

**REPORT
OF THE
UNITED NATIONS COUNCIL
FOR NAMIBIA**

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-SIXTH SESSION

SUPPLEMENT No. 24 (A/36/24)



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New York, 1982

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The present volume contains the final text of the report of the United Nations Council for Namibia, which was originally issued in mimeograph form as documents A/36/24, volume I, of 21 October 1981, and A/36/24, volume II, of 17 November 1981.

CONTENTS

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
LETTER OF TRANSMITTAL		viii
INTRODUCTION	1 - 25	1
PART ONE: WORK OF THE COUNCIL AS A POLICY-MAKING ORGAN OF THE UNITED NATIONS	26 - 223	7
I. GENERAL	26 - 28	7
II. CO-OPERATION WITH OTHER UNITED NATIONS BODIES	29 - 46	7
A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	30 - 37	7
B. Special Committee against <u>Apartheid</u>	38 - 46	10
III. CO-OPERATION WITH THE ORGANIZATION OF AFRICAN UNITY	47 - 68	11
A. Thirty-sixth ordinary session of the Council of Ministers of OAU (23 February to 1 March 1981, Addis Ababa)	47 - 53	11
B. Thirty-seventh ordinary session of the Council of Ministers of OAU (15 to 21 June 1981, Nairobi) and eighteenth ordinary session of the Assembly of Heads of State and Government of OAU (24 to 27 June 1981, Nairobi)	54 - 68	12
IV. CO-OPERATION WITH THE MOVEMENT OF NON-ALIGNED COUNTRIES	69 - 90	19
V. THIRTY-FIFTH SESSION OF THE GENERAL ASSEMBLY	91 - 134	22
VI. MEETINGS OF THE SECURITY COUNCIL	135 - 166	30
VII. EXTRAORDINARY PLENARY MEETINGS OF THE COUNCIL AT PANAMA CITY	169 - 223	37
A. Organization of the extraordinary plenary meetings .	169 - 176	37
B. Extraordinary plenary meetings	177 - 180	38
C. Statements and messages	181 - 212	39

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
D. General debate	213 - 221	44
E. Panama Declaration and Programme of Action on Namibia	222	46
F. Reservations and observations	223	56
PART TWO: WORK OF THE COUNCIL AS THE LEGAL ADMINISTERING AUTHORITY FOR NAMIBIA	224 - 686	57
I. GENERAL	224 - 228	57
II. SEMINAR ON LEGAL ISSUES CONCERNING THE QUESTION OF NAMIBIA	229 - 281	57
A. Implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia	237 - 252	61
B. Preservation of the territorial integrity of Namibia	253 - 258	63
C. Statement issued by the Seminar	259 - 281	64
III. CONSULTATIONS WITH MEMBER STATES ON THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS ON NAMIBIA	282 - 402	67
A. General	282 - 297	67
B. Mission of consultation to Peru, Argentina and Colombia (4 to 16 May 1981)	298 - 314	70
C. Mission of consultation to Spain, Ireland and Finland (7 to 18 May 1981)	315 - 342	73
D. Mission of consultation to the Netherlands (25 June 1981)	343 - 354	76
E. Mission of consultation to the German Democratic Republic, Hungary and Romania (15 to 26 July 1981)	355 - 378	78
F. Mission of consultation to India and Viet Nam (2 to 12 August 1981)	379 - 402	81
IV. ACTIVITIES OF THE COUNCIL RELATING TO THE REPRESENTATION OF NAMIBIA AND THE PROMOTION OF NAMIBIAN INTERESTS IN THE SPECIALIZED AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS AND CONFERENCES	403 - 434	86
A. Specialized agencies	403	86
B. International conferences and meetings	404 - 433	86

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
V. UNITED NATIONS FUND FOR NAMIBIA	435 - 492	92
A. Establishment of the Fund, general developments and sources of financing	435 - 449	92
B. Nationhood Programme for Namibia	450 - 470	96
C. United Nations Institute for Namibia	471 - 478	104
D. Educational, social and relief assistance programme	479 - 492	107
VI. ACTION CONCERNING FOREIGN ECONOMIC INTERESTS IN NAMIBIA	493 - 532	112
VII. ACTION CONCERNING THE MILITARY SITUATION IN NAMIBIA ...	533 - 556	119
VIII. CONSIDERATION OF LEGAL MATTERS CONCERNING NAMIBIA	557 - 562	125
IX. CONSIDERATION OF SOCIAL MATTERS CONCERNING NAMIBIA	563 - 582	126
X. CONSIDERATION OF POLITICAL MATTERS CONCERNING NAMIBIA ..	583 - 612	130
A. Efforts to implement Security Council resolution 435 (1978)	584 - 595	130
B. Decision taken at the extraordinary plenary meetings of the Council at Panama City	596 - 600	133
C. Struggle for national liberation	601 - 608	134
D. Illegal occupation of Namibia by South Africa	609 - 612	135
XI. ACTIVITIES OF THE UNITED NATIONS COMMISSIONER FOR NAMIBIA	613 - 638	136
A. Collection and analysis of information and research relating to Namibia	615 - 616	136
B. Education, training and welfare of Namibians	617	136
C. Nationhood Programme for Namibia	618 - 625	136
D. Fund-raising activities	626	138
E. Offices of the Commissioner at Lusaka and Gaborone	627 - 638	138
XII. PARTICIPATION OF THE SOUTH WEST AFRICA PEOPLE'S ORGANIZATION AS THE SOLE AND AUTHENTIC REPRESENTATIVE OF THE NAMIBIAN PEOPLE	639 - 657	140

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
XIII. DISSEMINATION OF INFORMATION	658 - 686	143
A. Press and publications	665 - 676	144
B. Radio and visual services	677 - 683	145
C. External relations	684 - 685	146
D. Dissemination of information by the Office of the United Nations Commissioner for Namibia	686	146
PART THREE: ORGANIZATION AND DECISIONS OF THE COUNCIL	687 - 707	148
I. ORGANIZATION OF THE WORK OF THE COUNCIL	687 - 702	148
A. Establishment of the Council	687	148
B. Presidency of the Council	688	148
C. Steering Committee	689	148
D. Standing Committees	690 - 694	148
E. Committee on the United Nations Fund for Namibia ..	695 - 697	149
F. Other committees and working groups	698	149
G. Office of the United Nations Commissioner for Namibia	699 - 700	150
H. Secretariat services	701 - 702	150
II. FORMAL STATEMENTS, COMMUNIQUEs, RESOLUTIONS AND DECISIONS	703 - 707	151
A. Formal statements	704	151
B. Communiqués	705	154
C. Resolutions	706	182
D. Decisions	707	184

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
PART FOUR: RECOMMENDATIONS AND ACTIVITIES INVOLVING FINANCIAL IMPLICATIONS	708 - 751	189
I. RECOMMENDATIONS	708	169
II. DESCRIPTION OF ACTIVITIES WHICH WILL REQUIRE THE PREPARATION OF A STATEMENT OF ADMINISTRATIVE AND FINANCIAL IMPLICATIONS	709 - 751	213

ANNEXES

I. RESERVATIONS AND OBSERVATIONS ON THE PANAMA DECLARATION AND PROGRAMME OF ACTION ON NAMIBIA	224
II. ALLOCATION OF RESOURCES TO THE COUNCIL FOR 1981 WITHIN THE PROGRAMME BUDGET FOR 1980-1981	228
III. LIST OF OFFICIAL DOCUMENTS OF THE COUNCIL (19 JULY 1980 TO 21 AUGUST 1981)	232
IV. DECLARATION OF THE INTERNATIONAL CONFERENCE IN SOLIDARITY WITH THE STRUGGLE OF THE PEOPLE OF NAMIBIA, HELD AT PARIS FROM 11 TO 13 SEPTEMBER 1980	236

LETTER OF TRANSMITTAL

30 September 1981

Sir,

I have the honour to transmit herewith the sixteenth report of the United Nations Council for Namibia, pursuant to section V of General Assembly resolution 2248 (S-V). This report was adopted by the Council at its 363rd meeting on 30 September 1981 and covers the period from 1 August 1980 to 31 August 1981.

In the discharge of its responsibilities as the legal Administering Authority for Namibia until independence and as a major policy-making organ of the United Nations, the Council during the period under review intensified its activities with a view to mobilizing concerted international action to seek an early end to South Africa's illegal occupation of Namibia. In this connexion, it is significant to point out that the Council held its extraordinary plenary meetings at Panama City from 2 to 5 June 1981 and adopted a Declaration and Programme of Action on Namibia. The Council also held a Seminar on Legal Issues Concerning the Question of Namibia at The Hague from 22 to 24 June 1981 in commemoration of the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1971.

The Council recalls that some 15 years have elapsed since the General Assembly adopted resolution 2145 (XXI) and that the Council, since its creation, has spared no effort to fulfil the mandate entrusted to it by the General Assembly. In this respect, the Council has firmly supported the people of Namibia and the South West Africa People's Organization (SWAPO), the sole and authentic representative of the Namibian people, in their struggle to achieve self-determination, freedom and national independence in a united Namibia.

The Council notes with grave concern the outcome of the Security Council meetings held in April and August 1981. The Council concludes that the Western Powers, by refusing to vote in favour of sanctions, demonstrated their open support for South Africa's policies towards Namibia and gave it political encouragement to continue its illegal occupation of the Territory.

The Council is convinced that the illegal presence of South Africa in Namibia can no longer be tolerated and duly takes note of the period of time elapsed since the adoption of Security Council resolutions 385 (1976) and 435 (1978).

In this regard the Council is mindful of the unprecedented series of conferences held after the blatant refusal by South Africa to implement the United Nations plan embodied in the aforementioned resolutions.

His Excellency
Mr. Kurt Waldheim
Secretary-General of the United Nations
New York

As a matter of extreme urgency the General Assembly met in its eighth emergency special session from 3 to 14 September 1981 to consider the question of Namibia. By resolution ES-8/2 of 14 September 1981, which was adopted by an overwhelming majority of the Member States, the Assembly called, inter alia, for effective and comprehensive measures under the Charter in order to ensure the complete isolation of South Africa and to compel it to withdraw from Namibia in accordance with the relevant United Nations resolutions.

In accordance with the terms of resolution 2248 (S-V), I have the honour to request that the report be distributed as a document of the General Assembly at its thirty-sixth session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Paul J. F. LUSAKA
President of the
United Nations Council for Namibia

INTRODUCTION

1. Fifteen years have elapsed since the General Assembly adopted resolution 2145 (XXI) of 27 October 1966, by which it terminated South Africa's mandate over Namibia, declared South Africa's presence there illegal and placed the Territory under the direct responsibility of the United Nations. Namibia thus became a unique responsibility of the United Nations which it has exercised through the United Nations Council for Namibia, established by General Assembly resolution 2248 (S-V) of 19 May 1967 and entrusted with the responsibility of defending the rights and interests of the Territory and its people.
2. Since assuming this historic mandate of protecting the rights and interests of the Namibian people, the community of nations has committed itself to obtaining the unconditional withdrawal of South Africa from Namibia and the early exercise by the people of the Territory of their right to self-determination, freedom and national independence in a united Namibia.
3. In fulfilling the mandate entrusted to it by the General Assembly, the Council has formulated its programme of work in close co-operation with the South West Africa People's Organization (SWAPO), which the General Assembly has recognized as the sole and authentic representative of the Namibian people and which has been commended by the international community for its traditional statesmanship and political acumen.
4. South Africa's continued illegal occupation of the Territory has naturally met with the resistance of the Namibian people and has compelled them to intensify their struggle for their inalienable right to self-determination and national independence. In this struggle the Namibian people have also remained firm and steadfast against all attempts by South Africa to undermine their national unity and territorial integrity.
5. The Council has continuously and resolutely supported the Namibian people in their just struggle under the leadership of SWAPO and reaffirms the fact that, due to the intransigence of the minority racist régime in Pretoria, the armed struggle remains the most effective course of action for bringing about the independence of Namibia.
6. During the period under review, the Council emphasized that by the depletive exploitation of natural resources and the continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating in Namibia constituted a major obstacle to its political independence.
7. In this connexion, the Council sought to ensure that all Governments which had not yet done so would take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in Namibia to put an end to such enterprises and to prevent new investment or prospecting in the Territory.

8. In its efforts to implement Decree No. 1 for the Protection of the Natural Resources of Namibia, 1/ which it enacted on 27 September 1974, the Council organized and conducted a seminar on legal issues at The Hague which coincided with the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1971. 2/ The seminar, inter alia, examined legal questions in order to identify possible initiatives that could be taken by the Council or by the international community to exert further pressure on the Pretoria régime and on those foreign interests that support and contribute to the maintenance of South Africa's illegal occupation of Namibia.

9. The activities of the Council have included periodic consultations with Governments of Member States in order to ensure the implementation of United Nations resolutions on Namibia and to review all possible measures and initiatives that may be taken in that regard; the representation of Namibian interests in international organizations and conferences; the provision of moral and material assistance to Namibians; and the dissemination of information on the situation in Namibia. Notable among the consultations during the period under review were those conducted at the highest political level - in certain cases at the level of heads of State - with the Governments of Argentina, Colombia, Finland, the German Democratic Republic, Hungary, India, Ireland, the Netherlands, Peru, Romania, Spain and Viet Nam.

10. In the domain of representation, the Council has obtained full membership for Namibia and represented it in the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Industrial Development Organization (UNIDO) and the Third United Nations Conference on the Law of the Sea. As in the past, the Council participated in the meetings of the Assembly of Heads of State and Government of the Organization of African Unity (OAU). The Council also had the opportunity to participate in a large number of international conferences.

11. The Council continued to extend material assistance to Namibians by means of the United Nations Fund for Namibia, which provides financing, inter alia, for the United Nations Institute for Namibia at Lusaka and the Nationhood Programme for Namibia.

12. In order to increase the awareness of world public opinion regarding the struggle of the Namibian people and thus to increase pressure on certain Governments to take a firmer position in support of Namibian independence, the Council continued to disseminate information on Namibia, through the Department of Public Information of the Secretariat, by means of publications, films, radio

1/ See Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

2/ Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.

programmes and the provision of speakers. Publicity activities included the reprinting and dissemination of a kit and a poster on the plunder of Namibia's natural resources.

13. In accordance with General Assembly resolution 35/227 J of 6 March 1981, the Council held a series of extraordinary plenary meetings at Panama City from 2 to 5 June 1981 in order to assess the critical situation in Namibia and to recommend to the General Assembly appropriate action to be taken against South Africa in the light of its refusal to implement Security Council resolution 435 (1978) of 29 September 1978. At its 357th meeting on 5 June 1981, the Council adopted the Panama Declaration and Programme of Action on Namibia (see para. 222 below), in which it reviewed with urgency international developments related to the question of Namibia and assessed the priorities for continued and effective action in support of international political mobilization to put an immediate end to the illegal occupation of Namibia by South Africa.

14. In January 1981, in what was termed pre-implementation talks, held under the auspices of the United Nations, SWAPO and South Africa met at Geneva to discuss with the representatives of the Secretary-General administrative arrangements for the implementation of Security Council resolution 435 (1978). The discussions were also attended, in an observer capacity, by representatives of the front-line States and Nigeria, as well as by representatives of the Western countries composing the contact group.

15. SWAPO co-operated fully with the representatives of the Secretary-General and declared its readiness to sign immediately a cease-fire agreement. However, the Geneva pre-implementation meeting failed because of South Africa's opposition to the very concept of an independent Namibia and because of its intention to promote and install a puppet régime devoted to the perpetuation of its colonial and illegal domination. In this context, South Africa's blatant refusal to implement Security Council resolution 435 (1978) constitutes another instance of its continuing defiance of the will of the international community.

16. After the blatant refusal of South Africa to implement the United Nations plan, the international community reviewed the question of Namibia in various forums, including the thirty-sixth ordinary session of the OAU Co-ordinating Committee for the Liberation of Africa (Arusha, 19-23 January 1981); the Conference of Ministers for Foreign Affairs of Non-Aligned Countries (New Delhi, 9-13 February 1981); the thirty-sixth ordinary session of the Council of Ministers of OAU (Addis Ababa, 23 February-1 March 1981); the resumed thirty-fifth session of the General Assembly (New York, 2-6 March 1981); and the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Namibia (Algiers, 16-18 April 1981). In all these forums, the international community condemned the Pretoria régime for its persistent refusal to comply with United Nations resolutions on Namibia and for its repeated acts of aggression against the front-line States, in particular against Angola, and called on the Security Council to impose, as a matter of urgency, comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations to ensure Pretoria's immediate compliance with the resolutions and decisions of the United Nations on Namibia.

17. The Security Council considered the question of Namibia from 21 to 30 April 1981 with the unprecedented participation of 19 ministers for foreign

affairs from Africa and from the Movement of Non-Aligned Countries. However, despite the will of the international community in favour of imposing sanctions against South Africa in view of the threat that régime poses to international peace and security, the Council failed to act in conformity with its mandate and to impose sanctions because of the negative votes cast by its three Western permanent members.

18. In response to a request from Angola, the Security Council met from 28 to 31 August 1981 to consider South Africa's latest act of aggression from Namibia against that sovereign State. On account of the negative vote of the United States of America, the Security Council failed to exercise its responsibilities with respect to the maintenance of international peace and security.

19. By refusing to vote in favour of sanctions, the Western Powers demonstrated their open support for South Africa's policies towards Namibia and gave it political encouragement to continue its illegal occupation of the Territory, to pursue its war against the Namibian people and against African States and to persist, with their co-operation, in the plunder and pillage of Namibia's resources. The attempts to link the question of Namibia with irrelevant questions such as that of co-operation between Angola and certain other countries, which fall under the exclusive competence of the sovereign Government of Angola, are designed solely to justify the illegal occupation of Namibia by racist South Africa, thus delaying the independence of the Territory.

20. Seriously concerned about the fact that the Security Council had been unable to discharge effectively its responsibilities owing to the opposition of the Western permanent members, the International Conference on Sanctions against South Africa, held at Paris from 20 to 27 May 1981, adopted the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia, 3/ by which it called for a programme of sanctions and related measures against South Africa. The United Nations Council for Namibia, in the Panama Declaration and Programme of Action on Namibia, reiterated the call of the Council of Ministers of OAU and the Movement of Non-Aligned Countries for the early convening of an emergency special session of the General Assembly to review the question of Namibia and to take measures as appropriate under the Charter.

21. The Council of Ministers of OAU, at its thirty-seventh ordinary session held at Nairobi from 15 to 21 June 1981, adopted resolution CM/Res. 853 (XXXVII) by which it rejected the latest sinister schemes by certain members of the Western contact group, in particular the United States, aimed at forcing the international community to abandon Security Council resolution 435 (1978) endorsing the United Nations plan for the independence of Namibia, and depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation. It also expressed its profound dismay at the demonstrated unwillingness of certain members of the contact group to carry on with the implementation process, which they themselves had initiated, and to exert the necessary pressure on the racist Pretoria régime to force it to comply with Security Council resolutions 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978. The Council of Ministers denounced the unholy alliance between Pretoria and Washington characterized by

3/ A/36/319-S/14531, annexes I and II. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

baseless hostility against Angola and their collusion to intensify acts of destabilization in that country as well as to misrepresent the nature of the colonial conflict in Namibia as one of global strategic considerations.

22. The Council of Ministers also reiterated the call for an emergency special session of the General Assembly on the question of Namibia during the first week of September 1981 (see A/36/534, annex I; see also paras. 66-68 below).

23. The General Assembly has declared that South Africa's continuing illegal occupation of Namibia constitutes an act of aggression against the Namibian people as well as against the United Nations, the legal Administering Authority for the Territory until independence. The following acts of South Africa with respect to Namibia have confirmed this assessment:

(a) South Africa has deliberately caused the failure of negotiations towards an internationally acceptable settlement for the peaceful transition of Namibia to independence;

(b) South Africa has continued to pursue a policy of ruthless oppression and brutal repression, constantly increasing the arrests, detention and torture of the Namibian people, particularly of leaders and members of SWAPO;

(c) South Africa has escalated its militarization of the Territory and has increased its acts of aggression against the Namibian people and against African States, particularly Angola, Botswana, Mozambique and Zambia;

(d) South Africa has also intensified attempts to destabilize African States, particularly Angola;

(e) South Africa has taken measures to undermine the territorial integrity of Namibia by annexing Walvis Bay and claiming sovereignty over the islands off the shore of Namibia in acts that have been rejected and declared illegal, null and void by the General Assembly;

(f) South Africa has persisted in the plunder of Namibia's natural resources in collusion with other foreign economic interests in violation of the resolutions of the Security Council and the General Assembly and of Decree No. 1 for the Protection of the Natural Resources of Namibia;

(g) South Africa has continued its manoeuvres aimed at gaining international recognition for illegitimate groups which it has installed in Namibia and which are subservient to Pretoria's interests, in order to maintain its policies of domination and exploitation of the people and resources of Namibia;

(h) South Africa has not only created a situation of total confrontation between itself and the Namibian people, supported by the world community at large represented at the United Nations, but has also committed a manifest breach of international peace and security.

24. In the light of South Africa's persistent defiance of the United Nations and the international community, the Council considers that South Africa has challenged:

(a) The Namibian people, by denying them their inalienable rights to self-determination, freedom and national independence;

(b) The territorial sovereignty and integrity of Namibia, by its obdurate refusal to withdraw from the Territory which it illegally occupies;

(c) SWAPO, the sole and authentic representative of the Namibian people, by pursuing policies of repression, torture and murder of Namibian patriots in an attempt to destroy SWAPO;

(d) The sovereignty, peace and security of the African front-line States, particularly Angola, by constant acts of aggression and attempts at destabilization by South Africa with the participation of international mercenaries, in a vain attempt to undermine the determination of the African people to free their continent from colonialism and racism;

(e) International law, by acts violating the principles contained in the Charter and the resolutions and decisions of the United Nations;

(f) The international community, by defying its repeated demands and appeals that South Africa put an end to the illegal occupation of Namibia;

(g) The United Nations, by resorting to manoeuvres aimed at usurping and undermining its authority over Namibia.

25. The eighth emergency special session of the General Assembly was convened in response to the request made by an overwhelming majority of the Member States. The Council is aware that, more than ever before, the explosive situation in and surrounding Namibia constitutes a serious threat to international peace and security. The Council considers that the decisions emanating from the eighth emergency special session and the thirty-sixth session of the General Assembly should result in the liberation of Namibia and also speed up the process of uprooting the evil system of apartheid in South Africa itself, thereby achieving the goals to which the United Nations dedicated itself in adopting the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960.

PART ONE

WORK OF THE COUNCIL AS A POLICY-MAKING ORGAN OF THE UNITED NATIONS

I. GENERAL

26. In addition to its functions as the legal Administering Authority for Namibia as laid down by General Assembly resolution 2248 (S-V), the Council also plays an important role in the formulation of United Nations policy on Namibia.

27. The Council participates in the policy-making process first by presenting in its annual report recommendations for action by the General Assembly. The report of the Council is the principal document before the General Assembly when it debates the question of Namibia and the Council's recommendations form the basis for the resolutions adopted by the General Assembly. Secondly, the Council participates in all Security Council debates on the question of Namibia and in the preparation of Security Council resolutions, as appropriate.

28. The Council also co-operates with the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and with the Special Committee against Apartheid, two other political organs which have traditionally taken a keen interest in the question of Namibia.

II. CO-OPERATION WITH OTHER UNITED NATIONS BODIES

29. During the period under review, the Council continued to co-operate with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against Apartheid in pursuit of the collective struggle against the remaining vestiges of colonialism, racism and apartheid.

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

30. During its 1981 session the Special Committee continued its examination of the question of Namibia as well as the activities of foreign economic and other interests in colonial Territories and the military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration and were incompatible with the provisions of the relevant General Assembly resolutions.

31. The Special Committee considered the question of Namibia at meetings held between 6 and 14 August 1981. In conformity with the provisions of the relevant General Assembly resolutions and in accordance with established practice, the President of the Council participated in the work of the Special Committee relating to the item, and the Committee invited SWAPO to participate in an observer capacity in its consideration of the question of Namibia.

32. The Acting President of the Council addressed the Special Committee on 6 August 1981 (A/AC.109/PV.1189). In his statement he stressed that the situation in Namibia had dramatically deteriorated during the period which had elapsed since the initial efforts of the United Nations to secure a peaceful, negotiated and internationally acceptable solution of the question of Namibia, up to the present state of impasse. The racist and illegal régime of South Africa in the Territory had continued to establish unauthorized governmental structures with a view to giving some semblance of legitimacy to its illegal presence in Namibia. It was conscripting young Namibians into the so-called South West Africa Territorial Force, which was nothing but a disguise for the South African army. This Namibianization of the South African army threatened to sow the seeds of a civil war in the Territory with grave consequences. It could easily be used as a cover-up for the recruitment of mercenaries to fight against Namibian patriots in the Territory. The system of conscription had already forced many young Namibian men to flee their country and to swell the ranks of Namibian refugees in the neighbouring African States.

33. The long delay in Namibia's accession to independence resulting from the obduracy and intransigence of the racist and illegal occupation régime of South Africa had caused justifiable frustration and impatience within the international community. The Council believed that all concerned, and in particular the major Western allies of South Africa, must bring greater pressure to bear on that régime in order to compel it to withdraw from Namibia.

34. The Council was becoming increasingly disturbed over what appeared to be a deliberate intention on the part of certain Western countries to tie the solution of the question of Namibia to certain issues entirely unrelated to the United Nations plan. That idea was reflected in the efforts to "strengthen" Security Council resolution 435 (1978), which had merely encouraged South Africa further to delay implementation of the resolution and to consolidate its illegal presence in Namibia.

35. The Acting President expressed the Council's solidarity with and high appreciation of the excellent work which the Special Committee had so far performed with such great distinction. Since its inception the Special Committee had brought numerous colonial countries and peoples to independence and nationhood, and many of them had since taken their rightful place within the community of nations as States Members of the United Nations. The Council was convinced that the continuing efforts of the Special Committee would bring the independence of Namibia measurably nearer.

36. Mr. Theo-Ben Gurirab, Permanent Observer of SWAPO to the United Nations, also addressed the Committee on 6 August 1981 (A/AC.109/PV.1189). He observed that the Special Committee was fully aware of the history of the negotiations originally launched in 1977 by the five Western members of the Security Council. SWAPO had agreed to participate in the negotiating process which had led to adoption of the United Nations plan. SWAPO had accepted that plan. South Africa was also on record as having accepted it. He continued:

"There is a question as to whether or not that plan is the only plan for a negotiated settlement in Namibia. It is our view that although Security Council resolution 435 (1978) is a product of many years of negotiations involving many parties, in its present form that resolution favours South Africa; for, unlike Security Council resolution 385 (1976), which was supposed to have served as the basis for the Western initiative, and which provided that before the holding of free and fair elections in Namibia the entire South African illegal Administration should be withdrawn, resolution 435 (1978) provides that the South-African-appointed colonial Governor in Namibia, the so-called Administrator General, would be the effective power in Namibia during the period of transition. It is he who is to organize the election; it is he who is to be in control of the actual situation. According to the United Nations plan, the United Nations Special Representative will satisfy himself at all stages; but the South African police and the army will be there. The question of South Africa's illegality has been left in suspense. The very important question of Walvis Bay has been left in abeyance. The colonial civil service will be intact.

"We have drawn our own conclusions from the much-heralded negotiated settlement in Zimbabwe, and we have learned the extent to which the hands of that Government in Zimbabwe are tied by the Lancaster House Constitution. The colonial civil service will be intact. The entire colonial infrastructure will be intact.

"It is in those circumstances that we are being asked to participate in elections. We feel that we have a responsibility towards our people: we are leaders; we are their liberators; and therefore we have been prepared and continue to be prepared to participate in free and fair elections provided that those elections are intended to provide an opportunity for the Namibian people to exercise their right to self-determination and to elect their representatives. But, having accepted Security Council resolution 435 (1978) as a basis for a settlement, we are not prepared now, and we shall not be prepared in the future, to agree to a process that would, notwithstanding all the euphemisms that are being used, have the effect of destroying the basis of the negotiations that produced resolution 435 (1978) and undermining the authority of the United Nations in the implementation process."

37. On 14 August 1981, the Special Committee adopted a consensus on the question of Namibia. 4/ In that consensus the Committee, inter alia, noted with great concern that the situation in and relating to Namibia had further worsened as a consequence of the sabotage by South Africa of the pre-implementation talks held at Geneva from 7 to 14 January 1981 and the tactics and manoeuvres employed by South Africa to perpetuate its illegal occupation of the Territory and to impose an "internal settlement" on the Namibian people. The apartheid régime of South Africa thus bore a grave responsibility for the creation of a situation which seriously threatened international peace and security.

4/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 23 (A/36/23/Rev.1), chap. VIII, para. 15.

B. Special Committee against Apartheid

38. The Chairman of the Special Committee attended and addressed the solemn meetings held by the Council during the period under review to observe Namibia Day and the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO.
39. The President of the Council participated in meetings of the Special Committee to observe the Day of Solidarity with South African Political Prisoners (10 October 1980); the International Day for the Elimination of Racial Discrimination (21 March 1981); and the International Day of Solidarity with the Struggling People of South Africa (16 June 1981).
40. The President of the Council addressed the solemn meetings of the Special Committee on each occasion. In his statements, the President emphasized that both the Special Committee and the Council were committed to bringing an end to colonialism and racism in southern Africa. He underscored the need to increase and intensify concerted action to bring about the liberation of Namibia and South Africa.
41. Following the failure by the Security Council to impose sanctions against South Africa because of the negative votes cast by the Western permanent members, the Special Committee held a major international conference, entitled the International Conference on Sanctions against South Africa, at Paris from 20 to 27 May 1981 (see also para. 20 above).
42. A Council delegation participated in the work of the preparatory committee of the Conference. The Council also prepared for the Conference a working paper on the question of Namibia which was the basis for the Special Declaration on Namibia adopted by the Conference on 27 May 1981.
43. A delegation headed by the President of the Council actively participated in the debate and in the drafting of the Paris Declaration on Sanctions against South Africa.
44. In the Special Declaration on Namibia the Conference observed, inter alia, that the Pretoria régime continued to perpetuate its illegal occupation of Namibia in defiance of United Nations resolutions and the advisory opinion of the International Court of Justice of 21 June 1971, thereby undermining the authority of the United Nations and violating the provisions of the Charter.
45. The Conference also emphasized the need for increased political and diplomatic pressure reinforced by sanctions against racist South Africa to ensure the speedy independence of Namibia. It called upon the international community to provide increased material, financial, political, diplomatic and moral assistance to the Namibian people and SWAPO so as to strengthen their efforts for the liberation of Namibia.
46. The Conference called for an urgent and scrupulous implementation of the United Nations plan for Namibia as embodied in Security Council resolution 435 (1978).

III. CO-OPERATION WITH THE ORGANIZATION OF AFRICAN UNITY

A. Thirty-sixth ordinary session of the Council of Ministers of OAU (23 February to 1 March 1981, Addis Ababa)

47. On the basis of consultations with the Chairman of Standing Committee I, the President of the Council designated Mr. M. D. Lungu (Zambia) and Mrs. F. R. Qsode (Liberia) to represent the Council at this session.

48. The Council of Ministers had intended to concentrate on budgetary questions at this session, but because of the overriding importance of the question of Namibia and the concern expressed by the international community, especially in the aftermath of the failure of the pre-implementation talks held at Geneva from 7 to 14 January 1981 (see paras. 91-94 below), it was felt that an emergency item dealing with the question of Namibia should be added to the agenda.

49. The delegation of the Council participated fully in the discussion on the question of Namibia. Mr. Lungu made a statement in the plenary session in which he condemned the racist régime of South Africa for having caused the collapse of the pre-implementation talks and stated that the illegal racist régime of Pretoria had attempted to use the Geneva meetings to gain recognition for its puppets in the Territory. He went on to say that, while the Western Five contact group had initiated negotiations leading to the adoption of Security Council resolution 435 (1978), it had done very little to persuade South Africa to co-operate with the international community in the implementation of that resolution. He said further that the refusal by South Africa to implement resolution 435 (1978) had left the international community with no alternative but to seek enforcement measures against the illegal racist régime. In that connexion, the Council welcomed and supported the plan of action adopted by the OAU Co-ordinating Committee for the Liberation of Africa at its thirty-sixth ordinary session, held at Arusha, United Republic of Tanzania, from 19 to 23 January 1981, in which the Committee had, among other things, pledged moral, diplomatic and material assistance to SWAPO and established an Emergency Namibia Liberation Fund.

50. Mr. Lungu concluded his statement by recalling the relevant provisions of the New Delhi Declaration adopted at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981 (see para. 76 below), in which the ministers had called on the Security Council urgently to impose against South Africa a comprehensive programme of mandatory sanctions under Chapter VII of the Charter in order to compel the Pretoria régime to end its illegal occupation of Namibia. He also condemned the acts of aggression by South Africa against the independent countries of Angola, Botswana, Mozambique and Zambia.

51. At the same session, the Council of Ministers adopted a resolution on Namibia 5/ in which it endorsed the New Delhi Declaration and further reiterated

5/ A/35/794-S/14390, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for January, February and March 1981.

the call made in that Declaration that, in the event of failure by the Security Council to adopt appropriate punitive measures against South Africa, an emergency special session of the General Assembly should be convened to review the question of Namibia and take appropriate action so as to expedite the independence of Namibia. The Council urged all African foreign ministers to participate in the envisaged emergency special session.

52. The Council of Ministers also endorsed the resolution and the plan of action on Namibia adopted at the thirty-sixth ordinary session of the OAU Co-ordinating Committee for the Liberation of Africa (see para. 49 above). In addition to commending SWAPO for its intensification of the armed struggle, the Committee had called upon all progressive and peace-loving peoples of the world to increase their material and other concrete forms of support to SWAPO in order to enable it to bring the struggle to a successful conclusion.

53. During the session, the Council delegation maintained continuous liaison with the delegation of SWAPO, which was led by Mr. Peter Mueshihange, Secretary for Foreign Relations.

B. Thirty-seventh ordinary session of the Council of Ministers of OAU (15 to 21 June 1981, Nairobi) and eighteenth ordinary session of the Assembly of Heads of State and Government of OAU (24 to 27 June 1981, Nairobi)

54. In accordance with the usual practice, OAU extended an invitation to the Council to attend the thirty-seventh ordinary session of the Council of Ministers and the eighteenth ordinary session of the Assembly of Heads of State and Government of OAU. Accordingly, Mr. Paul J. F. Lusaka, President of the Council, was designated to lead the delegation of the Council, which also included Mr. Abdelhamid Semichi (Algeria); Mr. Lazare Nizigama (Burundi); and Mr. Lungu (Zambia).

55. Owing to circumstances beyond his control, the President of the Council was unable to stay throughout the session of the Council of Ministers. As a result, he designated Mr. Semichi to act as head of the delegation.

56. The ministerial session was opened by Mr. Daniel T. arap Moi, President of Kenya, who, as host of the conference and incoming Chairman, gave the keynote speech. With specific reference to the question of Namibia, the Chairman said:

"So far as Namibia is concerned, recent negotiations held in Geneva were driven towards total failure through South Africa's typical posture of arrogance and intransigence. No catalogue of concessions by SWAPO could have rescued those deliberations. It must now be universally recognized that SWAPO has approached the independence of Namibia in a positive and broad-minded manner. But the racist régime of South Africa has remained hostile and defiant, in the face of overwhelming international opinion."

57. The President of Kenya emphasized that the failure to achieve a peaceful settlement of the question of Namibia would leave OAU no alternative but to support SWAPO in the intensification of its armed struggle. He went on to say that OAU was duty bound to ensure that SWAPO received financial, material and moral support to continue the fight until the independence of Namibia was won.

58. Mr. Sam Nujoma, President of SWAPO, made a statement in which he called upon OAU to increase its concrete material support to the armed liberation struggle in Namibia. He condemned certain Western countries, in particular the United States, for their prevarications and attempts to revise the United Nations plan for Namibia. He said that it had become clear that the United States Government was bent on helping the racist régime of South Africa to continue its illegal occupation of Namibia. He reaffirmed the support of SWAPO for the United Nations plan as provided for under Security Council resolution 435 (1978) and stressed the urgent need to implement the plan without delay, prevarication, qualification or modification. Mr. Nujoma condemned the negative votes cast by the Western permanent members of the Security Council, which had prevented the Council from assuming its responsibility to adopt punitive measures against racist South Africa for its refusal to comply with the decisions of the United Nations. In conclusion, Mr. Nujoma expressed the gratitude of SWAPO to all the OAU member States which had pledged contributions to the Emergency Namibia Liberation Fund.

59. During the same session, a representative of the Pan Africanist Congress of Azania (PAC) was appointed to speak on behalf of the liberation movements of southern Africa.

60. The Council delegation participated actively in the plenary meetings during the discussion on the question of Namibia. Also, through a process of consultation with various delegations attending the drafting sessions, it participated fully in the formulation of the resolution on Namibia (see para. 67 below). The delegation noted that there was unanimous support on behalf of all the African countries for the liberation struggle of the Namibian people.

61. The acting head of the delegation read a statement during the plenary session in which he called upon OAU to continue to give guidance and encouragement to the Council in the fulfilment of its mandate. He said that the Council had received encouragement from OAU in the past and that he was convinced that the Council of Ministers would emerge from its thirty-seventh ordinary session with a programme of action which would have a decisive influence on the question of Namibia, particularly if OAU could give concrete material support to SWAPO as the sole and authentic representative of the Namibian people and firm support to the Council as the legal Administering Authority for the Territory until genuine independence was achieved.

62. The acting head of the delegation also stated that the outcome of the Security Council meeting in April 1981 had been disappointing and represented a serious set-back in the process leading to a peaceful settlement of the question of Namibia. He noted that the Security Council, which was charged with the primary duty of maintaining international peace and security, had been prevented by the three Western permanent members from taking the requisite measures to fulfil its responsibility in a case which, by broad international consensus, constituted a threat to peace and security. He condemned the racist régime of South Africa for deliberately using the negotiations as façade to conceal its attempts to perpetuate and strengthen its illegal occupation of Namibia.

63. The Council of Ministers, in its consideration of the agenda item on Namibia, gave the situation a thorough and in-depth analysis, as all of the member States of OAU were deeply concerned about the long delay in achieving a solution to the question of Namibia caused by the intransigence and arrogant attitude of the racist régime of South Africa towards the United Nations. All the member States of OAU

without exception condemned South Africa for what in effect amounted to its refusal to comply with the decisions of the United Nations, in particular Security Council resolution 435 (1978), containing the outlines of a peaceful process leading to independence for Namibia under conditions acceptable to the international community.

