and appreciate the important role that the United Nations Fund for Namibia performs, we have reservations about operative paragraph 4 of draft resolution A/36/L.28, which allocates from the regular budget \$1 million, a 100 per cent increase over last year's allocation to the Fund, which, it should be recalled, was established as a voluntary fund.

8. Mr. MONSALVE (Chile) (*interpretation from Spanish*): The delegation of Chile voted in favour of the draft resolutions on Namibia with the exception of draft resolutions A/36/L.23/Rev.1 and L.24. We could not support those drafts because they contain paragraphs which in substance and in form substantially depart from the line of moderation and conciliation which should characterize the work of the United Nations Council for Namibia as the legal Administering Authority of the international Territory of Namibia.

9. In the opinion of the delegation of Chile, draft resolution A/36/L.23/Rev.1, as well as the report of the United Nations Council for Namibia which is approved in operative paragraph 1, contains references to and condemnations of specific countries which are unjustified and most undesirable for the establishment of the atmosphere of co-operation and understanding that is essential to progress towards a negotiated solution of the question of Namibia. My delegation has always opposed singling out and specifically condemning States Members of the Organization, since in almost all cases this involves elements of discrimination and injustice.

10. For these reasons, the delegation of Chile places on record its serious reservations with regard to the seventh preambular paragraph and operative paragraphs 17 and 31, among others.

11. With regard to draft resolution A/36/L.24, the delegation of Chile wishes to reiterate the traditional policy of its country, namely, that only the Security Council has competence under Chapter VII of the Charter of the United Nations to impose mandatory sanctions against a State Member of the United Nations. Under the provisions of the Charter, the General Assembly is not authorized to do so.

12. Mrs. DAES (Greece): The Greek delegation abstained in the vote on draft resolution A/36/L.27 despite the fact that it contains certain principles, proposals and elements which Greece fully supports. In particular, we endorse the proposal for the mobilization of international public opinion with a view to assisting effectively the people of Namibia in the achievement of self-determination, freedom and independence. We also support the request that the United Nations Council for Namibia should consider ways and means of increasing the dissemination of information on Namibia. It is our firm belief that the mass media have an important role to play in the process of finding a speedy and just solution to the problem of Namibia. In particular, we are convinced that the production of useful material and proper publicity through radio and television broadcasts will greatly contribute to the enlightenment of world public opinion on the acute question of Namibia. It was in this spirit that the Greek delegation voted in favour of the relevant administrative and financial implications referred to in the report of the Fifth Committee [A/36/815, para. 5].

13. Further, my country unreservedly supported draft resolution A/36/L.28 concerning the United Nations Fund for Namibia. In this connection, I should like to say that Greece has made a symbolic contribution of \$10,000 to the Fund and to the United Nations Institute for Namibia for the year 1981.

14. Nevertheless, we should like to place on record that we abstained in the vote on draft resolution A/36/L.27 because we have serious reservations with respect to the language and the unjustified attacks against certain Western countries, especially in the fifth paragraph of the preamble and operative paragraph 4 of that draft resolution.

15. Mr. TÓMASSON (Iceland): I have the honour to speak on behalf of the five Nordic countries—Denmark, Finland, Norway, Sweden, and Iceland—in explanation of vote on the six draft resolutions on the question of Namibia.

16. The Nordic countries remain firmly convinced that the people of Namibia must be permitted as soon as possible to determine its future through free and fair elections under the supervision and control of the United Nations in accordance with Security Council resolution 435 (1978). The endeavours to bring South Africa's illegal occupation of Namibia to an end should be given the highest priority, and the delaying tactics of South Africa must be terminated. The Nordic countries remain prepared to make their contribution to finding a solution within the framework of the United Nations, and they remain prepared to make their contribution to the construction and development of a free Namibia.

17. The Nordic countries regret that most of the resolutions adopted yesterday did not lend themselves to a positive vote. Our decision has been particularly painful since we have for a number of years consistently supported most of the General Assembly resolutions on Namibia. We have done so in spite of considerable problems of principle concerning certain elements in the resolutions because we wanted to express our support for the overall objective, namely, freedom and independence for Namibia.

18. In our opinion, the General Assembly should do its utmost to facilitate a peaceful settlement. Instead, the wording of the resolutions adopted yesterday appears to be counterproductive as far as that objective is concerned.

We regret this because such language may serve to undermine the broad international agreement concerning the question of Namibia. We are convinced that more extensive consultations on the texts would have resulted in more general support.

19. The resolutions contain a number of elements that cause us great difficulties, which I shall outline in general terms.

20. First, as we have stated on a number of occasions, the Nordic countries cannot accept endorsement by the United Nations of the use of armed struggle for any reason. One of the basic principles of the Organization is the promotion of peaceful solutions of international problems. For the same reason we cannot support the calls for military assistance contained in the resolutions.

21. Secondly, because of our respect for the Charter of the United Nations, we have reservations concerning formulations which fail to take into account that only the Security Council can adopt decisions which are binding on Member States.

22. Thirdly, once again we must reject the arbitrary and unjustified singling out of individual countries and groups of countries in a number of paragraphs in the resolutions.

23. Fourthly, some of the formulations in the draft resolutions are designed to cast doubt on the present negotiating efforts, to which there is no realistic alternative in sight. We support those negotiating efforts as an essential part of our common aspiration to the implementation of Security Council resolution 435 (1978).

24. Fifthly, all political parties enjoying popular support in Namibia must be allowed to participate in a political process through free and fair elections. SWAPO is such a party and must be part of any solution in Namibia.

25. Sixthly, we have hesitations concerning some paragraphs with sweeping financial implications.

26. Finally, the Nordic countries wish to put on record their appreciation of the untiring efforts of the Secretary-General and his Special Representative, as well as of all parties which have been constructively involved in the negotiating process. We urge them to continue those efforts to find an internationally acceptable solution to the Namibian problem within the framework of the United Nations.

27. Mr. IBRAHIM (Indonesia): Indonesia has consistently supported the Namibian people in its struggle for an independent Namibia. My delegation was a sponsor of four of six draft resolutions on Namibia before the Assembly and voted in favour of all the draft resolutions.

28. However, my delegation wishes to make its position clear. It is not completely satisfied with the wording of some paragraphs in the draft resolutions adopted yesterday which single out certain countries in a discriminatory manner. My delegation would have abstained on those paragraphs had they been voted on separately.

29. U Aung THANT (Burma): My delegation would like to explain very briefly its vote on the draft resolutions adopted yesterday on the question of Namibia.

30. The policy of Burma in this matter is clear, consistent and unequivocal. From the earliest days when the question of South West Africa or Namibia first appeared

on the agenda of the Organization, Burma has always extended its whole-hearted support to and invariably complied with all the resolutions the Assembly and the Security Council have seen fit to adopt.

31. We have done likewise here and voted in favour of all the resolutions in which the Assembly in its wisdom once again took important decisions on Namibia at the 93rd meeting.

32. We did so in keeping with our long-standing policy and notwithstanding some reservations which we sincerely entertain on the wording of certain paragraphs. I refer here in particular to the seventh preambular paragraph and operative paragraph 17 of draft resolution A/36/L.23/Rev.1.

33. It is my delegation's fervent hope that these latest decisions of the Assembly, coupled with the Security Council's resolution 435 (1978), will go a long way towards bringing Namibia to its independence and nationhood which have so long proved, to say the least, elusive and which in our view and, indeed, in the view of the world community, are long overdue.

34. Mr. MARTÍNEZ (Argentina) (*interpretation from Spanish*): The delegation of Argentina voted in favour of the draft resolutions A/36/L.23/Rev.1 through L.28 because these are in accordance with the fundamental principles laid down in favour of Namibia's peaceful, just and orderly transition to national independence and sovereignty in accordance with the Charter of the United Nations and the relevant resolutions of the General Assembly and of the Security Council.

35. Nevertheless, my delegation wishes to enter the following reservations in respect of the texts adopted:

36. First, we have reservations with regard to any reference which prejudices the representation of the people of Namibia in an exclusionary manner, since this question is to be settled by means of free elections to be held in accordance with the relevant resolutions of the General Assembly and of the Security Council;

37. Secondly, my delegation is concerned about any reference to the support for armed struggle as a means of achieving independence and self-determination for Namibia, since this is a procedure not envisaged in the Charter of the United Nations for the settlement of international disputes;

38. Thirdly, we have reservations with regard to all critical and partial references to the conduct of certain countries, since they detract from support for the resolutions adopted and therefore from their effectiveness;

39. Fourthly, as was pointed out in our explanation of vote during the 12th meeting of the eighth emergency special session of the General Assembly, the Government of Argentina wishes to recall once again that the Charter of the Organization has restricted competence in the application of comprehensive mandatory sanctions to the Security Council. Accordingly, we find unacceptable all appeals or requests for sanctions against a Member State except through the machinery strictly provided for in the Charter. Similarly, we disagree with the provisions whereby a control procedure is envisaged within the United Nations for the implementation of sanctions, since this implies, *de facto* and *de jure*, their imposition with-

out regard for the relevant specific provisions of the Charter.

