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Thirty-seventh session
Item 32 of the preliminary list*

QUESTION OF NAMIBIA

Action by Member States in support of NamibiaReport of the Secretary-General

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* A/37/50/Rev.1.

I. INTRODUCTION

1. At its thirty-sixth session, the General Assembly adopted resolutions 36/121 A to F of 10 December 1981 on the question of Namibia.
2. In paragraph 32 of resolution 36/121 B relating to action by Member States in support of Namibia, the General Assembly requested the Secretary-General to report to the Assembly at its thirty-seventh session on the implementation of the resolution.
3. By notes verbales dated 10 February 1982, the Secretary-General transmitted the text of the resolution to all States and invited them to submit information on action taken or envisaged by them in the implementation of the relevant provisions of the resolution, for inclusion in the report.
4. A summary of the replies received by the Secretary-General is given in section II below. Any additional replies received will be summarized in addenda to the present report.
5. As regards the information received by the Secretary-General from specialized agencies and other organizations in the United Nations system on action taken or envisaged by them in implementation of the relevant provisions of General Assembly resolution 36/121 D, entitled "Action by intergovernmental and non-governmental organizations with respect to Namibia", the Secretary-General wishes to draw attention to his report submitted under the terms of Assembly resolution 36/52 of 24 November 1981 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (see A/37/177 and addenda).

II. REPLIES RECEIVED FROM GOVERNMENTS

BOTSWANA

[Original: English]
[5 March 1982]

For reasons of geography and due to a variety of historical circumstances, Botswana is not in a position to take action against South Africa as envisaged in the resolution in question. This is particularly so in the economic field. In the fields of sports, military co-operation and diplomatic relations, Botswana has never had any relations with either South Africa or Namibia.

INDONESIA

[Original: English]
[8 March 1982]

1. Indonesia has consistently been on record in the United Nations and in all other relevant international forums as condemning the illegal occupation of Namibia by the racist régime of South Africa and is equally determined to support all efforts to force the Pretoria régime to abandon the odious policy of apartheid. Indonesia's unswerving position on these questions is based on its own experience in the struggle for liberation from colonialism and is the natural outgrowth of its national commitment to oppose colonialism wherever it may exist. This commitment is written into Indonesia's constitution, which states: "Whereas independence is the right of every nation, colonialism must therefore be abolished in this world because it is not in conformity with humanity and justice."
2. Indonesia's support for the struggling people of south African and Namibia is also an outgrowth of its strict adherence to and promotion of the Charter of the United Nations and the fundamental principle of self-determination contained therein.
3. Indonesia's stated positions are clearly reflected in its policy of never having established diplomatic, consular, trade or cultural relations with South Africa. This policy has been explicitly written into governmental decrees and regulations. Therefore, Indonesia does not conduct any trade, import or export, with South Africa, nor does it have any form of investment in the Territory in question. Furthermore, as a developing country, Indonesia is not yet in a position to engage in any investments abroad; its investment capital is devoted to development programmes at home to meet the needs and to improve the welfare of the Indonesian people. On the basis of the aforementioned, Indonesia is in full compliance with all relevant United Nations decisions, in particular the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia.
4. A direct consequence of Indonesia's not maintaining any diplomatic or other relations with South Africa is the non-recognition of passports issued by South Africa and a total ban on travel to South Africa or Namibia by Indonesian

nationals. All Indonesian passports contain explicit prohibitions on travel to South Africa. Also, no Indonesian airlines or any aircraft under their registration operate to or from South Africa.

5. As is well known, Indonesia has always opposed the policies of the South African régime and to that end scrupulously abides by the relevant United Nations resolutions, including the oil and arms embargo. Indonesia has vigorously pursued violators of the oil embargo by barring them from engaging in any transactions involving Indonesian oil, as the enclosed document clearly demonstrates. With regard to the arms embargo, Indonesia does not at this stage have an arms export industry. In accordance with its stated positions of principle, the Indonesian Government does not engage in any trade with South Africa, much less in arms.

6. In short, Indonesia has fully complied with all the provisions of resolution 36/121 B. The Indonesian Government has unswervingly supported all United Nations initiatives to force the racist régime of South Africa to relinquish control over Namibia and to abandon its policy of apartheid.

Enclosure

CIRCULAR ISSUED BY THE MINISTER OF MINING AND ENERGY
OF INDONESIA

Jakarta, 7 August 1981

Number: 2577/M.521/DJM/1981

Subject: Prohibition of the use of Galaxy Oil, Ltd. and Stardust and Company International, Ltd. in trading Indonesian oil

To: Board of Directors, PERTAMINA State Oil Company
Board of Directors, PT Caltex Pacific Indonesia
Board of Directors, PT Stanvac Indonesia
All companies operating under production sharing contracts

Recently the Government of Indonesia was informed of a possibility that Indonesian crude oil was sent to South Africa in 1979.

After an investigation it was strongly suspected that the oil in question was purchased by "Galaxy Oil, Ltd.", a company based in Bermuda, through "Stardust and Company International, Ltd.", a company based in Monaco. The oil was destined for Singapore. However, it turned out that the oil was not unloaded in Singapore.

The efforts to determine whether the oil was actually shipped to South Africa have been inconclusive due to the unwillingness of the companies concerned to reveal the final destination of the oil.

As is already known, the Indonesian Government has a long-standing policy prohibiting the selling of Indonesian oil to South Africa.

Therefore, in order to prevent the recurrence of such an incident, I hereby decree that all oil companies in Indonesia and their affiliates that conduct trading in Indonesian oil, are not allowed and prohibited to engage in any transactions involving Indonesian oil with or through Galaxy Oil Ltd. of Bermuda or Stardust and Company International, Ltd. of Monaco.

I expect all concerned fully to implement this directive.