64. The Council of Ministers outlined and articulated the substantive strategy on Namibia which was to be followed during the debate at the emergency special session of the General Assembly on the question of Namibia. All the ministers expressed disappointment and concern over the failure of the Western countries to exert pressure on South Africa to comply with United Nations resolutions on Namibia.

65. The Council of Ministers also decided to send a ministerial mission, to be headed by the Foreign Minister of Kenya, to the capitals of the countries composing the Western Five contact group, and to other countries such as Japan.

66. In the course of the same session, the delegation of the United Nations Council for Namibia, together with representatives of the OAU member States and officials of the SWAPO delegation, prepared a draft resolution on Namibia. The draft was unanimously adopted by the Council of Ministers as resolution CM/Res. 853 (XXXVII).

67. In that resolution, the Council of Ministers called for the convening in the first week of September 1981 of an emergency special session of the General Assembly to discuss the question of Namibia; it also endorsed the Panama Declaration and Programme of Action on Namibia. The full text of the resolution is reproduced below:

"The Council of Ministers of the Organization of African Unity, meeting in its thirty-seventh ordinary session in Nairobi, Kenya, from 15 to 21 June 1981,

"Reaffirming the inalienable rights of the people of Namibia to self-determination, freedom and national independence, including Walvis Bay, Penguin and other off-shore islands, in accordance with all the relevant resolutions and decisions of the United Nations, the OAU and the non-aligned movement, in particular General Assembly resolution 1514 (XV) of 14 December 1960 and Security Council resolutions 385 (1976), 432 (1978), 435 (1978) and 439 (1978), and the legitimacy of their struggle, especially the armed struggle, to secure the enjoyment of such rights,

"Reaffirming the legal responsibility of the United Nations with respect to Namibia in terms of General Assembly resolutions 2145 (XXI) of 1966 and 2248 (S-V) of 1967,

"Bearing in mind the fact that the United Nations Council for Namibia is the sole legal Administering Authority over Namibia until genuine independence is achieved in the Territory, and commending the Council for its work in fulfilment of the mandate entrusted to it by the General Assembly,

"Having heard all the statements made before the Committee, in particular the statement by the President of SWAPO, Mr. S. Nujoma, the sole legitimate and authentic representative of the people of Namibia,

"Deeply concerned about the continued illegal occupation of Namibia by the racist, terrorist South Africa and its blatant refusal to implement United Nations resolutions and decisions on Namibia,

"Gravely concerned at the present critical situation created by fascist South Africa in and around Namibia which constitutes a serious threat to international peace and security,

"Noting with concern the fact that the South African minority régime is intensifying its repression, imprisonment and assassination of the Namibian people due to their unflinching commitment to the cause of liberation of their country,

"Deeply concerned about the repeated acts of aggression committed by mercenaries, terrorist forces and para-military police of the racist Pretoria régime as well as other subversive activities being carried out in the southern African region by puppet traitor groups and counter-revolutionary elements in the service of imperialism and racist colonial interests,

"Noting with satisfaction the heroism of the valiant patriots and combatants of the Namibian revolution, under the leadership of SWAPO, for prosecuting a multifarious struggle at military, political, social and diplomatic fronts,

"Noting with satisfaction the advances made and the victories scored by the People's Liberation Army of Namibia (PLAN), the military wing of SWAPO, as evidenced by the relevant documentation and other supplementary information contained in the report of the Executive Secretariat,

"Recalling the relevant resolutions and decisions on Namibia of the seventeenth ordinary session of the Assembly of Heads of State and Government, the relevant section on Namibia of the New Delhi Declaration of 14 February 1981, the resolution on Namibia adopted by the OAU Councils of Ministers at their thirty-sixth ordinary session in Addis Ababa,

"Bearing in mind the joint communiqué issued in Luanda, on 15 April 1981, by the Heads of Front-Line States,

"Recalling the final communiqué 6/ of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Namibia, held at Algiers from 16 to 18 April 1981,

"Strongly deploring the policies of the major NATO Powers which, despite the resolutions and decisions of the United Nations, OAU and non-aligned movements as well as the advisory opinion of the International Court of Justice of 21 June 1971, continue to co-operate with racist, terrorist South Africa in respect of its illegal occupation of Namibia,

"Indignant at the triple vetoes cast by the Governments of the United States, the United Kingdom and France on the question of Namibia, thus frustrating the will of the majority in the Security Council,

6/ A/36/222-S/14458 and Corr.1, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

"1. Reaffirms the urgent need for the oppressed people of Namibia to exercise their inalienable right to self-determination, freedom and national independence in a united Namibia, including Walvis Bay and Penguin and other off-shore islands;

"2. Reaffirms that Namibia is the legal responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory;

"3. Welcomes with appreciation the Panama Declaration and Programme of Action on Namibia adopted by the United Nations Council for Namibia on 5 June 1981;

"4. Declares that racist terrorist South Africa's illegal occupation of Namibia, its attempt to annex Walvis Bay, its persistent defiance of the United Nations, its war of repression being waged against Namibians, its repeated acts of aggression launched from Namibia against independent African States, its colonialist expansion, its policy of apartheid constitute a serious threat to international peace and security;

"5. Condemns fascist South Africa for its continued illegal occupation of Namibia, its attempt to annex Walvis Bay and its blatant refusal to comply with resolutions and decisions of the United Nations;

"6. Strongly condemns the United States, the United Kingdom and France for their collusion with the South African racists as manifested in the triple vetoes in the Security Council where the majority of the world body demonstrated its determination to adopt concrete political and economic measures aimed at isolating terrorist South Africa in order to compel it to vacate Namibia;

"7. Further condemns the overt or covert collusion of certain Western countries, in particular the United States of America, with the South African racists which have obstructed the efforts of the international community to achieve this objective;

"8. Reaffirms that Security Council resolution 435 (1978), endorsing the United Nations plan for the independence of Namibia, is the only basis for a negotiated settlement of the Namibian problem and calls for the immediate and unconditional implementation of that resolution without any prevarication, qualification or modification;

"9. Rejects the latest sinister schemes by certain members of the Western Contact Group, in particular the United States of America, aimed at forcing the international community to abandon Security Council resolution 435 (1978), endorsing the United Nations plan for the independence of Namibia, and depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation;

"10. Expresses its profound dismay as regards the demonstrated unwillingness by the Contact Group to carry on with the implementation process, which it has itself initiated, and to exert the necessary pressure on the racist Pretoria régime to force it to comply with Security Council resolutions 435 (1978) and 439 (1978);

- "11. Rejects attempts by the United States, the United Kingdom and France, as was the case at the United Nations Security Council last April to present puppet elements as representative of the people of Namibia;
- "12. Denounces the emerging unholy alliance between Pretoria and Washington characterized by baseless hostility against Angola and their collusion to intensify acts of destabilization in that country as well as to misrepresent the nature of the colonial conflict in Namibia as one of global strategic consideration;
- "13. Renews its pledge to render material, military, financial, political, humanitarian, diplomatic and moral assistance to SWAPO;
- "14. Condemns the continued illegal exploitation and plundering by racist South Africa and Western transnational corporations of Namibia's natural resources, in violation of Decree No. 1 of the United Nations Council for Namibia for the protection of the natural resources of the Territory;
- "15. Condemns also the increasing military build-up by the terrorist Pretoria régime in Namibia, coupled with the use of mercenaries as well as forcible conscription of the Namibian youth into the illegal colonial occupation army and para-military police;
- "16. Condemns and rejects racist South Africa's attempt to promote and install a puppet régime in Windhoek as a step towards and actual declaration of fake independence in Namibia;
- "17. Reaffirms the fact that due to the intransigence of the minority racist régime in Pretoria, the armed struggle remains the most effective course of action for bringing about the independence of Namibia;
- "18. Reaffirms its commitment to the Namibian Plan of Action and calls upon all member States and others to facilitate its speedy and effective implementation;
- "19. Urges all friendly countries and supporters of the liberation struggle in southern Africa to contribute generously towards the Emergency Namibia Liberation Fund set up by OAU;
- "20. Welcomes the establishment of a Solidarity Fund by the non-aligned movement to strengthen SWAPO's efforts in expediting Namibia's independence;
- "21. Recommends that effective co-ordination should as soon as possible be effected between the OAU and non-aligned movement in consultation with SWAPO, for the disbursement of these funds;
- "22. Calls for a world-wide campaign to be launched to ensure that South Africa is isolated in spite of the triple veto and that the major NATO Powers are exposed on a regular basis for their treacherous co-operation with South Africa;
- "23. Reiterates the call for the convening of an emergency special session of the General Assembly on the independence of Namibia during the first week of September 1981 and calls upon all OAU member States to participate at ministerial level;

"24. Calls upon all friendly countries, national and international organizations to respond immediately and effectively to appeals by SWAPO and/or the front-line States whose security and sovereignty are constantly threatened by racist, terrorist South Africa;

"25. Recommends to the Chairman of the eighteenth Assembly of Heads of State and Government to launch a world-wide campaign to mobilize financial resources for SWAPO;

"26. Expresses its profound gratitude to the United Nations Secretary-General for his tireless efforts and for his principled defence of the right to self-determination and independence of the oppressed people of Namibia and for the initiative he has made to expedite a negotiated settlement in Namibia."

68. At its eighteenth ordinary session, the Assembly of Heads of State and Government of OAU unanimously endorsed the above-cited resolution. The participants collectively and individually deplored and condemned the negative votes cast by the three Western permanent members of the Security Council and denounced that action as a negative posture against the interests and concerns of Africa as a whole.

IV. CO-OPERATION WITH THE MOVEMENT OF NON-ALIGNED COUNTRIES

69. During the period under review, the Council continued to work in close co-operation with the Movement of Non-Aligned Countries. The non-aligned movement, for its part, maintained its commitment to the liberation of Namibia and its collective solidarity with the people of the Territory.
70. In this regard, the Chairman of the Group of Non-Aligned Countries in the United Nations participated in solemn meetings of the Council commemorating Namibia Day and the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO, and in the extraordinary plenary meetings of the Council held at Panama City from 2 to 5 June 1981.
71. Similarly, the Council participated in its capacity as guest at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981, and at the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Namibia, held at Algiers from 16 to 18 April 1981.
72. In both instances, the Council delegation held consultations with representatives of member countries and of SWAPO on the substance of the final declarations of the meetings with regard to Namibia. SWAPO attended both conferences as a full member of the non-aligned movement.
73. At the ministerial conference held at New Delhi, during the debate on the question of Namibia, the ministers of the non-aligned countries reaffirmed their total support for the Namibian people's right to freedom, independence and territorial integrity and for their heroic struggle under the leadership of SWAPO.
74. There was a consensus among all members that the Pretoria régime had been solely responsible for the failure of the pre-implementation talks held at Geneva from 7 to 14 January 1981. All speakers felt that South Africa's continued intransigence in refusing to implement the United Nations plan for Namibia, as demonstrated by its sabotaging of the pre-implementation meetings in Geneva, was a flagrant act of defiance of the verdict of the international community and thus constituted a threat to world peace and security.
75. Furthermore, all members were of the view that the Western contact group on Namibia had failed to apply pressure commensurate with its influence on South Africa to ensure the latter's co-operation in the implementation of Security Council resolution 435 (1978).
76. On 13 February 1981, the ministers adopted the New Delhi Declaration (A/36/116, annex), in which they called on the Security Council urgently to impose comprehensive mandatory economic sanctions against South Africa under Chapter VII of the Charter of the United Nations. The ministers further recommended that, in the event the Security Council should fail to impose such sanctions, an emergency special session of the General Assembly at the level of foreign ministers should be convened to review the situation in Namibia.

77. Pursuant to a decision taken at the conference in New Delhi, the Co-ordinating Bureau held an extraordinary ministerial meeting in Algiers to evaluate the situation in Namibia and to take specific measures to strengthen support and assistance to the struggle of the Namibian people under the leadership of SWAPO.

78. In a statement delivered at the meeting, the acting President of the Council said:

"Delegations which have preceded the Council in this debate have described in sufficient detail for purposes of this meeting the cynicism, self-interest, deceitfulness, temporizing and intransigence which characterize the attitude of South Africa and her Western apologists towards the question of Namibia."

79. The acting President continued:

"... the movement, as we expected it would do, continues to stand firm in the face of attempts to sideline the United Nations and its Council for Namibia in efforts to find a solution to the question of Namibia. Security Council resolution 435 (1978) stands, and our movement must continue resolutely to oppose all attempts to alter or dilute it, or to replace it with formulae nicely calculated to ensure that while things will appear to have changed, they will in fact remain the same. In the view of the Council, the only alternative to resolution 435 (1978) is South Africa's prompt withdrawal from Namibia, as the Council and the General Assembly had been calling for even before the adoption of resolution 435 (1978)."

80. During the general debate, the non-aligned countries reaffirmed their solidarity with the Namibian people's liberation struggle and expressed profound concern at the obstacles deliberately created by the South African régime aimed at impeding the process of decolonization of Namibia.

81. Most speakers referred to the failure of the Geneva pre-implementation meeting as further proof of South Africa's determination to perpetuate its illegal occupation of Namibia.

82. The non-aligned countries condemned the sinister moves of the South African régime to impose an internal settlement in Namibia and denounced the manoeuvres of certain Western Powers to delay the implementation of Security Council resolution 435 (1978).

83. On 18 April 1981, the Co-ordinating Bureau adopted a final communiqué 7/ containing a declaration and a programme of action.

84. In its declaration, the Bureau reaffirmed the validity of the settlement plan as set forth in Security Council resolutions 385 (1976) of 30 January 1976, 435 (1978) and 439 (1978) and emphasized that those resolutions provided the only universally recognized framework for a peaceful transition to independence. The Bureau demanded that the settlement plan be implemented without delay, prevarication, reservations or modifications.

7/ Ibid.

85. The Bureau expressed its opposition to any attempt to modify the United Nations settlement plan and condemned the moves by South Africa to distort the substance of the question of Namibia, which was essentially a question of decolonization and illegal occupation.
86. In its programme of action, the Bureau urged all member countries to intensify their assistance to SWAPO and the African countries neighbouring Namibia to enable them to meet the needs of the liberation struggle and defend their territories against repeated attacks and threats of destabilization.
87. The Bureau appealed to the Security Council to impose comprehensive mandatory sanctions against South Africa. In the event of failure by the Security Council to impose such sanctions, the Bureau authorized the non-aligned countries to support the convening of an emergency special session of the General Assembly to review the question of Namibia and take appropriate action under the Charter.
88. In the course of the meeting, numerous countries pledged generous contributions to the special fund for Namibia established by the non-aligned movement in support of the liberation of Namibia.
89. From 21 to 30 April 1981, 19 ministers for foreign affairs of non-aligned countries participated in the debate on the question of Namibia in the Security Council, during which they made statements in support of the imposition of sanctions against South Africa as provided for under Chapter VII of the Charter.
90. In early August 1981, the non-aligned group at the United Nations endorsed the request of the African Group of States that an emergency special session of the General Assembly on the question of Namibia be convened from 3 to 11 September 1981.

V. THIRTY-FIFTH SESSION OF THE GENERAL ASSEMBLY

91. During 1980, in an effort to resolve the Namibia question, the Secretary-General of the United Nations undertook extensive consultations with the concerned parties. 8/ In the light of those consultations, the Secretary-General felt that it was of vital importance that the independence of Namibia be achieved in 1981, in accordance with Security Council resolution 435 (1978). In order to achieve that aim, he proposed that a date for the cease-fire and a start of implementation be set in the early part of 1981 and, to that end, that a pre-implementation multiparty meeting be held in January 1981 under the auspices of the Secretary-General. 9/ Against this background, the General Assembly decided to postpone the debate on the question of Namibia until early April 1981 so that it could consider the outcome of the pre-implementation meeting.
92. In January 1981, in what was termed pre-implementation talks, held under the auspices of the United Nations, SWAPO and South Africa met at Geneva to discuss with the representatives of the Secretary-General administrative arrangements for the implementation of Security Council resolution 435 (1978). The discussions were also attended, in an observer capacity, by representatives of the front-line States and Nigeria, who throughout the negotiations played a positive role, as well as by representatives of the Western countries composing the contact group, who failed to ensure the co-operation of South Africa in the implementation of the plan they had initiated.
93. At the Geneva meeting, SWAPO co-operated fully with the representatives of the Secretary-General, declaring its readiness to sign immediately a cease-fire agreement.
94. The said meeting, however, did not succeed in achieving its objectives owing to South Africa's opposition to the very concept of an independent Namibia and its intention to promote and install a puppet régime devoted to the perpetuation of its colonial and illegal occupation of Namibia.
95. In this connexion, South Africa's blatant refusal to implement Security Council resolution 435 (1978) constituted once again a defiance of the will of the international community.
96. At its resumed thirty-fifth session, the General Assembly considered the question of Namibia at its 102nd to 111th plenary meetings, from 2 to 6 March 1981, in light of the failure of the Geneva pre-implementation meeting.
97. At the 102nd plenary meeting on 2 March 1981, the presence of the delegation of South Africa in the Assembly was challenged and the matter was referred to the Credentials Committee. That Committee, by 6 votes to 1, with 2 abstentions,

8/ See Official Records of the Security Council, Thirty-fifth Year, Supplement for October, November and December 1980, document S/14266.

9/ Ibid., paras. 18-24.

decided as in the past to reject the credentials of the delegation of South Africa to the thirty-fifth session of the General Assembly (see A/35/484/Add.2).

98. The debate on the question of Namibia and the subsequent resolutions adopted by the Assembly reflected the growing determination of the peoples of the world to put an end to the illegal occupation of Namibia by South Africa and to all vestiges of colonialism and racial discrimination. The General Assembly deplored South Africa's persistent refusal to comply with United Nations resolutions and decisions, its continued brutal repression of the Namibian people and its persistent violation of their human rights, as well as its efforts to destroy the national unity and territorial integrity of Namibia. The Assembly further condemned South Africa's persistent acts of aggression launched from bases in Namibia against independent African States.

99. The General Assembly also reaffirmed the inalienable and imprescriptible right of the people of Namibia to self-determination and independence in accordance with its resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the legitimacy of their struggle by all means against the illegal occupation of their territory by South Africa.

100. Analysing the reasons for South Africa's continued defiance of the international community, many representatives noted that South Africa was receiving considerable support from certain Western Powers and Japan, which were making large profits from the exploitation of the natural resources of the Territory. Most delegations, deploring the collapse of the Geneva talks, urged the imposition of comprehensive mandatory sanctions against South Africa to ensure its immediate compliance with the United Nations plan for Namibia. Many called on the Assembly itself to take the necessary action, if the Security Council were unable to do so, in the light of the Organization's unique position of being directly responsible for Namibia.

101. At the 103rd meeting on 2 March 1981, the President of the Council submitted for the consideration of the Assembly the report on the activities of the Council during 1980. 10/ On that occasion, the President of the Council emphasized the fact that South Africa should be held totally responsible for the collapse of the Geneva pre-implementation talks on Namibia. He stated that it had been nearly three years since South Africa had given the impression of having accepted the United Nations plan for Namibia. Since then, South Africa had sought to obstruct its implementation and further manoeuvred to set up puppet entities in the Territory. The President stressed that South Africa had responded to the efforts of the international community in support of self-determination and national independence for Namibia by intensifying its brutal repression of the Namibian people, its systematic aggression against independent neighbouring States and its over-all campaign of terror in the region.

102. He further stated that, in an effort to create confusion and other difficulties during the period of the implementation of the plan, South Africa had embarked on the process of transforming its illegal army in Namibia into the so-called South West Africa Territorial Force. That clearly meant that South

10/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24 and Corr.1 and 2).

Africa intended to garrison its army permanently in Namibia under the sinister guise of a Namibian force, thereby subverting the intended purpose of the United Nations plan for the total withdrawal of all South African army personnel at the date of independence.

103. The President further stated that the Western Five, namely, Canada, the Federal Republic of Germany, France, the United Kingdom of Great Britain and Northern Ireland and the United States, should exert pressure on the South African régime to comply with the relevant resolutions of the General Assembly and the Security Council on Namibia until the Territory was genuinely free and independent. He requested the international community once more to urge those Western countries which not only were trading partners and traditional allies of South Africa, but also had initiated the ideas which ultimately had culminated in the United Nations plan, to "flex their economic muscles and bring pressure upon the racist régime of South Africa to comply with the United Nations resolutions, thereby bringing about the implementation of the United Nations plan without any further delay".

104. On the same occasion, the President of the Council referred to those scholars and experts of international repute who, in their testimonies at the hearings on Namibian uranium held by the Council at New York from 7 to 11 July 1980 11/ had given evidence regarding the manner in which certain Western Governments, together with their transnational corporations, had acted in concert with the racist régime of South Africa in the plunder of the resources of Namibia. In that connexion, he suggested that those Western Powers which assisted in the development of South Africa's nuclear weapons capability, attained through the illegal exploitation of Namibian uranium resources, must bear a grave responsibility for their collaboration. 12/

105. At the same meeting, the Permanent Observer of SWAPO to the United Nations told the Assembly that his organization had gone to the Geneva meeting with no preconditions, except to stress its commitment to the United Nations plan for Namibia. Responsibility for the failure of that meeting rested squarely with the Pretoria régime.

106. According to the representative of SWAPO, the question before the General Assembly was whether the international community could demonstrate the courage of its convictions by drawing the line. It was a matter of urgency for the Assembly to adopt unanimously a clear and categorical position and to call for the total mobilization of all resources to end the racist colonial oppression and illegal occupation of Namibia by South Africa. He further called upon the Assembly to urge the Security Council once again to apply economic sanctions, including a total oil embargo, against racist South Africa, as recommended by OAU, the non-aligned movement and the United Nations Council for Namibia.

11/ See Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. III; and document A/AC.131/82/Add.10 and Corr.1.

12/ Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings, 103rd meeting.

107. He concluded by stating that "we have no other choice but to intensify the armed liberation struggle" and appealed for "effective assistance for the front-line States, whose selfless support for the cause of liberation in southern Africa has made them targets of unprovoked military attacks and other acts of aggression committed against them by the fascist régime of South Africa". 13/

108. A large number of delegations reaffirmed their unconditional support for the just struggle of the Namibian people under the leadership of SWAPO, their sole and authentic representative, and rejected any internal settlement which excluded SWAPO. They also declared that the only acceptable elections would be those conducted with the full participation of SWAPO and under United Nations supervision and control, and in that connexion they pledged to increase their assistance to SWAPO.

109. They further reaffirmed their support for the policies pursued by the Council, as the legal Administering Authority for Namibia until independence, in its efforts to mobilize international support for the legitimate struggle of the Namibian people and to obtain the withdrawal of the illegal South African administration from the Territory. They also expressed the view that it was the duty of the General Assembly to consider all possible measures aimed at isolating South Africa on the international scene.

110. The delegations underscored the seriousness of the situation in Namibia, declaring that it had reached alarming proportions with the collapse of the United Nations pre-implementation talks in Geneva as a result of the negative and intransigent attitude of South Africa. The blatant manner in which South Africa had wrecked the Geneva talks and in effect stalled the process of a political settlement of the Namibian question left no illusions about the real designs of the racist Pretoria régime.

111. The Geneva talks had once again illustrated South Africa's total unwillingness to permit the independence of Namibia. They had also shown that the Western Powers were not prepared to contribute to genuine independence for Namibia. It was necessary, therefore, that the Security Council impose global economic sanctions on South Africa. While a majority of delegations expressed the view that the racist régime was exclusively responsible for the failure of the meeting, others pointed out that it would not have been able to continue its intransigence without the support of certain countries. Many also believed that in view of the failure of all efforts to secure the implementation of relevant General Assembly and Security Council resolutions, a new course had to be charted and concerted pressure brought to bear on South Africa. They also declared that a political settlement of the Namibian question could be achieved only through free and fair elections with the full participation of SWAPO under United Nations supervision and control as envisaged in Security Council resolutions 385 (1976) and 435 (1978).

112. All delegations expressed deep concern over South Africa's continued illegal occupation of Namibia, its policies of oppression and terrorism against the Namibian people and its acts of aggression launched from bases in Namibia against the neighbouring independent African States. Those actions, in defiance of numerous United Nations resolutions, constituted not only a serious threat to, but also in effect a breach of, international peace and security.

13/ Ibid.

113. Most delegations indicated that the responsibility for the continued illegal occupation of Namibia by South Africa also lay with certain Western Powers. Those Powers, who were members of the North Atlantic Treaty Organization (NATO), were giving political, economic and military aid and support to the racist régime of South Africa. It was the opinion of many delegations that the reason for that support was, above all, the deep-seated interest of certain Western transnational monopolies in their continued unscrupulous exploitation of Namibia's natural resources, in collusion with South African racists.

114. Certain delegations indicated that, in violation of United Nations decisions, foreign companies were continuing to increase their exploitation of Namibian resources. Such exploitation of natural and human resources by transnational corporations was one of the factors which had led to the situation in which a number of Western countries were verbally condemning the activities and policies of South Africa in Namibia, while supporting and co-operating closely with the Pretoria racist régime in practice. The economic and military potential of South Africa was growing as a result of the comprehensive aid from NATO countries through which South Africa had obtained access to nuclear weapon technology.

115. Most delegations, while congratulating the leadership of SWAPO for its constructive attitude at the Geneva pre-implementation talks and for its readiness to sign a cease-fire agreement, urged the international community to increase moral and material support to SWAPO in order to enable it to intensify its struggle for the liberation of Namibia. They stated that the front-line States, which continued to face repeated acts of subversion and military attacks by South African armed forces, also needed international support for reinforcement of their defence capabilities.

116. Almost all of the delegations demanded the immediate exercise of the Namibian people's right to self-determination and independence and the imposition of mandatory sanctions against South Africa in order to force its withdrawal from the illegally occupied Territory, and urged the Western Five to exert immediately all pressure on Pretoria to co-operate in the United Nations plan for the independence of Namibia.

117. At the 109th meeting, on 5 March 1981, the representative of the United Kingdom said that the Governments of Canada, France, the Federal Republic of Germany and the United States, along with his own, remained committed to the objective of a peaceful internationally recognized settlement in Namibia. He further stated that the Western Five were not prepared at that time to commit themselves to a specific course of action, noting that the United States Administration, in particular, was engaged in an extensive review of its policy. 14/

118. At its 111th plenary meeting, on 6 March 1981, at the conclusion of the debate, the General Assembly adopted 10 resolutions on Namibia.

119. By a recorded vote of 114 to none, with 22 abstentions, the General Assembly adopted resolution 35/227 A, entitled "Situation in Namibia resulting from the illegal occupation of the Territory by South Africa".

14/ Ibid., 109th meeting.

120. By that resolution, the General Assembly called upon the Security Council to convene urgently to impose comprehensive mandatory sanctions against South Africa, as provided for under Chapter VII of the Charter, in order to ensure South Africa's immediate compliance with the resolutions and decisions of the United Nations relating to Namibia. The Assembly reiterated that Namibia was the direct responsibility of the United Nations until self-determination and national independence were achieved and, for that purpose, reaffirmed the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence. The Assembly reaffirmed the legitimacy of the struggle of the Namibian people by all means at their disposal, including armed struggle, against the illegal occupation of their Territory by South Africa. The Assembly also reaffirmed that SWAPO was the sole and authentic representative of the Namibian people and called on Member States, specialized agencies and other international organizations to render material, financial, military and other assistance to SWAPO.

121. In addition, the Assembly strongly condemned the South African régime for its refusal to comply with the Assembly resolutions relating to Namibia and its manoeuvres in Namibia aimed at transferring power to illegitimate groups subservient to its interests in order to maintain its policies of domination and exploitation of the people and natural resources of the Territory; it also strongly condemned the South African administration for its decision to establish compulsory military service for all Namibians between the ages of 16 and 25.

122. By the same resolution, the Assembly strongly condemned the South African régime for its ever-increasing military build-up in Namibia and its treacherous acts of aggression against independent African countries. The Assembly also condemned those Western States which had assisted South Africa in developing a nuclear capability and urged once again all Member States, individually and collectively, to frustrate the attempts by South Africa to develop nuclear weapons. Furthermore, the Assembly called upon all States to take effective legislative measures to prevent the recruitment, training and transit of mercenaries for service in Namibia, and also called upon the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of SWAPO, for self-determination and national liberation.

123. By a recorded vote of 131 to none, with 5 abstentions, the General Assembly adopted resolution 35/227 B, entitled "Intensification and co-ordination of United Nations action in support of Namibia".

124. By that resolution, the General Assembly strongly condemned the activities of all foreign corporations operating in Namibia under the illegal South African administration which were exploiting the human and natural resources of the Territory and demanded that such exploitation cease forthwith. The Assembly reiterated that the exploitation of the natural resources of Namibia by foreign economic interests was illegal and contributed to the maintenance of the illegal occupation régime.

125. In addition, the Assembly requested the Council to communicate with corporations operating in Namibia and urge them to cease such activities, and to draw the attention of the specialized agencies of the United Nations to Decree No. 1 for the Protection of the Natural Resources of Namibia in order that those agencies might assist the Council in promoting its full implementation.

126. Furthermore, the Assembly appealed to Governments to discourage private investors from their countries from participating in business ventures in Namibia which, by making available additional resources, enabled the South African régime to finance the military costs of its repressive policies in Namibia.

127. Resolution 35/227 I, entitled "Question of Namibian uranium", was adopted by a recorded vote of 108 to none, with 26 abstentions.

128. By that resolution, the General Assembly reaffirmed that the natural resources of Namibia were the inviolable heritage of the Namibian people and that the rapid depletion of the natural resources of the Territory as a result of the systematic plunder by foreign economic interests, in collusion with the illegal South African administration, was a grave threat to the integrity and prosperity of an independent Namibia. The Assembly also declared that any State which deprived the Namibian people of the exercise of their legitimate rights over their natural resources or subordinated the right and interests of that people to foreign economic and financial interests violated the Charter and that, by their depletive exploitation of natural resources and the continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating in Namibia constituted a major obstacle to its political independence.

129. By the same resolution, the Assembly called on all Governments which had not yet done so to take legislative, administrative or other measures in respect of their nationals and bodies corporate that owned and operated enterprises in Namibia to put an end to such enterprises and to prevent new investments or prospecting in that Territory. The Assembly also requested the Governments of States whose corporations were involved in Namibian uranium, in particular the Governments of Canada, France, the Federal Republic of Germany, Japan, Switzerland, the United Kingdom and the United States, to take measures to prohibit their corporations from all dealings in Namibian uranium and all prospecting activities in Namibia.

130. The Assembly also noted that the exploitation of Namibian uranium by Western countries, in particular the members of the European Atomic Energy Community (EURATOM), the nature of South Africa's policies regarding Namibian uranium, the collaboration with South Africa by certain Western countries, the transfer of nuclear technology to South Africa and South Africa's large-scale participation in the export of natural and enriched uranium, all seriously impeded the early attainment of independence by Namibia.

131. Finally, the Assembly strongly condemned the collusion of France, the Federal Republic of Germany, Israel and the United States with South Africa in the nuclear field, and called on all States to refrain from supplying the South African régime with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment.

132. The General Assembly adopted resolution 35/227 J, entitled "Situation resulting from South Africa's refusal to comply with United Nations resolutions on Namibia", by a recorded vote of 125 to none, with 13 abstentions.

133. By that resolution, the Assembly strongly condemned the persistent refusal of the South African racist régime to comply with the resolutions of the United Nations on Namibia, in particular its rejection of Security Council resolutions 432 (1978) of 27 July 1978, 435 (1978) and 439 (1978); its intensification of the repression against the Namibian people and increasing arrests and detentions of

leaders and members of SWAPO; and its continued acts of aggression against independent African States, in particular Angola, Botswana, Mozambique, Zambia and Zimbabwe. The Assembly determined once again that "the South African racist régime acted deceitfully through unilateral measures and sinister schemes within Namibia during the protracted period of talks for a negotiated settlement in Namibia to the detriment of the Namibian people and the South West Africa People's Organization, their sole and authentic representative, and in contravention of resolutions of the Security Council". The Assembly also reaffirmed that "the parties to the conflict in Namibia are, on the one hand, South Africa, which is illegally occupying the Territory and committing aggression against the people, and, on the other, the Namibian people, under the leadership of their sole and authentic representative, the South West Africa People's Organization, supported by the United Nations, which has direct responsibility for the Territory until genuine independence". Finally, the Assembly called once again upon the Security Council to convene urgently to impose comprehensive mandatory sanctions against South Africa, as provided for under Chapter VII of the Charter, in order to ensure South Africa's immediate compliance with the resolutions and decisions of the United Nations relating to Namibia.

134. The Assembly also adopted resolution 35/227 C, entitled "Programme of work of the United Nations Council for Namibia", by a recorded vote of 132 to none, with 5 abstentions; resolution 35/227 D, entitled "Action by intergovernmental and non-governmental organizations with respect to Namibia", by a recorded vote of 133 to none, with 5 abstentions; resolution 35/227 E, entitled "Support for the United Nations Institute for Namibia", by a recorded vote of 133 to none, with 5 abstentions; resolution 35/227 F, entitled "Nationhood Programme for Namibia", by a recorded vote of 133 to none, with 5 abstentions; resolution 35/227 G, entitled "United Nations Fund for Namibia", by a recorded vote of 133 to none, with 5 abstentions; and resolution 35/227 H, entitled "Dissemination of information on Namibia", by a recorded vote of 133 to none, with 5 abstentions.

VI. MEETINGS OF THE SECURITY COUNCIL

135. In its capacity as a policy-making organ of the United Nations, the United Nations Council for Namibia participates in the policy-making process of the Security Council in two ways. First, the United Nations Council for Namibia, as a subsidiary organ of the General Assembly, submits to the Assembly recommendations which form the basis for the resolutions on Namibia adopted by the Assembly. Those resolutions frequently call upon the Security Council to take action in order to ensure the early independence of Namibia. Secondly, the United Nations Council for Namibia participates directly in the work of the Security Council in accordance with the relevant rules of procedure by means of a delegation, headed by the President, which speaks in the debates on the question of Namibia and takes part in the elaboration of the relevant Security Council resolutions.

136. In its report to the thirty-fifth session of the General Assembly, 15/ the United Nations Council for Namibia recommended that the Assembly call upon the Security Council to take urgent action to compel South Africa to terminate its illegal occupation of Namibia. The Council further recommended that, in the event the Security Council were unable to adopt concrete measures to that end, the Assembly itself should consider necessary action in accordance with the Charter of the United Nations.

137. The General Assembly, by resolutions 35/227 A and J, called upon the Security Council to impose comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter.

138. At the request of the Chairman of the Group of African States in the United Nations, 16/ the Security Council considered the situation in Namibia at its 2267th to 2277th meetings, from 21 to 30 April 1981, with the unprecedented participation of 19 ministers for foreign affairs from Africa and from the Movement of Non-Aligned Countries. A delegation of the United Nations Council for Namibia participated in the preparation of the relevant draft resolutions to be submitted to the Security Council, and the President of the Council made a statement before the Security Council in which he called for comprehensive mandatory economic sanctions against South Africa (see paras. 140-146 below).

139. At the 2267th meeting, the Minister of State for Foreign Affairs of Uganda indicated that the African Group was planning to submit a series of resolutions calling for mandatory sanctions against South Africa under Article 41 of the Charter (S/PV.2267). In the course of the debate, representatives of African and non-aligned States and other States emphasized that the imposition of economic sanctions against South Africa was the only peaceful means left to ensure the

15/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24 and Corr.1 and 2), vol. II, chap. I.

16/ Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981, document S/14434.

implementation of Security Council resolution 435 (1978), and warned against any efforts by the Western Powers to bypass the United Nations or alter the settlement plan as approved.

140. In his statement at the 2270th meeting of the Security Council on 23 April 1981 (S/PV.2270), the President of the United Nations Council for Namibia reviewed the role which the Security Council had played in the effort to resolve the question of Namibia. In that context, the President underscored the importance of Security Council resolution 385 (1976) and subsequent resolutions, including 431 (1978) of 27 July 1978, 432 (1978), 435 (1978) and 439 (1978), by which the Council had elaborated its political stand in connexion with the independence of Namibia.

141. The President stated further that the Secretary-General had given much of his time and skill to assist the Security Council in advancing the negotiations for the independence of the Territory, working in close co-operation with OAU, the front-line States, Nigeria, SWAPO and those countries which were concerned with the continuous threat to international peace and security resulting from South Africa's illegal occupation of Namibia and its continuous aggressive attacks against independent African States from Namibian territory.

142. The President observed that although certain Western Powers had joined in the efforts of the international community to exert pressure on South Africa to vacate Namibia, the half-heartedness of their attempts had, in fact, encouraged South Africa's intransigence. The President commended the representatives of SWAPO, who had demonstrated to the world their exceptional qualities of statesmanship and political moderation.

143. The President said that in spite of many efforts by various concerned parties, no fruitful results had been achieved because of the continued refusal of South Africa to comply with the United Nations resolutions on Namibia. South Africa had created one obstacle after another to the implementation of the United Nations plan. It had continued to manoeuvre inside Namibia in order to give power to those elements which were subservient to it. It had conducted illegal elections in 1978 contrary to Security Council resolution 439 (1978). It had created an illegal "territorial army" inside Namibia in order to frustrate the legitimate aspirations of the people of Namibia and of SWAPO, their sole and authentic representative, to achieve self-determination and independence. It continued to take a variety of other illegal measures aimed at exploiting the people and resources of Namibia.

144. The President recalled that South Africa's refusal to comply with the United Nations resolutions and its responsibility for the collapse of the pre-implementation talks at Geneva had led the non-aligned countries and OAU to recommend that the United Nations take the strongest possible measures against South Africa. The President further recalled that in February 1981 the Conference of Ministers for Foreign Affairs of Non-Aligned Countries had reaffirmed the total support of the movement for the Namibian people's inalienable right to self-determination, freedom and independence and territorial integrity, including Walvis Bay, and had called on the United Nations urgently to impose comprehensive mandatory economic sanctions against South Africa under Chapter VII of the Charter so as to compel the Pretoria régime to terminate its illegal occupation of Namibia (see para. 76 above).