40. Mr. LAL (Fiji): My delegation has once again voted in favour of all the draft resolutions on which the Assembly has acted concerning the international Territory of Namibia.

41. This is primarily because of our firm commitment to the right of the people of Namibia to self-determination and independence in accordance with the conditions stipulated in appropriate United Nations resolutions, including, in particular, Security Council resolutions 385 (1976) and 435 (1978). Those resolutions, in essence, provide the framework for a peaceful solution of the question through a process of free and fair elections under the auspices of the United Nations.

42. My delegation therefore deplores South Africa's militarization of the Territory and its ill-advised military incursions into neighbouring States, particularly since they constitute serious obstacles to the ongoing search for an internationally acceptable solution for Namibia.

43. In the light of this, we have reservations concerning references to armed struggle, for instance those contained in operative paragraph 7 of draft resolution A/36/L.23/Rev.1. Moreover, we have difficulties with operative paragraph 6 of draft resolution A/36/L.24.

44. Our reservations also remain valid concerning the singling out of countries including those named in operative paragraphs 17 and 31 of A/36/L.23/Rev.1, operative paragraph 22 of draft resolution A/36/L.24 and the fifth preambular paragraph of draft resolution A/36/L.27.

45. This is in view of the commitment and support that have been widely expressed in favour of an international solution to the Namibian question on the basis of Security Council resolution 435 (1978).

46. Finally, my delegation sincerely hopes that this commitment will soon lead to the implementation, with the co-operation of all concerned, of resolution 435 (1978) which enjoys international consensus.

47. Mr. DORN (Suriname): The delegation of Suriname voted in favour of the draft resolutions on the question of Namibia, specifically A/36/L.23/Rev.1, on the situation in Namibia resulting from the illegal occupation of the Territory by South Africa, and has in this way expressed the full and unconditional support of Suriname for the people of Namibia in their just struggle for independence under the leadership of SWAPO, their sole and authentic representative. With regard to operative paragraph 17 of that draft resolution, the delegation wishes the record to show that it would have preferred this paragraph to have been worded differently. If a separate vote had been taken on operative paragraph 17, the delegation of Suriname would have abstained in it.

48. Mr. BUSTANI (Brazil): The delegation of Brazil voted in favour of the six draft resolutions adopted yesterday on the question of Namibia. We did so despite some of our doubts on the language used in some of the provisions of draft resolution A/36/L.23/Rev.1.

49. In connection with draft resolution A/36/L.24, while we support the measures that the United Nations has recommended to Member States on the problem under con-

sideration, we believe that the present proposal goes beyond the scope of a General Assembly resolution.

50. In relation to draft resolution A/36/L.26, we wish to state, as we have on previous occasions, that granting full membership to the United Nations Council for Namibia in specialized agencies and other organizations of the United Nations system should not be regarded as setting a precedent for other intergovernmental bodies, given the *sui generis* character of the question of Namibia.

51. Mr. SCHLEICHER (German Democratic Republic): In accordance with its principled support of the liberation struggle of the peoples which are still colonially oppressed, the delegation of the German Democratic Republic voted in favour of all the draft resolutions adopted.

52. My country's position on the question of Namibia is well known to everybody and was explained in detail [66th meeting] during the debate on the item.

53. My delegation considers the implementation of the demands embodied in the draft resolutions adopted to be a prerequisite to implementation of the Namibian people's right to self-determination and that country's genuine independence, as those demands are in line with relevant decisions of the General Assembly and the Security Council. All attempts to remove from the United Nations its special responsibility for that Territory and to undermine the respective decisions of the Security Council must be strongly rejected. It is inadmissible that, out of all States, the United Nations mandate to supervise the elections for an independent Namibia should be carried out by representatives of those States which are refusing to agree to the General Assembly's decisions on Namibia and have prevented the adoption by the Security Council of decisive measures on the implementation of that country's independence. There is no need to explain here how grave the consequences would be, if, for instance, the United States sent armed forces to Namibia.

54. The voting behaviour of certain delegations on the draft resolutions before us only reaffirms that they are continuing their policy of collaboration with South Africa, a policy aimed at withholding true independence from Namibia and focused on the establishment of a neo-colonialist puppet régime. Recent meetings between high-ranking representatives of those States with representatives of the so-called Democratic Turnhalle Alliance, who are denounced by the international community, are new evidence of that policy. Those puppets in no way represent the people of Namibia but only a handful of the *apartheid* régime's collaborators—outright racists and proponents of Fascist ideologies.

55. We are convinced that when implementing its right to self-determination the people of Namibia will rebuff those gentlemen.

56. Mr. TALEB (Morocco) (*interpretation from French*): My delegation voted, as it was in duty-bound to do, in favour of all the draft resolutions on the question of Namibia to reaffirm its solidarity with and unreserved support for the people of Namibia in its struggle to accede as soon as possible to its right to self-determination and independence.

57. Furthermore, my delegation was a sponsor of many of the draft resolutions. However, my delegation has some reservations regarding the wording of some of the para-

graphs of those draft resolutions which contain discriminatory citations by name to which we cannot agree.

58. Mr. BAYONA (Peru) (*interpretation from Spanish*): The delegation of Peru voted in favour of the draft resolutions on Namibia in conformity with our consistent condemnation of the illegal occupation of Namibia by South Africa and our respect for Namibia's territorial integrity and the right of its people to independence.

59. However, my delegation wishes formally to express its reservations on those paragraphs in which certain countries are singled out for condemnation, since we consider that such condemnation could be considered selective and thus discriminatory.

60. Likewise we consider that the solution of the problem of Namibia must be achieved primarily by peaceful means in accordance with the purposes and principles of the Charter of the United Nations.

61. Mr. SHARMA (Nepal): My delegation wishes for the record to explain why we abstained in the vote on draft resolution A/36/L.23/Rev.1.

62. It is a well-known fact that my country has vehemently and consistently supported the cause of Namibian independence. We have always advocated the complete, immediate and unconditional withdrawal of South Africa from Namibia, which would permit the people of Namibia to decide their future freely without any external influence or coercion.

63. In short, we hardly need to make a lengthy statement here on how vigorously we have championed the cause of the Namibian people. Thus, we share the main thrust and spirit of the resolution. However, I regret that my delegation had to abstain on the resolution because we faced some difficulty in supporting certain wording in the seventh preambular paragraph and operative paragraph 17 of that draft resolution.

64. Similarly, we should like to inform the Assembly that, even though we voted in favour of draft resolution A/36/L.27, we wish to record our reservations regarding the language used in the fifth preambular paragraph.

65. Mrs. OSODE (Liberia): My delegation, in view of its moral obligation and duty to the country and people of Namibia, voted in favour of all the draft resolutions on the question of Namibia adopted yesterday. We shall continue to subscribe to the thrust of these resolutions, but had a separate vote been taken on operative paragraph 17 of draft resolution A/36/L.23/Rev.1 and the fifth preambular paragraph of draft resolution A/36/L.27, my delegation would have abstained. We would have done so without compromising the lofty principles enshrined in these resolutions. My delegation would have appreciated it if a firm but not antagonistic formulation of certain provisions had been adopted, in order not to suggest that States are in confrontation with one another instead of with South Africa. We must desist from the practice of arbitrarily selecting countries for condemnation and exposure to the full blaze of publicity, while shielding others. All States have a moral duty and obligation to the country and people of Namibia, and in this connection we must not just vote favourably but must also implement these resolutions.

66. As a member of the United Nations Council for Namibia and as a country that adheres to the principles of



the Charter of the United Nations, Liberia will continue to support and be actively engaged in the Namibian cause.

67. My delegation can only hope that, as the United Nations approaches the new year, a renewed, realistic and positive attitude to the situation in Namibia will become more apparent, in order that the determination of Member States to halt the sufferings of the Namibian people and bring that Territory to early independence may be translated into action no later than 1982.