MINISTER OF MINING AND ENERGY

(Signed) SUBROTO

cc. Minister of Foreign Affairs
Minister of Trade and Co-operative Affairs
Indonesia Mission to the United Nations, New York

IRAQ

[Original: English]

[8 March 1982]

The delegation of Iraq co-sponsored and voted in favour of General Assembly resolutions 36/121 A to F. The Government of Iraq will fully adhere to and implement the provisions of the resolutions.

JAPAN

[Original: English]

[28 February 1982]

1. Japan has consistently upheld the view that the administration of Namibia by South Africa is illegal and that the United Nations should assume responsibility for the administration of the Territory of Namibia pending the Territory's attainment of independence. Accordingly, the Government of Japan fully supports the advisory opinion of the International Court of Justice of 21 June 1971 on the question of Namibia and, in observance of relevant United Nations resolutions, does not take measures or actions which would in effect acknowledge the administrative authority of South Africa in the Territory.

2. The Government of Japan prohibits direct investment by Japanese nationals or bodies corporate under its jurisdiction in South Africa and in Namibia, which is illegally occupied by South Africa. Consequently, no Japanese national is taking part in the management of any enterprise in Namibia, and no Japanese national or enterprise has a mining concession in Namibia. Further, the Government of Japan does not extend co-operation such as grants, loans or technical co-operation to the authorities in Namibia.

3. Fully recognizing the political significance of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia, on 24 September 1974, the Government of Japan took measures in May 1975 to bring the Decree to the attention of the general public by publishing it in an official bulletin of the Ministry of International Trade and Industry and in the Trade and Commerce Report, a publication of the Japan External Trade Organization (JETRO).

4. Japan has been making annual contributions since 1972 to the United Nations Fund for Namibia, established by General Assembly resolution 2679 (XXV) of 9 December 1970. With its contribution this year of \$US 10,000, Japan's cumulative contribution to the Fund amounts to \$US 100,000.

5. Japan has also made annual contributions since 1976 to the United Nations Institute for Namibia, whose establishment was endorsed by General Assembly resolution 3296 (XXIX) of 13 December 1974, Japan increased its contribution from \$US 150,000 in 1980 to \$US 190,000 in 1981. To date, Japan's contributions to the Institute amount to \$US 590,000.

6. Japan supports Security Council resolution 435 (1978) of 29 September 1978, which provided for the establishment of the United Nations Transition Assistance Group (UNTAG) in the hope of securing the early independence of Namibia. Japan has consistently supported the efforts of the Western Five for a peaceful solution to the problem, and earnestly hopes that the activities of UNTAG will begin in the very near future. In addition to providing financial support as ordinarily apportioned, when UNTAG is dispatched, Japan will take an active part in its operations by providing civilian personnel to supervise the elections as well as necessary equipment to support their activities.

POLAND

[Original: English]

[24 March 1982]

1. The Government and the people of Poland have consistently proclaimed their unequivocal support for the cause of independence of all countries and peoples. They have used every opportunity for promoting the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960. For many years, Poland was a member 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.

2. Poland considers it an especially urgent and important matter to ensure the full and genuine independence of the Namibian people. In this connexion, it fully shares the stand of the United Nations Council for Namibia, the legal Administering Authority of that country until independence, of which Poland has been a member for several years and which stated, inter alia, in its Panama Declaration and Programme

of Action on Namibia adopted during its extraordinary plenary meetings held at Panama City from 2 to 5 June 1981:

"The United Nations Council for Namibia, having assessed the current situation related to Namibia, with respect to both the effects of the continued repressive actions by the illegal South African occupation régime in the Territory and the consequences of the intransigence of South Africa supported by the increased political economic and military co-operation of certain Western countries and aggravated by the veto of France, the United Kingdom and the United States in the Security Council, considers that the strengthening of the commitment of the international community to the aspirations of the Namibian people for self-determination, freedom and national independence in a united Namibia is crucial in order to ensure South Africa's unconditional withdrawal from the Territory in compliance with the resolutions and decisions of the United Nations on Namibia." 1/

3. While condemning the illegal occupation of Namibia by the racist régime of Pretoria, which flagrantly violates fundamental principles of international law and all relevant United Nations resolutions, Poland whole-heartedly supports the just struggle of the Namibian people led by their sole legitimate and authentic representative, the South West Africa People's Organization (SWAPO). One significant manifestation of this stand was the official visit of a SWAPO delegation, led by Mr. Sam Nujoma, the President of SWAPO, to Warsaw in August 1981.

4. The Government and the people of Poland observe with deep concern South Africa's military build-up in Namibia and its brutal acts of armed aggression against Angola and other neighbouring countries. It is evident that the prolongation of this state of affairs constitutes a grave danger for peace in this region of the world. In the interest of peace and the vital interest of Namibian people, it is of high importance to achieve an equitable settlement of this problem, in accordance with Security Council resolution 435 (1978).

5. Poland has given its full support to all United Nations resolutions with a view to achieving this goal, including General Assembly resolutions 36/121 A to F.

6. True to the letter and the spirit of those resolutions, the Government of Poland has been pursuing a consistent policy of strict and full compliance with their directives to bring about South Africa's total international isolation in the political, economic, military and cultural fields. Consequently, Poland does not maintain any relations with that country, including diplomatic, trade, financial, cultural or sport relations.

1/ Official REcords of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), para. 222 (18).

7. Poland is convinced that the general termination of all dealings with the South African régime on the part of all States would force that régime to respect the declared will of the international community and to put an end to its illegal occupation of Namibia. The imposition by the Security Council of mandatory sanctions against that country under Chapter VII of the Charter of the United Nations would significantly help to achieve this end. The Government and the people of Poland strongly support all relevant steps leading in this direction.