145. The urgency of the Namibian question had also been brought to the attention of the international community by the Assembly of Heads of States and Government of OAU at its seventeenth ordinary session, held at Freetown from 1 to 4 July 1980; by the Heads of State of Angola, Botswana, Mozambique, the United Republic of Tanzania and Zambia at their summit meeting held at Luanda on 15 April 1981 (see para. 591 below); by the Co-ordinating Bureau of the Non-Aligned Countries at its extraordinary ministerial meeting held at Algiers from 16 to 18 April 1981 (see paras. 71-88 above); and by the General Assembly at its resumed thirty-fifth session in March 1981 (see paras. 96-131 above).

146. The United Nations Council for Namibia, established by the General Assembly in 1967 as the sole legal Administering Authority for Namibia until independence, had acted in consultation with other concerned parties in the consideration of the matter before the Security Council and was in support of the idea of imposing comprehensive economic sanctions against South Africa for its repeated refusal to comply with United Nations resolutions and its attacks against independent African States. In conclusion the President stated:

"The time for decisive action is now. Those who wish to prevent the necessary initiatives to force South Africa's compliance with United Nations decisions should ponder the gravity of their stand. Namibia is under the responsibility of the United Nations, which has a solemn commitment to assist the Namibian people to achieve self-determination, freedom and national independence in a united Namibia."

147. At the same meeting, Mr. Mueshihange, the Secretary for Foreign Relations of SWAPO, to whom the Security Council had extended an invitation to speak, said that the NATO Powers as well as other major trading partners and collaborators of apartheid South Africa had succeeded in creating conditions which contributed to South Africa's intransigence. It was, however, a source of satisfaction and a manifest sign of international support to see so many foreign ministers and other high-ranking political personalities from friendly countries at the Security Council debate on the question of Namibia.

148. Mr. Mueshihange stated that the past four years had been crucial in many ways. The period had demanded of SWAPO the highest standards of political leadership and statesmanship in the face of constant provocations, frequent loss of human lives and destruction of valuable property. It had also witnessed the launching of the "Western initiative", which was supposed to have facilitated the independence of Namibia. However, South Africa had been rescued by its friends with a triple veto. The "Western initiative" had turned out to be "a contrived public relations exercise in the service of South Africa", which had been acting as "the front-line manager and police of the combined interests of the major capitalist Powers and their military-industrial and nuclear centres".

149. Mr. Mueshihange expressed his organization's gratitude for the increased support shown by the leaders of the front-line States, by the Co-ordinating Bureau of the Non-Aligned Countries and by the ministers for foreign affairs of the non-aligned countries, who had undertaken to bolster material, military, political and diplomatic support for SWAPO in order to enable it to intensify the armed struggle in the face of South Africa's persistent rejection of a negotiated settlement of the Namibian problem.

150. In declaring his organization's resolve to continue the struggle in spite of the "latest and hostile moves against SWAPO and the lawful Government of the People's Republic of Angola", Mr. Mueshihange said:

"We shall go forth. The struggle will continue, no matter what the sacrifices may be, for we know that in the end, the oppressed masses will prevail. No amount of state terrorism, police brutality, attempts at destabilization or vetoes, will forever impede Namibia's total liberation and national independence. It is also our conviction that the will and determination of our patriots cannot be killed by vetoes."

151. Mr. Mueshihange described the current situation in Namibia as grave. Violence and coercion were the order of the day, with the strength of the South African troops and paramilitary police having reached 100,000. The entire country had become a theatre of war. South Africa had established a bogus political and constitutional entity in Namibia, the so-called Constituent Assembly, as well as a "Council of Ministers" supposedly exercising executive functions. The illegal authorities had unleashed a campaign of terror and intimidation against the Namibian people and were holding thousands of leaders and supporters of SWAPO as political prisoners.

152. Mr. Mueshihange urged the Security Council to take the lead in attempting to rectify the deteriorating situation in Namibia and called upon it to impose comprehensive mandatory sanctions against South Africa, including an oil embargo (S/PV.2270).

153. The representatives of South Africa, the United Kingdom and the United States spoke against the imposition of comprehensive economic sanctions against South Africa. The representatives of the United Kingdom and the United States said that their Governments favoured a continuation of negotiations among all parties concerned.

154. At its 2277th meeting, on 30 April 1981, the Security Council had before it five draft resolutions. As described below, the first four provided for the imposition of mandatory sanctions against South Africa. The fifth set out procedures for monitoring the implementation of the sanctions.

155. Under the terms of the first draft resolution, 17/ the Security Council would determine that the refusal of South Africa to comply with Security Council and General Assembly resolutions on Namibia constituted a serious threat to international peace and security and that the racist régime's continued illegal occupation of the Territory constituted a breach of international peace and an act of aggression. Accordingly, the Council would impose comprehensive and mandatory sanctions against South Africa, including economic and political sanctions and oil and arms embargoes, under Chapter VII of the Charter. The Council would further call upon all States Members and specialized agencies of the United Nations to take all necessary measures to implement the provisions of the draft resolution.

17/ Ibid., document S/14459.

156. Under the terms of the second draft resolution, 18/ the Council would decide that all States should sever all diplomatic, consular and trade relations with South Africa; prevent the import into their territories of all commodities and products originating in South Africa and Namibia and exported therefrom; and prevent any activities by their nationals which would promote the export from or importing to South Africa and Namibia of any commodity or product.

157. By the third draft resolution, 19/ the Council would decide that all States should prohibit the sale or supply of petroleum and petroleum products to any person or body in South Africa and Namibia and the shipment in vessels, aircraft or any other means of transportation of their registration of such products to South Africa and Namibia. The Council would also call for the prohibition of any investments in or technical assistance to the petroleum industry in South Africa and Namibia.

158. Under the terms of the fourth draft resolution, 20/ the Council, having determined that the repeated acts of aggression carried out by the racist régime of South Africa against neighbouring African States constituted a breach to international peace and security, would decide that all States should cease forthwith any provision to South Africa of arms and related matériel of all types, including the sale of weapons and ammunition, military vehicles and equipment.

159. The four draft resolutions on sanctions were not adopted because of the negative votes cast by the representatives of France, the United Kingdom and the United States. In view of this outcome, a vote was not taken on the fifth draft resolution. 21/

160. In a statement delivered after the vote had been taken (S/PV.2277), Mr. Mueshihange said that the importance and special nature of the Security Council debate had been due, in large measure, to the participation of a large number of foreign ministers from Africa and other parts of the world who had been able to identify the nature of the problem and to show quite clearly who was the culprit and the obstacle to the independence of Namibia. As a result of the debate, the "ever-deepening collusion between racist South Africa and the major NATO Powers, which maintain extensive military, political, economic and commercial links with that racist, terrorist State", had become even more clear.

161. Mr. Mueshihange added that SWAPO was prepared to continue the struggle for as long as it took to regain the liberty and national sovereignty of Namibia.

18/ Ibid., document S/14460/Rev.1.

19/ Ibid., document S/14461.

20/ Ibid., document S/14462.

21/ Ibid., document S/14463.

162. Mr. Olara Otunnu, Permanent Representative of Uganda to the United Nations and Chairman of the African Group, deplored the negative votes cast by the representatives of the United Kingdom, France and the United States. He said that such action helped South Africa to maintain its illegal occupation of Namibia, thereby weakening international peace and security.

163. At the time of the military invasion of Angola by South Africa in August 1981, the Acting Foreign Minister of Angola informed the Secretary-General in a communiqué dated 26 August 22/ that the racist South African air force had made several reconnaissance flights over the Angolan areas of Ondjiva and Porto Alexandre on 23 August. Simultaneously, six South African Mirage-type and two Buccaneer-type aircraft had attacked and destroyed the city hall of Cahama, some 200 kilometres inside Angola. The aircraft had also attacked the city of Tchibemba, located more than 300 kilometres inside Angolan territory. On 24 August, while the South African air force continued to violate Angola's air space, two columns of South African ground forces infiltrated Angolan territory. One of the two columns headed for the villages of Xangongo and Cahama, and the other for Catequero, some 150 kilometres inside Angola. Both attacks, which caused much destruction of life and property, were fiercely resisted by Angolan troops.

164. Also on 26 August, the President of Angola addressed a letter to the Secretary-General 23/ in which he requested that the Security Council convene urgently in order to take measures to prevent the situation resulting from South Africa's incursion into Angola from becoming even worse, and to demand the withdrawal of the South African army from Angolan territory. On 28 August, the Co-ordinating Bureau of the Movement of Non-Aligned Countries, having held an extraordinary meeting at New York to consider the situation in Angola, issued a communiqué 24/ in which it reaffirmed the call for immediate measures by the Security Council to secure the withdrawal of South Africa's troops from Angola.

165. The Security Council considered the complaint by Angola against South Africa at its 2296th to 2300th meetings, from 28 to 31 August 1981. The Council heard many statements in which representatives of the non-aligned and other countries expressed abhorrence at the atrocities such as murder, kidnapping, rape, bombing, strafing and massacres perpetrated by the racist military forces against the civilians of Angola. An overwhelming majority of the speakers deplored and denounced South Africa's unprovoked aggression against the Government and people of Angola.

166. At the 2300th meeting, a draft resolution sponsored by Mexico, Niger, Panama, the Philippines, Tunisia and Uganda was introduced, 25/ providing for a strong condemnation of the racist régime for its premeditated, unprovoked and persistent armed invasion against Angola and for its use of the illegally occupied Territory of Namibia as a spring-board for armed invasion and destabilization of Angola.

22/ Ibid., Supplement for July, August and September 1981, document S/14646, annex.

23/ Ibid., document S/14647, annex.

24/ Ibid., document S/14661, annex.

25/ Ibid., document S/14664/Rev.2.

167. Under the terms of the draft resolution, the Security Council would declare that South Africa's invasion was a flagrant violation of the sovereignty and territorial integrity of Angola and constituted a danger to international peace and security. The Council would call upon all States to implement fully the arms embargo imposed upon South Africa in resolution 418 (1977) of 4 November 1977 and would decide to send immediately to Angola a Commission of Investigation, comprising five members of the Council, in order to undertake an on-the-spot evaluation of the critical situation resulting from the armed invasion of racist South Africa, and report to the Council not later than 30 September 1981.

168. The draft resolution, however, was not adopted because of the sole negative vote cast by the representative of the United States. The representative of the United Kingdom abstained.

VII. EXTRAORDINARY PLENARY MEETINGS OF THE COUNCIL AT PANAMA CITY

A. Organization of the extraordinary plenary meetings

169. By resolution 35/227 J of 6 March 1981, the General Assembly requested the Council, in the discharge of its responsibilities as the legal Administering Authority for Namibia until genuine national independence, to hold a series of plenary meetings outside the United Nations Headquarters during 1981 and to recommend appropriate action to the General Assembly in the light of the refusal by South Africa to implement Security Council resolution 435 (1978).

170. Those plenary meetings assumed a special importance and urgency in view of the deteriorating situation arising from South Africa's increasingly repressive actions against the people of Namibia, its repeated and systematic acts of aggression against neighbouring States and the blatant manner in which it had caused the collapse of the pre-implementation meeting held at Geneva from 7 to 14 January 1981.

171. At its 349th meeting on 15 May 1981, the Council decided to accept the offer of the Government of Panama to host the extraordinary plenary meetings of the Council at Panama City.

172. At the same meeting, the Council approved the report of its President (A/AC.131/L.170) on the organization of the extraordinary plenary meetings, to be held from 2 to 5 June 1981.

173. By approving the report of the President, the Council approved the following agenda for the meetings:

- (1) Adoption of the agenda
- (2) Assessment of the current situation in and concerning Namibia
- (3) Consideration of the reports of the missions of consultation
- (4) Consideration of measures to press for implementation of United Nations resolutions on Namibia
- (5) Consideration of issues related to a special session of the General Assembly on the question of Namibia
- (6) Adoption of a draft declaration
- (7) Closure of the extraordinary plenary meetings.

174. Invitations to attend and address the extraordinary plenary meetings were extended to the following:

- (a) President of Panama;
- (b) President of the Security Council;

(c) Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(d) Chairman of the Special Committee against Apartheid;

(e) Chairman of OAU;

(f) Chairman of the Group of Non-Aligned Countries in the United Nations;

(g) President of SWAPO;

(h) Secretary-General of OAU.

175. The following were also invited to attend the extraordinary plenary meetings:

(a) Chairman of the Senate of the United Nations Institute for Namibia and Executive Secretary of the Economic Commission for Africa (ECA);

(b) Representatives of those specialized agencies of which the Council is a member: ILO, FAO and UNESCO;

(c) Representative of the United Nations Development Programme (UNDP);

(d) Representatives of the African National Congress of South Africa (ANC) and PAC;

(e) Other individuals and representatives of non-governmental organizations.

176. Representatives of Cuba, Spain and Saudi Arabia attended the meetings as observers.

B. Extraordinary plenary meetings

177. At its 350th meeting, on 2 June 1981, the Council held the solemn opening of its extraordinary plenary meetings at Panama City. One minute of silence was observed in memory of Namibian patriots who had fallen in the struggle for the self-determination, freedom and national independence of their homeland.

178. The meetings were inaugurated by Mr. Aristedes Royo, President of Panama. Statements were made by Mr. Oscar González-César, representative of the President of the Security Council; Mr. Frank Owen Abdullah, Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; Mr. Miguel Bruguera del Valle, representing the Chairman of the Group of Non-Aligned Countries in the United Nations; Mr. Oumarou Garha Youssoufou, Executive Secretary of OAU; and Mr. Peter Katjavivi, representative of SWAPO. The inaugural meeting concluded with a statement by Mr. Paul J. F. Lusaka, President of the Council. A message from the Secretary-General of the United Nations was read on his behalf by Mr. Martti Ahtisaari, United Nations Commissioner for Namibia.

179. The Council, at its 352nd meeting on 3 June 1981, established a committee of the whole. The committee elected by acclamation Mr. José Maria Cabrera (Panama) as its Chairman, Mrs. S. Ünaydin (Turkey) as its Vice-Chairman and Mr. M. Komatina (Yugoslavia) as its Rapporteur-General.

180. The committee of the whole established a drafting committee whose membership was open-ended, with Mr. Shamshad Ahmad (Pakistan) as Chairman and Mr. Semichi (Algeria) as Vice-Chairman.

C. Statements and messages

1. Statement by the President of Panama

181. The President of Panama said that his country shared with the African countries a non-aligned, independent and anti-colonialist policy. It was committed to the promotion of self-determination, political and economic sovereignty and the new international economic order. The President added that it was an honour for Panama City to play host to the first extraordinary meetings of the Council ever to be held outside Africa.

182. The President said that it would be necessary for the Council to pronounce itself in the course of the meetings on issues of political importance in connexion with the genuine independence of Namibia, the exercise of sovereignty over its natural resources and its territorial integrity, including Walvis Bay and the off-shore islands. Panama placed great importance on the declaration which would be adopted, the conclusions of which would have a direct influence on the Assembly of Heads of State and Government of OAU at its forthcoming session. Furthermore, the declaration would contain an essential plan of action to be considered at the emergency special session of the General Assembly on Namibia.

183. He noted that Panama had participated in the International Conference on Sanctions against South Africa, held at Paris from 20 to 27 May 1981, and had reiterated its full support for sanctions against South Africa. Panama supported an oil embargo, the cessation of all nuclear and military collaboration with South Africa and the halting of all loans to that country. It also favoured an end to the purchase of minerals from South Africa and to the provision to that country of essentials such as electronics, chemicals and technological know-how, as well as a reinforcement of the weapons embargo. The President pointed out that the programme of sanctions called for in the Paris Declaration on Sanctions against South Africa 26/ was based on solid legal and moral grounds. It was a matter of concern that some Western countries, including the United States and the United Kingdom, had been absent from the Conference.

184. He concluded by stressing the need for the United Nations and the international community to adopt severe measures against South Africa to end the oppression of the Namibian people and the aggression against the front-line States (A/AC.131/SR.350).

26/ See A/36/319-S/14531, annex I. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

2. Statement by the representative of the President of the Security Council

185. The representative of the President of the Security Council said that the Council had repeatedly demanded that South Africa adhere to the Universal Declaration of Human Rights and free all Namibian political prisoners. Security Council resolution 385 (1976) had established the initial framework for a solution to the problem of Namibia and resolution 435 (1978) had made provision for South Africa to withdraw from Namibia and transfer power to the Namibian people with the assistance of the United Nations. The United Nations Transition Assistance Group (UNTAG) had been established to assist in that process.

186. The representative observed that South Africa, while giving assurances of its acceptance of the settlement plan, had at the same time raised questions regarding the actual date of the elections and other matters. Furthermore, in December 1978 South Africa had embarked on its own programme and had held "elections" in Namibia with the aim of achieving an "internal settlement". SWAPO, on the other hand, had reiterated its acceptance of Security Council resolution 435 (1978) and its readiness to negotiate a date for a cease-fire.

187. The representative emphasized the need to continue to search for a just and peaceful settlement in Namibia (A/AC.131/SR.350).

3. Message from the Secretary-General of the United Nations

188. In his message, the Secretary-General underscored the importance of the extraordinary plenary meetings of the Council in reflecting the special concern and urgency which the United Nations attached to the solution of the question of Namibia.

189. The Secretary-General regretted that the pre-implementation talks held at Geneva had not achieved their objective. He said that while the cause of self-determination of peoples had triumphed almost throughout the world, unfortunately the people of Namibia had still not achieved their independence.

190. The lack of agreement in Geneva had given rise to the most serious international concern. It was evident that the current impasse was having a destructive impact not only on the situation in Namibia itself, but also on the prospects of a peaceful and prosperous future for the region as a whole. It was essential that efforts be intensified to achieve Namibia's independence without further delay and that Security Council resolution 435 (1978) remain the basis for the settlement of that goal (A/AC.131/SR.350).

4. Statement by the representative of SWAPO

191. The representative of SWAPO pointed out that the Panama meetings were taking place at a decisive time when the liberation struggle of the Namibian people led by SWAPO had reached a crucial stage.

192. He observed that the South African occupation army currently stood at 100,000 men, including 30,000 Namibians recruited by conscription to fight their own countrymen, and that a puppet entity had been installed in the country. There was

also a band of mercenaries, composed mainly of bandits of the Uniao Nacional para a Independência Total de Angola (UNITA) and the Frente Nacional para a Libertação de Angola (FNLA) as well as former Portuguese soldiers and British and North American mercenaries.

193. The serious nature of the situation had been aggravated by South Africa's refusal at Geneva to enter into a cease-fire agreement with SWAPO in order to facilitate the implementation of Security Council resolution 435 (1978).

194. The representative of SWAPO maintained that the open support of the United States Administration under President Ronald Reagan for the Pretoria régime and the dramatic triple veto by the Western permanent members in the Security Council had added more fuel to the already burning problem. He declared that "the Reagan Administration's path of war against the Namibian people has to be checked and to be tenaciously fought with all means at the disposal of the international community. There exists now a real possibility of Yankee military intervention in Namibia".

195. The representative of SWAPO noted that Mr. Reagan was determined to bury Security Council resolution 435 (1978), as evidenced by the pronouncement of Mr. Chester Crocker, Assistant Secretary of State for Africa, that the Western Five were committed to drawing up a constitution, which would have to provide for property rights and minority protection, before elections were held. The representative of SWAPO maintained that that was a 180-degree reversal of what was contained in the United Nations plan. Furthermore, the Reagan Administration was on record as having proclaimed as its priority in international relations the fight against "international terrorism", and SWAPO was being unjustly branded as a terrorist organization.

196. It was also understood that the United States Government was considering assisting racist South Africa in training and equipping a commando force along the lines of the United States Rapid Deployment Force. In that connexion, the representative recalled the meeting of a delegation of South African puppets from Namibia with Mrs. Jeane J. Kirkpatrick, Permanent Representative of the United States to the United Nations. The latter was said to have given assurances of United States support in the event of a unilateral declaration of independence in Namibia by the Turnhalle group.

197. He stated that the Reagan Administration in March 1981 had asked the United States Congress to repeal the Clark Amendment prohibiting covert operations by the United States in Angola. The illegal granting of Namibian citizenship to thousands of UNITA and FNLA bandits by racist South Africa had opened the way for the full-scale training of those irresponsible elements by Pretoria and Washington.

198. The Reagan Administration had also extended an invitation to "the bandit Savimbi of moribund UNITA" and was expected to offer so-called experts to train "UNITA bandits" along the lines of what Washington was doing for the military junta in El Salvador. A number of "experts" had reportedly visited northern Namibia in April. Also, the racist R. F. Botha, the fascist South African Foreign Minister, had visited Washington after the South African "white" elections of April 1981. The Reagan Administration was expected to extend full support to racist South Africa's military adventurism against independent African countries, particularly Angola, Mozambique and Zambia.

199. The representative of SWAPO also recalled that the Reagan Administration in May 1981 had authorized Zionist Israel to sell Kfir jet fighters to racist South Africa in defiance of the United Nations arms embargo against that régime. In that connexion, he noted the refusal by the Reagan Administration to attend the Paris Conference on economic sanctions against South Africa (see para. 183 above).

200. The representative declared that SWAPO would accept no constitution from any quarter and no power could prescribe the constitution except an elected constituent assembly in Windhoek. The just struggle of SWAPO would continue so long as there remained one Namibian with five senses.

201. SWAPO strongly condemned South Africa's continuous attacks on the front-line States, the Reagan Administration's hostile attitude towards freedom and independence for the Namibian people, and its active encouragement for the perpetuation of Pretoria's illegal occupation of the country. It also condemned the Government of the United Kingdom for supplying South Africa with modern electronic equipment for use by the South African army.

202. The representative called on the Council and all peace-loving countries vigorously to oppose and condemn the Western Powers, and in particular the Reagan and Thatcher Administrations' dangerous overtures to racist South Africa. Every bit of support which the apartheid régime received from the imperialist Powers was being used by that régime to entrench itself in Namibia. Furthermore, the warmongers were alleging that South Africa had "genuine fear" of a "Soviet onslaught" on the subcontinent. If the so-called Soviet menace was the reason for denying self-determination to the people of Namibia, what had been the reason for denying self-determination 60 years ago? Imperialism would always find reasons for keeping Namibians under colonial bondage and the world community must denounce, condemn and reject such false justifications. The right of all peoples to self-determination and independence was not negotiable, and Namibia's independence could not perpetually be made conditional on the alleviation of South Africa's unfounded fears (A/AC.131/SR.350).

5. Statement by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

203. In his statement, the Chairman of the Special Committee said that the South African authorities had demonstrated beyond any doubt their determination to perpetuate their stranglehold over Namibia and to block at all costs the transfer of powers to the people of the Territory. The dismal failure of the pre-implementation meeting at Geneva had reconfirmed that there was no real prospect that South Africa would ever willingly accede to the genuine aspirations of the people of Namibia for true independence and liberation. The recent failure by the Security Council to impose comprehensive sanctions under Chapter VII of the Charter, due to the negative votes of three of its permanent members, could only prolong the colonial situation in Namibia and intensify the sufferings of its people.

204. He indicated that the only course of action commensurate with the present situation lay in a reconsideration by the Security Council of a comprehensive programme of economic sanctions and the adoption by the Council of necessary measures under Chapter VII of the Charter. Equally important was the need for all concerned to provide all possible assistance to the people of Namibia under the leadership of their national liberation movement, SWAPO, at this crucial stage in their struggle for the restoration of their rights (A/AC.131/SR.350).

6. Statement by the Executive Secretary of OAU

205. The Executive Secretary of OAU said that the talks held at Geneva in January had proven beyond all doubt that South Africa, in spite of its propaganda, believed as all others did that SWAPO would be victorious if free and fair elections were held in Namibia. He affirmed that SWAPO was the only political entity which democratically represented the vast majority of the Namibian people.

206. The Executive Secretary emphasized that the natural resources of Namibia were the main obstacle impeding the attainment of independence. The exploitation of those resources by foreign and other economic interests at an unprecedented scale clearly demonstrated that those involved were conscious that nothing would avert the revolutionary wave that had been spreading through southern Africa, hence the speed to pillage the natural wealth of Namibia, which belonged to and was the birthright of the Namibian people (A/AC.131/SR.350).

7. Statement by the President of the Council

207. The President of the Council said that the problem of South Africa's illegal occupation of Namibia was a burning issue not only for Africa but also for the entire world. The extraordinary plenary meetings of the Council were being held soon after the efforts of the international community to impose mandatory sanctions against South Africa had been frustrated by the supporters of South Africa. Despite the continued defiance by South Africa of the decisions of the United Nations and the continuing escalation of its aggression against the people of Namibia and the neighbouring African States, the Security Council had been rendered ineffective and prevented from taking requisite measures under Chapter VII of the Charter against the racist régime. The United Nations Council for Namibia had to devise ways and means to isolate South Africa politically, economically and militarily even without a mandate from the Security Council, with the objective of securing Pretoria's withdrawal from Namibia and promoting the genuine independence of the Territory.

208. The President noted that South Africa's arrogance and its defiant attitude towards the international community continued. He appealed to all States Members of the United Nations to provide concrete assistance to the front-line States, which were shouldering a heavy responsibility on their own behalf and on behalf of the international community for the liberation of Namibia. That assistance would alleviate some of the difficulties they had encountered as a result of armed attacks by South Africa and its attempts to destabilize them.

209. He was confident that the armed struggle being waged by SWAPO, the sole and authentic representative of the Namibian people, to liberate the Territory from the clutches of the racist régime would succeed. The responsibility of the Council was to support that struggle politically and materially. The most effective means of expressing that support and forcing South Africa to implement the United Nations decisions would be the adoption by the international community of a programme designed to bring the Pretoria régime to the point of extinction. An effective arms embargo, an oil embargo, economic sanctions and a trade boycott voluntarily imposed by member countries of the United Nations would inevitably lead to the collapse of the racist régime and the liberation of the people of Namibia and southern Africa. In that context, the Council was encouraged by the results of the recent International Conference on Sanctions against South Africa, which had identified areas of possible international action.

210. The Paris Declaration (see para. 183 above) had been adopted in the light of the inability of the Security Council to fulfil its responsibility under the Charter by adopting punitive measures against South Africa. Therefore, the programme of action which would be adopted in Panama would necessarily be in concert with other efforts which had been made so far in order to promote the resolution of the problem of Namibia within the framework of the United Nations plan.

211. It was necessary to remain vigilant to prevent South Africa from extricating the solution of the question of Namibia from the United Nations by falsely accusing the United Nations of partiality. The accusation against the United Nations by South Africa was a political ploy which was well calculated to deceive world public opinion as to the real issues at stake.

212. The President of the Council concluded by stating that the programme of action to be adopted by the Council would be aimed at the speedy implementation of the United Nations plan. Any attempt to dilute or modify the plan under the pretext of strengthening it or making it more practicable was unacceptable to the Council. The question of Namibia was a decolonization issue, and it was the direct responsibility of the United Nations to bring Namibia to independence in accordance with the terms of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.131/SR.350).

D. General debate

213. The Council held its general debate from 2 to 4 June 1981. The members of the Council expressed deep concern at the seriousness of the situation resulting from South Africa's continued illegal occupation of the Territory, its repressive measures against the Namibian people and its repeated acts of aggression against neighbouring independent States.

214. Many speakers emphasized that the question of Namibia had to be assessed within the context of the struggle between the anti-colonialist progressive forces and the forces of colonialism and their allies. Another major aspect was the involvement and the role of the major Western Powers whose companies were engaged together with South African companies in the ruthless plundering of Namibia's natural resources and the exploitation of its population. That confluence of interests had brought about a de facto alliance between the major imperialist States and Pretoria. The speakers observed that the struggle against apartheid and

for the independence of Namibia was now an international cause. In the face of the attempts to alter the United Nations settlement plan and impose a neo-colonial solution it was necessary for the international community to render all kinds of assistance and support to SWAPO, recognized as the sole and authentic representative of the Namibian people.

215. The Council members were of the view that the negotiations which had preceded and followed the adoption of the United Nations plan had in themselves been a concession to South Africa because with the termination of the Mandate, there was no legitimacy to South Africa's presence in Namibia. With the exception of three members, they agreed that South Africa's rejection of the United Nations plan was sufficient reason for the Security Council to proceed to impose sanctions against that régime for non-compliance with its decisions.

216. The Council emphasized the need for the five authors of the plan to exert pressure on Pretoria commensurate with their influence to compel the racist régime to give up its illegal occupation of Namibia. The Western Five, by virtue of their close economic and other links with South Africa, were uniquely placed to exert such pressure. However, instead of using their undisputed influence with South Africa to bring about an early solution to the Namibian question, three of the five members had taken their place squarely on the side of the Pretoria régime as demonstrated by the negative votes in the Security Council. Furthermore, they seemed to be engaged in attempts to create confusion and uncertainty about the true nature of the situation in Namibia.

217. It was the general view that the recent meetings of the Security Council and the International Conference on Sanctions against South Africa had contributed to an increased awareness and consensus within the international community on the need for urgent and concerted action that would ensure an end to South Africa's illegal occupation of Namibia. It was stressed that pending a decision of the Security Council, the time had come for the States to impose collective and individual action against South Africa so as to compel the illegal occupying régime to give up its stranglehold over Namibia.

218. The Council members, with the exception of three, noted with regret and indignation that attempts were being made to modify the provisions of the United Nations settlement plan, thus delaying settlement of the Namibian question and compromising the position of SWAPO. They called for strict vigilance against such manoeuvres. Unanimous support was voiced for the speedy and full implementation of the relevant resolutions of the United Nations, in particular Security Council resolutions 385 (1976) and 435 (1978) containing the United Nations plan for Namibia.

219. The Council members reaffirmed their resolute support for SWAPO and the front-line States in the relentless struggle for freedom and national independence in a united Namibia, including Walvis Bay and the off-shore islands.

220. The members, with the exception of three, agreed that the Council had the responsibility to prepare adequately for the emergency special session of the General Assembly by formulating recommendations to serve as a basis for draft resolutions calling for concrete measures to ensure the complete political and economic isolation of South Africa.

221. At the conclusion of the proceedings, the Council adopted by acclamation a resolution expressing its thanks to the Government and people of Panama for having provided the Council with the necessary facilities for its meetings. (For the text of the resolution see para. 706 below.)

E. Panama Declaration and Programme of Action on Namibia

222. At its 357th meeting on 5 June 1981, the Council adopted by acclamation the Panama Declaration and Programme of Action on Namibia, the text of which reads as follows:

"PANAMA DECLARATION AND PROGRAMME OF ACTION ON NAMIBIA"

I. DECLARATION ON NAMIBIA

"1. The United Nations Council for Namibia held a series of extraordinary plenary meetings at Panama City from 2 to 5 June 1981. The meetings were held in accordance with General Assembly resolution 35/227 J of 6 March 1981 in order to assess the current critical situation in Namibia and to recommend to the General Assembly appropriate action to be taken against South Africa in the light of its refusal to implement Security Council resolution 435 (1978) of 29 September 1978.

"2. The Council considers that the need for such a review had been necessitated by South Africa's increasingly repressive action against the people of Namibia, its repeated and systematic acts of aggression against independent African States and the blatant manner in which it deliberately caused the collapse of the pre-implementation meeting held at Geneva from 7 to 14 January 1981. These acts have been further encouraged by the increasing political, economic, diplomatic and military support which South Africa receives from certain Western countries, manifested more recently, inter alia, in the exercise of their veto power by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America during the debate on the question of Namibia held in the Security Council in April 1981.

"3. Inaugurating the extraordinary plenary meetings of the Council, His Excellency Dr. Aristides Royo, President of Panama, stated:

'As far as economic sanctions are concerned, the Panamanian Government agrees that the Security Council should impose comprehensive and mandatory sanctions against South Africa as long as the latter maintains its opposition to the independence of Namibia.

'...

'We believe that the stubborn and defiant attitude of the Pretoria régime leaves the international community no alternative but to impose sanctions. This is apparently the only way to compel the South African State to fulfil its pressing obligation to bring about the independence of Namibia and cease its illegal occupation of the Territory.

* Previously issued under the symbol A/36/327-S/14546, annex.

'...

'We therefore reaffirm at this Panama session the recognition of the right of the Namibian people to self-determination, freedom and independence under the leadership of the South West African People's Organization (SWAPO), their sole and authentic representative.

'...

'In general we believe that concerted action is urgently needed to guarantee the people of Namibia prompt access to independence, to put an end to the illegal occupation of Namibia, to eradicate apartheid and to remove all vestiges of colonialism from the African continent, which has the right to rid itself permanently of the exploitation, humiliation and domination imposed by a disgraceful colonial system that has no place in today's world.'

"4. In a message delivered on the occasion, the Secretary-General of the United Nations said:

'I greatly regret that the Geneva Conference on Namibia, held last January, did not achieve its objective. There, I believe, a great opportunity to move forward to a resolution of the question was missed when South Africa indicated that it was not yet prepared to sign a cease-fire agreement and to proceed with the implementation of Security Council resolution 435 (1978).

'The lack of agreement at Geneva has given rise to the most serious international concern. It is evident that the current impasse is having a destructive impact, not only on the situation in Namibia itself, but also on the prospects of a peaceful and prosperous future for the region as a whole. It is, indeed, also affecting international relations on a wider scale. In these circumstances, it is essential that efforts be intensified to achieve Namibia's independence without further delay, and that resolution 435 (1978) remain the basis for the settlement of this goal.'

"5. The Council has given special attention to the various international conferences which reviewed the question of Namibia after the collapse of the pre-implementation talks at Geneva. The Council draws the attention of the international community to the important debate and decisions taken by the General Assembly at its resumed thirty-fifth session, held from 2 to 6 March 1981. In this respect, the Council expresses its appreciation for the firm support given to it by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981, and by the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Namibia, held at Algiers from 16 to 18 April 1981. It also takes note with appreciation of the resolutions on Namibia adopted by the OAU [Organization of African Unity] Co-ordinating Committee for the Liberation of Africa, at its twenty-sixth ordinary session, held at Arusha, United Republic of Tanzania, from 19 to 23 January 1981, and by the Council of Ministers of OAU at its thirty-sixth ordinary session, held at Addis Ababa from 23 February to 1 March 1981. The Council has also given the greatest attention to the final communiqué of the summit meeting of the

front-line States, held at Luanda on 15 April 1981, and the Declaration adopted by the International Conference on Sanctions against South Africa, held at Paris from 20 to 27 May 1981. This unprecedented series of conferences, which reviewed the implications of the failure of the pre-implementation talks, underscored the profound concern of the international community at the refusal of South Africa to implement the United Nations plan for the independence of Namibia.

"6. The Council, established by General Assembly resolution 2248 (S-V) of 19 May 1967 and given the responsibility of administering Namibia until independence, has been guided since its establishment by the principles of the Charter of the United Nations, Assembly resolution 1514 (XV) of 14 December 1960 and other resolutions adopted by the Assembly on the question of Namibia. In conformity with its mandate, the Council has endeavoured to obtain the withdrawal of the illegal South African administration from the Territory and to support the legitimate struggle of the Namibian people for self-determination, freedom and national independence under the leadership of SWAPO, their sole and authentic representative. In the fulfilment of its mandate the Council has received extensive support from the international community, including governmental and non-governmental organizations.

"7. The Council has reviewed with urgency international developments related to the question of Namibia and has assessed the priorities for continued and effective action in support of international political mobilization to put an immediate end to the illegal occupation of Namibia by South Africa. The Council reaffirms its conviction of the need to exert the utmost pressure on the Pretoria régime in the light of its continued refusal to comply with United Nations resolutions on Namibia. The collapse of the pre-implementation meeting, caused by South Africa in January 1981, and subsequent manoeuvres to impose upon the Namibian people so-called constitutional arrangements in contravention of Security Council resolution 435 (1978) prior to the holding of free and fair elections under United Nations supervision and control have made it imperative for the Council to reaffirm its position of support for the legitimate aspirations of the Namibian people for self-determination, freedom and national independence in a united Namibia.

"8. The Council denounces and rejects the attempts by South Africa and its allies to give to the question of Namibia a dimension contrary to that of an act of colonial domination in violation of the principles and objectives of the Charter of the United Nations and the decisions and resolutions of the United Nations. The question of Namibia is one of decolonization and must be resolved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV). The Council reaffirms its conviction that the persistent and illegal colonial occupation of Namibia in defiance of the decisions of the United Nations constitutes a blatant denial to the Namibian people of their inalienable rights to self-determination, freedom and national independence in a united Namibia.

"9. The Council reaffirms its complete solidarity with and full support for SWAPO, the sole and authentic representative of the Namibian people, whose just struggle enjoys the support and admiration of the international community. During the prolonged period of international negotiations SWAPO has consistently demonstrated a constructive attitude and shown the highest

qualities of statesmanship and diplomatic skill, as well as courage in the battlefield in the defence of the inalienable rights of the Namibian people to self-determination, freedom and national independence in a united Namibia, which have won SWAPO the support and respect of the international community.

"10. The Council strongly and vehemently condemns the persistent attempts of the racist Pretoria régime to impose an 'internal settlement' in Namibia which has been declared null and void by Security Council resolution 439 (1978) of 13 November 1978 and other relevant United Nations resolutions on the question of Namibia.

"11. The Council once again declares that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the off-shore islands. The Council unequivocally reaffirms the relevant decisions of the General Assembly to the effect that Walvis Bay and the off-shore islands are an integral part of Namibia and that any action by South Africa to separate them from the Territory is illegal, null and void.

"12. The Council strongly and vehemently condemns the colonialist and racist régime of South Africa for its militarization of Namibia together with the forced conscription of Namibians and the use of that Territory for launching armed attacks against neighbouring States, particularly its repeated armed aggression against Angola. In this regard, the Council also expresses grave concern at the reported attempts by the Government of the United States to destabilize the legitimate Government of Angola by, inter alia, providing assistance to Angolan traitor groups in the service of the Pretoria régime. The Council reaffirms that such acts would constitute flagrant interference in the internal affairs of a member State of OAU and the United Nations and solemnly calls for the scrupulous respect of the independence, sovereignty and territorial integrity of the front-line States.

"13. The Council reaffirms its solidarity with the front-line States, which support with great sacrifice the inalienable rights and the legitimate aspirations of the Namibian people for self-determination, freedom and national independence.

"14. The Council draws the attention of the international community to the situation prevailing in and around Namibia, which constitutes a serious threat to international peace and security. The Council reaffirms that the failure of all the efforts so far undertaken to implement United Nations resolutions on Namibia in order to bring about a negotiated settlement of the question of Namibia bestows upon the international community the moral and political obligation of applying comprehensive sanctions to compel South Africa to comply with the decisions of the United Nations so that the people of Namibia can speedily exercise their inalienable rights to self-determination, freedom and national independence in a united Namibia.