68. Mr. PIZA-ESCALANTE (Costa Rica) (*interpretation from Spanish*): The delegation of Costa Rica voted in favour of all except one of the draft resolutions on the question of Namibia. We very much regret that we had to abstain on draft resolution A/36/L.24, although we share the concern of the international community about the failure of Member States to act in compliance with the mandates and the resolutions of the Organization, a failure to act and lack of results which have obviously made it more difficult to achieve the objective we all pursue, to see Namibia soon free, independent and democratic and occupying its proper place in the concert of sovereign nations. Costa Rica has always supported, without any exception, the struggle of the Namibian people for their independence and freedom, which is also the struggle of the United Nations, so that international order may be respected and complied with.

69. Nevertheless, for my delegation it would not have been responsible or consistent to vote for draft resolution A/36/L.24, because this draft requests all States to take a series of actions and measures which in various fundamental aspects are not in accordance with the scale of values and principles which my country, like many other States Members of the Organization, maintains and which are fundamental for us, particularly because they are directly linked to the manner in which we see the commitments we have entered into in accepting the Universal Declaration of Human Rights and the international covenants on human rights, both of the United Nations and of the regional inter-American system.

70. We could not, without hypocrisy, participate with our vote in resolutions which imply for our country, as does draft resolution A/36/L.24, the obligation to impose on its own citizens sanctions and restrictions which our constitutional system and the covenants on human rights forbid. We accept and share the obligations imposed by the covenants on States and on official organizations, but we could not impose on Costa Ricans, or on private citizens of any country, restrictions and limitations such as those proposed in this draft resolution. Our conduct in the matter can and should go as far as is possible for the benefit of Namibia, but without violating our fundamental limitations or the higher principles which we ourselves have endorsed, human rights which should be respected for all human beings, without any exceptions or limitations, including the worst criminals.

71. In this sense it is important to recall that, in accordance with article 2 of the Universal Declaration of Human Rights:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

"Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty." [resolution 217 (III)]

72. Many of the operative paragraphs in draft resolution A/36/L.24 contain the implication that States must impose on their own citizens, on the citizens of South Africa and on the citizens of other countries limitations which, in our opinion, would be impossible to impose without violating these loftier principles.

73. Furthermore, as regards draft resolution A/36/L.24 through L.28, Costa Rica voted in favour because we share, as I said, the concern of the international community regarding the independence and sovereignty of the people of Namibia. However, my delegation wishes to place on record certain reservations, since it does not completely agree with some of the paragraphs where the language does not have a proper balance. We have to make a general reservation about all those paragraphs which seek to single out and condemn certain States, because we believe that singling out responsibilities will not lead to a positive solution of the problem and because in these resolutions this is obviously tendentious and partial. If we are going to mention countries which, violating United Nations recommendations, maintain economic relations, for example, with the South African régime, let us mention all of them, and then we can agree. Let us not mention only the countries of Western Europe and American countries. Let us mention the African countries which, according to the latest report of the IMF, appear to be trading with South Africa in substantial sums, among them—I am going to say this, because it has to be said—Mozambique, Kenya, Guinea, Angola, the Central African Republic, Congo, Guinea-Bissau, Malawi, Mauritius, Zambia and Zaire. All of these countries traded with South Africa in the year 1980. So also did Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, the Soviet Union and Viet Nam, most of the countries of the American continent and many other countries of the third world, the list of which I have here.

74. We agree on mentioning the countries that are trading with South Africa, and if my country, because it has a system of free trade which does not permit it to forbid its citizens to carry on such trade, appears on that list, then let my country be censured also. But either we censure all or we censure none.

75. Mr. SALLAH (Gambia): My delegation voted in favour of all the draft resolutions adopted under the question of Namibia. We did so because of our primary concern about the plight of the Namibian people and our determined adherence to the principle of self-determination.

76. Since 1966, when the General Assembly terminated South Africa's Mandate over the Territory of Namibia [resolution 2145 (XXI)], it appears to my delegation that our determination to discharge our responsibilities with respect to the Territory until it achieves genuine self-determination and independence has left much to be desired. This reality escapes no one.

77. Therefore it is the view of my delegation that we, as Members of the United Nations, cannot and must not allow this obvious lack of resolve and action against South Africa to continue. It is therefore the hope of my delega-

tion that, with the adoption of these draft resolutions, our determination will be reaffirmed and reinforced.

78. The Gambia expresses once again its disdain for and complete disapproval of nations and organizations which operate in flagrant disregard of the resolutions adopted by the United Nations and other international bodies and their persistent assistance to South Africa, to the complete advantage of the few and the disadvantage of the many. We call for the effective implementation of the numerous resolutions adopted in order to bring about early independence for Namibia. However, the duty to act on this urgent problem rests not on a few but on all of us. Consequently my delegation is opposed to the tendency to single out a few countries for condemnation by name. Therefore, we cannot associate ourselves with certain paragraphs in the resolutions adopted which single out certain countries.

79. As for those who have made the ultimate sacrifice, the Namibian people, they should always be remembered in the Assembly and outside it. It is especially in their name that we should focus our attention on this matter, and it is in their name that a speedy and just resolution of the question of the independence of Namibia, under the dynamic leadership of SWAPO must be achieved.

80. Mr. LOZINSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The delegation of the Soviet Union voted in favour of the draft resolutions on the question of Namibia and it entirely agrees with all the provisions contained in them. The Soviet delegation is in favour of the appeal to support the national liberation struggle of the Namibian people under the leadership of SWAPO, the sole legitimate representative of the people of Namibia, contained in those resolutions. The Soviet delegation, also supports the provisions of resolutions condemning the actions of the Western Powers which in fact are aimed at stopping the liberation struggle of the people of Namibia.

81. The General Assembly has rejected the manoeuvres of certain members of the group of five Western countries which are actually aimed at preventing the people of Namibia from benefiting from the successes they have attained in their national liberation struggle. At this stage the Soviet delegation will not refer in detail to the manoeuvres that have been undertaken by the group of five Western Powers, which include expanding co-operation with South Africa and contacts with the representatives of the puppet authorities in Namibia.

82. We wish merely to note that among these manoeuvres are the spreading of slanderous fabrications in respect of the Soviet Union and other socialist States and particularly allegations to the effect that those States have trade relations with South Africa. Unfortunately, these manoeuvres have achieved certain results, insignificant though they may be, as is borne out by the statement of one delegation in the General Assembly which repeated the fabrications regarding the ostensible existence of trade between the socialist countries and South Africa.

83. The Soviet delegation, in that regard, would like once more to note and to affirm that no Soviet foreign trade organization has any direct or indirect trade links with firms and organizations of South Africa. We abide strictly by all our obligations in that regard.

84. As to the reference made here to data in the IMF trade yearbook indicating that trade supposedly takes

place between South Africa and the Soviet Union and other socialist countries, we should like to emphasize that that information is based on data supplied by South Africa itself and is not in accordance with reality. Indeed, it is not difficult to imagine that South Africa, which cherishes and develops its links with Western Powers, is trying to introduce disinformation in this situation and is deliberately giving the IMF false information.

85. The PRESIDENT: I call on the Acting President of the United Nations Council for Namibia.

86. Mr. KRISHNAN (India), Acting President, United Nations Council for Namibia: In the absence of Mr. Paul Lusaka, in my capacity as Acting President of the United Nations Council for Namibia, I should like to make a short statement to thank those Member States which participated in the debate on the question of Namibia. I should also like to thank those which voted in favour of the resolutions on Namibia prepared by the Council, thus expressing their solidarity with and support for the noble cause for which the Namibian people are fighting.

87. The participation of more than 80 representatives in the debate which has just concluded is certainly an indication of the extreme concern of Member States with respect to the continued illegal occupation of Namibia in defiance of the United Nations resolutions on the question of Namibia. Most delegations have also emphasized the fact that South Africa's continued illegal occupation of Namibia has enabled it to launch repeated acts of aggression against independent African States in the region, thus creating an even greater threat to international peace and security.

88. It follows, both from the resolutions which the General Assembly has just adopted and from the statements by Member States, that the international community is well aware of the manoeuvres by South Africa and will not be deceived by them.

89. With regard to those countries which abstained in the vote on the resolutions, the Council wishes to believe that they too subscribe to the spirit and purpose of the resolutions, which are aimed at the early decolonization of Namibia. Differences in perception or approach cannot and should not deflect us from what, I am convinced, is our common objective of enabling the people of Namibia to exercise their inalienable right to self-determination and independence.

90. The resolutions which we adopted yesterday analyse the political situation pertaining to Namibia, call for appropriate action by Member States and give a mandate to the United Nations Council for Namibia to establish an extensive work programme. They also provide for increased action by intergovernmental and non-governmental organizations, a wide-ranging programme of dissemination of information and an enlarged programme of assistance to Namibians through the United Nations Fund for Namibia.