"15. The Council solemnly reaffirms its unswerving commitment to fulfil its responsibility for Namibia in accordance with the mandate entrusted to it by the General Assembly in its resolution 2248 (S-V). In this regard, the Council will continue to promote initiatives in defining United Nations policies in support of the liberation of Namibia, a Territory which remains a unique responsibility of the United Nations.

"16. The perpetuation of inhumanity, suffering and subjugation in Namibia is a blatant violation of the dignity, worth and sacred character of the human being and must end forthwith. While this violation continues, the escalation of conflict in Namibia is inevitable. The situation has confronted the United Nations with one of the most severe crises in its history, and represents the gravest and most enduring challenge to the authority and the purposes and principles of the Organization, while at the same time endangering the peace and security not only of the southern African region but of the world at large. The struggle for Namibia is, therefore, not merely a struggle for decolonization but a struggle for human dignity and for the defence of values and principles that lie at the heart of modern ethics, one to which no State or people can remain indifferent.

"17. The meetings in Panama have underscored the existence of an international consensus that Namibia must be free and signify the birth of a fresh commitment to the liberation of the Territory. The Council makes a solemn appeal to all members of the international community to redouble their efforts to obtain the freedom of Namibia and to contribute to the development of stable, harmonious international relations and help to bring closer the dawn of peace and harmony envisaged by the founding fathers of the United Nations.

II. PROGRAMME OF ACTION ON NAMIBIA

"18. 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, diplomatic and military co-operation of certain Western countries and aggravated by the negative vote 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.

"19. The Council therefore proposes the following programme of action to intensify international political mobilization in support of the objectives of the United Nations concerning the early independence of Namibia.

A. Political action

"20. The Council renews its conviction that the critical situation in Namibia, resulting from South Africa's continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its intransigence, as demonstrated most recently in its refusal at the Geneva pre-implementation meeting to agree to commence the implementation of Security Council resolution 435 (1978); the enhancement of its military strength, including the acquisition of nuclear weapons capability, its repeated acts of armed aggression against the people of Namibia, its use of the Territory of Namibia to launch armed attacks against States and its attempts at destabilizing sovereign independent African States, particularly

Angola, constitutes no longer a threat to but a manifest breach of international peace and security. In this regard, the Council recommends to the General Assembly the adoption of effective measures in order to ensure that the independence, sovereignty and territorial integrity of the front-line States shall be scrupulously respected.

"21. The Council solemnly calls upon all Member States, while vigorously campaigning for action by the Security Council, to take immediate unilateral and collective action to impose comprehensive sanctions against the racist régime of South Africa in order to ensure South Africa's immediate compliance with the resolutions and decisions of the United Nations relating to Namibia.

"22. The Council, in view of the failure by the Security Council to impose mandatory sanctions against South Africa, calls for the early convening of an emergency special session of the General Assembly, at the level of foreign ministers, to review the question of Namibia and take measures as appropriate under the Charter of the United Nations.

"23. The Council will recommend for adoption by the General Assembly at the emergency special session appropriate resolutions that will provide for measures to be taken by the members of the United Nations to ensure the complete economic and political isolation of South Africa.

"24. The Council calls upon all States Members of the United Nations to work resolutely for the early implementation of the United Nations plan for the independence of Namibia, contained in Security Council resolutions 385 (1976) of 13 January 1976 and 435 (1978), without any modification, qualification, dilution, prevarication or delay.

"25. The Council urges all States Members of the United Nations not to recognize any 'internal settlement' of the question of Namibia and reiterates that free and fair elections under the supervision and control of the United Nations are an essential prerequisite to the full implementation of the United Nations peaceful negotiated settlement of the question of Namibia in accordance with Security Council resolution 435 (1978).

"26. The Council calls upon the international community to increase all possible support to SWAPO, the sole and authentic representative of the Namibian people, in order that it may pursue its strategies in the military, political and diplomatic fields and so disabuse South Africa of any notion that its illegal occupation of the Territory is secure.

"27. The Council decides to promote every effort for the speedy implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. Steps will be taken to strengthen the legal basis of the Decree by clarifying the existing link between the Decree and the relevant resolutions of the Security Council in order to ensure its implementation in those countries whose Governments consider it to be a mere recommendation of the General Assembly. The Council condemns the illegal exploitation of Namibian natural resources, particularly uranium, and will continue to monitor these activities in order further to expose to the international community the reckless and destructive acts perpetrated against the Namibian people by South African and other foreign economic interests which are plundering these resources. In this respect, the Council will take follow-up action on the results of the hearings

on Namibian uranium, held in July 1980, in order to mobilize the international community to take the necessary measures to ensure compliance with the decisions of the General Assembly and prepare the legal framework for future compensation due to the Namibian people after genuine independence is achieved. The Council underlines the importance of the effective implementation of the Decree, which was approved by the General Assembly in resolution 3295 (XXIX) of 13 December 1974, and condemns violations of the Decree, including the illegal exploitation of Namibia's marine resources in its territorial waters.

"28. The Council decides to counter South Africa's acts to extend illegally in its own name the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia. The Council reiterates its intention to use its own authority to extend the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia.

"29. The Council calls upon the international community to intensify its efforts to extend as a matter of urgency all support and assistance, including military assistance to the front-line States which have rendered and continue to render all the necessary support to the oppressed people of Namibia in conformity with the Charter of the United Nations and the Charter of OAU. Such assistance will enable them to strengthen their defence capability in the exercise of their legitimate right to self-defence against the repeated acts of aggression perpetrated by the South African régime against them.

"30. The Council decides to request the General Assembly, at its next session, to instruct the Secretary-General of the United Nations and the Administrator of the United Nations Development Programme (UNDP) to take the necessary administrative action to end all contracts between the United Nations, including its specialized agencies, and corporations that directly or indirectly support South Africa's illegal occupation of Namibia.

B. Arms embargo

"31. The Council calls upon Governments, pending the imposition of comprehensive mandatory sanctions under Chapter VII of the Charter of the United Nations by the competent organ of the United Nations, to comply fully with the provisions of Security Council resolution 418 (1977) of 4 November 1977, which calls for an arms embargo against South Africa, and to take the following additional measures voluntarily:

(a) To cease forthwith the provision to South Africa of arms and related matériel of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, para-military police equipment and spare parts for the aforementioned, and to cease as well the provision of all types of equipment and supplies and grants of licensing arrangements for the manufacture or maintenance of the aforementioned, as these would further strengthen South Africa's illegal occupation of Namibia;

(b) To ensure that arms-export agreements provide for guarantees which would prevent embargoed items or any components thereof from reaching South Africa through third countries under any circumstances, including through subcontracts by firms from one country to another;

- (c) To prohibit the export of spare parts for embargoed aircraft and other military equipment belonging to South Africa and the maintenance and servicing of such equipment;
- (d) To seize any items destined for South Africa against which the embargo has been imposed, including items in transit, which may be found on their territories;
- (e) To prohibit all imports of arms and related matériel of any type from South Africa and to seize any such items which may be found in their territories, including items in transit;
- (f) To prohibit government agencies and corporations under their jurisdiction from transferring technology for the manufacture of arms and related matériel of all types to South Africa;
- (g) To prohibit government agencies, corporations and individuals under their jurisdiction from investing in the manufacture of arms and related matériel in South Africa;
- (h) To put an end to exchanges with South Africa of military personnel as well as experts in weapons technology and employees of arms factories under their jurisdiction;
- (i) To ensure the effective prevention of recruitment, financing, training and transit of mercenaries for service in South Africa and occupied Namibia and to take punitive action against persons and organizations involved in such activities;
- (j) To halt and to prevent any direct or indirect co-operation or activities by public or private corporations, individuals or groups of individuals in conjunction with South Africa in the development of a nuclear weapons capability by the racist régime of South Africa;
- (k) To take all possible further action under Article 41 of the Charter of the United Nations in order to put an end to the illegal occupation of Namibia by South Africa and bring about its genuine independence in accordance with the relevant resolutions of the Security Council;
- (l) To ensure that their national legislation includes penalties for violations of the provisions of Security Council resolution 418 (1977).

C. Oil embargo

"32. The Council calls upon Governments:

- (a) To prohibit the sale or supply of petroleum and petroleum products to any person or body in South Africa and occupied Namibia, or to any person or body for the purpose of eventual supply to South Africa and occupied Namibia;
- (b) To prohibit any activities by their nationals or in their territories that promote or are calculated to promote the sale or supply of petroleum or petroleum products to South Africa and occupied Namibia;

(c) To prohibit the shipment in vessels, aircraft or any other means of transportation of their registration, or under charter to their nationals, of any petroleum products to South Africa and occupied Namibia;

(d) To prohibit any investments in or provision of technical and other assistance to the petroleum industry in South Africa and occupied Namibia, including technical advice and spare parts;

(e) To prohibit the provision of transit facilities in their territories, including the use of their ports, airports, roads or railway networks, to vessels, aircraft or any other means of transportation carrying petroleum or petroleum products to South Africa and occupied Namibia;

(f) To prohibit any activities by their nationals or in their territories that promote or are calculated to promote prospecting for petroleum in South Africa and occupied Namibia.

D. Economic sanctions

"33. The Council calls upon Governments:

(a) To prevent the import into their territories of all commodities and products originating in South Africa and in illegally occupied Namibia and exported therefrom (whether or not the commodities or products are for consumption or processing in their territories, whether or not they are imported in bond and whether or not any special legal status with respect to the import of goods is enjoyed by the port or other place where they are imported or stored);

(b) To prevent any activities by their nationals or in their territories that promote or are calculated to promote the export of any commodities or products from South Africa and occupied Namibia, and any dealings by their nationals or in their territories in any commodities or products originating in South Africa and occupied Namibia and exported therefrom, including, in particular, any transfer of funds to South Africa and occupied Namibia for the purposes of such activities or dealings;

(c) To prevent the shipment in vessels or aircraft of their registration or under charter to their nationals, or the carriage (whether or not in bond) by land transport facilities across their territories of any commodities or products originating in South Africa and occupied Namibia and exported therefrom;

(d) To prevent the sale or supply by their nationals or from their territories of any commodities or products (whether or not originating in their territories, but not including supplies intended strictly for medical purposes, educational equipment and matériel for use in schools and other educational institutions, publications, news material and, in special humanitarian circumstances, food-stuffs) to any person or body in South Africa and occupied Namibia or to any other person or body for the purposes of any business carried on in or operated from South Africa and occupied Namibia and any activities by their nationals or in their territories that promote or are calculated to promote such sale or supply;

(e) To prevent the shipment in vessels or aircraft of their registration or under charter to their nationals, or the carriage (whether or not in bond) by land transport facilities across their territories of any such commodities or products that are consigned to any person or body in South Africa and occupied Namibia, or to any other person or body for the purposes of any business carried on in or operated from South Africa and occupied Namibia.

E. Other measures

"34. The Council calls upon Governments:

(a) Not to make available to the illegal régime in South Africa and in occupied Namibia or to any commercial, industrial or public utility undertaking, including tourist enterprises, in South Africa and occupied Namibia any funds for investment or any other financial or economic resources;

(b) To prevent their nationals and any persons within their territories from making available to the régime or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within South Africa and occupied Namibia, except payments intended exclusively for pensions, for strictly medical, humanitarian or educational purposes or for the provision of news material and, in special humanitarian circumstances, food-stuffs;

(c) To prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a South African passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal administration of South Africa in Namibia;

(d) To prohibit travel for any purpose, including tourism, sports and scientific and cultural exchanges, by their nationals to South Africa and occupied Namibia;

(e) To prevent airline companies constituted in their territories and aircraft of their registration or under charter to their nationals from operating to or from South Africa and occupied Namibia and from linking up with any airline company constituted or aircraft registered in South Africa and occupied Namibia;

(f) To take all possible measures to prevent activities by their nationals and persons in their territories aimed at promoting, assisting or encouraging emigration to South Africa and occupied Namibia, with a view to stopping such emigration;

(g) To withhold from their nationals or companies of their nationality not under direct government control, government loans, credit guarantees and other forms of financial support that would be used to facilitate trade or commerce with South Africa and occupied Namibia;

(h) To ensure that companies and other commercial enterprises owned by the State or under direct control of the State cease all further investment activities in South Africa and occupied Namibia;

(i) To enact the appropriate measures to prohibit investments or the obtaining of concessions in South Africa and occupied Namibia by their nationals or companies of their nationality not under direct government control and, to this end, to withhold protection of such investments against claims of a future lawful Government of Namibia for compensation and reparation;

(j) To take all possible further action under Article 41 of the Charter of the United Nations in order to put an end to the illegal occupation of Namibia and bring about its genuine independence in accordance with the relevant resolutions of the Security Council.

"35. The Council calls upon the specialized agencies and other institutions within the United Nations system to give the highest priority to the formulation, with the active co-operation of OAU and of SWAPO, of programmes and projects of assistance to the people of Namibia and their national liberation movement.

"36. The Council calls upon other intergovernmental organizations to strengthen political and material support to SWAPO, the sole and authentic representative of the Namibian people.

"37. The Council appeals to all non-governmental organizations:

(a) To intensify their campaigns in support of the people of Namibia and SWAPO, their sole and authentic representative, in their struggle for self-determination, freedom and national independence in a united Namibia;

(b) To intensify their campaigns to prevent any action in favour of South Africa's repressive policies in Namibia and to emphasize the illegality of the South African occupation régime in Namibia and its repressive character."

F. Reservations and observations

223. In the course of the extraordinary plenary meetings, the representatives of Australia, Belgium and Finland, while joining in the consensus on the Panama Declaration and Programme of Action on Namibia, also expressed reservations concerning certain references in the Declaration. In response, the representatives of Algeria, India and SWAPO made observations. The texts of the reservations and observations are contained in annex I to the present report.

PART TWO

WORK OF THE COUNCIL AS THE LEGAL ADMINISTERING AUTHORITY FOR NAMIBIA

I. GENERAL

224. In its capacity as the legal Administering Authority for Namibia until independence, the Council continues to maintain under constant review the political, military, economic and social conditions affecting the struggle of the Namibian people for self-determination, freedom and national independence in a united Namibia. That mandate was entrusted to it under General Assembly resolution 2248 (S-V) and other relevant resolutions and decisions concerning Namibia.

225. By virtue of the powers conferred on it by the above-mentioned resolution, the Council enacted, on 27 September 1974, Decree No. 1 for the Protection of the Natural Resources of Namibia in order to ensure that these resources would not be exploited to the detriment of the Namibian people.

226. The activities of the Council have included the representation of Namibia as a full member in such organizations as the ILO, FAO, UNESCO, UNCTAD, UNIDO and the Third United Nations Conference on the Law of the Sea. The Council has also represented Namibia at meetings of OAU, the non-aligned countries and other international conferences.

227. This year the Council organized the Seminar on Legal Issues Concerning the Question of Namibia, held at The Hague from 22 to 24 June 1981, to commemorate the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1971. It also participated in the seminar held at London on 29 and 30 June by SWAPO, in co-operation with the Namibia Support Committee, on the continuing plunder of the natural resources of Namibia, particularly uranium, in violation of Decree No. 1 (see A/AC.131/L.219).

228. The functions of the Council include consultations with senior government officials to bring about the implementation of United Nations resolutions on Namibia, the provision of material assistance to Namibians, the dissemination of information on the question of Namibia and the mobilization of public opinion in support of the Namibian people in their struggle for national independence in a united Namibia.

II. SEMINAR ON LEGAL ISSUES CONCERNING THE QUESTION OF NAMIBIA

229. By resolution 35/227 C, the General Assembly decided that the Council, in the discharge of its responsibilities, should take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, and such other measures as might be necessary to assist in the protection of the natural resources of Namibia. In that regard, the Assembly requested the Council to conduct hearings in order to obtain relevant information from all available sources to denounce South African schemes of ruthless exploitation of the people and resources of Namibia.

In the same resolution, the Assembly also decided that the Council should secure the territorial integrity of Namibia as a unitary State, including Walvis Bay and the Penguin Islands.

230. Pursuant to the decisions mentioned above, the Council decided to hold a seminar which would discuss in depth the legal aspects of the implementation of the Decree and the legal arguments strengthening the United Nations position regarding the status of Walvis Bay and the off-shore islands as an integral part of Namibia. The Council also decided that the holding of the seminar should coincide with the commemoration of the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1971. With a view to further underscoring the historic significance of the advisory opinion as a pronouncement by the highest judicial authority of the world on the illegality of South Africa's occupation of Namibia, the Council decided that the seminar should be held at The Hague, seat of the International Court of Justice.

231. Accordingly, the Seminar on Legal Issues Concerning the Question of Namibia was held at The Hague from 22 to 24 June 1981. The Seminar examined legal questions in order to identify possible initiatives that could be taken by the Council or by the international community to exert further pressure on the illegal South African occupation régime and on the foreign interests that support and contribute to the maintenance of the illegal occupation of Namibia. The Seminar also examined various ways and means to ensure the implementation of the Decree and the preservation of the territorial integrity of Namibia.

232. The meetings were conducted by a delegation of the Council appointed by the President of the Council. The Council delegation, which constituted the Bureau of the Seminar, was composed of the following members:

Shamshad Ahmad (Pakistan), Chairman

Feodor Starcević (Yugoslavia), Vice-Chairman

Essam Ramadan (Egypt), Rapporteur

233. The delegation of the Council was accompanied by Mr. Herman Ithete, Deputy Secretary for Legal Affairs of SWAPO; Mr. Axel Johannes, also of SWAPO; and Mrs. Elizabeth Landis, representative of the Office of the United Nations Commissioner for Namibia. Mr. Francesc Vendrell and Miss Maria D. Maldonado, Political Affairs Officers in the Department of Political Affairs, Trusteeship and Decolonization of the Secrétariat, served as Adviser and Secretary, respectively.

234. The proceedings of the Seminar were conducted in six meetings. Some 16 legal experts, jurists and researchers in international law participated in the Seminar and gave presentations on the legal principles underlying the Decree and the indispensability of Walvis Bay to Namibia's territorial integrity. 27/

27/ The verbatim records of the meetings have been reproduced as documents A/AC.131/SLI/PV.1-6.

The following is a list of participants in the Seminar:

Kadar Asmal
Lecturer in International Law
Dean of Faculty of Law
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Joel Carlson
Jurist
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United States of America

Erik Castrén
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Julio Faundez
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Faculty of Law
University of Warwick
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Arthur Pickering
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P. Pierson-Mathy
Professor of Law
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Daniel Prémont
International Lawyer
Paris
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Alun Roberts
Researcher in Law
University of Warwick
Coventry
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H. F. Schermers
Professor of Law
Faculty of Law
Leyden University
Netherlands

J. P. Verheul
Professor of Law
Leyden University
Netherlands

Peter Weiss
Attorney
New York, New York
United States of America

235. At the opening meeting on 22 June 1981, the Seminar heard statements by the Chairman of the Seminar; by Professor Erik Castrén, who as a professor of international law had the distinction of participating in the historical proceedings of the International Court of Justice on the question of Namibia in 1971; and by the Deputy Secretary for Legal Affairs of SWAPO.

236. The Seminar had before it two papers prepared by consultants on the following topics: (a) Namibian uranium (A/AC.131/SLI/L.1); and (b) Walvis Bay: self-determination and international law (A/AC.131/SLI/L.2). The Seminar also had before it several studies and articles published in specialized journals on the topics under discussion.

A. Implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia

237. In the course of the meetings allocated to this question, the participants discussed various issues relative to the implementation of the Decree, particularly the legal standing of the Council and the Decree, the text and scope of the Decree and possible measures for securing its effective implementation.

238. There was full agreement that the Decree was a valid legal act on the part of the Council as the legal Administering Authority established by the General Assembly to administer the Territory until independence. Various arguments were offered to establish that the Decree was binding on all Member States. In that connexion, it was stated that in the event of a conflict between the obligations under the Decree of a State Member of the United Nations and its obligations under any other international agreement, its obligations under the Decree should prevail in accordance with Articles 2 (2) and 103 of the Charter of the United Nations. Since the Decree had been adopted by the Council and endorsed by the General Assembly in accordance with the provisions of the Charter, the obligations arising under the Decree, a valid legal act of the United Nations, were in effect obligations under the Charter.

239. Several participants also emphasized the need for the Council and the Commissioner to initiate legal action in a national court as a practical measure towards enforcement of the Decree.

240. It was the general belief among the participants that such action should be initiated as soon as possible so as to secure the enforcement of the Decree in national courts and thus exert pressure on Governments and corporations involved in the illegal exploitation of Namibia's natural resources. Various suggestions were made as to who should be the plaintiff in such a suit. All speakers concurred that the Council and/or the Commissioner should initiate the action, while some were of the opinion that the action could also be initiated by SWAPO or by private individuals. It was proposed that the Council should recommend the establishment of lawyers' groups in Member States to assist the Council in initiating legal action in the national courts. It was also suggested that before the Council initiated a suit, it should contact the Government of the country concerned to seek its opinion as to the likely attitude of the executive branch in the event the domestic court referred the question of the Council's status to that branch.

241. Some participants felt that there was a need to amend the Decree in order to add, inter alia, a penalty clause and to clarify some obscurities, in particular the term "within the territorial limits of Namibia" in operative paragraph 1. On the other hand, it was pointed out that such a course might delay action in national courts.

242. It was stated that to ensure the effectiveness of the Decree in certain national jurisdictions, it should be given extensive publicity by having it published in the appropriate journals together with a statement by the Council of its intention to take legal action against those acting in contravention of the Decree.

243. The participants were unanimous in the view that the Council should take steps to protect the marine resources of Namibia by defining its territorial limits, including the limits of the territorial sea, the exclusive economic zone and the continental shelf.

244. A proposal was made to the effect that the Council should call upon Member States to enact the Decree as part of their own national legislation. On the other hand, it was observed that such a proposal would take a very long time to be implemented, apart from casting doubts on the international legal validity of the Decree.

245. In support of the need for early enforcement of the Decree through national courts, it was also stated that such an action, particularly if undertaken simultaneously in various jurisdictions, irrespective of its eventual outcome, would arouse concern among multinational corporations which might hesitate to enter into further contracts for the exploitation or purchase of Namibian resources.

246. Many participants stressed the importance of mobilizing public opinion in support of the Decree and against the plunder of Namibia's natural resources. It was observed that nothing would help to mobilize public opinion more effectively than for the Council to bring suit in a national court to have the Decree enforced.

247. On the question of who should be the defendant in such a suit, it was unanimously agreed that the action could be brought against a company or a carrier. Some participants considered that the Council could also bring a suit against the Government of the country concerned for receiving stolen property. However, the wisdom of such an approach was questioned by other participants on the grounds that the notion of "receiving" was unknown in public international law.

248. Some participants were of the view that Security Council resolutions 276 (1970) of 30 January 1970 and 301 (1971) of 20 October 1971 had provided sufficient legal grounds for legal action even before the enactment of the Decree. The case of *Diggs v. Richardson* (1976), in which the plaintiff had successfully challenged the importation of Namibian seal furs into the United States, was mentioned in that connexion.

249. Several participants stressed that for a suit to be successful, it would be necessary to offer concrete evidence that the goods whose forfeiture was being sought had originated in Namibia. It also was suggested that the Council should urge Member States to enact legislation in their own countries prohibiting the entry of Namibian goods.

250. The question of the Treaty of Almelo, which was due for renewal in July 1981, was raised by some participants. It was suggested that given the impossibility of ascertaining the origin of uranium once it had been processed, it should become standard practice to request a certificate of origin of raw uranium before its enrichment.

251. One participant stated that the draft articles on State responsibility and the draft articles on succession of States in respect of matters other than treaties were relevant to the discussion of the enforcement of the Decree. Reference was also made to certain provisions of the draft Convention on the Law of the Sea, as well as to various United Nations resolutions concerning the right of States to the ownership of their natural resources.

252. Several participants stressed that despite its legal nature, the Seminar should not lose sight of the fact that the question of Namibia was above all a political problem of a colonial nature and emphasized the illegality of South Africa's occupation of the Territory as well as the inalienable right of the people of Namibia to continue their struggle by all available means. It was pointed out that the main obstacle to the implementation of the Decree was a lack of political will on the part of South Africa's major trading partners. The need for the immediate adoption of sanctions against South Africa along the lines of those called for in the Panama Declaration and Programme of Action on Namibia (see para. 222 above) was underscored in that context.

B. Preservation of the territorial integrity of Namibia

253. In the course of the meetings devoted to the preservation of the territorial integrity of Namibia, participants addressed themselves to the question of Walvis Bay and the islands off the shore of Namibia. Participants were unanimous in affirming that Walvis Bay was legally an integral part of the Territory of Namibia. In support of this view, it was stated that South Africa, by its administrative, legislative, political and economic actions dating back to 1920, had established a pattern of conduct direct towards the total unification of Walvis Bay and Namibia and had treated Walvis Bay effectively as an integral part of Namibia. The South African Government was therefore prevented under the principle of estoppel from taking measures to separate Walvis Bay from Namibia. Furthermore, the principles of decolonization enunciated by the United Nations in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV) of 24 October 1970, specifically prohibited the disruption of the national unity and territorial integrity of colonial Territories.

254. It was also the general view that all States were obliged not to recognize the annexation of Walvis Bay and the off-shore islands by South Africa. It was recalled that the General Assembly, by its resolution 32/9 D of 4 November 1977, had declared that South Africa's decision to annex Walvis Bay was an act of colonial expansion in violation of the purposes and principles of the Charter and of General Assembly resolution 1514 (XV) and that such annexation was illegal, null

and void. Furthermore, the Security Council had declared in its resolution 432 (1978) that the territorial integrity and unity of Namibia must be assured through the reintegration of Walvis Bay within its territory.

255. Most participants expressed deep regret that the Western contact group had postponed the question of Walvis Bay until after the achievement of independence by Namibia.

256. It was also stated that South Africa, having extended to Walvis Bay its racist policy of apartheid, which had been labelled a crime against humanity by the United Nations, could not claim any authority over the people of Walvis Bay.

257. The majority of participants considered that Namibia's independence would not be complete until such time as Walvis Bay and the off-shore islands were reintegrated into Namibia.

258. It was suggested that the Council should give careful consideration to the issuance of a further decree under which shipping companies and vessels using the port facilities of Walvis Bay would be required to pay to the Council all fees currently paid to the South African authorities.

C. Statement issued by the Seminar

259. At the conclusion of its deliberations, the Seminar unanimously adopted and issued on 24 June 1981 a statement in which it summarized its views on the situation arising from South Africa's illegal occupation of Namibia and made several conclusions and recommendations.

260. In its statement, the Seminar expressed concern over South Africa's continued illegal occupation of Namibia, its increasingly repressive measures against the Namibian people and its repeated acts of aggression against neighbouring independent African States.

261. The Seminar expressed its conviction of the need for the international community to exert effective pressure on the Pretoria régime to ensure its compliance with United Nations resolutions on Namibia.

262. The Seminar emphasized that South Africa's occupation of Namibia was an act of colonial domination in violation of the principles and objectives of the Charter and the decisions and resolutions of the United Nations, and that the situation must be resolved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Seminar further affirmed its conviction that the persistent and illegal colonial occupation of Namibia, in defiance of the decisions of the United Nations, constituted a blatant denial to the Namibian people of their inalienable rights to self-determination, freedom and national independence in a united Namibia.

263. The Seminar strongly affirmed its complete solidarity with and full support for SWAPO, the sole and authentic representative of the Namibian people, whose just struggle enjoyed the support and admiration of the international community.

264. The Seminar reaffirmed that the failure of all the efforts so far undertaken to implement United Nations resolutions on Namibia imposed upon the international community the moral and political obligation to apply comprehensive sanctions to compel South Africa to comply with the decisions of the United Nations so that the people of Namibia could speedily exercise their inalienable rights to self-determination, freedom and national independence in a united Namibia.

265. The Seminar reaffirmed that Security Council resolution 435 (1978) constituted the only internationally acceptable framework for a peaceful solution of the Namibian question and must be implemented without any modification, qualification, dilution, prevarication or delay.

266. The Seminar reaffirmed the relevant decisions of the General Assembly to the effect that Walvis Bay and the off-shore islands were an integral part of Namibia and that any action by South Africa to separate them from the Territory was illegal, null and void. The Seminar declared that Namibia's accession to independence must be achieved with full respect for its territorial integrity, including Walvis Bay and the off-shore islands.

267. The Seminar emphasized the legal validity and the binding character of Decree No. 1 for the Protection of the Natural Resources of Namibia and reaffirmed its support for the Council in its efforts to implement the Decree with a view to preventing the exploitation of the national wealth of Namibia.

Conclusions and recommendations

268. The Seminar emphasized that since the advisory opinion of the International Court of Justice of 21 June 1971, various resolutions and decisions of United Nations bodies had clearly established the obligation of the international community to bring to an end South Africa's illegal occupation of Namibia by all means, including the taking of action against all those engaged in the exploitation of Namibian natural resources, including marine resources, against the wishes and interests of the people of Namibia. The Seminar supported the development of comprehensive programmes to enforce that obligation by all means, including pressures on Governments, especially those which had not yet done all in their power to carry out their obligations; the institution of effective legal actions in appropriate courts; and actions by non-governmental organizations and other concerned groups and individuals aimed at ensuring full compliance at all levels with international law and United Nations resolutions and decisions.

269. The Seminar reaffirmed the authority of the Council as the legal Administering Authority for Namibia until independence and the legal validity of the actions thus far undertaken by the Council in that capacity.

270. It further reaffirmed the obligation of all States to recognize the illegality of South Africa's continued presence in Namibia and the right of the Namibian people, under the leadership of SWAPO, to utilize all the means at their disposal to achieve freedom and independence.

271. The Seminar considered that Decree No. 1 for the Protection of the Natural Resources of Namibia was a valid legal act of the United Nations and was binding on all States.

272. The Seminar considered that the Council might usefully add a penalty clause to the Decree.
273. The Seminar also recommended that extensive publicity be given to the Decree by having it further published in the appropriate legal, financial and other journals together with a statement by the Council of its intention to take legal action against those acting in contravention of the Decree.
274. The Seminar then went on to recommend that the Council take appropriate steps to define clearly the territorial limits of Namibia, including its territorial sea, exclusive economic zone and continental shelf.
275. The Seminar recommended that means be devised to identify goods of Namibian origin using, where appropriate, the device of certificates of origin.
276. The Seminar recommended that, given the difficulty of ascertaining the origin of uranium once it had been processed, it should become standard practice for all raw uranium to display a certificate of origin before its enrichment, and that nuclear processing and enrichment plants be required to verify such certificates of origin under penalty of prosecution.
277. The Seminar recommended that the States Members of the United Nations be called upon to create additional remedies effective in domestic law, such as mandatory seizure and forfeiture to customs officials of any or all resources originating in Namibia.
278. The Seminar emphasized the urgency of action by the Council and other appropriate bodies in national courts in furtherance of the objectives of the Decree. To that end, it urged local lawyers to extend full co-operation to the Council in initiating legal action under the Decree in their respective domestic courts. Local support groups were also asked to work in co-operation with local lawyers to undertake litigation in their respective domestic courts in furtherance of the Decree.
279. The Seminar recommended that action in domestic courts of Member States against persons alleged to have committed gross violations of human rights of Namibians be considered.
280. The Seminar strongly reaffirmed that Walvis Bay and the off-shore islands constituted an integral part of the Territory of Namibia and condemned South Africa's attempts to disrupt the territorial integrity and national unity of Namibia.
281. The Seminar emphasized the illegality of any attempt to remove the off-shore oil, fish and mineral resources of Namibia before independence was achieved.

III. CONSULTATION WITH MEMBER STATES ON THE IMPLEMENTATION OF
UNITED NATIONS RESOLUTIONS ON NAMIBIA

A. General

282. In keeping with its previous policy by which the Council sent missions of consultation to Europe 28/ and Latin America 29/ in 1974; to Asia 30/ in 1975; to Latin America 31/ and Africa 32/ in 1976; to Canada 33/ in 1977; to Africa 34/ and Yugoslavia 35/ in 1978; to Asia 36/, Western Europe 37/ and Eastern Europe 38/ in 1979; and to Latin America, Western Europe, the Caribbean, the South Pacific, North America and the Middle East 39/ in 1980, the Council in 1981 decided to send five missions of consultation: one to Colombia, Peru and Argentina; one to Spain, Ireland and Finland; one to the Netherlands; one to the German Democratic Republic, Hungary and Romania; and one to India and Viet Nam. 40/ The objective of the missions was to hold official consultations with the Governments of those countries and to exchange views on developments regarding the situation in Namibia.

28/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24 (A/9624), vol. II, annex VI.

29/ Ibid., Supplement No. 24A (A/9624/Add.1), paras. 38-60.

30/ Ibid., Thirtieth Session, Supplement No. 24 (A/10024), vol. II, annex V.

31/ Ibid., Thirty-first Session, Supplement No. 24 (A/31/24), vol. II, annex XII.

32/ Ibid., vol. III, annex XIV.

33/ Ibid., Thirty-second Session, Supplement No. 24 (A/32/24), vol. II, annex II.

34/ Ibid., Ninth Special Session, Supplement No. 1 (A/S-9/4), paras. 42-262.

35/ Ibid., paras. 262-312.

36/ Ibid., Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. III, annexes II and III.

37/ Ibid., annex IV.

38/ Ibid., annex V.

39/ For the reports of the missions, see A/35/339-S/14067 (Latin America), A/35/300-S/14014 (Western Europe), A/35/338-S/14066 (Caribbean), A/35/301-S/14015 (South Pacific), A/35/337-S/14065 (North America) and A/35/364-S/14083 (Middle East). For the printed texts of the reports, see Official Records of the Security Council, Thirty-fifth Year, Supplement for April, May and June 1980; and *ibid.*, Supplement for July, August and September 1980.

40/ For the reports of the missions, see A/AC.131/L.203 (Colombia, Peru and Argentina), L.237 (Spain, Ireland and Finland), L.225 (Netherlands), L.214 (German Democratic Republic, Hungary and Romania) and L.231 (India and Viet Nam).

283. The decision of the Council to send missions of consultation was taken at a time of crucial importance for Namibia, taking into account the intensification of repressive measures by South Africa against the Namibian people, the sabotaging of the pre-implementation talks in Geneva by South Africa and the regrettable failure of the Security Council to impose comprehensive mandatory sanctions under Chapter VII of the Charter due to the negative votes cast by the three Western permanent members during the debate on the question of Namibia.

284. In their consultations with Member States the missions emphasized the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, including Walvis Bay and the Penguin and other off-shore islands, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as in subsequent resolutions of the Assembly relating to Namibia.

285. They stressed that Namibia was the direct responsibility of the United Nations until genuine independence and underlined the mandate given to the Council as the legal Administering Authority for Namibia. They recalled that a decade had elapsed since the International Court of Justice had rendered its advisory opinion of 21 June 1971 in response to the request addressed to it by the Security Council in its resolution 284 (1970) of 29 July 1970. In this regard, the missions underlined the concern of the international community over the pending issue of Namibia's independence, which was long overdue.

286. The missions expressed concern over the serious threat to international peace and security caused by South Africa's consistent defiance of the United Nations, its illegal occupation of the Territory and its escalation of military operations, its war of repression against the Namibian people resulting in the displacement of many Namibians seeking refuge in neighbouring States, its recruitment and training of Namibians for tribal armies and the use of other agents to carry out its policy of military attacks against independent African States, its policy of colonial expansion and apartheid and its development of nuclear weapons.

287. The missions requested compliance with the position of the United Nations regarding the protection of the natural resources of Namibia, in accordance with Security Council resolutions 283 (1970) of 29 July 1970 and 301 (1971) and Decree No. 1 for the Protection of the Natural Resources of Namibia. They underlined the fact that the natural resources of Namibia were the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive colonial administration was in violation of the Charter, the Decree and the relevant resolutions of the General Assembly and the Security Council. They further noted that such exploitation was illegal and contributed to the maintenance of the illegal occupation régime. The missions appealed to the Member States to discourage private investors and companies in their countries from participating in business ventures in Namibia and also to use their influence to persuade Western and other countries to cease such activities.

288. The missions recalled the hearings on Namibian uranium held by the Council in July 1980 (see para. 104 above), at which 25 witnesses from the United States, Canada, France, the United Kingdom, the Federal Republic of Germany and the Netherlands had given testimony on the plundering of Namibia's uranium resources. Their testimony had made it quite clear that the mining and transportation of uranium in the absence of adequate safeguards posed a serious health hazard to the

miners and the general population of Namibia, as well as a grave threat to the integrity and prosperity of an independent Namibia. Furthermore, the depletive exploitation of natural resources and the continued accumulation and repatriation of huge profits by foreign economic and other interests in Namibia constituted a major obstacle to the political independence of the Territory. The missions reiterated that the people of Namibia, through the Government of a genuinely independent Namibia, would be entitled to seek reparations for the exploitation and depletion of their natural resources by foreign and other economic interests.

289. The missions outlined the current political situation in Namibia and United Nations efforts to lay the groundwork for the implementation of Security Council resolutions 385 (1976) and 435 (1978). In particular they referred to the persistent manoeuvres by South Africa to impede the implementation of the United Nations plan for a peaceful settlement of the Namibian question. In that context the missions drew the attention of the Member States to the categorical refusal of the Pretoria régime at the Geneva meetings to implement Security Council resolution 435 (1978).

290. The missions commended SWAPO for its constructive approach and traditional statesmanship and reiterated the conviction of the international community that the struggle of the Namibian people must be actively supported through increased material, military, political, diplomatic and moral assistance to SWAPO.

291. The missions referred to the various meetings and conferences at which OAU, the non-aligned movement and the front-line States had deplored the apparent reluctance of the Western contact group to use its decisive influence and leverage on South Africa to ensure its co-operation with the United Nations. The missions urged the Member States to use their influence and other means at their disposal to ensure a peaceful settlement of the question of Namibia.

292. The missions emphasized that in view of the extensive economic and other links between the Western Five and the South African régime, and bearing in mind the involvement of those countries with South Africa in the process which had led to the adoption of Security Council resolution 435 (1978), the Western Five had a particular responsibility to exert pressure on South Africa to secure the implementation of the United Nations decisions and resolutions on Namibia.

293. The missions inquired about any consular or economic relations which the Governments might have with South Africa with regard to Namibia in the light of the international status of that Territory and the need to protect its natural resources, bearing in mind the advisory opinion of the International Court of Justice of 21 June 1971, Decree No. 1 for the Protection of the Natural Resources of Namibia and the relevant resolutions of the General Assembly and the Security Council. In particular, the missions requested the Governments to endeavour to prevent the importation of uranium and uranium products originating in Namibia into their countries.