91. Finally, the Council for Namibia will, in conformity with its mandate, continue its efforts to mobilize world support for the legitimate struggle of the Namibian people for self-determination, freedom and national independence in a united Namibia. Without doubt, the present resolutions, like those of previous years, will serve as guidelines for the Council in performing its duties as the legal Administering Authority of Namibia until genuine independence is achieved.

92. The PRESIDENT: I call on the observer of SWAPO in accordance with General Assembly resolution 31/152 of 20 December 1974.

93. Mr. GURIRAB (South West Africa People's Organization): I had intended to make this brief statement yesterday, but could not do so for reasons well known to the Assembly. I am glad to be able to do so this morning.

94. My initial remarks are cast in the context of yesterday, 10 December, Human Rights Day, a day on which, in 1948, the United Nations adopted the famous Universal Declaration of Human Rights.

95. Ironically, 10 December is a day of mourning and remembrance for the Namibian patriots: on this day in 1959 the trigger-happy Fascist police of racist South Africa killed more than 60 innocent Namibians and maimed and wounded scores of others in Windhoek, the capital city, during a peaceful demonstration against the *apartheid* system, bantustan policies and political repression. As a tribute to the memory of those fallen comrades who sacrificed themselves for Namibia's emancipation, we in SWAPO have been commemorating this date for the past 22 years as Namibian Women's Day, honouring the women who played a leading role in that tragic encounter, lest we forget the Windhoek massacre, which was to be followed 19 years later by the Kassinga massacre of 4 May 1978, in which nearly 1,000 Namibian refugees, most of them women and children, were either killed, maimed or wounded in the People's Republic of Angola.

96. South Africa has never endorsed that Declaration or the subsequent conventions and protocols relative to it.

97. Yet today we see that Namibia's independence is being further delayed at the behest of that criminal régime, which, we are made to understand, is insisting on certain constitutional guarantees for the white minority in an independent Namibia. We reject the assumption that individual whites or the white community as a whole would somehow be victimized by a SWAPO government. The struggle has never been against individuals or population groups, but against the system. It is strange, indeed, that a terrorist, undemocratic, Fascist, totalitarian State such as the *apartheid* Republic of South Africa should demand of others what the overwhelming majority of its own citizens are denied by law and the Constitution in South Africa. In any case, what about protection and guarantees for the African majority in Namibia, who continue to be victimized? What about their rights and interests? It is in their name and on their behalf that SWAPO is waging the heroic struggle to liberate our beleaguered but beloved fatherland.

98. We can only remain hopeful that, with unreserved support and assistance from the wider international community, the Namibian people will soon be able to achieve genuine self-determination, liberation and the full enjoyment in an independent Namibia of its human, political, social and economic rights, as embodied in the Charter of the United Nations and the Universal Declaration of Human Rights.

99. May I now say a few words about the business at hand. The weeks following the conclusion of the debate on the question of Namibia have been eventful and significant, to the point of being crucial. Southern Africa has continued to be subjected to aggression by the racist Pretoria régime and its deadly machinery of State terrorism,

regional expansion, death, destruction and darkness. It has intensified its terror campaigns throughout the region. Foreign exploiters continue to plunder the natural resources, exploit the cheap African labour and employ the services of international mercenaries to protect the *status quo*, destabilize independent African States and undermine the national liberation struggle in the region. We all know of the constant military attacks and other aggressive acts against the front-line States, especially the People's Republic of Angola, by the racists. That country, which has given refuge to the Namibian refugees, continues to suffer military attacks and other acts of subversion and destabilization.

100. True to type, several years ago the Pretoria racists enacted an imperialist law arrogating to themselves the right to attack militarily any African country south of the Equator. It was on that basis that the Republic of Seychelles recently fell victim to a South African-hatched, inspired and financed mercenary invasion which resulted in the loss of lives and destruction of property. The mercenaries returned whence they came and were promptly released. Those who sent them in the first place, rather than put them on trial, cynically asked "What law did they break in South Africa?" and proclaimed them innocent, in accordance with the racist laws. So much for the rule of law in *apartheid* South Africa.

101. The racist Boers must be condemned, punished and further isolated. The African countries concerned must be supported in concrete and practical ways to strengthen their defence capabilities against these criminal outlaws.

102. Since the collapse of the Geneva meeting in January, a number of bold and concrete actions have been taken by the international community in respect of Namibia. We are most gratified by those actions. It is true that Namibia's independence is still far off, but we know that is so owing to the intransigence of the illegal occupiers of our country who are encouraged by a lack of meaningful pressure from the five Western countries. During our initial statement last month on the question of Namibia [64th meeting] we stressed how important to us are the statements made in favour of our sacred cause. Together with the resolutions adopted, those expressions of solidarity reassure and inspire our people to continue with the struggle in the full knowledge that the overwhelming majority of the countries and peoples the world over support them and that, therefore, they are not alone in their struggle.

103. We have come a long way from the lonely days when we stood alone. We clearly remember those difficult years when all the Western countries, and others, used to vote against or abstain in the vote on all resolutions on Namibia which then, as now, were intended only to strengthen the efforts of the Namibian people themselves to end South Africa's colonial, illegal and racist domination over our country. During those years we encountered numerous representatives and spokespersons from the major trading partners of *apartheid* South Africa.

104. We have seen administrations come and go and we have seen changes of governments, each espousing certain new initiatives or presenting modified arguments in order to justify its pro-South African policies or to rationalize why it would not support the oppressed peoples freeing themselves. Thus, we are all too familiar with their flip-pant excuses, broken promises and betrayed trust. What

we know as a matter of empirical certainty is that collaboration with and support for the Pretoria régime illegally occupying Namibia have expanded and deepened by leaps and bounds in various fields, including the nuclear and military fields.

105. We have always maintained that, had it not been for Western support and collaboration, the combined pressure of the national liberation movements and the world community would have long brought the Pretoria racists to their knees; they would have been forced to change their ways and accept Namibia's independence and the eradication of the *apartheid* system. But certain powerful countries which have no hesitation whatsoever in taking unilateral punitive measures against certain countries or in calling for them from the United Nations, including through the General Assembly, have persistently refused to support enforcement measures against South Africa under Chapter VII of the Charter of the United Nations—a situation in which the international community long ago reached the consensus that what is called for now is action, not more empty statements and promises.

106. We see double standards. We know that their commitments to mineral rights take precedence over human rights and freedom.

107. Those who profess opposition to armed struggle must also show the courage of their convictions and condemn the massive militarization of Namibia and the repression and terrorism carried out against our people. It is that situation which gave birth to SWAPO in the first place and to the launching of the armed struggle.

108. Moreover, as soon as the Pretoria régime agrees to and signs a cease-fire agreement with SWAPO and co-operates in the emplacement of UNTAG in Namibia, there will be no need in that new situation to talk about SWAPO as the sole authentic representative of the Namibian people. But unless and until that situation occurs we expect the international community to continue providing concrete and practical assistance to enable SWAPO to intensify the struggle.

109. On the other hand, we see that for the past five years resolutions on Namibia have not received a single negative vote. That is progress on the diplomatic front. The Nordic countries have been most generous in their support inside and outside the United Nations. We understand the difficulties that some of them find in terms of certain formulations in the resolutions on Namibia, but they have shifted away from their previous positions. We are most grateful to them. In this connection, we note also with satisfaction the declaration of intent of the new France to support the peoples of southern Africa in their fight to realize their stated objectives. It is our hope that in the not-too-distant future that declaration of intent will be transformed into concrete policies and actions. We have every reason to believe that the situation is bound to improve.

110. In conclusion, we thank all the countries which once again voted in favour of the resolutions, thus renewing their commitment to expedite Namibia's liberation and national independence. To some of those which abstained, we leave it to their own conscience but wonder whether they may not be undecided in a situation very similar to that in Nazi Germany—as far as the African majority is concerned—against which they rose up in opposition and exhorted many of us to join them in a war to end Nazi domination over the world.

111. For our part, the struggle will continue and will be intensified, for we see no other alternative. For we know that South Africa is not and has never been prepared to get out of Namibia other than on its own terms, which means neo-colonialism and client-State status. That is totally unacceptable to us and, we believe, without doubt to the United Nations.

112. In that regard, we appeal to all the States Members of the United Nations to continue to render all support and co-operation to the United Nations Council for Namibia, in order to enable it to implement the mandate entrusted to it by the General Assembly until the time when genuine independence is achieved in our country. We hope that 1982 will be the year of Namibia's independence, but should the South Africa racists continue to persist in their illegal occupation, we have no alternative but to intensify the armed struggle. We hope that our friends, and even those who are undecided today, will next year be able to support the just cause of the Namibian people and the legitimate struggle that SWAPO is leading in our country.