294. The missions recalled that the General Assembly, by its resolution 34/92 C of 12 December 1979, had requested all specialized agencies and other organizations and conferences within the United Nations system to grant full membership to the Council so that it might participate in that capacity as the Administering Authority for Namibia in the work of those agencies, organizations and

conferences. The missions requested Member States to increase their support for the Council in order that it might intensify and broaden the scope of its activities in close co-operation with SWAPO in fulfilment of the commitments of the United Nations to the Namibian people resulting from General Assembly resolution 2145 (XXI).

295. The missions requested Member States to recognize United Nations travel documents issued by the Council to Namibians in order that they might travel internationally for educational purposes or to promote the cause of self-determination, freedom and national independence in a united Namibia.

296. The missions also sought support for United Nations programmes of assistance to Namibians and drew attention to the need for increased contributions to the United Nations Fund for Namibia, the Nationhood Programme for Namibia and the United Nations Institute for Namibia.

297. The texts of the communiqués issued at the conclusion of each mission are set out in paragraph 705 below.

B. Mission of consultation to Peru, Argentina and Colombia
(4 to 16 May 1981)

298. The Mission was composed of the representatives of Algeria (Chairman), China, Mexico, Pakistan, Peru and Poland and a representative of SWAPO.

Peru

299. The Mission visited Peru from 4 to 7 May 1981. It held consultations with officials of the Ministry of External Relations and was received by Mr. Fernando Belaunde Terry, President of the Republic of Peru.

300. The delegation of Peru expressed its condemnation of the continued illegal occupation of Namibia by South Africa in defiance of the relevant resolutions of the United Nations and of the advisory opinion of the International Court of Justice of 21 June 1971. It recognized that the United Nations settlement plan for Namibia contained in Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) formed the only universally accepted framework for Namibia's peaceful transition to independence and emphasized the need for immediate implementation of resolution 435 (1978).

301. The delegation reiterated that South Africa's illegal occupation of Namibia must cease without delay and that the people of Namibia must attain full and genuine independence with full respect for the territorial integrity and unity of Namibia, including Walvis Bay and the off-shore islands, which were an integral part of the Territory of Namibia. It emphasized the need for the international community to reinforce and intensify concerted action so that effective measures might be taken in accordance with the relevant provisions of the Charter in order to ensure the withdrawal of South Africa from Namibia and expressed the conviction that that withdrawal could be hastened if the countries having influence on South Africa exerted effective pressure on it. The delegation stressed the role of SWAPO, recognized by the United Nations as the sole and authentic representative of the Namibian people.

302. The delegation reiterated the commitment of Peru to the purposes and principles of the Charter, including the principle of self-determination and independence for all peoples. It expressed its conviction that the achievement of social justice, together with full respect for the fundamental rights of the individual, represented one of the most cherished aspirations of mankind. The delegation drew attention to the letter and spirit of article 88, title II of the Political Constitution of Peru, which states: "The State rejects all forms of imperialism, colonialism, neo-colonialism and racial discrimination. The State is in solidarity with the oppressed peoples of the world".

303. The delegation reiterated that Namibia was the direct and special responsibility of the United Nations until the achievement of genuine self-determination and full independence for the people of the Territory. It expressed its support for the Council as the sole legal Administering Authority for Namibia until independence and also for the participation of Namibia, represented by the Council, as a full member in the specialized agencies and international conferences sponsored by the United Nations.

Argentina

304. The Mission visited Argentina from 9 to 12 May 1981. The Chairman of the Mission was received by Lieutenant General Roberto Eduardo Viola, President of Argentina. The Mission held consultations with a delegation of officials from the Ministry of External Relations and Worship.

305. The delegation of Argentina expressed the grave concern of its Government at the situation prevailing in Namibia as a result of its continuing illegal occupation by South Africa and reaffirmed its firm support of the pertinent United Nations resolutions and the advisory opinion of the International Court of Justice of 21 June 1971.

306. It reiterated its Government's support for Security Council resolutions 385 (1976), 435 (1978) and 439 (1978), which constituted a universally accepted framework for a peaceful transition to independence in Namibia and which must be implemented without further delay, change or condition, and with full respect for the territorial integrity and unity of Namibia, including Walvis Bay and the off-shore islands, which were an integral part of the Territory of Namibia.

307. The delegation regretted the lack of progress in the recent talks at Geneva and agreed on the need for the international community to take necessary action in the United Nations, in accordance with the relevant provisions of the Charter, in order to secure the implementation of the above-mentioned resolutions. It rejected any co-operation with any régime that might be imposed on the Namibian people in defiance of United Nations resolutions on Namibia.

308. The delegation recognized that the question of Namibia was one of decolonization, and that it must be resolved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In view of the above, it declared that South Africa was under obligation to withdraw immediately from Namibia.

309. The delegation condemned the continuing exploitation of the natural resources of the Territory and reaffirmed the provisions of Decree No. 1 for the Protection of Natural Resources of Namibia. It emphasized the need for effective implementation of the Decree.

310. The delegation of Argentina expressed its support for the Council as the sole legal Administering Authority for Namibia until independence and reiterated that Namibia was the direct responsibility of the United Nations until genuine self-determination and national independence were achieved. It agreed to support the participation of Namibia, represented by the Council, as a full member of the specialized agencies and international conferences sponsored by the United Nations.

Colombia

311. The Mission visited Colombia from 13 to 16 May 1981. It was received by Mr. Julio César Turbay Ayala, President of Colombia, and held consultations with a delegation from the Ministry of External Relations.

312. The Colombian delegation expressed its deep concern at the deteriorating situation in Namibia as a result of South Africa's continued illegal occupation of the Territory and its refusal to implement the relevant United Nations resolutions. It stated that the illegal occupation of Namibia by South Africa must cease forthwith and the people of Namibia must obtain their full and genuine independence through free and democratic elections held under the supervision and control of the United Nations as stipulated in Security Council resolutions 385 (1976) and 435 (1978). The delegation emphasized that the territorial integrity and unity of the Territory must be ensured through the preservation of Walvis Bay and several off-shore islands as an integral part of Namibia. Furthermore, it reiterated its Government's position that South Africa's failure to comply with the relevant resolutions of the United Nations constituted sufficient reason for the international community to adopt stronger and more effective measures and reaffirmed that the Security Council must take adequate measures in accordance with Chapter VII of the Charter if a just and immediate solution to the situation in Namibia was not found.

313. Noting with grave concern the present exploitation of the natural resources of Namibia, the Colombian delegation reiterated that it was imperative to ensure effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. It also stressed the need to preserve the natural resources of Namibia in such a way as to enable the Territory to exercise its rights over those resources in accordance with article 2 of chapter II of the Charter of Economic Rights and Duties of States, contained in General Assembly resolution 3281 (XXIX) of 12 December 1974.

314. The delegation reiterated its support for the Council as the sole legitimate Administering Authority for Namibia until independence and, recognizing the important role of SWAPO, expressed satisfaction at the presence of a representative of SWAPO as a member of the Council's Mission.

C. Mission of consultation to Spain, Ireland and Finland
(7 to 18 May 1981)

315. The Mission was composed of the representatives of Yugoslavia (Chairman), Australia, Nigeria, Turkey and Zambia and a representative of SWAPO.

Spain

316. The Mission visited Spain from 7 to 9 May 1981 and was received by Mr. Ignacio Camunas, President of the Commission on External Affairs of the Spanish Parliament. In addition to its consultations with Mr. Camunas, the Mission held two working sessions with senior officials of the Ministry of External Affairs.

317. The Spanish delegation recalled that at the last General Assembly session, Spain's Minister for External Affairs had expressed the full support of the Spanish Government for the cause of Namibia. The delegation reiterated its continuous and unwavering support for the speedy liberation of the people of Namibia.

318. The delegation stressed that the Spanish Government favoured direct implementation of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978). Those resolutions constituted the basic framework for achieving a peaceful transition to independence in Namibia.

319. In response to a question raised by a member of the Mission regarding the kinds of pressure that could be used in order to force South Africa to implement United Nations resolutions on Namibia, the delegation stated that channels such as the Security Council, ongoing discussions, the application of pressure by the Western countries and the use of bilateral influence could indeed be used to that end.

320. The delegation pointed out that the Security Council should use its authority as the guarantor of international peace and security to put an end to the illegal occupation of Namibia by South Africa. In that regard, the delegation reaffirmed the support of its Government for the relevant United Nations resolutions.

321. The delegation declared that Spain would have no problems in implementing sanctions since it had no economic interests in South Africa and virtually none in Namibia. The Mission welcomed the positive votes cast by Spain in the Security Council on the draft resolutions on an oil and arms embargo against South Africa (see paras. 157 and 158 above) as an important measure of exerting pressure on South Africa.

322. The delegation reassured the Mission that Spain would use its influence in Europe as well as with the Western Five.

323. The Spanish delegation fully supported and endorsed the armed struggle led by SWAPO and further declared that a solution without SWAPO could not be durable or acceptable. It recalled that in 1978 a SWAPO delegation headed by Mr. Nujoma, the President of SWAPO, had visited Spain and held lengthy consultations with senior officials of the Ministry of External Affairs.

324. In its discussions with the Mission, the delegation referred to South Africa's appeal to the Spanish Government for recognition of an exclusive 200 nautical mile fishing zone off the coast of Namibia. The Spanish Government had stated clearly its refusal to recognize the illegal establishment by South Africa of such a zone.

325. The delegation observed that there was a favourable consensus, momentum and impulse in favour of Namibia. The Spanish Government and people supported the policies adopted concerning Namibia and would readily support the proposed emergency special session of the General Assembly on the situation in Namibia.

Ireland

326. The Mission visited Ireland from 10 to 13 May 1981 and was received by Mr. Brian Lenihan, Minister for Foreign Affairs, with whom it held consultations. It also held meetings with a high-level delegation from the Department of Foreign Affairs.

327. The delegation reiterated the concern expressed by the Permanent Representative of Ireland to the United Nations in his statement in the Security Council on 28 April 1981 (see S/PV.2275), that the prolongation of the present conflict in Namibia might lead to increased instability and to wider conflict involving outside interests. The delegation observed that the frequent raids carried out indiscriminately by South Africa had had a most damaging impact on the neighbouring States, resulting in severe suffering and loss of life.

328. The Irish delegation referred to the particular interest of Ireland in the Namibian question and underlined the necessity of the United Nations carrying out its responsibilities concerning Namibia. The positive votes cast in the Security Council on the draft resolutions on an oil and arms embargo against South Africa (see paras. 157 and 158 above) represented a clear signal to South Africa of a continuing unity of purpose and a common determination to see Namibia independent in accordance with the decisions of the Council. The delegation considered it vital that South Africa receive an unambiguous message that its further defiance of United Nations decisions and its continued refusal to allow the people of Namibia to determine their own future would not be tolerated. Delay in bringing freedom and independence to Namibia would cause further bloodshed and suffering; it would mean a prolongation of repressive measures in Namibia and a continuing attempt to divide the people.

329. Ireland's aim was to see Namibia become independent within a year through a process of free and fair elections under United Nations supervision and control, within the framework established in Security Council resolutions 385 (1976) and 435 (1978).

330. The Irish delegation indicated the commitment of its Government to that aim and further underlined the readiness of its Government to use its influence in the European Economic Community (EEC). It observed that any departure from Security Council resolution 435 (1978) would be unacceptable and expressed deep disappointment that the efforts made to implement it had not been successful. Ireland, as a member of the Security Council in 1981-1982, would continue to give full support to initiatives directed at the early implementation of the United Nations plan.

331. The delegation expressed its support and appreciation of SWAPO and the front-line States, particularly in respect of their efforts to secure the full implementation of the United Nations plan.

332. The Irish delegation recalled the visit, in 1980, of a SWAPO delegation which had held fruitful discussions with senior officials of the Ministry of Foreign Affairs.

Finland

333. The Mission visited Finland from 13 to 18 May 1981 and was received by Mr. Mauro Koivisto, the Prime Minister, Mr. Johannes Virolainen, Speaker of the Parliament, and Mr. Paavo Väyrynen, the Minister of Foreign Affairs, with whom it held consultations. It also held meetings with a high-level delegation.

334. The Prime Minister and the Minister of Foreign Affairs reaffirmed their Government's support for the efforts to secure freedom and independence for the people of Namibia. They recalled numerous initiatives that Finland had taken at the United Nations with a view to achieving the liberation of Namibia and the continuous support given by the Government of Finland to the actions undertaken by the Council as the legal Administering Authority established by the General Assembly to administer the Territory until independence.

335. The Finnish delegation and the Mission reaffirmed the illegality of the presence of South Africa in Namibia, as stated by the International Court of Justice in its advisory opinion of 21 June 1971 and by the relevant United Nations resolutions. They also stressed the direct responsibility of the United Nations over Namibia until independence.

336. The Finnish delegation reaffirmed its Government's support for the inalienable rights of the Namibian people to self-determination, freedom, national independence and territorial integrity. The two sides, in conformity with Security Council resolution 439 (1978), rejected any kind of internal settlement which South Africa might try to impose in Namibia, as well as those measures already taken by South Africa to that effect.

337. The Finnish delegation and the Mission recalled the necessity of protecting the natural resources of Namibia from illegal exploitation.

338. The Finnish side and the Mission condemned the repressive acts perpetrated by South Africa against the people of Namibia. The Finnish side reiterated its support for the Security Council resolutions condemning South Africa's attacks on neighbouring African countries.

339. The two sides reviewed the present situation in Namibia and exchanged views about current developments following the failure of the pre-implementation meeting held at Geneva from 7 to 14 January 1981 under the auspices of the United Nations, aimed at the implementation of the United Nations plan based on Security Council resolution 435 (1978). The two sides regretted that the Geneva pre-implementation meeting had failed due to the refusal by South Africa to implement the United Nations plan. In this regard, the two sides noted with satisfaction the constructive role played by SWAPO and the African front-line States.

340. The Finnish side and the Mission also agreed that the negotiations on the United Nations plan for Namibia should be resumed without delay and stressed that it was important that the Western contact group exert every effort for its expeditious implementation. The two sides emphasized the importance of intensifying pressure on South Africa with a view to securing its rapid compliance with the United Nations plan.

341. The Mission appreciated the support expressed by the Government of Finland for the plan and its readiness to contribute to its implementation. The Finnish delegation and the Mission reiterated that it was of paramount importance to obtain a negotiated settlement of the question of Namibia within the framework of the United Nations.

342. The Mission further expressed its profound appreciation for the generous contributions made by Finland to the United Nations Fund for Namibia and the Nationhood Programme for Namibia.

D. Mission of consultation to the Netherlands (25 June 1981)

343. The Mission was composed of the representatives of Pakistan (Chairman), Egypt and Yugoslavia, as well as representatives of SWAPO.

344. The Mission visited the Netherlands on 25 June 1981 and was received by Mr. C. A. Van der Klaauw, Minister for Foreign Affairs, with whom it held consultations. The Mission also held consultations with government officials and other authorities.

345. The Netherlands delegation stated that the Government of the Netherlands regarded the failure of the pre-implementation talks as a very serious development. The Government would continue to be actively involved in all discussions of the 10 members of EEC regarding the implementation of Security Council resolution 435 (1978). Also, it would use its influence to stimulate positive developments aimed at Namibia's independence.

346. The Government of the Netherlands supported the efforts of the five Western States to implement resolution 435 (1978) and was seriously concerned that the Geneva pre-implementation talks had failed to achieve their objectives.

347. It was the view of the Government that the present situation required increased pressure to be exerted on South Africa. The Netherlands had voted to enact an oil embargo and had sought support for that position from other countries. However, it was felt that at the current stage the imposition of sanctions would not produce earlier results than continued negotiations and persuasion would.

348. The Netherlands Government was prepared to apply selective sanctions against South Africa, but it believed that unilateral sanctions would not be effective, whereas sanctions applied jointly by a number of States would have an impact on South Africa.

349. Regarding Decree No. 1 for the Protection of the Natural Resources of Namibia, the delegation indicated that the Government had recognized the competence of the Council to enact the Decree. In addition, the Security Council in various resolutions had called upon States to prevent the exploitation of Namibia's resources by South Africa and other foreign economic interests.
350. The Netherlands did not purchase any natural resources or goods from Namibia. However, some countries which did purchase Namibian uranium had access to the processing plant at Almelo. The uranium from Namibia was not recognizable as such and was processed together with other uranium sent by the United Kingdom, the United States, France and Canada to Almelo for processing. The delegation underlined that the material processed was not the property of the Netherlands, but rather the property of the customer.
351. It had been proposed in the Parliament that the Ministry for Economic Affairs should ask for a negative certificate of origin for all uranium to be processed at Almelo. Currently, there was still discussion regarding the practical side of such a proposal as well as the political and legal problems involved.
352. Responding to a suggestion of the Mission that the Netherlands could take practical measures to prevent Namibian uranium from being handled in the Almelo plant and thus demonstrate to South Africa that its actions were unacceptable, the delegation said that the Netherlands was bound by the Treaty of Almelo to enrich uranium sent to the plant by the other parties to the Treaty. However, the delegation felt that the Council could approach the Governments purchasing Namibian uranium and try to persuade them to stop such purchases. The Council could formulate an approach in co-operation with the International Atomic Energy Agency (IAEA), particularly with regard to the system of safeguards established under the Treaty on the Non-Proliferation of Nuclear Weapons, although that system did not include any provision requiring a certificate of origin for uranium.
353. The delegation pointed out that the United States and Canada had bilateral agreements with countries of EURATOM regarding the processing of uranium. It would be perhaps possible for the Council to discuss with those Governments the adoption of measures to prevent the handling of Namibian uranium. In the Netherlands, by law, uranium processing plants were private enterprises and as such were subject only to limited government intervention in their affairs.
354. On the question of Walvis Bay, the Netherlands delegation said that its Government agreed with the assessment of the Mission that Walvis Bay was a crucial aspect of the question of Namibia. Walvis Bay was tremendously important to the viability of Namibia as an independent State for strategic and economic reasons. Without Walvis Bay, Namibia would in effect be a land-locked country. The Government of the Netherlands supported Security Council resolution 432 (1978), by which the Council had declared that the territorial integrity and unity of Namibia must be assured through the reintegration of Walvis Bay within its territory. The Government was also aware of the importance for an independent Namibia of its off-shore islands.

E. Mission of consultation to the German Democratic Republic,
Hungary and Romania (15 to 26 July 1981)

355. The Mission was composed of the representatives of Botswana (Chairman), Bangladesh, Bulgaria and Venezuela and a representative of SWAPO.

German Democratic Republic

356. The Mission visited the German Democratic Republic from 15 to 19 July 1981 and was received by Mr. Klaus Willerding, Deputy Minister of Foreign Affairs. It held consultations with representatives of the German Democratic Republic.

357. The representatives of the people and the Government of the German Democratic Republic expressed their principled support for the just and legitimate struggle of the Namibian people under the leadership of SWAPO as the sole and authentic representative of the Namibian people. They also expressed their appreciation of the activities of the Council as the legal Administering Authority for Namibia until independence.

358. The representatives of the German Democratic Republic condemned South Africa's continuing illegal occupation of Namibia in defiance of the relevant United Nations resolutions, the advisory opinion of the International Court of Justice of 21 June 1971 and the will of the international community, as well as its imposition of the heinous policy of apartheid, which constituted a crime against humanity. They further stated that the continuing aggression against neighbouring independent African States represented not only a threat to, but a breach of, international peace and security. They stressed that the continuation of South Africa's racist and aggressive policy was made possible only by the political, economic and military support South Africa received from certain Western capitalist States, particularly the United States.

359. The representatives of the German Democratic Republic further stated that Security Council resolution 435 (1978) could have provided a suitable basis for a peaceful solution to the Namibian question, if it had been duly implemented. SWAPO, in fact, had demonstrated its good-will by stating its readiness to undertake the necessary measures to assure its implementation. The failure of the Geneva talks, however, had shown that South Africa had never had the intention of complying with the United Nations plan. South Africa had been encouraged in its manoeuvring by the stand taken by the five Western Powers, especially the United States under its new Administration. The activities of the so-called contact group had confirmed existing doubts about the intentions of those countries. Instead of genuinely desiring to reach a peaceful settlement, the members of the contact group were interested in preserving their economic and other interests in that part of the world.

360. The representatives of the German Democratic Republic denounced the efforts by the Western Powers to grant recognition to the so-called internal parties while denying SWAPO its rights as the sole and authentic representative of the Namibian people. They also denounced the manoeuvres by South Africa to impose a so-called internal settlement and condemned any moves to revise or modify Security Council resolution 435 (1978). They endorsed all efforts aimed at a peaceful solution of the Namibian problem through the strict implementation of the relevant decisions of the United Nations.

361. The negatives votes of the three Western permanent members of the Security Council had thwarted the efforts of the international community to compel South Africa to comply with Security Council resolution 435 (1978) and had created a radically new situation in which the usefulness of the contact group was in doubt and the necessity of further intensifying the armed struggle, as the principle means of bringing about South Africa's ultimate compliance, was evident. At the same time, the German Democratic Republic supported the early convening of an emergency special session of the General Assembly to take further measures as appropriate, under the Charter of the United Nations, to ensure the complete economic and political isolation of South Africa.

362. The representatives of the German Democratic Republic supported the preservation of the territorial integrity of Namibia and opposed all manoeuvres to fragment its territory.

Hungary

363. The Mission visited Hungary from 19 to 23 July 1981 and was received by Mr. Janos Peter, Vice-President of the National Assembly. It held working meetings with a delegation of officials from the Ministry of Foreign Affairs and with the Hungarian Solidarity Committee.

364. In the course of the meetings, the Hungarian delegation reiterated its country's well-known position regarding the Council and SWAPO, the sole and legitimate representative of the Namibian people. It stressed that the Hungarian Government had always been in favour of a political settlement of the problem of Namibia since any further bloodshed and suffering in that country would not be in the interests of the Namibian people. The latest developments, however, had made it necessary to intensify the armed struggle of the Namibian people, which Hungary had always supported.

365. The five Western Powers, in trying to protect their vested interests in Namibia, had not exerted the necessary pressure to compel South Africa to comply with Security Council resolution 435 (1978). Hungary was concerned by information it had received to the effect that the United States Government intended to link the solution of the Namibian problem with questions relating to the internal situation in the neighbouring sovereign State of Angola. It was difficult for Hungary to understand the contention of the United States Government that it still had not concluded its review of its policy toward Namibia, as the situation in Namibia represented a typical colonial issue.

366. With respect to further steps to be pursued towards a peaceful settlement, Hungary expected that the General Assembly, at its forthcoming emergency special session, would reaffirm its support for the armed struggle led by SWAPO and would once again emphasize that it would not give up the progress it had so far made.

367. Concerning the latest developments with respect to Namibia, Hungary was in total agreement with the position of the Council. The position of the Hungarian Government was a matter of principle, not of expediency. Although better solutions than that contained in Security Council resolution 435 (1978) could have been found, Hungary supported the speedy implementation of the United Nations plan. The Hungarian Government believed that the imposition of political and economic sanctions would compel South Africa to comply with the plan.

368. Furthermore, there was evidence that the present United States Administration was about to reverse its position on Security Council resolution 435 (1978). However, the solution of the Namibian problem could not depend on fluctuations in United States internal politics or on the internal situation in independent African countries neighbouring Namibia. The Namibian question was not for bargaining, but was a question of principle.

369. Although Hungary could not exert profound influence over the Namibian situation, it could join voice with those of similar persuasion and object to any proposals aimed at harming the cause of the Namibian people. Hungary had always been against the prolongation of the conflict, because it had a negative influence on the over-all international situation.

370. At the same time, the delegation stressed the necessity of intensifying the armed struggle of the Namibian people. It expressed the view of the Hungarian Government that a summit meeting between the United States and the Soviet Union might improve the over-all international climate, thus contributing to the speedy solution of the Namibian problem.

Romania

371. The Mission visited Romania from 23 to 26 July 1981 and was received by Mr. Stefan Andrei, Minister of Foreign Affairs. The Mission held discussions with officials of the Romanian Government.

372. The representatives of the Romanian Government stated that Romania had always been on the side of those struggling for independence and self-determination, and maintained especially close relations with African countries based on solidarity, friendship and understanding. Romania appreciated the role of the United Nations in support of the Namibian struggle, especially the activities of the Council, of which Romania was a member. Romania supported the speedy implementation of the United Nations plan for a peaceful settlement, which would stop further bloodshed and would be in the interests of the Namibian people and world peace. None the less, Romania supported the intensification of the armed struggle by SWAPO for as long as it was made necessary by South Africa's obduracy. The representatives also expressed the high appreciation of the Romanian Government for SWAPO in its capacity as the sole and authentic representative of the Namibian people.

373. They further expressed the view that the use of force by South Africa would not prevent a people from achieving its independence. At present, South Africa was powerful militarily, but there was no doubt that its policies would not only be condemned by history, but were also absolutely doomed.

374. It was the view of the Romanian Government that the United Nations had not exhausted its possibilities to help achieve a peaceful settlement. Romania would also continue to intensify its efforts to that end and would take part in the emergency special session of the General Assembly, ensuring an adequate level of representation.

375. The Government of Romania attached particular importance to the struggle of the Namibian people and was very interested in breaking the present deadlock and proceeding with the implementation of a peaceful settlement within the framework of United Nations resolutions. In that respect, Romania's position corresponded to that of the other progressive, democratic, anti-imperialist forces seeking a solution to the question of Namibia.

376. The Romanian Government attached particular importance to the struggle for national liberation throughout the world. The representatives recalled that the President of Romania had often met with the President of SWAPO.

377. The representatives reaffirmed Romania's support for the national liberation struggle, including the armed struggle, drawing attention to the fact that SWAPO received military assistance in that endeavour from a number of socialist countries. They considered, none the less, that SWAPO would not reject aid from the United States if it were offered. However, the United States and certain other Western States had expressed a preference for South Africa. The representatives observed that the longer the armed struggle continued, the more isolated South Africa and its friends would become. Therefore, South Africa's friends should look at the situation in a new light, taking into account the mobilization of the rest of the international community in support of the Namibian people.

378. The representatives reiterated that Romania would do its utmost through all political and diplomatic channels to contribute to a peaceful solution and the accession of Namibia to independence.

F. Mission of consultation to India and Viet Nam (2 to 12 August 1981)

379. The Mission was composed of the representatives of Cyprus (Chairman of the Mission in India), Guyana (Chairman of the Mission in Viet Nam), India, the Union of Soviet Socialist Republics and the United Republic of Cameroon and a representative of SWAPO.

India

380. The Mission visited India from 2 to 6 August 1981 and was received by Mrs. Indira Gandhi, Prime Minister. It held consultations with a high-level delegation from the Ministry of External Affairs.

381. The Indian delegation and the Mission examined ways and means of strengthening co-operation between the Government of India and the Council during the forthcoming emergency special session of the General Assembly on the question of Namibia.

382. They declared that South Africa's policies of repression of the people of Namibia, its militarization of the Territory, its use of the Territory as a spring-board for repeated acts of aggression against neighbouring African States, its possession and exploitation of massive reserves of uranium in Namibia and its efforts towards development of nuclear weapons with the assistance and collaboration of certain countries, constituted a threat to international peace and security within the meaning of Chapter VII of the Charter.

383. The Government of India and the Mission considered that the strong political, economic, diplomatic and military support which South Africa received from certain Western permanent members of the Security Council encouraged South Africa to refuse to comply with United Nations resolutions and decisions on Namibia. That stand by certain Western countries had prevented the Security Council from imposing mandatory sanctions against South Africa. Such encouragement confirmed existing doubts about the real intentions of the five Western Powers which had been the authors of the United Nations plan for Namibia.

384. Both the Indian delegation and the Mission declared that they were opposed to any attempt at distorting the nature of the question of Namibia, which was specifically a problem of decolonization and of illegal occupation. They rejected any attempt to present the Namibian issue as a regional conflict, with the aim of depriving it of its universal dimensions and of underplaying the degree of defiance by South Africa of the decisions of the United Nations as a whole. They further denounced attempts by South Africa and its allies to characterize the liberation struggle in Namibia as part of an East-West confrontation, thus distorting and undermining the purpose of the struggle of the Namibian people against the illegal occupation of their country and for genuine independence.

385. The Government of India expressed support for the peaceful resolution of the problem of Namibia on the basis of Security Council resolutions 385 (1976), 431 (1978), 435 (1978) and 439 (1978). It also reaffirmed its principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence in a united Namibia under the leadership of SWAPO, their sole and authentic representative. It recalled that the legitimacy of the armed struggle by the Namibian people led by SWAPO had been solemnly proclaimed by resolutions of the General Assembly.

386. The Government of India and the Mission denounced efforts by South Africa and certain Western Powers to elevate the so-called internal parties to equal status with SWAPO and any moves to revise or modify Security Council resolution 435 (1978), which provided the only universally acceptable basis for a settlement. They also denounced any manoeuvres by South Africa to impose a neo-colonial régime upon the Namibian people through a so-called internal settlement and strongly condemned the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa, stating that those activities constituted a major obstacle to the genuine independence of Namibia.

387. The Government of India and the Mission considered that, in the light of the failure of the Geneva pre-implementation meeting in January 1981 and the subsequent failure of the Security Council to act, the efforts for the implementation of the United Nations plan had reached an impasse. The two sides commended the positive attitude of SWAPO, which had worked for the implementation of the plan, and condemned the persistent refusal of South Africa to comply with United Nations resolutions and its rejection of the United Nations plan. They affirmed that under the current circumstances, it was necessary for the international community to prepare for an active and concerted political campaign in support of the struggle of the Namibian people.

388. Both the Government of India and the Mission considered that the programme for a voluntary boycott of South Africa embodied in the Panama Declaration and Programme of Action on Namibia (see para. 222 above) should be adopted by the General Assembly at its forthcoming emergency special session. In that context the Mission noted with appreciation that, as far back as 1946, India had been among the first countries to impose comprehensive voluntary sanctions against South Africa by means of appropriate legislation.

389. The Indian delegation and the Mission expressed their support for the imposition of mandatory comprehensive economic sanctions against South Africa under Chapter VII of the Charter, as called for by the General Assembly, the Movement of Non-Aligned Countries and OAU, as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.

390. The Mission welcomed the paramount role played by the non-aligned movement in seeking a solution to the problem of Namibia and expressed appreciation for the policies advocated for Namibia by India, a founding member of the Movement of Non-Aligned Countries. On behalf of the Council, the Mission expressed its appreciation to the Government of India for the moral and material support which it had extended to SWAPO, the sole and authentic representative of the Namibian people, and welcomed the recent decision of the Government of India to receive a resident Mission of SWAPO in New Delhi.

Viet Nam

391. The Mission visited Viet Nam from 7 to 12 August 1981 and was received by Mr. Nguyen Huu Tho, Vice President of the State Council and Chairman of the National Assembly.

392. The Government of Viet Nam reaffirmed its well-known support for the struggle of the Namibian people for self-determination under the leadership of SWAPO and, in that context, expressed its support for the Council as the legal Administering Authority for Namibia until its independence. The Government of Viet Nam reaffirmed its solidarity with the front-line States and condemned all actions by South Africa and its allies aimed at destabilizing them or at forcing them to withdraw their support for the struggle of the people of Namibia under the leadership of SWAPO.

393. The Government of Viet Nam and the Mission considered that South Africa's obdurate refusal to comply with United Nations resolutions and decisions had been made possible through the strong political, economic, diplomatic and military support of certain Western Powers, particularly some permanent members of the Security Council. This had so far prevented the Security Council from imposing mandatory sanctions against South Africa. Such support, coupled with the failure of the five Western Powers which had been the authors of the United Nations plans for Namibia to bring about the implementation of their own plan, led the Government of Viet Nam to doubt the true intentions of the authors of the plan and to conclude that efforts to implement it had reached an impasse.

394. The Government of Viet Nam and the Mission denounced moves to revise or modify the United Nations plan as contained in the relevant Security Council resolutions, which provided the only basis for a negotiated settlement acceptable to all the parties concerned. They denounced the attempts by South Africa to undermine and sabotage the plan. They also denounced any manoeuvres by South Africa to impose upon the Namibian people a neo-colonial régime through a so-called internal settlement.

395. The Government of Viet Nam and the Mission reaffirmed that the struggle of the people of Namibia was for self-determination and against colonialism and illegal occupation. They denounced attempts by South Africa and its allies to characterize that struggle as part of either an East-West confrontation or of international terrorism, thus distorting and undermining the nature and purpose of the struggle. In the current circumstances, they considered it necessary that the international community prepare for an active and concerted political campaign in support of the struggle of the Namibian people.

396. Furthermore, they were of the opinion that all States should further intensify their political and diplomatic activities with a view to securing the genuine independence of Namibia. There was an imperative need for all progressive, democratic and anti-imperialistic forces to redouble their efforts in order to ensure the success of the just struggle of the Namibian people.

397. They strongly condemned the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa. Those activities caused massive profits to be accumulated by the corporations, which in turn provided extensive financial support to the occupation régime, thus contributing to its perpetuation. Such activities in Namibia, and also in South Africa, constituted a major obstacle to the achievement of independence by the Namibian people and lay behind the reluctance of the authors of the United Nations plan for Namibia to proceed with its implementation.

398. The Government of Viet Nam and the Mission stressed the importance of the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. In that connexion, they expressed support for the development of a comprehensive programme to enforce the Decree. Such a programme would include, inter alia, the exertion of pressure on Governments to do all in their power to carry out their obligations; the institution of effective legal action in appropriate courts; and action by non-governmental organizations.

399. The Government of Viet Nam expressed its support for the early convening of an emergency special session of the General Assembly to review the question of Namibia and take measures as appropriate under the Charter. It also endorsed the decision of the Council to recommend for adoption by the General Assembly at the emergency special session, resolutions that would provide for measures to ensure the complete economic and political isolation of South Africa.

400. The expectation of both the Government of Viet Nam and the Mission was that the General Assembly would devise a new strategy to compel South Africa to comply with United Nations decisions on Namibia in order to enable Namibia to secure full independence in the immediate future.

401. The Government of Viet Nam and the Mission considered that the call for a voluntary boycott of South Africa embodied in the Panama Declaration should be adopted by the General Assembly at its forthcoming emergency special session. They also affirmed that, in order to ensure the effectiveness of a boycott, it was necessary to consider strengthening the programmes of assistance to States neighbouring South Africa. Such assistance should not merely envisage the overcoming of short-term difficulties but should be designed to enable those States to move towards self-reliance.

402. The Government of Viet Nam and the Mission reiterated their belief in the value of an informed international public opinion and stressed the need to ensure the widest possible dissemination of information on the struggle of the Namibian people and on the activities of the Council, not only among Governments but also among peoples.

IV. ACTIVITIES OF THE COUNCIL RELATING TO THE REPRESENTATION OF NAMIBIA AND THE PROMOTION OF NAMIBIAN INTERESTS IN THE SPECIALIZED AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS AND CONFERENCES

A. Specialized agencies

403. The Council has continued to represent and promote the interests and aspirations of the Namibian people for genuine independence in international conferences, specialized agencies and other bodies. The Council is a full member of the ILO, FAO, UNESCO, UNCTAD, UNIDO and the Third United Nations Conference on the Law of the Sea. It is an associate member of WHO. The Council will continue to seek membership for Namibia in the specialized agencies and other United Nations bodies.

B. International conferences and meetings

1. Continuation of the ninth session of the Third United Nations Conference on the Law of the Sea (28 July to 29 August 1980, Geneva)

404. Messrs. W. Rahman (Bangladesh), F. Starčević (Yugoslavia), Nizigama (Burundi) and Herman Ithete (SWAPO) represented the Council at the Conference.

2. Conference of West European Parliamentarians on an Oil Embargo against South Africa (30 to 31 January 1981, Brussels)

405. Mr. Gaspard Tovo Atangana (United Republic of Cameroon) represented the Council at the Conference.

3. Eleventh African-American Conference (8 to 12 January 1981, Freetown)

406. Mrs. Osode (Liberia) represented the Council at the Conference and presented a report on her participation (A/AC.131/L.167).

4. Second session of the International Commission of Inquiry into the Crimes of the Racist and Apartheid Régime in Southern Africa (30 January to 4 February 1981, Luanda)

407. Mr. Mahmoud Fahim El-Said (Egypt) represented the Council at the session.

5. Twelfth meeting of the Senate of the United Nations Institute for Namibia and second graduation ceremony of the Institute (23 to 24 January 1981, Lusaka)

408. Mr. Lusaka (Zambia) President of the Council, and Messrs. Mostafa K. Abdel Fattah (Egypt), Kari V. Salonen (Finland), Pedro Sorensen-Mosquera (Venezuela) and Gurirab (SWAPO) represented the Council at the meeting. The report of the Council delegation is contained in document A/AC.131/L.228.

6. Thirty-sixth ordinary session of the Council of Ministers of the Organization of African Unity (23 February to 1 March 1981, Addis Ababa)

409. Mrs. Osode (Liberia) and Mr. Lungu (Zambia) represented the Council at the session and subsequently presented a report on their participation (A/AC.131/L.226).

7. Conference of Ministers for Foreign Affairs of Non-Aligned Countries (9 to 13 February 1981, New Delhi)

410. The delegation of the Council at the Conference was composed of Messrs. Lusaka (Zambia), Bedjaoui (Algeria), Noel G. Sinclair (Guyana), Brajesh Chandra Mishra (India), T. P. Sreenivasan (India), Niaz A. Naik (Pakistan), Ferdinand L. Oyono (United Republic of Cameroon) and Komatina (Yugoslavia).

8. Consultation regarding the establishment of a regional school of veterinary medicine in southern Africa (9 to 13 March 1981, Lusaka)

411. The Council was represented at the consultation by Professor Jacob J. Oloya of the United Nations Institute for Namibia.