113. I send season's greetings and wishes of goodwill to all.

114. The PRESIDENT: I shall now call on those representatives who wish to speak in exercise of their right of reply.

115. Mr. LOPIS (Guinea) (*interpretation from French*): In his explanation of vote, the representative of Costa Rica named my country, the Revolutionary People's Republic of Guinea, among those countries that have trade and other relations with the racist régime of South Africa. I should like to draw the attention of the delegation of Costa Rica to the fact that my country, independent since 1958, was one of the founding members of the Special Committee against *Apartheid* and was honoured for many years to preside over that body, to the satisfaction of the liberation movements of southern Africa and of the international community.

116. Faithful to its well-known revolutionary choices, Guinea has always made a tangible contribution to the liberation movements. In this connection, we would like the delegation of Costa Rica to inform us of the source of its information with regard to those purported relations Guinea maintains with South Africa.

117. Mr. SEMEDO (Guinea-Bissau) (*interpretation from French*): In explaining his vote, the representative of Costa Rica mentioned my country, the Republic of Guinea-Bissau, as maintaining trade and other relations with racist South Africa. I should like to remind the representative of Costa Rica that my country, which wrested its independence after long years of struggle, has never had any such relations with a régime that has been condemned by international opinion, namely, racist South Africa. My country's political position is that of non-alignment. Loyal to that tradition, we have contributed, in so far as we have been able, to the liberation of countries still under foreign colonial domination.

118. Guinea-Bissau remains faithful to the principles of non-alignment and supports liberation movements, particularly that of the people of Namibia.

119. Mr. SCHLEICHER (German Democratic Republic): I want to reject vigorously the completely unfounded allegations made by the representative of a certain delegation



against my country, among many others, with regard to alleged trade with South Africa, which are contrary to well-established facts

120. The German Democratic Republic's principled position is very clear and has just been stated again before this body. The German Democratic Republic is proud of its commitment to the support of the struggle of the Namibian people under the leadership of SWAPO, its sole and legitimate representative. The aforementioned allegations are so absurd that I need add nothing more.

121. Mr. HA HUY TAM (Viet Nam): It is well known to everyone that the Vietnamese fought heroically for decades for their independence, against colonialism, neo-colonialism and imperialism. In that struggle, Viet Nam always enjoyed the sympathy and support of national liberation movements and of all other peace-loving peoples in the world. Viet Nam always stands at the side of people who are struggling for their national liberation, their independence and their right to self-determination, including the struggle against *apartheid* and racism being waged by the Namibian people and the people of southern Africa. That stand is clearly demonstrated by Viet Nam's sponsorship of all six of the draft resolutions that were adopted yesterday by an overwhelming majority. No one, we are sure, can believe the recent gross and slanderous allegation made by the representative of Costa Rica concerning my country's trade with South Africa, which contained not one single piece of evidence or fact. We categorically reject those allegations made by the representative of Costa Rica.

Mr. Tarua (Papua New Guinea), Vice-President, took the Chair.

122. Mr. PIZA-ESCALANTE: (Costa Rica) (*interpretation from Spanish*): I feel obliged to give some clarification which is, in my opinion, a matter of great importance.

123. First of all, in my explanation of vote, at no time did I say that the countries that I mentioned did not participate in the struggle of the international community against the racism, imperialism and *apartheid* of the South African Government. I confined myself to stating the position of my delegation, namely, that if we are to name names and single out countries because they engage in trade with South Africa, then we must do so in each and every case.

124. Secondly, I mentioned a specific document, a 1981 IMF yearbook, *Direction of Trade Statistics*, in which a series of countries is listed with specific figures for trade with South Africa, whether imports or exports. An important fact to be pointed out is that, in the data included in that document relating to South Africa, no mention is made of individual African countries, because they are included in a single, overall figure, nor of the countries of Eastern Europe. In the information assumed to have been given by South Africa there are no figures indicating that either the countries of Eastern Europe or other African countries have had trade with South Africa. Where the figures appear is in the data for each country.

125. I took care to examine this IMF yearbook country by country. It is strange that it is not in the report on South Africa but in the report on each country that the figures for trade are given, including those for 1980.

126. Since I have been called irresponsible, I should like to take a little time to give the figures that appear for African countries for 1980, as I said, in the details for each country. Mozambique appears, importing \$69 million worth of goods from South Africa and exporting \$13 million worth to that country. Kenya appears, with an insignificant export figure of \$0.1 million—that is, \$100,000. Guinea appears, also with an insignificant import figure of \$10,000. Angola appears, with an import figure of about \$170 million and an export figure of approximately \$33 million. The Central African Republic appears, importing \$100,000 worth and exporting \$400,000 worth. Congo appears, importing \$1,340,000 worth and exporting \$2,330,000 worth.

127. Here I must clarify matters. Guinea-Bissau appears in the list until 1978, but does not appear in 1980. Malawi appears, importing \$176 million worth and exporting almost \$11 million worth. Mauritius appears, importing some \$94 million worth and exporting \$3 million worth. Zambia appears, with an import figure of \$35 million and an export figure of \$3 million, and Zaire appears, importing about \$167 million worth, with no exports.

128. I did not claim that any of those countries were protecting South Africa's policy of *apartheid* or its imperialism or racism. I simply pointed out that they imported goods from South Africa or exported to that country, according to the data given by the IMF. I have given the year of publication.

129. I turn to the countries of Eastern Europe. Romania appeared until 1978, but not in 1980. The others that I have mentioned all appear in the report for each country as importing from South Africa, exporting to it, or both. There also appear most of the countries of America, including my own. Costa Rica is listed as exporting \$100,000 worth of goods to South Africa in 1980. Almost all the countries of Western Europe are listed, as well as countries from other regions of the world, which I shall also mention. On the basis of the data in the report, they are Fiji, the Lao People's Democratic Republic, Bangladesh, Burma, Iran, Korea, Lebanon, the Philippines, Sri Lanka, Thailand, the Maldives and the United Arab Emirates.

130. Those are the countries which appear in the IMF report, not on the basis of data supplied by South Africa, because, I repeat, the data supplied by South Africa do not identify the African countries and give no figures for the countries of Eastern Europe.

131. Mr. YOSSIPHOV (Bulgaria): During the explanation of vote on agenda item 36 certain comments were made about the alleged existence of trade relations between Bulgaria and other Socialist countries on the one hand and South Africa on the other. My delegation wishes to reject strongly these false allegations, these lies, and to reiterate that, as is well known, no organization in Bulgaria maintains any direct or indirect trade links with the racist régime in South Africa.

132. My country has been, is and will be committed to lending full support to the people of Namibia in its just struggle for national liberation, under the leadership of its sole and authentic representative, SWAPO.

133. Undoubtedly, the allegations were yet another futile attempt to discredit, through false recriminations, a group of States which are among the main and staunchest supporters of the struggle of the Namibian people. That is

the direct political objective and rationale behind the statement in question.

134. During this session the majority of members of the General Assembly have expressed their deep concern about existing and expanding economic, financial and other ties between the racist régime in South Africa and several developed capitalist countries, such as the co-operation between IMF and the racists. That is the matter which was condemned by the resolutions adopted by the General Assembly—nothing else.

135. Mr. MBAZOA (Central African Republic) (*interpretation from French*): My delegation had thought that this meeting was for explanations of vote on the draft resolutions relating to the question of Namibia adopted yesterday. Unfortunately, the representative of Costa Rica had indulged this morning in a debate on the problem, citing some countries, including my own, which, according to him—he bears full responsibility for this—supposedly have trade relations with South Africa.

136. The representative of Costa Rica does not know what has been happening in my country since 1979. As his delegation is a member of the United Nations Council for Namibia, why did he not ask that all countries which have relations with South Africa be mentioned in the relevant draft resolution? Can he tell us the exact number of countries which engage in trade with South Africa?

137. My delegation can only categorically reject the false allegations of Costa Rica.

138. Mr. LOZINSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet delegation has already had an opportunity to refer to the question raised by the representative of Costa Rica—the alleged existence of trade between the Soviet Union and other socialist countries on the one hand and South Africa on the other. I have nothing to add, apart from the fact that the figures that he gave and repeated are taken from data of IMF, the very organization which only a few days ago was condemned by the General Assembly for its collaboration with South Africa. We must be very cautious about the information about South Africa in various publications of that organization, since they are in keeping with the line of co-operation with South Africa pursued by the leadership and influential circles of that organization.