9. Meetings for hearings on all aspects of sanctions against South Africa (11 to 13 March 1981, New York)

412. Mr. Shamshad Ahmad (Pakistan) and Mrs. Osode (Liberia) represented the Council at the meetings.

10. Emergency conference on Africa organized by the American Committee on Africa (13 March 1981, New York)

413. Mr. Lungu (Zambia) represented the Council at the Conference and made a statement.

11. Solemn meeting of the Special Committee against Apartheid to observe the International Day for the Elimination of Racial Discrimination (20 March 1981, New York)

414. Mr. Lusaka (Zambia) made a statement at the meeting on behalf of the Council.

12. Seventh session of the Fishery Committee for the Eastern Central Atlantic and fourth session of its Sub-Committee on Fishery Development (8 to 14 April 1981, Lagos)

415. Mr. Kondya Kambala (SWAPO) represented the Council at the meeting.

13. Nationhood Programme workshop on transport and communications (27 April to 2 May 1981, Addis Ababa)

416. Professor Oloya of the United Nations Institute for Namibia represented the Council at the workshop.

14. Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries (16 to 18 April 1981, Algiers)

417. Messrs. Sinclair (Guyana), Starčević (Yugoslavia), Semichi (Algeria), Godwin Mfula (Zambia) and Gurirab (SWAPO) represented the Council at the meeting. Mr. Sinclair made a statement at the meeting.

15. International Forum on the Liberation of Southern Africa (30 April to 1 May 1981, Georgetown)

418. Messrs. Lusaka (Zambia) and Ahmad (Pakistan) represented the Council at the meeting, at which the President of the Council made a statement. The Council delegation subsequently submitted a report on its participation.

16. Thirty-fourth World Health Assembly (3 to 23 May 1981, Geneva)

419. Dr. Inaviposa L. Amathila (SWAPO) represented the Council at the Assembly, where she made a statement. She later submitted a report to the Council.

17. International Tripartite Meeting on Action against Apartheid (4 to 8 May 1981, Livingstone, Zambia)

420. The Council was represented by Mr. Essam Sadek Ramadan (Egypt), who made a statement at the meeting.

18. International Conference on Sanctions against South Africa (20 to 27 May 1981, Paris)

421. Messrs. Lusaka (Zambia), Starčević (Yugoslavia), Sreenivasan (India) and Gurirab (SWAPO) represented the Council at the Conference, at which the President made a statement.

19. Sixty-seventh session of the International Labour Conference
(3 to 24 June 1981, Geneva)

422. Messrs. Carl Mev (Haiti), John Ya Otto (SWAPO) and Aaron Shihepo (SWAPO) represented the Council at the session.

20. Thirty-seventh ordinary session of the Council of Ministers of
the Organization of African Unity (15 to 21 June 1981, Nairobi)
and eighteenth ordinary session of the Assembly of Heads of
State and Government of the Organization of African Unity
(24 to 27 June 1981, Nairobi)

423. Mr. Lusaka (Zambia) headed a delegation to the sessions comprising Messrs. Semichi (Algeria), Nizigama (Burundi), Lungu (Zambia) and Gurirab (SWAPO). Owing to circumstances beyond his control, the President was unable to stay throughout the duration of the sessions and thus designated Mr. Semichi to act as head of the delegation in his place.

21. Solemn meeting of the Special Committee against Apartheid to
observe the International Day of Solidarity with the
Struggling People of South Africa (16 June 1981, New York)

424. Mr. Sinclair (Guyana), Acting President of the Council, made a statement on behalf of the Council at the solemn meeting.

22. Seminar on Legal Issues Concerning the Question of Namibia
(22 to 24 June 1981, The Hague)

425. Messrs. Ahmad (Pakistan), Starčević (Yugoslavia), Ramadan (Egypt), Axel Johannes (SWAPO) and Ithete (SWAPO) represented the Council at the Seminar. The report of the Council delegation is contained in document A/AC.131/L.218.

23. Seventy-ninth session of the Council of the Food and Agriculture
Organization of the United Nations (22 June to 3 July 1981, Rome)

426. Mr. Tommo Monthe (United Republic of Cameroon) represented the Council at the session.

24. Trade union seminar on the implementation of Decree No. 1
for the Protection of the Natural Resources of Namibia
(29 to 30 June 1981, London)

427. Messrs. Ahmad (Pakistan) and Starčević (Yugoslavia) represented the Council at the seminar. The report of the Council delegation is contained in document A/AC.131/L.219.

25. Seminar on effective measures to prevent transnational corporations and other established interests from collaborating with the racist régime of South Africa (29 June to 3 July 1981, Geneva)

428. Messrs. Ya Otto (SWAPO) and Shihepo (SWAPO) represented the Council at the seminar.

26. Preparatory Committee for the United Nations Conference on Least-Developed Countries, third session (29 June to 10 July 1981, Geneva)

429. Messrs. Ya Otto (SWAPO) and Shihepo (SWAPO) represented the Council at the session.

27. Thirteenth meeting of the Senate of the United Nations Institute for Namibia (7 to 8 August 1981, Lusaka)

430. Mr. Lusaka (Zambia) led a delegation of the Council which included Mr. Sorensen-Mosquera (Venezuela), in his capacity as Vice-Chairman and Rapporteur of the Committee on the United Nations Fund for Namibia, and Mr. E. El-Qadi of the Embassy of Egypt in Lusaka and Mr. Timo Orenius of the Embassy of Finland in Lusaka, both of whom had been requested to represent their countries at the meeting. The report of the Council delegation is contained in document A/AC.131/L.232.

28. United Nations Conference on New and Renewable Sources of Energy (10 to 21 August 1981, Nairobi)

431. Messrs. Tommo Monthe (Cameroon) and Carlo Toussaint (Haiti) represented the Council at the Conference. The Conference adopted a resolution on Namibia in which it condemned the plunder and illegal exploitation of Namibian energy resources by South Africa; deplored all military activities in Namibia and Angola, which were having serious ecological consequences, thereby limiting the future capacity of the people of Namibia and Angola to develop to the full their potential; urged all Member States to abide by the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia; and demanded the complete and unconditional withdrawal of all South African troops from the occupied Angolan provinces of Cunene and Kuando Kubango.

29. Meeting of the Special Committee against Apartheid to observe the International Day of Solidarity with the Struggle of Women in South Africa and Namibia (11 August 1981, New York)

432. Miss Elaine Jacob (Guyana) represented the Council at the meeting and gave a statement on behalf of the Council.

30. Representation of Namibia and promotion of Namibian interests by the United Nations Commissioner for Namibia

433. During the period under review, the United Nations Commissioner for Namibia attended the following international conferences and meetings:

(a) Twelfth meeting of the Senate of the United Nations Institute for Namibia (23 to 24 January 1981, Lusaka);

(b) International Conference on Assistance to Refugees in Africa (9 to 10 April 1981, Geneva);

(c) Extraordinary plenary meetings of the United Nations Council for Namibia (2 to 5 June 1981, Panama City);

(d) Thirty-seventh ordinary session of the Council of Ministers of OAU (15 to 21 June 1981, Nairobi);

(e) Eighteenth ordinary session of the Assembly of Heads of State and Government of OAU (24 to 27 June 1981, Nairobi);

(f) Thirteenth meeting of the Senate of the United Nations Institute for Namibia (7 to 8 August 1981, Lusaka).

434. Members of the Commissioner's Office participated in various meetings of the specialized agencies and non-governmental organizations relating to the situation in Namibia, as follows:

(a) International Conference in Solidarity with the Struggle of the People of Namibia (11 to 13 September 1980, Paris);

(b) International colloquium on the prohibition of apartheid, racism and racial discrimination and the achievement of self-determination in international law (20 to 24 October 1980, Geneva);

(c) First meeting of the Governing Board of the United Nations Vocational Training Centre for Namibians (15 to 18 January 1981, Luanda);

(d) Meeting of the Multinational Programming and Operational Centre of ECA (19 to 22 January 1981, Maseru);

(e) Eleventh ordinary session of the Co-ordinating Committee of the OAU Bureau for the Placement and Education of African Refugees (21 to 27 March 1981, Addis Ababa);

(f) Nordic Conference on Namibia (9 to 11 March 1981, Helsinki);

(g) Meeting between representatives of the OAU secretariat and the secretariats of the United Nations and other organizations within the United Nations system (13 to 15 April 1981, Geneva);

(h) International Conference on Sanctions against South Africa (20 to 27 May 1981, Paris);

(i) Seminar on Legal Issues concerning the Question of Namibia (20 to 24 June 1981, The Hague).

V. UNITED NATIONS FUND FOR NAMIBIA

A. Establishment of the Fund, general developments and sources of financing

1. Establishment of the Fund

435. By its resolutions 2679 (XXV) of 9 December 1970 and 2872 (XXVI) of 20 December 1971, the General Assembly decided to establish a United Nations Fund for Namibia. Its decision was based on the consideration that, having terminated South Africa's mandate to administer the Territory and having itself assumed direct responsibility for Namibia until independence, the United Nations had incurred a solemn obligation to assist the people of the Territory in their struggle for independence and that, to that end, the United Nations should provide them with comprehensive assistance.

436. Since the Fund became operative in 1972, the programmes of assistance have been continuously expanded by the General Assembly on the recommendations of the United Nations Council for Namibia and the Security Council. In 1975, the Fund became the vehicle for financing the United Nations Institute for Namibia and a special account was approved by the Assembly under resolution 33/182 C of 21 December 1978 for financing the Nationhood Programme for Namibia, established pursuant to Assembly resolution 31/153 of 20 December 1976.

437. While until 1973 the Council acted only in an advisory capacity to the Secretary-General as regards the administration and supervision of the Fund, the General Assembly, by resolution 3112 (XXVIII) of 12 December 1973, appointed the Council itself trustee of the Fund. The guidelines for the orientation, management and administration of the Fund were approved by the Assembly in its resolution 31/151 of 20 December 1976.

2. Sources of financing

438. It is the task of the Council, the Secretary-General and the United Nations Commissioner for Namibia to mobilize the resources for the financing of the Fund.

439. According to the General Assembly, voluntary contributions are to be the major source of financing of the Fund. The Assembly has appealed to Governments and their respective national organizations and institutions for voluntary contributions to the Fund, and for special contributions earmarked for the Institute and the Nationhood Programme. By its resolution 33/182 C, the Assembly requested the Secretary-General and the Council to appeal to Governments, the specialized agencies and other organizations and bodies within the United Nations system, governmental and non-governmental organizations and private individuals for additional financial contributions to the Fund.

440. Since the Fund was established in 1970, the General Assembly has each year authorized as an interim measure an allocation from the regular budget to help implement the Fund's programme. Thus, by its decision 35/442 of 16 December 1980, the Assembly decided to allocate \$US 500,000 to the Fund in 1981 from the regular budget.

441. UNDP finances assistance projects for Namibia and has for that purpose established an indicative planning figure for Namibia. In 1980, the Governing Council of UNDP set a figure of \$US 7,750,000 for Namibia for the 1982-1986 indicative planning cycle, of which \$US 6.2 million, or 80 per cent, was earmarked for programming. With an uncommitted balance of \$US 2,072,000 from the 1977-1981 cycle, the total resources available for Namibia now amount to \$US 8,272,000.

442. Fund-raising missions led by the United Nations Commissioner for Namibia visited London on 27 January; Belgium, Finland, Sweden, Denmark and Norway from 12 to 21 February; Japan from 25 February to 2 March; the Federal Republic of Germany and the Netherlands from 8 to 11 March; and the United States on 12 March 1981. The missions met the Foreign Ministers of Finland, Sweden and Denmark, the Vice-Foreign Minister of Japan, representatives of EEC and the Commonwealth secretariat and other officials of these organizations and Governments and had the opportunity of providing them with up-to-date information on the activities and requirements of the Fund.

443. Through its three accounts, the Fund received the following income in 1980 and during the first six months of 1981.

United Nations Fund for Namibia: income received

(United States dollars)

	<u>1980</u>	<u>1981</u> <u>January-June</u>
General Account	1,245,220	1,108,147
Trust Fund for the United Nations Institute for Namibia	3,605,706	2,227,565
Nationhood Programme Account	<u>1,463,431</u>	<u>691,012</u>
Total	6,319,357	4,026,724

444. The pledges and contributions to the Fund for 1980 and the first six months of 1981 are shown in the table below.

(All other entries being in
in United States dollars)

-94-

3. Main areas of assistance

445. Within its over-all terms of reference, the Fund's activities were streamlined in 1978 and 1979 and are now concentrated in three main programmes:

(a) the Nationhood Programme; (b) the United Nations Institute for Namibia; and (c) educational, social and relief assistance.

446. The Nationhood Programme was launched by the General Assembly to mobilize the specialized agencies and other organizations and bodies within the United Nations system to provide assistance in support of the nationhood of Namibia in the form of a consolidated and comprehensive assistance programme.

447. The Institute was established by the Council with the endorsement of the General Assembly, as a specific institution to undertake research, training, planning and related activities with special reference to the struggle for freedom and the establishment of an independent State of Namibia.

448. While the two above-mentioned programmes have been set up with particular reference to the future attainment of independence, the establishment of State machinery and the assumption of administrative responsibilities by Namibians, the third programme, the educational, social and relief assistance, gives particular emphasis to the immediate, present-day needs and welfare of Namibians in the struggle for independence. In accordance with the Council's decision, assistance in this area is administered, to the extent possible, through individual projects.

449. Expenditures from the Fund on behalf of the three programmes in 1980 and during the first six months of 1981 were as follows:

United Nations Fund for Namibia: expenditures

(United States dollars)

	<u>1980</u>	<u>1981</u> <u>January-June</u>
Nationhood Programme <u>a/</u>	1,717,616	399,300
United Nations Institute for Namibia	3,107,569	1,241,071
Educational, social and relief assistance	<u>1,996,550</u>	<u>314,244</u>
Total	6,821,735	1,954,615

a/ See also para. 457 of the present report.

B. Nationhood Programme for Namibia

1. Launching of the Programme

450. By its resolution 31/153, the General Assembly decided to launch, in support of the nationhood of Namibia, a comprehensive assistance programme within the United Nations system covering the present period of struggle for independence and the initial years of independence. By the same resolution, the Assembly called upon the Council to elaborate, in consultation with SWAPO, the guidelines and policies for such a programme and to direct and co-ordinate its implementation.

451. The projects of the Nationhood Programme fall into these broad categories: (a) pre-independence projects; (b) transitional projects; and (c) post-independence projects. The first 46 pre-independence projects approved thus far cover various economic and social fields addressing key problems of Namibian development under the following sectoral framework:

(a) Productive sectors, including mining, industries, fisheries and agriculture;

(b) Physical infrastructure and services including trade, transport and communications, energy and water and land resources;

(c) Social infrastructure and administration, including labour, education, information, health, nutrition and social services; housing, building and land use planning; economic planning; public administration; and the judicial system.

452. In designing the projects, careful consideration is given to the special conditions under which the Nationhood Programme is being implemented during the present period of struggle for independence. Assistance to a country which is still under colonial domination and for which the United Nations has assumed direct responsibility requires an approach somewhat different from that of conventional technical assistance to independent countries. Implementation of the projects is made difficult by the general unavailability of reliable socio-economic data on Namibia. It is further complicated by the lack of access to the Territory owing to the illegal South African occupation. The training aspects of the projects require special attention because of the scarcity of educational opportunities to Namibians under South African rule.

2. Financing

453. The total costs of the 46 pre-independence projects are as follows:

	<u>Per cent</u>	<u>United States dollars</u>
Project costs	95.6	8,938,596
Executing agencies support costs	4.4	412,835
	100.0	9,351,431

454. Of the total cost of the projects, more than two thirds is covered by the Fund, a quarter by UNDP and the remainder by the executing agencies, as indicated below:

	<u>Per cent</u>	<u>United States dollars</u>
United Nations Fund for Namibia	71.3	6,671,945
UNDP	24.6	2,298,086
Executing agencies	4.1	381,400
	<u>100.0</u>	<u>9,351,431</u>

The costs of each project and the corresponding sources of financing are shown in the table below.

Unimhab Program for Namibia project costs and sources of financing
(United States dollars)

Execution agencies and project titles	Costs			Sources		
	Project budget	Agency overhead costs g/	Total costs	Agency's own funds	UNEP	Fund for Namibia
Ministry of Technical Co-operation for Development						
NAM/79/009 Mineral survey b/	4 000	-	4 000	4 000	-	-
NAM/79/001 Minerals fellowships	136 300	21 900	178 200	-	-	178 200
NAM/79/011 Energy survey	42 000	5 900	47 900	-	-	47 900
NAM/79/012 Electricity fellowships	40 000	5 600	45 600	-	-	45 600
NAM/79/013 Water resources survey	42 500	-	42 500	42 500	-	-
NAM/79/015 Water fellowships	21 000	3 100	24 100	-	-	24 100
NAM/79/001 Workshops on socio-economic policies	38 900	-	38 900	-	38 900	-
NAM/79/025 Training in development planning	152 100	21 100	173 200	-	-	173 200
NAM/79/026 Statistical unit	100 200	14 000	114 200	-	-	114 200
NAM/79/027 Public administration system plans g/	117 000	15 900	132 900	-	-	132 900
NAM/79/028 Public administration fellowships g/	36 000	5 000	41 000	-	-	41 000
NAM/79/034 Public enterprises management course g/	180 700	26 430	215 230	-	-	215 230
NAM/81/002 Public enterprises management course (Phase II)	174 650	24 450	199 100	-	-	199 100
NAM/79/029 Reform of criminal justice system g/	116 200	15 560	131 760	-	-	131 760
NAM/79/030 Control of economic crime	77 100	10 800	87 900	-	-	87 900
Subtotal:	1 307 600	178 820	1 477 620	46 500	38 900	1 392 220
ILO						
NAM/79/017 Training labour administrators	129 700	18 200	147 900	-	-	147 900
NAM/79/007 Labour legislation	71 930	-	71 930	-	71 930	-
NAM/79/000 Vocational training centre g/	3 241 700	70 000	3 311 700	-	1 141 700	2 170 000
NAM/79/033 Survey of rehabilitation needs b/	2 500	-	2 500	2 500	-	-
Subtotal:	3 445 830	88 200	3 534 030	2 500	1 213 630	2 317 900
FAO						
NAM/79/005 Fisheries policy options	242 456	-	242 456	-	242 456	-
NAM/79/003 Fisheries fellowships	32 550	-	32 550	-	32 550	-
NAM/79/003 Agricultural education g/, g/	21 300	-	21 300	-	-	21 300
NAM/79/004 Agrarian reform g/, g/	119 500	-	119 500	-	-	119 500
NAM/79/014 Water development for agriculture g/	163 500	-	163 500	-	-	163 500
NAM/79/004 Potential land suitability g/, g/	240 670	-	240 670	-	240 670	-
NAM/79/021 Food and nutrition fellowships g/	194 600	-	194 600	-	-	194 600
NAM/79/022 Protection of food supplies g/	128 600	-	128 600	-	-	128 600
NAM/79/033 Food distribution training	90 000	-	90 000	90 000	-	-
Subtotal:	1 233 176	-	1 233 176	90 000	515 676	627 500
UNESCO						
NAM/79/010 Educational system plans g/, g/	135 700	-	135 700	20 000	-	115 700
NAM/79/019 Teacher trainer fellowships	62 300	-	62 300	62 300	-	-
NAM/79/020 Communications training and equipment g/	394 000	-	394 000	50 000	-	344 000
NAM/79/004 Participation of women	159 900	-	159 900	-	159 900	-
Subtotal:	752 900	-	752 900	132 300	159 900	461 700
WHO						
NAM/79/010 Country health programme	45 600	-	45 600	45 600	-	-
ICAO						
NAM/79/008 Civil aviation adviser	57 600	8 070	65 670	-	-	65 670
NAM/79/009 Civil aviation fellowships	241 900	33 900	275 800	-	-	275 800
Subtotal:	299 500	41 970	341 470	-	-	341 470
WMO						
NAM/79/015 Meteorology fellowships	89 300	12 500	101 800	-	-	101 800
IMO						
NAM/79/007 Maritime training g/	171 500	-	171 500	-	-	171 500
ITU						
NAM/79/010 Telecommunications plans	45 500	6 400	51 900	-	-	51 900
UNIDO						
NAM/79/002 Industrial training	96 000	5 500	101 500	57 000	-	44 500
UNCTAD						
NAM/79/006 External economic policies g/, g/	253 000	-	253 000	-	253 000	-
ECA						
NAM/79/005 Transport survey	141 500	19 800	161 300	-	-	161 300
NAM/79/006 Transport fellowships	190 800	26 720	217 520	-	-	217 520
Subtotal:	332 300	46 520	378 820	-	-	378 820
UNEP						
NAM/79/023 Land use and human settlements g/	143 750	20 125	163 875	-	-	163 875
NAM/81/001 Human settlement development (Phase II)	128 000	18 000	146 000	-	-	146 000
NAM/79/024 Construction and building materials	25 800	3 600	29 400	-	-	29 400
Subtotal:	297 550	41 725	339 275	-	-	339 275
UNCTAD						
NAM/79/002 Transnational corporations	124 400	-	124 400	7 500	116 900	-
Office of the Commissioner						
NAM/79/031 Clerical and transport support	443 300	-	443 300	-	-	443 300
GRAND TOTAL:	8 938 596	412 835	9 351 431	381 400	2 298 686	6 671 945

g/ In accordance with UNEP procedures these figures do not show the normal 14 per cent overhead cost in UNEP-funded projects. Overhead costs shown for projects funded by the Fund for Namibia are specified in the project budget and include partially or fully waived overhead costs.

b/ Figures estimated.

g/ The United Nations Institute for Namibia is the implementing agency.

g/ Project terminated (see Phase II).

g/ The executing agencies have granted a waiver of overhead costs amounting to: ILO, \$224 000; FAO, \$67 850; UNHCR, \$64 630; IMO, \$24 010; UNCTAD, \$233 000.

455. In accordance with General Assembly resolution 33/182 C, a special account was opened in the Fund for the financing of the Nationhood Programme.

456. At its 316th meeting, held on 7 February 1980, the Council decided to transfer from the general account of the Fund to the special account for the Nationhood Programme a sum to be established by the President of the Council in consultation with the United Nations Commissioner for Namibia (A/AC.131/74). Accordingly, the President of the Council authorized on 28 February 1980 the transfer of \$US 900,000. This amount was subsequently returned to the Fund in two instalments of \$US 600,000 and \$US 300,000 on 7 August 1980 and 19 May 1981 respectively.

457. The total expenditure and remittance to executing agencies to cover the cost of Nationhood Programme projects were, respectively, \$US 1,717,616 and \$US 2,656,475 in 1980 and \$US 399,300 and \$US 345,100 in the first six months of 1981. As indicated in the tables below, the total income of the Nationhood Programme Account within the Fund was \$US 1,468,431 in 1980 and \$US 691,021 during the first six months of 1981.

United Nations Fund for Namibia: Nationhood Programme for Namibia account
(United States dollars)

I. Income and expenditure for 1980

INCOME

Income from pledged contributions	534 487
Public donations	1 000
Subventions	300 000
Interest income	581 223
Miscellaneous income	51 721
TOTAL INCOME	1 468 432

EXPENDITURE

Salaries and common staff costs	139 470
Travel	23 316
Contractual services	4 066
Operating expenses	61 060
Acquisitions	6 919
Fellowships, grants, other	213 464
Programme support costs	32 994
TOTAL EXPENDITURE	481 289 ^{a/}
EXCESS OF INCOME OVER EXPENDITURE	987 142

II. Statement of assets and liabilities as at 31 December 1980

ASSETS

Cash	960 016
Pledged contributions unpaid	5 000
Accounts receivable	64 404
Operating funds provided to executing agencies	6 025 262
Due from United Nations General Fund	110 082
TOTAL ASSETS	7 164 764

LIABILITIES

Unliquidated obligations	96 086
Reserve for allocations	5 555 405
TOTAL LIABILITIES	5 651 491

FUND BALANCE

Balance available 1 January 1980	2 913 936
Add: Transfer from reserve for allocations	268 570
Excess of income over expenditure	987 142
Subtotal	4 169 748
Less: Transfer to reserve for allocations	(2 656 475)
Balance available 31 December 1980	1 513 273
TOTAL LIABILITIES AND FUND BALANCE	7 164 764

^{a/} Represents only expenditure incurred by the United Nations. Excludes UNDP expenditure of \$US 1,236,577 to be reflected in accounts upon receipt of UNDP project-level accounting reports.

United Nations Fund for Namibia: Nationhood Programme for Namibia account
(United States dollars)

I. Income and expenditure for the six-month period ended 30 June 1981

INCOME	
Income from pledged contributions	691 012
TOTAL INCOME	<u>691 012</u>
EXPENDITURE	
Salaries and common staff costs	37 490
Travel	31 596
Operating expenses	30 214
Fellowships, grants, other	300 000
TOTAL EXPENDITURE	<u>399 300 a/</u>
EXCESS OF INCOME OVER EXPENDITURE	<u>291 712</u>

II. Statement of assets and liabilities as at 30 June 1981

ASSETS	
Cash	789 794
Pledged contributions unpaid	508 827
Accounts receivable	58 381
Operating funds provided to executing agencies	6 355 475
TOTAL ASSETS	<u>7 712 477</u>
LIABILITIES	
Unliquidated obligations	125 455
Reserve for allocations	5 900 505
Due to United Nations General Fund	226 632
TOTAL LIABILITIES	<u>6 252 592</u>
FUND BALANCE	
Balance available 1 January 1981	1 513 273
Add: Excess of income over expenditure	291 712
Subtotal	<u>1 804 985</u>
Less: Transfer to Reserve for allocations	(345 100)
Balance available 30 June 1981	<u>1 459 885</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>7 712 477</u>

a/ Represents only expenditure incurred by the United Nations. Excludes UNDP expenditure pending receipt of UNDP accounting reports for 1981.

3. Implementation of the Nationhood Programme

458. Two major components of the Nationhood Programme have been stressed in the implementation process: (a) manpower training programmes for Namibians; and (b) sectoral surveys and analyses of the Namibian economy and identification of development tasks and policy options for the transitional period. These projects have increased substantially the training opportunities available to Namibians in the various economic and social sectors by providing approximately 150 individual fellowships, as well as group training abroad for about 60 participants. Training has also been provided for several hundred participants in courses and seminars held in Zambia and other African countries. The number of international experts and consultants being employed by the various executing agencies within the projects is expected to exceed 70, for a total of more than 300 man-months.

Sectoral planning workshops

459. By its resolution of 7 February 1980 (A/AC.131/74), the Council, inter alia, requested the Commissioner to organize a series of sectoral planning workshops for the further development of the Nationhood Programme.

460. The objectives of the workshops were: (a) to review the ongoing pre-independence projects in each respective field; and (b) to analyse the need for further United Nations assistance for the pre-independence, transitional and post-independence phases and prepare plans for such activities.

461. Three sectoral planning workshops were held during the period under review. The participants included representatives of the Office of the Commissioner, UNDP, the relevant executing agencies of the Nationhood Programme, the United Nations Institute for Namibia, SWAPO and OAU, as well as resource persons from various African countries.

462. The workshop on agriculture, fisheries and food security was held at Maputo in August 1980 and the one on education, health, housing and labour at Arusha, United Republic of Tanzania, also in August 1980. The third workshop, on transport and communications, took place at Addis Ababa in April 1981.

463. A fourth workshop, on mining, industries, trade and economic planning, is scheduled to be held during the second half of 1981. At this workshop the results of the previous ones will be taken into account in order to formulate recommendations for the further development of the Nationhood Programme.

Training programmes

464. During 1980 and the first half of 1981, Namibians followed training courses at institutions in various countries. In the field of industrial development, five students were seconded to UNIDO projects in the United Republic of Tanzania, Ethiopia and Egypt. Two transport trainees started training at the Zambia Railways Training Centre in August 1980 and another two were enrolled at the Tanzania-Zambia Railways Authority in the United Republic of Tanzania in May 1981. Three students completed their studies in labour legislation at Warwick University in the United Kingdom and at ILO headquarters in June 1980. Six students were studying food economics, food science and nutrition at the University of East Anglia in the United Kingdom. Following a preparatory English language course, 20 students were enrolled in a nine-month course in food distribution. A training programme aimed at upgrading the developmental and political skills of Namibian women was completed

in 1980. Several women participated in a course in writing and journalism as well as in seminars and study tours to various African countries. Nine students completed a course in land use and human settlements which involved study tours to Kenya, Mozambique, the United Republic of Tanzania and Zambia, followed by a seminar in November 1980 to formulate policy options for the sector. The second phase of this project was approved in February 1981, and five students are currently under training. Four students have completed remedial training at the African Institute for Economic Development and Planning (IDEP) in Dakar and are currently following regular courses in development planning. Fifteen students completed their training in public enterprises management at the International Centre for Public Enterprises in Developing Countries (ICPE) in Ljubljana, Yugoslavia in December 1980. The second phase of this project was approved in March 1981 and a new group of 15 students has been enrolled at ICPE. In March 1981, 25 students embarked on courses in radio programme production and equipment maintenance in Zambia. One student has been nominated and is due to undertake studies in mining engineering.

465. Other students are being selected and prepared for future training in key areas such as mining, fisheries, agriculture and transport. Consultations are continuing between the Office of the Commissioner and SWAPO to ensure the availability of candidates for training.

466. A vocational training centre is being established in Angola in order to provide vocational training for Namibians who have completed only primary education and who have limited access to opportunities for further training. The first phase of the construction work is expected to be completed by August 1981, and the first students enrolled in September 1981. The first meeting of the Governing Board of the centre was held at Luanda in January 1981.

Sectoral surveys and analyses

467. As regards the sectoral surveys and analyses, one study of mineral resources and mining has been completed. The preparation of a country health programme for Namibia has also been completed; a report was submitted to WHO in May 1980. A study aimed at drawing up plans for non-discriminatory labour legislation was submitted in December 1980, and a concluding seminar is scheduled for September 1981. A survey on air, sea and ground transport was presented by ECA in April 1981. Follow-up studies on sea and air transport are under way. Research on transnational corporations was completed, and a draft report is scheduled to be discussed at a seminar in August 1981. Work has begun on a project dealing with the assessment of potential land suitability, which builds on preparatory satellite imagery work done by FAO. Projects on agrarian reform, resettlement, nutrition and the protection of food supplies upon independence are also under way.

4. Administration and management of the Nationhood Programme

468. The Committee on the United Nations Fund for Namibia, within its over-all terms of reference, formulates and reviews policies related to the Nationhood Programme, reviews the reports of the Commissioner and makes appropriate recommendations to the Council.

469. The Office of the Commissioner has been designated by the Council as the co-ordinating authority for the Nationhood Programme under the direction of the Committee on the Fund.

470. The United Nations Institute for Namibia has been designated as the implementing agency, on behalf of the Council, for nine projects, thus giving it a role similar to that of a government implementing agency in standard UNDP procedures. In addition, the Institute is involved in the implementation of 20 other projects in the initial group of 46 pre-independence projects.

C. United Nations Institute for Namibia

471. Admission to the Institute is open to all persons of Namibian origin who fulfil the requirements established by the Senate of the Institute (see para. 475 below). Through its activities, the Institute helps to train skilled manpower for an independent Namibia.

472. In 1981, the Institute, which came into operation in 1976, had a student body of 415. The training programme of the Institute has been expanded to include training of secretaries and special preparatory courses in the English language, statistics and mathematics in view of the urgent need to train Namibians in those areas.

473. On 24 January 1981, 80 students, the second group, graduated from the Institute with diplomas in management and development studies, thus bringing the total number of Institute graduates to 146.

474. The Institute continues to undertake applied research in various fields. The research programme is intended to make available basic documentation for policy formulation by the future Government of an independent Namibia. A number of studies have been completed and published and many more are near completion.

475. The Institute is administered by a Senate. The Senate, which at present consists of 15 members, submits annual reports to the Council. The budget estimates of the Institute, approved by the Senate, are endorsed annually by the Council subject to the availability of financial resources.

476. In accordance with article 8 of its charter, the Institute is financed by the Council through the Fund, with the account of the Institute being maintained separately. Thus, while the Fund is the main vehicle for financing the Institute, separate identifiable accounts for the Institute are embodied in the accounts of the Fund.

477. The Commissioner has continued his fund-raising efforts for the Institute on behalf of the Council and the Secretary-General to ensure adequate financial resources for the implementation of the programme of work of the Institute. During the period under review, the response of Member States and other donors in making voluntary contributions to finance the Institute has been encouraging.

478. The total expenditure of the Institute was \$US 3,107,569 in 1980 and \$US 1,241,071 in the first six months of 1981. At the same time, the total income (from various sources) of the Trust Fund for the Institute within the United Nations Fund for Namibia was \$US 3,605,706 in 1980 and \$US 2,227,565 during the first six months of 1981. Detailed information on the account of the Institute is given in the tables below.

D. Educational, social and relief assistance programmes

479. Educational, social and relief assistance is being implemented by the Council with particular reference to the present-day needs and welfare of the Namibians: primary and secondary education, remedial training, vocational and technical training, as well as higher education. The activities financed also include assistance in the fields of health and medical care, nutrition and social welfare. The funds are also utilized by the Council to facilitate the attendance of Namibian representatives at international seminars, meetings and conferences.

480. Expenditures on educational, social and relief assistance amounted to \$US 1,996,550 in 1980 and to \$US 314,244 during the first six months of 1981. The total income of the general account of the Fund was \$US 1,245,220 in 1980 and \$US 1,108,147 during the first six months of 1981. Detailed information on the general account is presented in the tables below.

United Nations Fund for Namibia: Institute for Namibia account
(United States dollars)

I. Income and expenditure for the six-month period ended 30 June 1981

INCOME	
Income from pledged contributions	2 126 703
Public donations	82 000
Subventions	-
Interest income	2 237
Miscellaneous income	16 625
TOTAL INCOME	<u>2 227 565</u>
EXPENDITURE	
Salaries and common staff costs	629 564
Travel	67 486
Contractual services	9 268
Operating expenses	171 481
Acquisitions	4 345
Fellowships, grants, other	358 927
TOTAL EXPENDITURE	<u>1 241 071</u>
EXCESS OF INCOME OVER EXPENDITURE	<u>986 494</u>

II. Statement of assets and liabilities as at 30 June 1981

ASSETS	
Cash	2 843 426
Pledged contributions unpaid	1 027 036
Accounts receivable	127 414
Due from United Nations General Fund	124 998
TOTAL ASSETS	<u>4 122 874</u>
LIABILITIES	
Deferred income	1 764
Unliquidated obligations	43 990
TOTAL LIABILITIES	<u>45 754</u>
FUND BALANCE	
Balance available 1 January 1981	3 090 626
Add: Excess of income over expenditure	986 494
Balance available 30 June 1981	<u>4 077 120</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>4 122 874</u>

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United Nations Fund for Namibia: general account
(United States dollars)

I. Income and expenditure for 1980

INCOME

Income from pledged contributions	461 039
Public donations	45
Subventions	600 000
Interest income	153 051
Miscellaneous income	31 085
TOTAL INCOME	<u><u>1 245 220</u></u>

EXPENDITURE

Travel	1 441
Operating expenses	25 233
Fellowships, grants, other	1 969 876
TOTAL EXPENDITURE	<u><u>1 996 550</u></u>
EXCESS OF INCOME OVER EXPENDITURE	<u><u>(751 330)</u></u>

II. Statement of assets and liabilities as at 31 December 1980

ASSETS

Cash	517 285
Pledged contributions unpaid	16 668
Accounts receivable	48 322
Operating funds provided to executing agencies	720 542
Due from United Nations General Fund	12 072
TOTAL ASSETS	<u><u>1 314 899</u></u>

LIABILITIES

Accounts payable	100
Unliquidated obligations	839 136
Deferred income	32 575
Reserve for allocations	230 166
TOTAL LIABILITIES	<u><u>1 101 977</u></u>

FUND BALANCE

Balance available 1 January 1980	1 184 094
Add: Transfer from reserve for allocations	10 314
Excess of income over expenditure	(751 330)
SUBTOTAL	<u><u>443 078</u></u>
Less: Transfer to reserve for allocations	(230 166)
Balance available 31 December 1980	<u><u>212 912</u></u>
TOTAL LIABILITIES AND FUND BALANCE	<u><u>1 314 899</u></u>

United Nations Fund for Namibia: general account

(United States dollars)

I. Income and expenditure for the six-month period ended 30 June 1981

INCOME

Income from pledged contributions	308 077
Public donations	70
Subventions	800 000
TOTAL INCOME	<u>1 108 147</u>

EXPENDITURE

Operating expenses	30 410
Fellowships, grants, other	283 834
TOTAL EXPENDITURE	<u>314 244</u>
EXCESS OF INCOME OVER EXPENDITURE	<u>793 903</u>

II. Statement of assets and liabilities as at 30 June 1981

ASSETS

Cash	883 718
Pledged contributions unpaid	172 570
Accounts receivable	48 169
Operating funds provided to executing agencies	279 037
Due from United Nations General Fund	193 806
TOTAL ASSETS	<u>1 577 363</u>

LIABILITIES

Accounts payable	100
Unliquidated obligations	340 282
Reserve for allocations	230 166
TOTAL LIABILITIES	<u>570 548</u>

FUND BALANCE

Balance available 1 January 1981	212 912
Add: Excess of income over expenditure	793 903
Balance available 30 June 1981	<u>1 006 815</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>1 577 363</u>

1. Scholarship programme

481. At present, there are 109 Namibians studying on scholarships provided under the general account of the Fund. Their various fields of study in nine countries are as follows:

<u>Country</u>	<u>Courses</u>	<u>Number of students</u>
Algeria	Primary education	2
Canada	Geography	1
Egypt	Administration	1
Ireland	Airplane mechanics	1
Sweden	Political science	1
United Kingdom	Liberal arts, education, political science, social science, chemistry, secretarial science, primary and secondary education, distance education	24
United States	Liberal arts, education, law, biology, political science, economics, public and business administration, social science, medicine, nursing, chemistry, agriculture, electronics, secretarial science, health services administration and secondary education	73
Zambia	Primary, secondary and vocational education	5
Zimbabwe	Medicine	1

2. Training in radio broadcasting

482. The project, which was approved by the Council in 1977, continues to provide for the training of Namibians in radio broadcasting; at present 22 students are under training in various African countries. The major costs incurred in 1980 and the first half of 1981 were for the training of participants who were placed at local radio broadcasting stations in Brazzaville, Dar es Salaam, Luanda and Lusaka.

3. Further training of graduates of the United Nations Institute for Namibia

483. The project was initiated in 1980 to provide further training for Institute graduates. Fellowships have been awarded to 14 students to follow programmes of one to four years' duration in public administration, legal studies, agriculture and international relations and diplomacy.

4. Training in distance teaching

484. In 1980 two Namibians completed three-month courses at the University of London in the United Kingdom. The courses provided training in the evaluation, writing, editing and production of learning materials in connexion with distance teaching.