139. I should like to refer to the last statement made by the representative of Costa Rica and ask what aim he was pursuing in this final stage of examining the question of Namibia, by submitting obviously falsified data which should not have been given here at all, for the reasons that I have indicated.

140. The representative of Costa Rica said that he does not allege that the countries he mentioned defend *apartheid*. Well, thank God, he has not quite reached that stage yet. But his statement really sounded like a defence of *apartheid* and of the protection that is given by Western Powers to that régime, and it really was unseemly of him.

141. I should like once again to emphasize that the essence of the problem of economic collaboration with South Africa is first and foremost that the entire economic system of South Africa is built on close ties with the monopolies of the Western Powers, and first and foremost those Powers that are members of the so-called group of

five which are, it is said, to bring about the implementation of this plan for free elections in Namibia.

142. Since we are discussing figures now, I should like to remind members again of the figures that we find in the report of the United Nations Council for Namibia. There are 88 transnational corporations operating in Namibia, of which 35 are based in South Africa and the other 53 in the five countries of the so-called Western contact group. That is the sort of information that should appear when we examine the question of economic ties with South Africa. Unfortunately, the representative of Costa Rica preferred to divert the attention of the General Assembly from the real problem of economic support for South Africa in its illegal occupation of Namibia. That is the only way we can evaluate those diversionary manoeuvres on the part of the delegation of Costa Rica.

143. The Soviet delegation can only express its profound regret that the representative of Costa Rica has become embroiled in this unseemly task.

144. Mr. TSHAMALA N'JILAMULE (Zaire) (*interpretation from French*): After what has been said, my delegation would like to reject the insinuations of the representative of Costa Rica. My delegation considers those insinuations to be manoeuvres whose sole purpose is to lessen the impact of the resolutions which the General Assembly has adopted.

145. As regards specific action to change the situation in southern Africa, I should like to remind the representative of Costa Rica that the Constitution of Zaire is the only one containing a precise provision concerning the surrender of a part of national sovereignty in case of common action undertaken against southern Africa.

146. Mr. BANTHOUD (Congo) (*interpretation from French*): In his explanation of vote the representative of Costa Rica cited my country among those that allegedly have trade relations with South Africa. I should like to remind members that we categorically reject those false statements and repeat that we have never had relations with South Africa.

147. Mr. TOURÉ (Guinea) (*interpretation from French*): My delegation rejects all the unfounded information provided by the representative of Costa Rica. My country, the Revolutionary People's Republic of Guinea, remains faithful to its anti-imperialist struggle and could in no way or in any form maintain trade or other relations with a régime against which it has always fought.

148. We should like the representative of Costa Rica to look carefully at his documents, since at the present time there is more than one Guinea, but my country has never had and could never have relations with the abject régime of South Africa.

149. My delegation reserves the right to speak again, if necessary, after the clarification which the representative of Costa Rica will be making.

150. Mr. SAIGNAVONGS (Lao People's Democratic Republic) (*interpretation from French*): The information given by the representative of Costa Rica, which he claims comes from the so-called IMF yearbook seems rather far-fetched to us because in his second statement the representative of Costa Rica mentioned the name of my country. Everyone knows that my country is a land-locked country—I stress "land-locked"—and has been

classified by the United Nations as one of the least developed countries. If it is true that the information comes from the IMF, then we really doubt the serious nature of its sources. That is why my delegation rejects those slanderous allegations, which are merely diversionary manoeuvres.

151. Mr. POTOCKI (Poland): With respect to the allegations made by the representative of Costa Rica that Poland maintains trade relations with South Africa, my delegation wishes to reject resolutely those unfounded allegations which are aimed at diverting the attention of the Assembly from the substantive topic of the discussions.

152. Mr. KALINA (Czechoslovakia) (*interpretation from Russian*): As already said by the representative of Czechoslovakia in his statement on the question of Namibia [67th meeting], my country severed diplomatic and other relations with the racist régime of South Africa in 1963. As regards the allegations made by the representative of Costa Rica, my delegation very much regrets that he has been fooled by United States propaganda.

153. Mr. SOMOGYI (Hungary): I have asked to speak in order categorically to reject the allegations we heard this morning in a statement of the representative of Costa Rica.

154. I should like to avail myself of this opportunity to assure all present here that the policy of the Hungarian People's Republic with regard to the South African *apartheid* régime is in full conformity with the relevant United Nations resolutions.

155. Mr. DIACONU (Romania) (*interpretation from French*): On behalf of my delegation, I should like to reject the allegations made by the representative of Costa Rica regarding the relations that my country allegedly maintains with the racist *apartheid* régime of South Africa.

156. We do not accept these allegations. Romania, as we have repeatedly stated, maintains no relations, trade or otherwise, with South Africa. Romania's position of support for the liberation struggle of Namibia as well as for the struggle of the majority of the South African population for its national and social emancipation is well known.

157. Mr. KOROMA (Sierra Leone): We regret very much that an attempt was made this morning to make a plaything of the question of Namibia. For us this is a very important matter and it is not a mudslinging match.

158. When we address ourselves to the question of those who strengthen or lend succour to *apartheid*, we are thinking of figures of the order of millions and billions, and I do not think it is of any profit to the Organization to wish to score points over this important issue.

159. I wish to emphasize that the question of Namibia is of cardinal importance for African States in the Organization, and I hope that in the future no attempt will be made to disparage it or to relegate it to the level of a circus.

160. Mr. ZAMIR (Bangladesh): I have just checked with our mission and found that in the IMF yearbook, *Direction of Trade Statistics*, for 1981 there is no mention of Bangladesh on the page for South Africa. However, I

have been informed by the representative of Costa Rica that South Africa is mentioned on the page for Bangladesh, which I fail to understand and I do not accept.

161. I think the yearbook and the basis for it are unfounded, and I wish to reaffirm that we in Bangladesh do not have any links with South Africa, whether in economic, cultural, trade or any other form.

## AGENDA ITEM 122

### Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

#### REPORT OF THE SIXTH COMMITTEE (A/36/782)

162. Mr. VIÑAL (Spain), Rapporteur of the Sixth Committee (*interpretation from Spanish*): I have the honour to present to the General Assembly the report of the Sixth Committee on agenda item 122, which deals with the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization [A/36/782].

163. In paragraph 16 of the Committee's report, the Sixth Committee recommends three draft resolutions for adoption by the General Assembly. The report of the Fifth Committee on the administrative and financial implications of draft resolution I is contained in document A/36/817.

164. Under the terms of draft resolution I, which the Sixth Committee adopted by 100 votes to none, with 14 abstentions, the Assembly would, *inter alia*, take note of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization [A/36/33] and decide that the Special Committee should continue its work from 22 February to 19 March 1982 in order to list the proposals which have been or will be made in the Committee, and to identify those which have aroused special interest, to examine such proposals with a view to according priority to the consideration of those on which agreement seems possible and to make recommendations thereon. Likewise, the Assembly would request the Special Committee to accord priority to its work on the list of proposals regarding the maintenance of international peace and security, including those relating to the functioning of the Security Council, and to consider proposals made by Member States on the question of rationalization of existing procedures of the United Nations and, subsequently, any proposals under other topics. The Assembly would also request the Special Committee to finalize the draft Manila declaration on the peaceful settlement of international disputes, to consider the remaining proposals which appear in the list prepared by the Special Committee in accordance with resolution 33/94<sup>1</sup> of the General Assembly, and to include the item in the provisional agenda of its next session.

165. Under the terms of draft resolution II which the Sixth Committee adopted by 34 votes to 33, with 43 abstentions, the Assembly would, *inter alia*, decide that the Special Committee should examine the abuse of the rule requiring the unanimity of the permanent members of the Security Council for the adoption of decisions on non-procedural matters, taking into consideration, *inter alia*, the need for the strengthening of the role of the Security Council in the maintenance of international peace and security, the fact that the maintenance of international peace

and security under the Charter is the primary responsibility of the Security Council and the need for assessing the best means to eliminate the harmful and detrimental effects to international peace and security resulting from abuse in the application of the rule of unanimity.

166. Finally, under the terms of draft resolution III, which the Sixth Committee adopted without a vote, the Assembly would, *inter alia*, request the Secretary-General to give high priority to the preparation and publication of the supplements to the *Repertoire of the Practice of the Security Council* and the *Repertory of Practice of United Nations Organs* in order to bring those publications up to date as quickly as possible and to submit a progress report on the matter to the Assembly at its next session. It only remains for me to express my hope that the Assembly will also adopt draft resolution III without a vote.

*Pursuant to rule 66 of the rules of procedure it was decided not to discuss the report of the Sixth Committee.*

167. The PRESIDENT: I now invite the Assembly to turn its attention to the recommendation of the Sixth Committee in paragraph 16 of its report.