5. English language training

485. The project was designed to provide intensive English language training to 30 Namibian women, with an introduction to report writing. The original six-month course was extended to December 1980 to provide training for another 16 women. The course complemented the activities under two Nationhood Programme projects dealing with the participation of women in development and training in food distribution.

486. Other English language courses involving 53 Namibians were concluded in October 1980 and February 1981.

6. Social and relief assistance

487. The Fund also provides medical and social services, as well as relief aid, to Namibians.

488. The Commissioner, in collaboration with the President of the Council and in consultation with SWAPO, prepared a project providing basic needs for approximately 5,000 children up to seven years of age. The relief items were shipped to Angola in December 1980.

489. During the period under review, medical assistance was provided to Namibian refugees in Angola to help combat an outbreak of meningitis. In addition, on the certification of the United Nations medical director, assistance was provided to individual Namibians in need of emergency medical or dental treatment.

7. Information and educational materials

490. The Committee on the Fund, at its 39th meeting, on 28 April 1981, approved a publications project involving the reprinting of 6,000 copies of the information kit on Namibia. At the request of SWAPO, funds have also been allocated for subscriptions to publications on Namibia and southern Africa, as well as books and library materials for refugee camps in Angola.

8. Representation of Namibians

491. The Council, at its 331st meeting on 31 July 1980, approved a contribution from the Fund amounting to \$US 80,000 to meet the costs of the International Conference in Solidarity with the Struggle of the People of Namibia, held at Paris from 11 to 13 September 1980. The Conference was convened at the request of SWAPO and Western non-governmental organizations active in the struggle against apartheid and colonialism in southern Africa.

492. The Committee on the Fund, at its 40th meeting, on 16 June 1981, approved a grant of \$US 37,000 from the Fund to defray the costs of a trade union seminar on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, held at London on 29 and 30 June 1981. The seminar was organized by SWAPO and non-governmental organizations with the support of the Council.

VI. ACTION CONCERNING FOREIGN ECONOMIC INTERESTS IN NAMIBIA

493. During the period under review, the Council, as the legal Administering Authority for Namibia, continued to inform the international community of the situation in Namibia with regard to the exploitation of the Territory's natural resources by South African and other foreign economic interests. The Council exposed and denounced such illegal exploitation of Namibia's resources at all forums in which it participated, representing and defending Namibia's interests, particularly at meetings of the specialized agencies, international organizations and United Nations conferences.

494. On the recommendation of the Council, the General Assembly, by resolution 3295 (XXIX) of 13 December 1974, requested all Member States to take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia. By resolution 35/227 C, the Assembly decided that the Council, in the discharge of its responsibilities, should take all appropriate measures to ensure the full application of, and compliance with the provisions of the Decree and such other measures as might be necessary to assist in the protection of the natural resources of Namibia.

495. By resolution 34/92 B of 12 December 1978, the General Assembly declared that the natural resources of Namibia were the birthright of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive racist colonial administration, in violation of United Nations resolutions and of the Decree, was illegal and contributed to the maintenance of the illegal occupation régime. By the same resolution, the Assembly strongly condemned the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa which were exploiting the human and natural resources of the Territory.

496. By resolution 35/227 I, the Assembly declared that, by their depletive exploitation of natural resources and the continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating in Namibia constituted a major obstacle to its political independence. The Assembly also noted that the exploitation of Namibian uranium by Western countries, in particular the members of EURATOM, the nature of South Africa's policies regarding Namibian uranium, the collaboration with South Africa by certain Western countries, the transfer of nuclear technology to South Africa and South Africa's large-scale participation in the export of natural and enriched uranium seriously impeded the early attainment of independence by Namibia.

497. At the extraordinary plenary meetings of the Council held at Panama City from 2 to 5 June 1981, the question of the continuing exploitation of Namibia's natural resources was considered in all its aspects. The Council, in the Panama Declaration and Programme of Action on Namibia (see para. 222 above), decided to promote every effort for the speedy implementation of the Decree. The Council condemned the illegal exploitation of Namibia's natural resources, in particular uranium, and decided to continue to monitor such activities in order further to expose to the international community the reckless and destructive acts perpetrated against the Namibian people by South Africa and other foreign economic interests which were plundering those resources.

498. In that respect, the Council decided to take follow-up action on the results of the hearings on Namibian uranium held at New York in July 1980 in order to mobilize the international community to take the necessary measures to ensure compliance with the decisions of the General Assembly and prepare the legal framework for future compensation due to the Namibian people after genuine independence was achieved. The Panel for the hearings held consultations in March 1981 with some of the participants in the hearings and formulated the following recommendations:

(a) The systematic mobilization of public opinion and opinion makers on the Namibian question, especially in those countries which play a major role in sustaining South Africa's illegal occupation;

(b) Reaffirmation of the legal basis of the Decree, with particular reference to the relevant resolutions of the Security Council and the advisory opinion of the International Court of Justice of 21 June 1971, in an effort to influence the policies of those Governments whose nationals are violating the Decree;

(c) Co-operation with Standing Committee II of the Council in facilitating the organization of seminars to generate public support for the Decree.

499. The Council also emphasized the importance of the effective implementation of the Decree and condemned its violation, including the illegal exploitation of Namibia's marine resources in its territorial waters. The Council decided to counter South Africa's acts to extend illegally in its own name the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia.

500. The Council also decided that steps would be taken to strengthen the legal basis of the Decree by clarifying the existing links between the Decree and the relevant resolutions of the Security Council in order to ensure its implementation in those countries whose Governments consider it to be a mere recommendation of the General Assembly.

501. Pursuant to that decision and also in accordance with General Assembly resolution 35/227 C, the Council organized the Seminar on Legal Issues Concerning the Question of Namibia, which was held at The Hague from 22 to 24 June 1981 (see paras. 229-281 above). One of the main purposes of the Seminar was to discuss in depth the legal aspects of the implementation of the Decree.

502. The Seminar, among other things, emphasized the legal validity and the binding character of the Decree and reaffirmed its support for the Council in its efforts to implement the Decree with a view to preventing the exploitation of the natural wealth of Namibia. It reaffirmed the obligation of all States to recognize the illegality of South Africa's continued presence in Namibia and the right of the Namibian people, under the leadership of SWAPO, to utilize all the means at their disposal to achieve freedom and independence. The Seminar also recommended that the Council take appropriate steps to define clearly the territorial limits of Namibia, including its territorial sea, exclusive economic zone and continental shelf. It recommended that, given the difficulty of ascertaining the origin of uranium once it had been processed, it should become standard practice for all raw uranium to display a certificate of origin before its enrichment, and that the nuclear processing and enrichment plants should be required to verify such certificates of origin prior to further processing, under penalty of prosecution.

In general, it was recommended that means be devised to identify goods of Namibian origin using, where appropriate, the device of certificates of origin. The Seminar also emphasized the illegality of any attempt to remove the off-shore oil, fish and mineral resources of Namibia and recommended that States Members of the United Nations be called upon to create additional remedies effective in domestic law, such as mandatory seizure and forfeiture to customs officials of any or all resources originating in Namibia.

503. Despite repeated United Nations resolutions on the question of Namibia, foreign economic interests have undertaken and indeed expanded their operations in Namibia in complete disregard of the concerns of the international community and the interests of the Namibian people. South African and other interests based in Canada, France, the United States and the United Kingdom and other countries have for years monopolized the commercial sectors of the Namibian economy to their own benefit and to the detriment of the Namibian people. In exchange for the opportunity to earn great profits for themselves and their shareholders, principally through the exploitation of the Territory's vast mineral reserves, these foreign interests have supported South Africa's illegal occupation of the Territory both politically and financially.

504. The significant uranium deposits in Namibia have been the target of massive exploitation by foreign economic interests in collaboration with South Africa. The largest open-cast uranium mine in the world, operated by Rössing Uranium, Ltd., has attracted the largest share of foreign investment in the Territory. The Rio Tinto Zinc Corporation Ltd. (RTZ), of the United Kingdom, controls 60 per cent of Rössing Uranium. It is believed that uranium will soon replace diamonds as the Territory's most valuable resource.

505. A large share of the uranium required by the nuclear development plans of South Africa, the United Kingdom, France, Japan and other nations is provided by the Rössing mine. Rössing currently supplies about 50 per cent of the United Kingdom's uranium and produces 10 per cent of the total amount presently consumed by the Western industrialized nations. Although neither South Africa nor RTZ publish such statistics, experts estimate that Rössing's total reserves are in the range of 220,000 metric tons. According to available information, the Rössing mine's present production is about 5,200 metric tons a year and gross revenue from sales is estimated at \$US 280 million.

506. It was revealed during the hearings on Namibian uranium that, despite the advisory opinion of the International Court of Justice of 21 June 1971 and repeated United Nations resolutions, including resolutions of the Security Council, companies from the United Kingdom, the United States, the Federal Republic of Germany, France and Japan have been actively engaged in the exploitation of Namibian uranium in violation of Decree No. 1. Long-term purchase contracts for Namibian uranium, all of it from the Rössing mine, are known to have been concluded with nuclear reactor operators in the United Kingdom, France, the Federal Republic

of Germany and Japan. The basis for these purchases is the contracts offered by RTZ, contracts which are illegal and fraudulent under international law. 41/

507. The importance of Namibia's resources to South Africa and other foreign interests is considerable. Transnational corporations of the Western nations have invested heavily in and extracted huge profits from Namibia. A large proportion of such firms are based in five Western countries: Canada, the Federal Republic of Germany, France, the United Kingdom and the United States. The latest available information indicates that there are as many as 88 transnational corporations operating in Namibia, of which 35 are based in South Africa, 25 in the United Kingdom, 15 in the United States, 8 in the Federal Republic of Germany, 3 in France and 2 in Canada. All of these corporations, including those registered in South Africa, conduct their operations by means of licences issued by the Pretoria régime or its illegal administration in Namibia.

508. During 1980, banks and insurance companies based in Europe became more heavily involved in the exploitation of the Territory's economy. No profits are reinvested in the Territory for infrastructural or other development purposes. On the contrary, the bulk of profits is regularly repatriated to foreign shareholders, with the result that in many years the gross national product is as little as one half the gross domestic product.

509. In December 1980, it was revealed that La Société financière pour les pays d'outre-mer (SFOM), one of the world's strongest financial consortia, had acquired a 51 per cent shareholding in Swabank, previously the only locally owned bank in Namibia. Members of SFOM were reported to include the Bank of France, the Bank of America, Banque Bruxelles-Lambert (Belgium) and Dresdner Bank AG of the Federal Republic of Germany.

510. The continuing association of foreign banks with South Africa has not only bolstered the policies of the apartheid régime but has also impeded Namibia's transition to independence. The vast network of foreign bank branches extends into Namibia and the financing of the South African military enables the racist régime to carry out its repressive war in Namibia.

511. The exploitation of Namibia's natural wealth is concentrated in three main sectors: mining, fishing and agriculture, particularly the raising of cattle and karakul sheep. Minerals, particularly diamonds and base metals, have traditionally been the backbone of the Namibian economy and a major factor in the maintenance of South Africa's stranglehold over the Territory.

41/ The Government of Japan informed the Council on 31 August 1981 that the Kansai Electric Power Company, a private enterprise which had concluded a contract for the purchase of Namibian uranium, had "decided not to import Namibian uranium under the present circumstances" and had "postponed receipt of the uranium to be delivered under the terms and conditions of the said contract" following the publication of Decree No. 1 in an official bulletin of the Japanese Government. Furthermore, the Japanese Government had prohibited direct investment by Japanese nationals or corporate bodies under its jurisdiction in South Africa and in the Territory illegally occupied by South Africa. Consequently, no Japanese national was taking part in the management of any enterprise in Namibia, and no Japanese national or enterprise had a mining concession in Namibia.

512. The heaviest concentration of foreign capital is in the mining sector, which is the largest single contributor to the country's gross domestic product, the chief source of foreign exchange earnings and the largest producer of revenue for the illegal régime. Mining accounts for about 60 per cent of the country's export earnings and 40 to 50 per cent of all revenues of the illegal régime.

513. The ownership and control of much of the mineral sector is vested in a small number of international mining companies such as RTZ of the United Kingdom, American Metal Climax (AMAX) and the Newmont Mining Corporation of the United States and Falconbridge Nickle Mines, Ltd. of Canada, as well as major South African companies like the Anglo-American Corporation and General Mining. Many of these companies, especially those of South Africa, have interlocking directorships and equity shareholdings.

514. At present Consolidated Diamond Mines of South West Africa, Ltd. (CDM), RTZ and the Tsumeb Corporation dominate the mining activities in Namibia, operating in defiance of Decree No. 1 for the Protection of the Natural Resources of Namibia, which forbids mineral exploitation in Namibia.

515. The output of diamonds is monopolized by CDM, which is a wholly-owned subsidiary of De Beers Consolidated Mines, Ltd. of South Africa, the largest producer of diamonds in the world. De Beers has expanded its prospecting activities in Namibia, expenditure for which amounted to \$US 22.8 million in 1980 and is expected to increase to \$US 35.8 million in 1981.

516. Available information indicates that Namibia ranks fifth or sixth in the world production of diamonds. Estimated diamond production in 1979 amounted to 1,650,000 carats.

517. In recent years, the diamond mines consistently have been the largest contributor to De Beers' net earnings. Profits from diamond mining account for 55 to 70 per cent of Namibia's annual export value and provide approximately 35 to 40 per cent of the annual taxes collected by the illegal South African administration in Namibia.

518. The major base metals currently mined on a large scale include copper, lead, zinc, cadmium, lithium, silver, tungsten and vanadium. The entire production of base metals is exported to South Africa, Europe and the United States.

519. The Tsumeb Corporation is by far the largest producer of base metals in Namibia, accounting for about 80 per cent of the country's annual output. Until the mid-1970s Tsumeb was solely responsible for a quarter of Namibia's total mineral export value, but this figure has declined recently with the surge in uranium production.

520. The two major shareholders with controlling interests in the Tsumeb Corporation are AMAX and the Newmont Mining Corporation, both of the United States, each of which owns a 29.6 per cent interest. A South African subsidiary of AMAX and Newmont, the O'Kiep Copper Company, controls another 9.5 per cent.

521. United Kingdom interests in Tsumeb are represented by the 14.2 per cent share owned by Selection Trust, Ltd. The one direct South African interest is held by the Union Corporation of South Africa, which has a 9.4 per cent interest in the venture.

522. Other important producers include Consolidated Gold Fields of South Africa, Ltd. (lead, vanadium and zinc); Falconbridge (copper and silver); and the South African Iron and Steel Corporation (ISCOR) (lead, tin and zinc).

523. From a strategic perspective, Namibia's base metals are central to Pretoria's policy of increasing internal self-sufficiency in the South African economy in those areas where domestic reserves are lacking. It is stated that nearly all of Namibia's tin, zinc, lead, vanadium and tungsten production is sent to South Africa for processing and eventual use in various industries.

524. Considering this level of dependence, it is clear that access to Namibia's mineral wealth has been one of the factors underlying South Africa's reluctance to relinquish its political control over Namibia.

525. In large areas of Namibia, agriculture represents the only economic activity; it contributes about 17 per cent of the gross domestic product and provides employment to over 10 per cent of the total labour force. Owing to climatic factors, the agricultural economy is based mainly on extensive karakul pelt and beef production. The crucial role of livestock is evident from the fact it accounts for 98 per cent of the gross value of agricultural production. Virtually all the marketing of cattle and karakul pelts is affected through South African marketing boards or agencies, and South Africa has a major share in the meat processing plants. Available information indicates that Namibia supplies about half of all karakul pelts sold on the world market, primarily to the United Kingdom and the Federal Republic of Germany.

526. Over the years, white farmers have obtained maximum profits from the systematic exploitation of African labourers. Wages paid to Africans in the agricultural sector are said to be the lowest in the Territory and well below the poverty datum line.

527. Since 1977, the fishing industry based in Walvis Bay has been in a state of collapse owing to the cumulative effects of years of over-fishing and other abuses by the South African-owned companies which dominate the sector. The 1980 season was reported to have been the most disastrous ever, with total landings amounting to no more than 185,000 metric tons of pilchards and anchovies combined, compared to 324,242 metric tons in 1979 and 414,666 in 1978.

528. As a consequence of the industry's collapse, a considerable number of non-white workers have been laid off in the fish-processing factories, adding to the already large numbers of unemployed.

529. For the past 20 years, only 10 per cent of the canned catch has been consumed locally. The entire output of fish meal is exported to South Africa, Europe and the United States. The largest foreign customers for Namibia's fishery exports are the United Kingdom, France and the Netherlands, followed by the United States, Japan and Australia.

530. South Africa's exploitation of Namibia's wealth is dependent upon the exploitation of African labour. According to testimony given at the hearings on Namibian uranium, the transnational corporations are attracted to Namibia because they can utilize Namibian labour at a cheaper rate than that prevailing elsewhere in the world.

531. Black workers in Namibia are employed under a grossly discriminatory system of wages, working conditions and living standards. Despite claims to the contrary by certain transnational corporations operating in Namibia, there are vast differences between the rates paid to black and white employees, and the wage gap is widening. It has been estimated that the individual annual income is about R 7,000 for whites and R 125 for blacks.

532. In accordance with the mandate given it by the General Assembly and reiterated in several resolutions, the Council will continue to expose those Governments, corporations and other interests which are collaborating with the illegal South African administration in Namibia in the exploitation of the human and natural resources of Namibia and to seek an end to this exploitation.

VII. ACTION CONCERNING THE MILITARY SITUATION IN NAMIBIA

533. In pursuance of its policy of perpetuating racist domination in South Africa and maintaining its illegal occupation of Namibia, and in an effort to frustrate the legitimate aspirations of the Namibian people for self-determination and national independence, the illegal racist régime of Pretoria continues to resort to repressive measures against the Namibian people and to use Namibian territory for constant acts of aggression, subversion, destabilization and terrorism against neighbouring independent African States, thereby aggravating the current situation in southern Africa. These intensified and unprovoked attacks are carried out in flagrant violation of the sovereignty and integrity of the States concerned and in open defiance of the Charter of the United Nations.

534. Pursuant to its programme of work, the Council has reviewed the military situation in Namibia and adopted a comprehensive report (A/AC.131/L.223) examining in detail South Africa's military operations and installations in the occupied Territory.

535. During the period under review, as part of its "total strategy", the illegal régime of South Africa continued its military build-up by intensifying its production and importation of arms and military equipment, by expanding and increasing its military bases and installations throughout Namibia, and by recruiting and deploying local armed forces as well as mercenaries from Western and other countries. This massive build-up of the South African military machine and repressive apparatus, together with the acquisition of a nuclear weapons capability designed to suppress resistance by the oppressed people and terrorize neighbouring African States, poses a grave menace to humanity.

536. Measures have been taken to expand and strengthen the South West Africa Defence Force. In August 1980, a separate department was established in Windhoek with control over all units of the South African Defence Force (SADF) in Namibia and those units were renamed the South West Africa Territorial Force. On 20 October 1980, the racist régime issued a proclamation making military service compulsory for all Namibian males between the ages of 16 and 25 years, irrespective of race.

537. In view of the serious implications of this action, the General Assembly, by resolution 227 A, strongly condemned the illegal South African administration for its decision to establish compulsory military service and declared that all measures by the illegal occupation régime to enforce military conscription in Namibia were illegal, null and void. The decision of the racist régime, in total defiance of United Nations resolutions on Namibia, was regarded as a further indication of South Africa's refusal to comply with Security Council resolutions 385 (1976) and 435 (1978) providing for free and fair elections under United Nations supervision and control.

538. By the same resolution, the General Assembly strongly condemned South Africa for its ever-increasing military build-up in Namibia, its recruitment and training of Namibians for tribal armies and the use of other agents to carry out its policy of military attacks against independent African States, its threats and acts of subversion and aggression against those countries and the forcible and massive

displacement of Namibians from their homes for military and political purposes. The Assembly called upon all States to take effective legislative measures to prevent the recruitment, training and transit of mercenaries for service in Namibia; condemned those Western and other States which had assisted South Africa in developing a nuclear capability; and urged all Member States, individually and collectively, to frustrate the attempts by South Africa to develop nuclear weapons.

539. It has been widely reported that South Africa's military strength in Namibia comprises infantry, armoured, mechanized and parachute battalions, police counter-insurgency battalions and combat support units. These forces are stationed in a network of primary and secondary military bases, some 40 of which are located along the Angola-Namibia border. According to SWAPO sources, new bases have been constructed at a number of places in the so-called operational area in the north, and the existing bases are being reinforced and enlarged.

540. It has also been reported that at any given time South Africa has over 86,000 servicemen on active duty, and over 155,000 trained active reservists could be quickly called up. However, according to SWAPO and other sources, the number of servicemen on active duty may actually exceed 100,000. South Africa's active police force numbers approximately 35,500, with another estimated 20,000 active reservists and about 110,000 commandos or Home Guards.

541. During the period under review, South Africa's military budget continued to grow rapidly. Available information indicates that military spending is the largest single component of the total budget. According to The Military Balance (1980-1981), a publication of the International Institute for Strategic Studies, total defence spending in 1980 was approximately R 2.0 billion, with an authorization to increase expenditure by another R 272 million if necessary.

542. According to SWAPO sources, South Africa is undertaking a massive build-up of its forces in Namibia in apparent preparation for further terrorist attacks against the civilian population in the Territory and Namibian refugee settlements in neighbouring States as well as Angolan and Zambian civilian and economic establishments.

543. According to other sources, considerable numbers of South African troops arrived in Windhoek in early 1981 and were moving north to bases near the Angolan border with the obvious goal of occupying strategic points for further aggression against the Namibian people and peace-loving neighbouring countries.

544. As SWAPO continues to intensify the struggle for national liberation, the occupation régime must rely increasingly on the recruitment of mercenaries from abroad. According to SWAPO sources, mercenaries from the United Kingdom, Israel and Chile and former members of the Southern Rhodesian armed forces are reported to be serving with the South African occupation troops fighting SWAPO forces in Namibia.

545. At its extraordinary plenary meetings held at Panama City from 2 to 5 June 1981, the Council took note of the above developments and, in the Panama Declaration and Programme of Action on Namibia (see para. 222 above), strongly and vehemently condemned "the colonialist and racist régime of South Africa for its militarization of Namibia together with the forced conscription of Namibians and the use of that Territory for launching armed attacks against neighbouring States, particularly its repeated armed aggression against Angola". The Council also

denounced the continued assistance and support given by some Western countries to South Africa, enabling it to continue its illegal occupation of Namibia and its aggression against independent African States. In particular, the Council expressed "grave concern at the reported attempts by the Government of the United States aimed at destabilizing the legitimate Government of Angola by, inter alia, providing assistance to Angolan traitor groups in the service of the Pretoria régime".

546. In maintaining its illegal occupation of Namibia, South Africa continues to rely heavily on foreign sources for military goods and technology. On the other hand, a central goal of South Africa's strategic investment policy is the attainment of self-sufficiency in the production of armaments. Specific items now produced in South Africa include the French Mirage aircraft, a local version of the Italian Miacchi jet training aircraft, French-designed Panhard armoured cars, Israeli-designed missile boats, a derivative of the French Crotale surface-to-air missile, air-to-air missiles, artillery pieces, infantry weapons and a wide range of ammunition. 42/

547. Although much of the foreign military technology has been internalized by local industry, sources claim that Pretoria is still dependent on foreign suppliers for components and essential design technologies. Despite the international arms embargo, the Pretoria régime continues to receive considerable quantities of military equipment from abroad. The involvement of foreign corporations in military production takes the form of local production by subsidiary companies, foreign manufacture of equipment for export to South Africa, the granting of manufacturing licences to South African entities and the sale of "civilian" equipment which is actually used for military purposes.

548. In view of the failure of certain Member States to comply with the provisions of Security Council resolution 418 (1977), which calls for an arms embargo against South Africa, the United Nations Council for Namibia, in the Panama Declaration, again called upon Governments "to cease forthwith the provision to South Africa of arms and related matériel of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, para-military police equipment and spare parts for the aforementioned, and to cease as well the provision of all types of equipment and supplies and grants of licencing arrangements for the manufacture or maintenance of the aforementioned, as these would further strengthen South Africa's illegal occupation of Namibia".

549. The issue of South Africa's nuclear capability continues to be a matter of grave concern to the international community. It will be recalled that a mysterious "flash", thought by some to signify the detonation of a nuclear device, was detected in the vicinity of the Prince Edward Islands in September 1979. A similar explosion was recorded in the same general area on 15 December 1980, further adding to the suspicion that South Africa had acquired a nuclear-weapons capability.

42/ It is important to note that although some of the contracts and licences have expired, foreign sources have contributed to South Africa's current military capability.

550. The United Nations has remained seized of the implications of South Africa's nuclear-weapons capability, as evidenced by General Assembly resolution 35/206 B of 16 December 1980 on military and nuclear collaboration with South Africa. By that resolution, the Assembly condemned all States which violated the arms embargo and continued to collaborate with South Africa in the military and nuclear fields, in particular certain Western States and Israel, and urged the Security Council to take immediate steps to ensure the scrupulous and full implementation of the arms embargo imposed by the Council in resolution 418 (1977). The Assembly also requested the Security Council to take mandatory measures to strengthen the arms embargo and to secure the immediate cessation of any form of collaboration with the racist régime of South Africa in the military and nuclear fields.

551. In its earlier resolutions on the same topic, including 32/105 F of 14 December 1977, 33/183 G of 24 January 1979 and 34/93 E of 12 December 1979, the Assembly had also called on all States to cease forthwith all collaboration with South Africa in the nuclear field and to put an end to all transfers of nuclear equipment and material, technology and personnel. That prohibition was to apply equally to corporations, institutions, agencies and individuals under the States' jurisdiction.

552. Taking note of the seriousness of the over-all situation in South Africa, the General Assembly, in resolution 35/206 A, urged the Security Council to "determine that the situation in South Africa, and in southern Africa as a whole, resulting from the policies and actions of the racist régime of South Africa, constitutes a threat to international peace and security".

553. This grave danger has been caused by the collaboration extended to the apartheid régime at various levels by the United States, the United Kingdom, France and the Federal Republic of Germany, as well as Belgium, Israel, Japan, the Netherlands and Switzerland, including assistance in uranium extraction and processing, the supply of nuclear equipment, transfers of technology, the provisions of training and the exchange of scientists. Such collaboration, together with external financial support for the South African nuclear programme, has encouraged the Pretoria régime in its defiance of the international community and obstructed the struggle of the international community to secure the elimination of apartheid and an end to South Africa's illegal occupation of Namibia.

554. The most recent evidence of South Africa's military build-up was the massive and barbarous attack launched against Angola in August 1981, which entailed indiscriminate killing and destruction of property and created a situation of widespread terror in the region. The racist régime had again resorted to its sinister schemes, using illegally occupied Namibia as a spring-board for armed invasion and attempts to subvert the sovereignty and territorial integrity of Angola. The attack was also an indication of South Africa's intention to establish a fait accompli. Such manoeuvres have been repeatedly condemned and denounced by the United Nations and violate the principles of OAU and the Charter of the United Nations.

555. In a letter addressed to the Secretary-General on 26 August 1981, 43/ the President of Angola described the situation in the following terms:

"I have the honour of informing Your Excellency that the situation in my country has taken a turn for the worse in the last 24 hours, since we estimate that 3 to 4 brigades of the regular army of the South African régime supported by their air force using Mirage and Buccaneer type aircraft, along with helicopters, have attacked several units of our armed forces in our defence positions at a depth which surpasses 100 kilometres inside our borders with Namibia.

"Even while I am sending you this message, the city of Ondjiva, which is the seat of the province of Cunene, it being attacked and under bombing by the South African artillery and air force, in the direction of Xangongo (former Rocadas) - in Ondjiva the racist South African army is attacking with approximately 135 tanks, 140 transport and attack cars, 38 helicopters, reconnaissance aircraft, etc.

"In view of the gravity of the situation and the fact that it is rapidly deteriorating, I request of Your Excellency the urgent convening of the Security Council in order to take the necessary steps to avoid a confrontation of an even bigger magnitude, and that the immediate and unconditional withdrawal of all units of the South African army from the territory of the People's Republic of Angola be demanded."

556. On the same date, the Acting Foreign Minister of Angola addressed a communiqué to the Secretary-General 44/ conveying the following additional information:

"Following communication by His Excellency, the President of the People's Republic of Angola, to Your Excellency about the worsening military situation in the southern portion of my country, I have the honour of transmitting the details of the military situation prevailing up to the moment:

'On 23 August 1981, around 10:45 Hours, the racist South African Air Force made several reconnaissance flights over the areas of Ondjiva and Porto Alexandre. Simultaneously, 6 Mirage type aircraft and 2 Buccaneer type aircraft attacked and destroyed the city hall of Cahama, more than 200 kilometres inside our borders and the city of Tchibemba, which is situated more than 300 kilometres, also inside our national territory.

'Yesterday, 24 August 1981, around 10:00 Hours, there were new violations of our national air space, as well as the infiltration of South African forces distributed into two mobile columns.

'One of these was made up of 32 tanks and 82 armoured cars supported by their air force, proceeding towards the villages of Xangongo and Cahama.

43/ Official Records of the Security Council, Thirty-sixth Year, Supplement for July, August and September 1981, document S/14647, annex.

44/ Ibid., document S/14646, annex.

'The first of these columns entered into combat with our forces, in the area of Xangongo (about 100 kilometres inside our borders), with fierce fighting taking place until now.

'While these combats are taking place, the racist South African air force keeps the village of Xangongo under constant heavy bombing.

'The second column, after having occupied the village of Catequero (about 150 kilometres inside our borders), has entered into combat with our troops, with fierce fighting also taking place until now.'

VIII. CONSIDERATION OF LEGAL MATTERS CONCERNING NAMIBIA

557. The powers entrusted to the Council under General Assembly resolution 2248 (S-V) include, inter alia, the responsibility (a) to administer Namibia until independence, with the maximum possible participation of the people of the Territory; and (b) to promulgate such laws, decrees and administrative regulations as are necessary for the administration of the Territory until a legislative assembly is established following elections conducted on the basis of universal adult suffrage.

558. On 18 December 1972 the General Assembly, by its resolution 3031 (XXVII) of 18 December 1972, requested the Council to examine the question of bilateral and multilateral treaties which explicitly or implicitly included Namibia, with a view ultimately to replacing South Africa as the party representing Namibia in all relevant bilateral and multilateral treaties. Accordingly the Council included in its programme of work for the period under review, the examination of the bilateral and multilateral treaties which South Africa has purportedly signed in connexion with or on behalf of Namibia.

559. In this connexion the Council consulted a variety of sources, including a list compiled by the Office of the United Nations Commissioner for Namibia of all the treaties which South Africa entered into prior to and after the revocation of its mandate over Namibia. The list was based in part on a study prepared by the Secretary-General in 1971 on multilateral treaties to which South Africa was a party and which might be considered to apply to Namibia. 45/

560. The Council also requested the Office of the Commissioner to seek the advice of the Legal Counsel of the United Nations on the ways and means by which the Council might seek, in accordance with General Assembly resolution 3031 (XXVII), to replace South Africa as the party representing Namibia in the relevant bilateral and multilateral treaties.

561. On 8 April 1981, the Legal Counsel informed the Office of the Commissioner that "the 'replacement' of South Africa as the party representing Namibia in bilateral and multilateral treaties is, strictly speaking, a function of the Council's administering authority" and that "treaties concluded by South Africa purporting to apply to Namibia subsequent to the General Assembly's termination of South Africa's mandate ... have no legal application to Namibia by operation of law". The Legal Counsel further indicated that certain treaties which South Africa had concluded prior to the termination of its mandate over Namibia and which were of a humanitarian nature might be regarded as applicable to Namibia if they were in the interests of the Namibian people.

45/ Ibid., Twenty-sixth Year, Supplement for July, August and September 1971, document S/10288.

562. As described above (see paras. 229-281), the Council held a seminar at The Hague from 22 to 24 June 1981 in commemoration of the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1971. The purpose of the Seminar was to discuss in depth the legal aspects of the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia and the legal arguments strengthening the United Nations position regarding the status of Walvis Bay and the off-shore islands as an integral part of Namibia.

IX. CONSIDERATION OF SOCIAL MATTERS CONCERNING NAMIBIA

563. In the exercise of its mandate as the legal Administering Authority for Namibia until independence, the Council continues to maintain under constant review the social conditions in the Territory affecting the struggle of the Namibian people for self-determination, freedom and national independence in a united Namibia.

564. At its resumed thirty-fifth session, the General Assembly reaffirmed that mandate and, by resolution 35/227 C, requested the Council to "obtain relevant information from all available sources to denounce in depth South African schemes of ruthless exploitation of the people and resources of Namibia, including the exploitation of labour, the militarization of the Territory and the plunder of its natural resources".

565. The Council reviewed the social policies contained in the constitution and programme of action of SWAPO, which are designed to promote the total liberation of Namibia, the complete eradication of discrimination based on race or sex and the achievement of unity within the Territory. It observed that SWAPO had continued to put those policies into effect in Namibia's liberated zones and to reiterate in public statements its determination to build a Namibian society which would be based on equality and justice for all.

566. The Council denounced South Africa's continued sabotaging of international efforts for a peaceful settlement and its ruthless exploitation of the people and resources of Namibia through the abhorrent practice of apartheid. In that regard, the Council observed that South Africa had continued to strengthen the so-called constitutional structures designed to entrench its racist policies in Namibia and had enabled the so-called National Assembly and Council of Ministers to take increasingly repressive legislative and executive measures in an effort to stem the tide of support for SWAPO in the Territory.

567. Throughout the period under review, the illegal South African administration in Namibia continued the process of fragmenting Namibian society into some 12 political administrative entities, the so-called homelands. The so-called governments in these homelands continued to obtain greatly expanded powers of arrest, detention and other illegal powers which they used in an attempt to prevent the genuine national liberation of the Territory under the leadership of SWAPO.

568. In April 1980, the South African administration in Namibia enacted the Representative Authorities Proclamation (No. AG. 8), which illegally divided the Territory into 12 distinct political entities based on ethnicity. The largest and most economically viable part of the Territory, amounting to some 50.8 million hectares, or nearly 67 per cent of the total land mass, was reserved for the white minority in Namibia, while 32.8 million hectares of barren and

largely uninhabitable land were set aside for occupation by the majority of the population. The so-called white homeland, in addition to comprising game reserves, townships and high-quality farming land, contains all of Namibia's known base metal and diamond deposits and is the most commercially developed part of the Territory.

569. The vast majority of the Namibian people are thus forced to live under crowded conditions on scattered patches of land where sandy soils, inadequate rainfall and severe soil erosion render commercial farming or grazing difficult. These conditions are largely responsible for the migration of most able-bodied inhabitants of such areas to the white sector in search of employment. This deliberately contrived economic imbalance in Namibia has resulted in the existence of two different economic sectors within the Territory: the prosperous white sector, which attracts a constant supply of black job seekers, and the economically deprived black community, which exists on subsistence farming and wages earned from menial work.

570. Large multinational corporations and other financial interests, which illegally operate in defiance of Decree No. 1 for the Protection of the Natural Resources of Namibia, continue to absorb as much as half of Namibia's gross domestic product each year and are party to South Africa's illegal exploitation of Namibian resources. Moreover, these corporations continue to practice apartheid by maintaining wage and salary differentials based on ethnicity. It is reported that white workers constitute about 75 per cent of the elite class of managerial, administrative and technical professionals, while the black work force is engaged mostly in low-paying menial jobs.

571. According to Mr. John Ya Otto, spokesman for the National Union of Namibian Workers, the migrant labour system in Namibia has created deep resentment and opposition among the workers who are forced to live under it. The system involves long periods away from the worker's home. Accommodations at the place of work are provided under squalid conditions in single men's hostels which are frequently raided by the illegal South African police.

572. The Council expressed deep concern over the inadequate health care in Namibia. It found that health care was inextricably bound up with the Territory's apartheid system. Not only did the inhabitants of the black homelands suffer serious health problems as a result of poverty, uncertain food supplies, unsatisfactory housing and poor working conditions, but those problems were aggravated by the lack of adequate health care. The Council further noted that the black areas experienced widespread tuberculosis and high rates of infant mortality and addictive diseases such as alcoholism as a direct result of malnutrition, overcrowded living conditions (particularly in urban areas), isolation and a lack of treatment facilities.

573. In its consideration of the social conditions in Namibia, the Council took into account the testimony given at the hearings on Namibian uranium held at New York between 7 and 11 June 1980. Several speakers had pointed out that Namibians working the uranium mines at Rössing, as well as the general population in the surrounding areas, were subjected to serious health hazards as a result of the absence of safeguards against radio-active contamination.

574. The Council observed that any form of opposition to the oppressive policies of the illegal South African administration in Namibia continued to be ruthlessly suppressed. A number of draconian laws enacted over the years to enforce the

administration's bantustan policies had also been used to detain the majority of the leaders and supporters of SWAPO within the Territory. These included the Undesirable Removal Proclamation (No. 5) of 1920, as amended, the Native Administration Act (No. 15) of 1928, as amended, the Native (Urban Areas) Proclamation (No. 56) of 1951, the General Law Amendment Ordinance (No. 12) of 1956, the Riotous Assemblies Act (No. 17) of 1956, the General Law (No. 62) of 1966 and the Terrorism Act (No. 83) of 1967, as well as more recent repressive proclamations such as the Security Districts Proclamation (No. AG. 9), the Detention for the Prevention of Political Violence and Intimidation Proclamation (No. AG. 26) and the Civil Defence Proclamation (No. AG. 54) of 1978.

575. During the period under review, these and other laws were used to effect arbitrary arrests of SWAPO leaders, followers and supporters, resulting in long periods of imprisonment without trial. In addition, most detainees were held incommunicado under AG. 9, AG. 26 and the Terrorism Act. Many detainees and political prisoners are currently being held at such notorious prison centres as Robben Island, off Cape Town, South Africa, the military internship camp at Oshakati in Ovamboland and Camp Hardap Dam in the Marienthal district of Namibia.

576. The Council observed that a new and special type of intimidation against those who opposed the racist policies of the South African administration in the Territory, the so-called disappearances, had engendered fear and insecurity among the Namibian people. According to the February 1981 issue of Focus, a publication of the International Defence and Aid Fund for Southern Africa, "the illegal South African police and military have continued to kidnap men, women and children, never to be seen again, dead or alive". The disappearances, together with the establishment of compulsory military service for Namibian males (see paras. 535-537 above), have forced large numbers of Namibians to flee to the safety of neighbouring countries, notably Angola, Zambia and Botswana. The resulting influx of Namibians into those countries has compelled SWAPO to establish refugee camps in the border areas of the front-line States.