168. Before we proceed to the voting I shall call upon those delegations that wish to explain their votes before the vote.

169. Mr. FRANCIS (Jamaica): When draft resolution II was adopted by the Sixth Committee my delegation was unavoidably absent. I therefore wish to take this opportunity to place on record my delegation's position on this draft resolution.

170. First of all I would say that we have some reservations about operative paragraph 1 of that draft resolution. Our reservations relate not to its aim and its objective but to its formulation. For example, we believe that the use of the word "abuse" in that paragraph and in subparagraph (c) thereof is very subjective. Nevertheless, while we have reservations about the language of the paragraph, we are fully sympathetic to its aim.

171. May I say at once that my delegation accepts that the existence of the veto is a fundamental condition of the viable existence of the United Nations. This draft resolution, as we understand it, does not question the existence of the veto as an institution of the Council: it seeks to call into question the manner in which it has been used over the years. I believe that the use of the veto is germane to any serious consideration of the Charter of the United Nations and the strengthening of the role of the Organization and I venture to say that there must be a few delegations in the Organization that, in its thirty-sixth year, are satisfied, given the extent to which the intensity of the use of the veto has impeded the attainment of essential objectives of the Charter of the United Nations, including those referred to in the preambular part of the draft resolution.

172. It is because the permanent members have exclusive use of this institution and because we think that at this point in the history of the Organization we need to take stock of the use of the veto, that we believe in good conscience that we should support this draft resolution. We have the best of relations with all the permanent members, but we ought to indicate to them the extent to which we feel that the extensive use of the veto has impeded the achievement by the Organization of some of its essential objectives. To the extent that this draft resolution

is directed at an examination of that use we are ready to vote in favour of it, and we shall do so.

173. Mr. ANDERSON (United Kingdom): I should like to explain the vote of the United Kingdom on draft resolution I. Despite some doubts my delegation was able to support the draft resolution proposed by the usual group of sponsors in the Sixth Committee. Its terms had been the subject of extensive informal consultations with all interested delegations. We considered that it said everything necessary about the mandate for the next year's meeting of the Special Committee, including the question of voting in the Security Council.

174. We were, however, greatly dismayed that the Sixth Committee, despite appeals, including one by my own delegation, proceeded to adopt a second draft resolution on this selfsame subject. That draft resolution was carried by the narrowest of margins in the Sixth Committee—by a single vote—with a very large number of abstentions. We regarded this second, controversial draft resolution, draft resolution II, as both biased and unnecessary. It tends towards confrontation in the Special Committee, something which my delegation is most anxious to avoid.

175. My delegation wishes to co-operate fully with the Special Committee in discharging its important tasks, but we cannot accept the underlying concept or the approach or the wording of draft resolution II, put forward by the Libyan Arab Jamahiriya.

176. This morning we are in the position of considering first draft resolution I and only later coming to consider draft resolution II. In these circumstances, my delegation, to its regret, finds itself unable to do other than reserve its position fully on the question of the mandate of the Special Committee. Common prudence alone dictates this course of action. While uncertainty remains over the fate of draft resolution II we are unable to maintain the generally positive stance we have previously adopted towards draft resolution I. Were the Assembly to adopt both the draft resolutions before it this morning, that is to say, draft resolution I and that put forward by the Libyan Arab Jamahiriya, the United Kingdom would have to reassess its position generally in regard to this work. My delegation wishes to make it very clear, however, that, if draft resolution II were not to be adopted by the Assembly, the reservation which I have just expressed would be lifted immediately. My delegation would then proceed as if draft resolution II had never been adopted in the Sixth Committee. In other words, we should be willing to co-operate in the work of the Special Committee next year on just the same basis as we co-operated earlier this year. While at this moment we feel impelled to reserve the United Kingdom's position by changing our vote on draft resolution I, allow me at the same time to express the hope that the Assembly will not adopt draft resolution II.

177. Mr. KUMI (Ghana): My delegation will abstain in the vote on draft resolution II. It is the considered opinion of my delegation that the thrust of that draft resolution has been taken care of by operative paragraph 4 (a) of draft resolution I.

178. The PRESIDENT: We shall now take a decision on draft resolution I. The administrative and financial implications of that draft resolution are dealt with in document A/36/817. A recorded vote has been requested.

*A recorded vote was taken.*



*In favour:* Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam.

*Abstaining:* Central African Republic, Cuba, Seychelles.

*The draft resolution was adopted by 122 votes to 15, with 3 abstentions (resolution 36/122).<sup>2</sup>*

179. The PRESIDENT: I shall now call on those delegations that wish to explain their vote.

180. Mr. CHRISTOPHER (United States of America): The United States delegation voted in favour of this draft resolution in Committee. We did so because we believed the text contained an objective mandate which should permit the Special Committee to get on with its sensitive and important task in an objective manner. Unfortunately, the Sixth Committee chose to adopt an additional, wholly unnecessary draft resolution on the same subject. Draft resolution II is unnecessary in that it deals exclusively with issues already before the Special Committee. It is unacceptable because it is an attempt to prejudice the mandate of the Special Committee. In the light of this development, we have been forced to reassess our attitude towards the exercise. That reassessment includes our decision that, unfortunately, we can no longer vote in favour of the instant draft resolution but must rather vote against it. Of course, if draft resolution II were not adopted by this plenary meeting, we should be pleased to revert to the positive attitude we recorded in our statements and vote in the Sixth Committee.

181. Mr. PIRIS (France) (*interpretation from French*): The French delegation abstained in the vote in the Sixth Committee on draft resolution I, which renews the mandate of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

182. The General Assembly has just adopted this draft resolution and my delegation, instead of abstaining as it did in the Sixth Committee, voted against it. I should like to explain very clearly that this change in our vote does not mean that we have changed our view on the draft resolution just adopted as such. This change in our vote is due only to the fact that draft resolution II proposed by the Libyan Arab Jamahiriya was adopted by the Sixth Committee, with 34 Member States voting for it. My delegation considers that the adoption of this second draft resolution might endanger the future of the Committee and the spirit in which it should work. That is why we changed our vote on draft resolution I.

183. However, we should like to make it clear that if, as we hope, draft resolution II is rejected by the General Assembly, this change of vote will be unnecessary. Therefore, if this happens, the delegation of France will be prepared to co-operate actively with the Special Committee at its next session.

184. The PRESIDENT: We come now to draft resolution II recommended by the Sixth Committee in its report.

185. I call on the representative of Finland on a point of order.

186. Mr. PASTINEN (Finland): I rise on a point of order in connection with draft resolution II recommended in the report of the Sixth Committee. The purpose of my point of order is that the Assembly not vote on that draft resolution. The reasons for my delegation's proposing this are as follows.

187. First, Finland shares with the overwhelming majority of the General Assembly an interest in the orderly and constructive continuation of the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. For the first four years Finland had the honour of providing the Chairman for that Committee.

188. Secondly, all members of the Committee and in fact all the States Members of the Organization have regarded the work of the Special Committee as useful. It has covered a wide variety of questions concerning the Charter and the strengthening of the role of the United Nations. The Committee has made considerable progress in fulfilling some of the central tasks of its mandate, particularly on the question of the peaceful settlement of international disputes. So far the General Assembly has been able to agree on the continuance of the mandate of the Special Committee concerning proposals the aim of which is to strengthen the role of the United Nations. Throughout its work the Special Committee has also adhered to its basic mandate as set forth in resolution 35/164, which enjoins the Committee "to examine proposals which have been made or will be made in the Committee with a view to according priority to the consideration of those areas on which general agreement is possible".

189. Thirdly, it is obvious that, to be productive, the Special Committee must continue its work on that basis. Issues which are deeply divisive cannot contribute to the achievement of that aim. Draft resolution II has caused sharp controversy, to the extent that the overwhelming majority of the Sixth Committee was unable to support it. In fact in the Committee that draft resolution was adopted by the narrowest possible margin, with 34 delegations

voting in favour, 33 against and as many as 43 abstaining. Yet the substance of the proposal affects the very basis of the Charter and the functioning of the Security Council, which has primary responsibility for the maintenance of international peace and security.

190. It is our view that the adoption of this draft resolution not only would be in contradiction of the basic mandate of the Special Committee to which I have referred but would also jeopardize the whole of its work. We do not believe this to be the wish of the General Assembly.

191. In these circumstances, and in view of the overwhelming desire that the Special Committee continue to make its full contribution to the strengthening of the role of the Organization, it is clearly advisable that draft resolution II should not be pressed to a vote, and I make a formal motion to that effect.

192. Mr. QUATEEN (Libyan Arab Jamahiriya) (*interpretation from Arabic*): A similar proposal was submitted two years ago by the delegation of Finland with regard to a draft resolution that was submitted by Guinea and my country concerning the review of the right of veto.

193. The argument on which the proposal was based at that time was that it amounted to reviewing the veto in general and finding a replacement for it, that it was not possible to do so in the light of the existing international circumstances and that certain countries had not really had enough time to study that proposal. Consequently the proposal by Finland two years ago was adopted by a certain number of countries for the aforementioned reasons.

194. Today, after two years, we, together with Mauritania, have submitted a draft resolution that calls for reviewing the abuse of the right of veto, especially concerning issues relating to the inalienable rights of the peoples struggling against racism, including *apartheid*, and other forms of domination and occupation. That text was prepared and submitted on the basis of what was expressed in the statements of the majority of the Member States in the Sixth Committee. These statements affirmed, at the very least, the following: first, the existence of certain cases where the right of veto was misused, especially relating to issues concerning the inalienable rights of the peoples struggling against all forms of racism and against foreign occupation and foreign domination; secondly, the desire to strengthen the role of the Organization, especially the Security Council, and to render it more effective and more positive as regards the maintenance of international peace and security and the settlement of chronic and complicated crises.

195. We have affirmed and emphasized, in formulating the draft resolution, ideas and proposals submitted by the group of African States, as well as by the group of non-aligned countries as a whole, at two meetings that were held especially for that purpose before its adoption by the Sixth Committee.

196. Experience and previous practice have shown that the abuse of the right of veto has obstructed in many cases the process of protecting the maintenance of international peace and security. Consequently, this has weakened the power of the United Nations and especially the Security Council to deal with chronic and complicated crises.

197. That view and that trend were expressed and emphasized by the Assembly when, on 9 December 1981, it

adopted resolution 36/86 A, entitled "Nuclear capability of South Africa", under item 45. In one of its preambular paragraphs the General Assembly expresses "its indignation at the fact that some Western countries, by a ready recourse to the use of the veto, have continually frustrated every effort at the United Nations to deal with the question of South Africa".

198. That resolution was adopted by the General Assembly by a majority of 129 votes, with only 4 countries—the United States of America, the United Kingdom, France and Israel—opposing it. Of course, if South Africa had had the right to vote, it would have voted against that resolution, and if it now had the right to veto draft resolution II, it would vote against it too, together with its sister-country, Israel. Of course, those two racist régimes are the first to reject opposition to abuse of the veto because they are the first to benefit from such abuse.

199. Unfortunately, the veto is used mostly by some of the permanent members of the Council to protect the interests of those two régimes and to obstruct the implementation of sanctions against them. Consequently, to support the proposal by the representative of Finland is actually to vote against this draft resolution, which provides that there shall be an examination of the abuse of the right of veto in matters relating to the inalienable rights of people struggling against racism, including *apartheid*, and all other forms of foreign domination and occupation.

200. In spite of the procedural form of Finland's motion, to vote on it is tantamount to our voting on the substance and content of the draft resolution. Whoever thereby votes against the draft resolution, whether on substantive or procedural grounds, is, irrespective of the arguments that are adduced to convince himself or to convince others, actually supporting, be it directly or indirectly, those cases where the right of veto is abused, especially when it comes to the inalienable rights of peoples struggling against racism, *apartheid*, foreign domination and occupation.

201. Some countries have threatened to withdraw from the Special Committee if the draft resolution concerning examination of the abuse of the right of veto is adopted. We consider this threat an attempt to coerce certain countries to change their stance. The four permanent members—that is, all but China—that support this are the first to benefit by maintenance of the Special Committee in its present form, because termination of its mandate would mean, of course, opening the way for an international conference to review the Charter. The permanent members of the Council know that; consequently, they prefer to maintain the Special Committee in its present form so that it will be unable to take any positive action. This is clear from the opposition of those States to an examination of the functions of the Security Council. In addition, they also oppose giving the Special Committee a mandate to make recommendations. Those two positions clarify the intention and desire of those States to see that the Special Committee merely vegetates.

202. Therefore, we would appeal to Member States to support the principle by voting for the draft resolution and against the Finnish motion.

203. Mr. KOROMA (Sierra Leone): On this question my delegation would like to say that we are fully aware of the historical circumstances and desiderata surrounding the adoption of Article 27 of the Charter, particularly its

paragraph 3, the unanimity rule. We are also aware of the role which the unanimity rule is expected to play in the Security Council: to maintain international peace and security. The intent of that Article is that the permanent members of the Security Council shall at all times collectively maintain international peace and security. It was never the intent that the veto would be used to defend or protect protégés, particularly those who violate the Charter and those who are found to have committed aggression in violation of the Charter. It was never the intent that the Security Council would be reluctant to convene, in the case of a grave situation threatening international peace and security, out of fear that the veto would be exercised and action prevented.

204. It will be recalled that, this year alone, some permanent members of the Security Council cast a triple veto against a series of draft resolutions calling for comprehensive sanctions against South Africa for its illegal occupation of Namibia. It will also be recalled that, again in August of this year, South Africa, after launching a massive act of aggression against Angola, was not even punished by the Security Council, the organ responsible for the maintenance of international peace and security. Even a draft resolution calling for the withdrawal of South African troops from Angola was vetoed in the Security Council.

205. It was therefore obvious that the draft resolution sponsored by the Libyan Arab Jamahiriya and Mauritania and adopted by the Sixth Committee would eventually come before the Assembly for consideration as to how the veto was being used in the Security Council. So we fully appreciate the position taken by those two delegations, and in fact we voted in favour of their draft resolution in the Sixth Committee.

206. But, in the light of the developments which have taken place here and of the statement made by the representative of Finland, we hope that the members of the Security Council, particularly its permanent members, will have been put on notice that such use of the veto will no longer be accepted with equanimity. Therefore, I hope the Assembly will agree that we must reserve the right to raise this issue in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, in conformity with paragraph 4 of the resolution just adopted. It will be recalled that subparagraph (a) of that paragraph asks the Special Committee to consider the functioning of the Security Council.

207. I want to believe that, in the interest of maintaining equanimity and productivity in the Special Committee we can, in that Committee, look into that paragraph on the use of the veto. But, again, most importantly, as I have said, we reserve the right, if the veto continues to be used contrary to the principles and purposes of the Charter in the future, to bring up the matter again in the Assembly.

208. I hope that the explanation we have just given will suffice to enable us to move forward and consider the matter further in the Special Committee.

209. The PRESIDENT: Representatives have heard the motion by the representative of Finland that the General

Assembly should take no decision on draft resolution II contained in paragraph 16 of the Sixth Committee's report. I shall now put that motion to the vote. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Argentina, Australia, Austria, Bangladesh, Belgium, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Cuba, Czechoslovakia, Democratic Kampuchea, Denmark, El Salvador, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Lao People's Democratic Republic, Luxembourg, Malaysia, Mauritius, Mongolia, Morocco, Netherlands, New Zealand, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Samoa, Singapore, Solomon Islands, Spain, Sudan, Swaziland, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Viet Nam, Zaire.

*Against:* Albania, Algeria, Bahrain, Benin, Chad, Congo, Djibouti, Ethiopia, Grenada, Guinea, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Madagascar, Maldives, Mauritania, Mexico, Nicaragua, Panama, Qatar, Romania, Saint Lucia, Syrian Arab Republic, Togo, United Arab Emirates, Venezuela, Yemen, Yugoslavia.

*Abstaining:* Angola, Bahamas, Barbados, Bhutan, Brazil, Burma, Burundi, Central African Republic, China, Colombia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, India, Indonesia, Ivory Coast, Lebanon, Lesotho, Liberia, Mali, Nepal, Niger, Nigeria, Peru, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Sierra Leone, Sri Lanka, Suriname, Trinidad and Tobago, Tunisia, United Republic of Cameroon, Zambia.

*The motion was adopted by 62 votes to 32, with 35 abstentions.<sup>3</sup>*

210. The PRESIDENT: The General Assembly will now turn its attention to draft resolution III recommended by the Sixth Committee in paragraph 16 of its report. The Sixth Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

*The draft resolution was adopted (resolution 36/123).*

*The meeting rose at 1.25 p.m.*

#### NOTES

<sup>1</sup> *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 33, para. 13.*

<sup>2</sup> The delegations of Malawi and Singapore subsequently informed the Secretariat that they had intended to vote in favour of the draft resolution.

<sup>3</sup> The delegations of Burundi and Guyana subsequently informed the Secretariat that they had intended to vote against the motion.