577. The Council also found conditions of gross neglect and racism in the education of the Namibian people. The initial stages of education in the Territory are under the control of the so-called homeland governments, most of which are in no position to finance public schooling for young children. The result has been an education system which serves only a minority of the school-age children in the black homelands.

578. What is more, the white homeland enjoys a separate educational system which is more comprehensive and more modern than that found in the black homelands. There are differences in school facilities, classroom practices, teacher training programmes, teachers' salaries, teacher-pupil ratios and in the amount of money spent per pupil per year, in accordance with the provisions of the Education Ordinance (No. 21) of 1975, as amended by the Education Amendment Ordinance (No. 3) of 1978.

579. The 1978 amendment makes provision for white children to be admitted to any educational institution which is established, registered and maintained in terms of the 1975 ordinance. Black children do not have such a right.

580. In addition, the existing system is imposed upon the parents of Namibian children by the illegal South African authorities, thus giving the parents no say in its aims and objectives. Under the National Education Act (No. 30) of 1980, the

authority to determine the goals of the education of Namibian children is vested in the Administrator-General. The Act also provides that the education of the Namibian people shall be "Christian" in character and shall aim at what the racist régime describes as cultivating "a healthy sentiment of undivided love for and loyalty to the common fatherland".

581. The powers of the illegal South African administration in Namibia apply at all levels of the educational system. Section 6 (1) of the 1980 Education Act, for example, empowers the Administrator-General alone to establish any new nursery, primary, secondary and special schools or schools of any other kind which he alone may deem necessary.

582. The Education Act also restricts equal educational opportunities for black students in many other areas. A new clause added to section 1 of the Act provides that black pupils may be admitted to any government or government-assisted educational institution subject to the overriding condition that they remain at such an institution at the pleasure of the educational authorities, who may at any time amend or withdraw the pupil's right to remain.

X. CONSIDERATION OF POLITICAL MATTERS CONCERNING NAMIBIA

583. In the exercise of its responsibilities as the legal Administering Authority for Namibia until independence, the Council has been guided since its establishment by the principles enshrined in the Charter of the United Nations, General Assembly resolution 1514 (XV) and other resolutions adopted by the Assembly on the question of Namibia. In conformity with the mandate entrusted to it under General Assembly resolution 2248 (S-V), the Council has endeavoured to obtain the withdrawal of the illegal South African administration from the Territory and to support the legitimate struggle of the Namibian people for self-determination, freedom and national independence under the leadership of SWAPO, their sole and authentic representative. In the fulfilment of its mandate the Council has received extensive support from the international community, including governmental and non-governmental organizations.

A. Efforts to implement Security Council resolution 435 (1978)

584. During the period under review, the question of Namibia remained the focus of world attention. Among other things, the international community noted with grave concern that the situation in and relating to Namibia had worsened following the deliberate sabotage by South Africa of the pre-implementation talks held at Geneva from 7 to 14 January 1981. In view of the continuing deterioration of the situation arising from South Africa's continued illegal occupation of the Territory and its intransigence with respect to the demands of the international community on this question, several United Nations bodies, as well as other international organizations, gave special consideration to the question of Namibia.

585. The international community reviewed the current situation in Namibia and in southern Africa as a whole and concluded that the stubborn efforts of the South African régime to perpetuate its illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its intransigence, as demonstrated most recently by its refusal at the Geneva pre-implementation meeting to accept the implementation of Security Council resolution 435 (1978), its militarization of Namibia and its constant attacks against independent African States, had created an explosive situation in southern Africa and constituted not only a threat to, but a manifest breach of international peace and security.

586. Initiatives were taken to mobilize a concerted international action to compel South Africa to implement Security Council resolution 435 (1978) and to end its aggression against neighbouring African States as well as its acts of repression against the Namibian people. The pre-implementation meeting held at Geneva in January 1981 was one element in that effort. The conclusions contained in the Secretary-General's report to the Security Council of 24 November 1980, 46/ which made the Geneva meeting possible, were agreed to after long consultation with South

46/ Official Records of the Security Council, Thirty-fifth Year, Supplement for October, November and December 1980, document S/14266.

Africa and other concerned parties. that report set the objective of independence for Namibia in 1981, with the understanding that a date for the cease-fire and a start of implementation should be set in the early part of 1981.

587. However, it is believed that South Africa, in agreeing to participate in the meeting, intended to use the conference to gain time to consolidate its stranglehold over Namibia and to give the so-called internal parties in Namibia as much credibility as possible.

588. In his opening speech the Secretary-General emphasized that the basic terms of a settlement had been accepted by both sides as long ago as 1978 and that there could be no question of renegotiating those fundamental agreements.

589. At the opening session held on 8 January, the President of SWAPO stated that his organization had accepted resolution 435 (1978) and was ready to co-operate with the United Nations Transition Assistance Group (UNTAG) in order to assure implementation of resolution 435 (1978). He added that SWAPO was ready to sign a cease-fire agreement in Geneva. As expected, the pre-implementation meeting ended in failure due to South Africa's refusal to come to terms with the international community.

590. Important debates were conducted and decisions taken by various international bodies and conferences which reviewed the question of Namibia in the light of the collapse of the Geneva meeting. At the conclusion of the meeting, the front-line States, Nigeria and OAU called for mandatory sanctions against South Africa in a joint press release issued in Geneva. At its resumed thirty-fifth session, held from 2 to 6 March 1981, the General Assembly adopted 10 resolutions on Namibia (see paras. 118-134 above). Among other things, the Assembly called for comprehensive sanctions against South Africa in order to ensure its immediate compliance with the United Nations independence plan for Namibia as envisaged in Security Council resolution 435 (1978).

591. Other relevant decisions include the declaration adopted at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981 (see para. 76 above); the final communiqué of the Extraordinary Ministerial Meeting of the Co-ordination Bureau of the Non-Aligned Countries on the Question of Namibia, held at Algiers from 16 to 18 April 1981 (see paras. 83-87 above); the plan of action adopted by the OAU Co-ordinating Committee for the Liberation of Africa at its thirty-sixth ordinary session, held at Arusha, United Republic of Tanzania, from 19 to 23 January 1981 (see para. 49 above); the resolution on Namibia adopted by the OAU Council of Ministers at its thirty-sixth ordinary session, held at Addis Ababa from 23 February to 1 March 1981 (see paras. 51 and 52 above); the final communiqué of the summit meeting of the front-line States, held at Luanda on 15 April 1981; 47/ the Georgetown Declaration of Solidarity and Support for the Liberation of Southern Africa, adopted at the International Forum on the Liberation of Southern Africa held at Georgetown from 30 April to 1 May 1981; 48/ the declarations adopted by the International Conference

47/ Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981, document S/14464, annex.

48/ A/36/330-S/14548, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

on Sanctions against South Africa, held at Paris from 20 to 27 May 1981 (see para. 20 above); the resolution on Namibia adopted by the OAU Council of Ministers at its thirty-seventh ordinary session, held at Nairobi from 15 to 21 June 1981, and endorsed by the Assembly of Heads of State and Government at its eighteenth ordinary session, held at Nairobi from 23 to 26 June 1981 (see paras. 67 and 68 above); the statement issued by the Seminar on Legal Issues Concerning the Question of Namibia, held at The Hague from 22 to 24 June 1981 (see paras. 259-281 above); and the decisions taken at the seminar for Western European trade union representatives on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, held at London on 29 and 30 June 1981 (see A/AC.131/L.219).

592. At the request of the Chairman of the African Group, 49/ the Security Council met from 21 to 30 April 1981 "to consider the question of Namibia in the light of the refusal of South Africa to implement Security Council resolutions on Namibia". The draft resolutions submitted to the Council were not adopted because of the negative votes cast by France, the United Kingdom and the United States (see paras. 138-159 above).

593. Participants at various international conferences condemned the reluctance of the members of the Western contact group, in particular those who were permanent members of the Security Council, to exert pressure upon South Africa commensurate with the special relationship which they enjoy with that country to co-operate in the implementation of the United Nations plan for Namibia. They also condemned the United States, the United Kingdom and France for their collusion with the South African racists as manifested by their negative votes in the Security Council, where the majority of members had demonstrated their determination to adopt concrete political and economic measures aimed at isolating racist South Africa in order to compel it to withdraw from Namibia. They reiterated the position that by that action those States had given increased comfort and succour to the Pretoria régime in its defiance of United Nations decisions on Namibia and its acts of aggression against the people of Namibia and against neighbouring States. They also emphasized the need for effective measures to be taken against South Africa and underlined the profound concern of the international community at the refusal of South Africa to implement the United Nations plan for the independence of Namibia.

594. Despite the resolutions and decisions of the United Nations and the international community, as well as the advisory opinion of the International Court of Justice of 21 June 1971, the major Powers of the North Atlantic Treaty Organization (NATO) continue to co-operate with South Africa in respect of its illegal occupation of Namibia.

595. The latest sinister schemes by certain members of the Western contact group, in particular the United States, have been directed at distorting the terms of Security Council resolution 435 (1978), thus depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation.

49/ Ibid., document S/14434.

B. Decision taken at the extraordinary plenary meetings of the Council at Panama City

596. The United Nations Council for Namibia held a series of extraordinary plenary meetings at Panama City from 2 to 5 June 1981 to assess the situation in Namibia with a view to recommending to the General Assembly appropriate action to be taken against South Africa in light of its refusal to implement Security Council resolution 435 (1978). In its Panama Declaration and Programme of Action (see para. 222 above), the Council, inter alia, called upon all States Members of the United Nations to take immediate unilateral and collective action to impose comprehensive sanctions against the racist régime of South Africa in order to ensure South Africa's immediate compliance with the resolutions and decisions of the United Nations relating to Namibia.

597. The Council expressed concern about current manoeuvres by the Western contact group aimed at imposing a neo-colonial solution on Namibia with the purpose of safeguarding their respective economic, political and military interests in the Territory. The Council also expressed "grave concern at the reported attempts by the Government of the United States aimed at destabilizing the legitimate Government of Angola, by, inter alia, providing assistance to Angolan traitor groups in the service of the Pretoria régime". The Assembly of Heads of State and Government of OAU, at its eighteenth ordinary session, further condemned the overt or covert collusion of certain Western countries, in particular the United States, with the South African racists, which had obstructed the efforts of the international community to achieve the objective of genuine independence for Namibia (see para. 68 above).

598. The Council noted in the Panama Declaration that the collapse of the pre-implementation meeting and subsequent manoeuvres to impose upon the Namibian people so-called constitutional arrangements in contravention of Security Council resolution 435 (1978) prior to the holding of free and fair elections under United Nations supervision and control had made it imperative for the Council to reaffirm its position of support for the legitimate aspirations of the Namibian people for self-determination, freedom and national independence in a united Namibia.

599. The Council denounced and rejected the attempts of South Africa and its allies to give to the question of Namibia a dimension contrary to that of an act of colonial domination in violation of the principles and objectives of the Charter of the United Nations. The Council affirmed that the question of Namibia was one of decolonization and that it must be resolved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

600. The Council called upon all Member States to work resolutely for the immediate implementation of the United Nations plan for the independence of Namibia, contained in Security Council resolutions 385 (1976) and 435 (1978), without any modification, qualification, dilution, prevarication or delay.

C. Struggle for national liberation

601. By its resolution 35/227 A, the General Assembly reiterated its support for the struggle of the people of Namibia, under the leadership of SWAPO, their sole and authentic representative, to achieve self-determination, freedom and independence in united Namibia and reaffirmed its full support for the armed struggle of the Namibian people under the leadership of SWAPO. The Assembly highly commended the sense of responsibility, statesmanship and positive approach demonstrated by SWAPO in its efforts to implement United Nations resolutions.
602. In his statement before the General Assembly on 6 March 1981, the President of the Council said that the United Nations call for support to the people of Namibia in their armed liberation struggle had been acknowledged and supported by the General Assembly on the grounds that South Africa had refused to accept any peaceful solution to the problem of Namibia. South Africa did not understand any language other than that of armed struggle. 50/
603. The representative of SWAPO, while reiterating his organization's determination to continue the armed struggle until self-determination, freedom and independence were achieved in Namibia, stated that SWAPO remained committed to the search for a negotiated settlement for the Territory. The first step in that direction would be the "ending of the hostilities raging in Namibia by the signing of a cease-fire agreement between SWAPO and South Africa". 51/
604. During the period under review, despite the reign of terror carried out against SWAPO and its supporters by South Africa, as well as South Africa's persistent repressive measures against the Namibian people, the struggle for the liberation of the Territory was intensified by the people of Namibia under the leadership of SWAPO, their sole and authentic representative.
605. The armed struggle of the Namibian people enjoys the overwhelming support of the international community, as reflected in numerous General Assembly resolutions. It is also consistent with the aims and objectives of SWAPO as outlined in its constitution. These objectives include: (a) the immediate and total liberation of Namibia from colonial and imperialist occupation; (b) the unity of the people of Namibia irrespective of race, religion, sex or ethnic origin; (c) co-operation with all other genuine national liberation movements, progressive governments, organizations and individuals throughout the world towards the elimination of colonialism; (d) the establishment in Namibia of a democratic secular government founded on the will and participation of all the Namibian people; and (e) the creation of a non-exploitative and non-oppressive classless society.
606. In order to achieve these aims and objectives, the organization's constitution provides for the creation of a number of organs within the internal wing of SWAPO charged with various functions and duties contributing to the realization of the ultimate objective of self-determination, freedom and national independence for the people of Namibia.

50/ Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings, 111th meeting.

51/ Ibid.

607. In the course of Namibia's protracted struggle for national liberation, the participation of women has become one of the most important objectives of SWAPO. The SWAPO Women's Council was established in recognition of this fact. The aims and objectives of the Women's Council are, among other things, the achievement of equality for women as well as their full participation in the struggle for national and social liberation; the development and deepening of political consciousness and revolutionary militance among Namibian women; and the full participation of women in public administration, in education and in the cultural activities of Namibian society.

608. During the period under review, as in previous years, Namibian women have been persecuted and detained because of their political activities, in large-scale arrests carried out by the illegal South African administration in Namibia.

D. Illegal occupation of Namibia by South Africa

609. While SWAPO was fighting, with considerable success, to achieve its political and military goals, the illegal South African administration remained in Namibia, building up its so-called internal constitutional structures and security forces within the Territory in an attempt to thwart the efforts of the international community to fulfil the legitimate aspirations of the Namibian people. The South African administration divided the Territory into 12 bantustan administrative units on 1 July 1980 and created an illegal "three-tier" administrative system in an effort to perpetuate its bantustan policies. In pursuit of its sinister designs, the administration encouraged the formation of such puppet political groups as the Namibia National Front (NNF), the South West African National Union (SWANU), SWAPO-Democratic (SWAPO-D), the Action Front for the Retention of Turnhalle Principles (AKTUR) and the Democratic Turnhalle Alliance (DTA). Throughout 1980 fruitless efforts were made by the South African administration in Namibia to unify or form an alliance of these puppet organizations against SWAPO.

610. Meanwhile, the struggle waged by SWAPO continued to expand in the Territory. The Windhoek Observer reported on 18 July 1981 that large-scale fighting waged by the SWAPO combatants had taken the form of a "generalized offensive in the north-eastern, northern and north-western parts of the country" inflicting powerful blows on the racist South African forces on 7 and 8 July at Etoka, Akwaluundi and Okalongo, and resulting in the capture of sophisticated communications equipment as well as other war materials.

611. The General Assembly at its thirty-fifth session, by resolution 35/227 A, strongly condemned the manoeuvres of South Africa in Namibia aimed at transferring power to illegitimate groups subservient to its interests in order to maintain its policies of domination and exploitation of the people and natural resources of the Territory.

612. In the Panama Declaration, the Council urged all States Members of the United Nations not to recognize any "internal settlement" of the question of Namibia and reiterated that free and fair elections under the supervision and control of the United Nations were an essential prerequisite to the full implementation of the United Nations peaceful negotiated settlement of the question of Namibia in accordance with Security Council resolution 435 (1978). The Council also called upon the international community to increase all possible support to SWAPO, the sole and authentic representative of the Namibian people, so that it might pursue its strategies in the military, political and diplomatic fields.

XI. ACTIVITIES OF THE UNITED NATIONS COMMISSIONER FOR NAMIBIA

613. By resolution 2248 (S-V), the General Assembly decided that the Council should entrust such executive and administrative tasks as it deemed necessary to the United Nations Commissioner for Namibia. The Assembly further decided that in the performance of his tasks the Commissioner should be responsible to the Council.

614. The programme of work of the Council, defined by General Assembly resolution 35/227 C, forms the basis and framework for the activities of the Office of the Commissioner for the implementation of the Council's decisions.

A. Collection and analysis of information and research relating to Namibia

615. During the period under review, the Office of the Commissioner continued to collect and analyse information relating to Namibia and closely followed internal political and legal developments in South Africa concerning Namibia.

616. It continued to work towards securing effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia and undertook appropriate activities to that end which included, inter alia: maintaining contact with participants in the 1980 hearings on Namibian uranium and other experts in the field; the exchange of new and supplementary information with the consultant on Namibian trade patterns; and consultations with Dutch support groups and lawyers in preparation for the Seminar on Legal Issues Concerning the Question of Namibia. It also continued to brief bar groups and assisted in the briefing of United States congressional assistants concerning the Decree. In the spring of 1981 the Office of the Commissioner persuaded the gift shop of the Smithsonian Institute in Washington, D.C. to stop selling carved pendants made of semi-precious stones from Namibia.

B. Education, training and welfare of Namibians

617. During the period under review, the Office of the Commissioner continued to co-ordinate and manage, in accordance with the approved guidelines for the administration of the United Nations Fund for Namibia, programmes of educational, social and relief assistance for Namibians. The Office of the Commissioner prepares project proposals for consideration by the Committee on the Fund and reports semi-annually to the Committee on the activities financed from the general account of the Fund. A detailed report on these activities is included in paragraphs 450 to 492 above.

C. Nationhood Programme for Namibia

618. The Office of the Commissioner has been designated by the Council as the co-ordinating authority for the implementation of the Nationhood Programme.

619. Pursuant to paragraph 5 (n) of General Assembly resolution 33/182 C, in which the Assembly requested the Secretary-General to provide the Office of the Commissioner with the necessary resources for the performance of its expanded responsibilities, the Commissioner's Office in New York and the Regional Office at Lusaka were accordingly strengthened during 1981.
620. As co-ordinating authority, the Commissioner's Office has established and consolidated a framework of close and continuous working relations with SWAPO, the United Nations Institute for Namibia, OAU, UNDP, the specialized agencies and other organizations and bodies within the United Nations system.
621. Following recommendations by SWAPO in August 1978 regarding priorities among the projects, 46 pre-independence projects, many of them involving training, have been approved by the Council and brought to the stage of implementation in 1980 and the first six months of 1981.
622. In accordance with decisions of the Council, the Commissioner has maintained consultations with UNDP concerning the administration of the Nationhood Programme through an arrangement reached in 1979 between UNDP and the Office of the Commissioner on the administration of the projects. According to the agreed guidelines, the transmission of funds from the United Nations Fund for Namibia to the executing agencies continues to take place through UNDP under the arrangement of a "UNDP Trust Fund for the Nationhood Programme of the Fund for Namibia" established on 20 April 1979 by the Controller of the United Nations and delegated to the Administrator of UNDP. UNDP subsequently makes allocations and remittances to the executing agencies to meet the project expenditures.
623. During the period under review, members of the Commissioner's Office conducted consultations regarding the implementation and evaluation of the Nationhood Programme with SWAPO, the United Nations Institute for Namibia and specialized agencies of the United Nations system. Further consultations were held with authorities of the University of East Anglia in the United Kingdom and other institutions where Namibians are training.
624. Pursuant to the resolution adopted by the Council on 7 February 1980 (A/AC.131/74), which requested the Commissioner to organize a series of sectoral planning workshops for the further development of the Nationhood Programme, members of the Commissioner's Office held consultations with representatives of the Governments of Angola, Botswana, Ethiopia, Ghana, Mozambique, Nigeria, Sudan, the United Republic of Tanzania, Zambia and Zimbabwe regarding the proposed workshops. As a consequence of those consultations, planning workshops were held in Mozambique and the United Republic of Tanzania in August 1980 and in Ethiopia in April 1981. A fourth planning workshop is scheduled to take place in the second half of 1981 (see paras. 459-463 above).
625. The activities of the Nationhood Programme have continued to expand. Many consultants have been recruited under the various sectoral survey projects to undertake the necessary studies and several students have been selected for the training fellowships provided under the Programme. Many more consultants and students are being selected for the execution of the remaining projects. In addition, the recommendations emanating from the sectoral planning workshops, once considered by the Council, will provide the basis for the further planning and elaboration of a comprehensive programme of assistance for Namibia within the framework of the Nationhood Programme.

D. Fund-raising activities

626. The Commissioner carried out fund-raising activities to ensure the financing of the activities of the Institute, the implementation of the Nationhood Programme and other programmes financed from the Fund. During the period under review, responses to appeals for funds were encouraging (see A/AC.131/L.186, para. 10).

E. Offices of the Commissioner at Lusaka and Gaborone

627. During the period under review, the Offices of the Commissioner at Lusaka and Gaborone continued to contribute to the provision of assistance to Namibians. Following the launching of the Nationhood Programme in 1976, the Regional Office at Lusaka diversified its operations, placing greater emphasis on programmes of assistance. In addition to servicing current programmes, such as those involving scholarships, training and emergency provisions, the Regional Office has been actively involved in new initiatives in the field to meet the long-term needs and aspirations of the Namibian people.

628. The Regional Office at Lusaka continued to collaborate with UNDP, UNHCR and the specialized agencies of the United Nations in working out an integrated approach to programmes of assistance for Namibians. In the same connexion, the Regional Office continued to maintain effective liaison with the Institute, particularly in respect of providing remedial training to Namibians in English and mathematics as a means of strengthening their educational background.

629. The role of the Regional Office with regard to the Nationhood Programme follows from the planning workshop held at Lusaka in May 1978. The Regional Office has been actively involved in the work of appraising and preparing projects for implementation in consultation with SWAPO and the executing agencies concerned. During the period under review, several projects under the Nationhood Programme reached the stage of implementation. The Regional Office played a major role in the co-ordination of activities associated with those projects. Among other things, it co-ordinated the placement of 106 Namibians in training programmes in various countries. It also provided facilities and services to 22 consultants engaged in various endeavours under the Nationhood Programme.

630. The Regional Office continued to maintain close liaison with SWAPO on all matters of mutual concern within the context of relevant policies and decisions of the Council.

631. The Regional Office participated in the three sectoral planning workshops organized by the Office of the Commissioner in August 1980 and in April 1981. Among other things, the Office was actively involved in establishing contacts with African Governments and making conference arrangements.

632. The administrative support project established at the Regional Office continued to ensure that sufficient and qualified services were available to the project personnel so as to enable the Office to cope with the increased volume of work generated by the Nationhood Programme. As a result, the Nationhood Programme was one of the main preoccupations of the Regional Office in 1980 and the first half of 1981.

633. During the period under review, the Regional Office issued 514 new travel and identity documents and 376 renewals. ^{52/} In that regard, it maintained close liaison with the appropriate authorities of the Government of Zambia.
634. The Office of the Commissioner at Gaborone has served a particularly useful function in monitoring and keeping the New York Office apprised of developments in southern Africa.
635. During the period under review, the Gaborone Office maintained effective co-ordination with the Government of Botswana, SWAPO, UNDP and UNHCR in providing assistance to Namibian refugees. The Office Representative undertook periodic visits to refugee settlements in order to assess the needs of Namibians there.
636. The Gaborone Office also continued its survey of training opportunities for Namibians and maintained contact with educational institutions in Botswana in connexion with the implementation of Nationhood Programme projects. The Office facilitated the work of consultants who were conducting studies under the Nationhood Programme and assisted in placing Namibians in educational institutions. It also facilitated the placement of 10 trainees from the United Nations Institute for Namibia who were on a secondment programme to undergo practical training in Botswana. Concerning travel documents issued to Namibians by the Council, the Office negotiated an agreement with the Government of Botswana containing a "return clause" which provides re-entry facilities for Namibians who depart Botswana on temporary leave.
637. The Gaborone Office also participated effectively in the planning and holding of the sectoral workshops organized by the Office of the Commissioner in August 1980 and April 1981. The Office undertook missions to establish contacts with various African Governments in this regard.
638. In addition, the Gaborone Office participated actively in the proceedings of the Multinational Programming and Operational Centre for eastern and southern African States members of ECA, held at Maseru in January 1981.

^{52/} In addition to the 88 States listed in the Official Records of the General Assembly, Thirtieth Session, Supplement No. 24 (A/10024), vol. II, annex IV, Botswana and Zimbabwe have since agreed to accept the travel documents issued by the Council.

XII. PARTICIPATION OF THE SOUTH WEST AFRICA PEOPLE'S ORGANIZATION AS
THE SOLE AND AUTHENTIC REPRESENTATIVE OF THE NAMIBIAN PEOPLE

639. SWAPO, which is recognized by the United Nations as the sole and authentic representative of the Namibian people, continued to participate actively during the period under review in the work of the Council. By resolution 35/227 C, the General Assembly renewed its decision that the Council should continue to consult with SWAPO in the formulation and implementation of its programme of work, as well as in any matter of interest to the Namibian people.
640. In a letter dated 9 June 1981 addressed to the President of the Council, Mr. Gurirab, Permanent Observer of SWAPO to the United Nations, requested that a critical reappraisal be made of General Assembly resolution 2248 (S-V), which established the mandate of the Council, so as to ensure that the primary objectives contained therein were retained and that the Council would reaffirm its commitment to the principles of the resolution in support of self-determination and genuine independence for Namibia.
641. The Council, at its 340th meeting held on 13 November 1980, considered a report submitted by the President on the implementation of the mandate of the Council (A/AC.131/83), in which the President reviewed the consultations undertaken by various subsidiary organs of the Council in response to the above-mentioned request. At the same meeting, the Council adopted a resolution on its mandate by which it decided that the Member States of the Council should be committed, inter alia, to uphold the cause of Namibia as the cause of the United Nations, to adhere fully to all resolutions of the United Nations on Namibia, particularly General Assembly 2248 (S-V), and to act in accordance with the recognition granted by the United Nations to SWAPO as the sole and authentic representative of the Namibian people and to support SWAPO in its legitimate struggle for Namibia's freedom and independence. (For the full text of the resolution, see para. 706 below.) Reservations on the resolution were made by Australia, Belgium and Finland.
642. On 2 March 1981, in a statement to the General Assembly at its thirty-fifth session, 53/ Mr. Gurirab said that the cause of the Namibian people was one of decolonization and of the attainment of the right to self-determination, freedom and national independence; it was a cause of liberation, social justice and progress. He noted that those were some of the ideals for whose fulfilment the United Nations had been founded.
643. Mr. Gurirab stated that SWAPO had adopted a strategy of engaging the enemy on all fronts: military, political, diplomatic and ideological. Referring to the failure of the Geneva pre-implementation talks, the Permanent Observer of SWAPO said that the international community had put the responsibility for that failure squarely on the Pretoria régime, which had deliberately wrecked the meeting.

53/ Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings, 103rd meeting.

644. He stated that SWAPO had no other choice but to intensify the armed liberation struggle and that it expected generous and all-round support and assistance from the world community.
645. In a further statement at the closing of the debate on Namibia on 6 March 1981, 54/ the Permanent Observer of SWAPO reassured the United Nations, and particularly the Secretary-General, of the continued readiness of SWAPO to co-operate with him and his assistants in the common search for genuine independence for Namibia.
646. In addition to participating actively in the work of the Council, its Steering Committee, its standing committees, its Committee on the Fund and its Drafting Committee, SWAPO also takes part in the Council's missions of consultation with Governments of States Members of the United Nations. During 1981, SWAPO representatives were members of the missions of the Council to Asia, Latin America, Eastern Europe and Western Europe and contributed substantively to the discussions of the missions with the Governments consulted (see paras. 282-402 above).
647. SWAPO also participated in the organization of the Council's Seminar on Legal Issues Concerning the Question of Namibia, held at The Hague from 22 to 24 June 1981. A SWAPO delegation headed by the Deputy Secretary for Legal Affairs took an active part in the work of the Seminar and contributed to the preparation of its conclusions and recommendations (see paras. 229-281 above).
648. Furthermore, leaders and representatives of SWAPO continued to provide the Council with information on the activities of SWAPO and the progress of the liberation struggle as well as on the manoeuvres of the racist South African régime to perpetuate its illegal occupation of Namibia.
649. In keeping with the Council's policy of intensive consultations with SWAPO, a delegation headed by the Chairman of Standing Committee II held meetings at Paris in September 1980 with the President and other leaders of SWAPO regarding the programme of work of the Council for 1981.
650. The President of SWAPO, by letter dated 25 May 1981 addressed to the President of the Council, extended an invitation to the Council to send a delegation to visit the Namibia Health and Education Centres in Angola and Zambia. The invitation has been accepted by the Council.
651. On 2 June 1981, Mr. Peter Katjavivi, representative of SWAPO, made a statement at the extraordinary plenary meetings of the Council in Panama City (see paras. 191-202 above). The SWAPO representative indicated that the serious nature of the situation prevailing in Namibia was witnessed by South Africa's rapidly increasing militarization of the Territory. The South African occupation army stood at 100,000 troops, including 30,000 Namibians recruited by conscription.
652. He also stated that the seriousness of the situation had been further aggravated by the negative votes of the Western permanent members in the Security Council on sanctions against South Africa.

54/ Ibid., 111th meeting.

653. He added that Swapo called upon the Council and all peace-loving nations vigorously to oppose and condemn the collaboration of certain Western Powers with racist South Africa in the political, military, commercial, cultural and other fields.

654. During the period under review, the Council and SWAPO continued to conduct fruitful consultations at United Nations Headquarters. SWAPO also continued to participate in the deliberations of the Security Council on the question of Namibia under rule 39 of the provisional rules of procedure of the Security Council. Thus a SWAPO delegation, headed by the Secretary for Foreign Relations, participated in the debate when the Security Council met from 21 to 30 April 1981 to consider the question of Namibia (see paras. 138-162 above).

655. SWAPO also participated in the deliberations and the work 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 and the Special Committee against Apartheid whenever these organs discussed matters pertaining to the question of Namibia. Furthermore, in accordance with General Assembly resolution 31/152 of 20 December 1976, SWAPO participated in the deliberations of the international conferences convened under the auspices of the General Assembly and of other organs of the United Nations. During the period under review, SWAPO attended the sessions of the Third United Nations Conference on the Law of the Sea held at Geneva in August 1980, at New York in April 1981 and at Geneva in August 1981. It continued to co-operate actively with the specialized agencies and other institutions within the United Nations system, notably the ILO, FAO, UNESCO and WHO, in their activities relating to Namibia.

656. The Council gave assistance to SWAPO in organizing, in co-operation with non-governmental organizations and support groups, a major international conference entitled the International Conference in Solidarity with the Struggle of the People of Namibia, held at Paris from 11 to 13 September 1980. The Council delegation, headed by the President of the Council, participated in the Conference as a member of the Presidium. Representatives of the Council and SWAPO were also members of the drafting committee of the Conference, whose activities led to the adoption of a declaration on Namibia. 55/

657. The Council also supported the seminar on the implementation of Decree No. 1 held at London from 29 to 30 June 1981. The seminar was organized by SWAPO in co-operation with the Namibia Support Committee. A Council delegation, headed by the Chairman of Standing Committee II, attended the seminar in the capacity of observer and submitted to the Council a report on its participation in the Seminar (see A/AC.131/L.219)

55/ See annex IV to the present report. Official Records of the Security Council, Thirty-fifth Year, Supplement for October, November and December 1980.

XIII. DISSEMINATION OF INFORMATION

658. By resolution 35/227 H on dissemination of information on Namibia, the General Assembly reiterated the importance of publicity as an instrument for furthering the mandate given by the Assembly to the Council and the pressing need for the Department of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia.

659. By the same resolution, the Assembly decided to launch a world campaign to support United Nations resolutions for a free and independent Namibia and, to that end, requested the Council, in co-operation with the appropriate organs of the United Nations, to formulate a programme of activities on dissemination of information, including the following:

(a) Preparation of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa;

(b) Production of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films on Namibia;

(f) Production of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia.

660. It also requested the Secretary-General urgently to undertake, in consultation with the Council, the preparation of a comprehensive economic map of Namibia.

661. During the period under review, the Council continued its efforts to disseminate information to Governments, institutions, non-governmental organizations and directly to the public, in order to mobilize a well-informed world public opinion in support of genuine independence for Namibia.

662. In pursuance of its programme of work, the Council worked closely, through its Standing Committee III, with the Department of Public Information in its endeavour to intensify informational activities related to the question of Namibia and to give that Department guidance on specific projects for dissemination of information to the general public.

663. Standing Committee III approved its programme of work for 1981 (A/AC.131/L.220) at its 79th to 81st meetings, held between 25 February and 11 March 1981.

664. At its 348th meeting, held on 24 April 1981, the Council considered various aspects of the question of Namibia, taking into account (a) the situation which existed as a result of South Africa's having caused the breakdown of the Geneva meeting; and (b) the increased political, military and economic support rendered to the illegal occupying régime by the United States and other Western States. It decided to amend part (b) of the terms of reference of Standing Committee III to read as follows: 56/

"(b) To consider ways and means of acquainting world public opinion with all aspects of the question of Namibia, especially in the light of the continued defiance by South Africa of the United Nations resolutions on Namibia, particularly resolution 435 (1978) of 29 September 1978, and to entrust the Department of Public Information and other relevant bodies of the Secretariat with the carrying out of specific tasks under the Committee's programme;"

The activities of the Council in this regard are summarized below.

A. Press and publications

665. The Department of Public Information, in consultation with the Council, gave wide coverage to the work of the Council through releases (in English and French) distributed to the press, delegations and non-governmental organizations at Headquarters and to the United Nations information centres throughout the world. The Department issued releases on all public meetings of the Council at Headquarters, as well as the International Conference in Solidarity with the Struggle of the People of Namibia, held at Paris from 11 to 13 September 1980; the pre-implementation talks held at Geneva from 7 to 14 January 1981; the extraordinary plenary meetings of the Council held at Panama City from 2 to 5 June 1981; the International Conference on Sanctions against South Africa, held at Paris from 20 to 27 May 1981; and the Seminar on Legal Issues Concerning the Question of Namibia, held at The Hague from 22 to 24 June 1981.

666. Press releases were issued on the Council's missions of consultation to Latin America, Western Europe, Eastern Europe and Asia (4 May to 14 August 1981). In addition, the Department distributed to non-governmental organizations, the media and educational institutions, the texts of statements concerning Namibia by the President of the Council, the Secretary-General and the President of the General Assembly.

667. The solemn meetings of the Council commemorating Namibia Day (26 August) and the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO (commencing 27 October) were also given coverage.

668. The Department also publicized the activities of the Council through the daily press briefings for the press corps and delegation press officers, and arranged press conferences for representatives of the Council.

56/ The Council approved the original terms of reference of Standing Committee III at its 297th meeting held on 17 April 1979. See Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. II, paras. 37 and 38.

669. The Council assumes that material on the question of Namibia was provided to the pool of non-aligned news agencies on a regular basis and that information on the Council's activities was transmitted by telegram daily to the network of United Nations information centres for dissemination to the local media.

670. The United Nations information centres highlighted the activities of the Council through local broadcasts. Centre directors also initiated direct contacts with the media so as to encourage the media to disseminate information on the question of Namibia. Most centres reported that articles had been written in the local press and that special broadcasts had been made on the situation in Namibia.

671. The Department of Public Information continued to disseminate information on the work of the Council and other United Nations organs through its publications, United Nations Monthly Chronicle and Objective: Justice, and also in such general reference works as the Yearbook of the United Nations, Everyone's United Nations, Basic Facts about the United Nations and United Nations Today (Suggestions for Speakers).

672. In particular, the three issues of Objective: Justice published in December 1980 and in May and August 1981 included extensive coverage of issues related to Namibia. The 1980 edition of United Nations Today (Suggestions for Speakers) contained a special chapter devoted to Namibia. This booklet is published in English, French and Spanish, with a print run of 100,000 copies, and distributed to United Nations information centres, speakers on the United Nations, students and members of non-governmental organizations throughout the world.

673. During the period under review, the Publications Service of the Department of Public Information published a booklet entitled United Nations Council for Namibia: Meetings at Algiers, which contains excerpts from statements made during those meetings, as well as the texts of the Algiers Declaration and Programme of Action on Namibia and of Decree No. 1 for the Protection of the Natural Resources of Namibia.

674. Two previously published pamphlets were reprinted: Namibia: A Trust Betrayed and Namibia - a Unique UN Responsibility. A pamphlet on the hearings on Namibian uranium held at Headquarters from 7 to 11 July 1980 is due to be released before the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO, which will commence on 27 October 1981.

675. In accordance with General Assembly resolution 35/227 H (see para. 660 above), the Council requested the Cartographic Unit of the Department of Conference Services to undertake the research necessary to prepare a comprehensive economic map of Namibia.

676. Standing Committee III has maintained liaison with the Unit regarding the above-mentioned request. In August 1981 the Unit reported that it would have the map completed by the end of the thirty-sixth session of the General Assembly.

B. Radio and visual services

677. During the period under review, the Council continued to arrange for radio coverage of developments relating to Namibia and the work of the General Assembly, the Security Council, the United Nations Council for Namibia and other United

Nations bodies concerned with Namibia. The coverage took the form of short-wave broadcasts of meetings, telephone and radio circuit feeds, newscasts and weekly and monthly programmes in over 20 languages. Radio coverage was also provided for the extraordinary plenary meetings of the Council held at Panama City from 2 to 5 June 1981.

678. Perspective, a weekly feature programme in English adapted into several other languages, devoted three editions to the question of Namibia; UN Africa, a monthly programme in English, dealt with the question in its April 1981 issue; L'Afrique à l'ONU, a weekly programme in French, used items on Namibia in 15 issues; and UN Africa, a newscast-radio magazine broadcast on short-wave daily during the General Assembly and weekly at other times, carried items on Namibia in 34 issues. L'ONU et l'Afrique, a weekly programme in French, dealt with the issue in 19 broadcasts; Punto de Vista, a weekly programme in Spanish, devoted one entire edition to the question; and Puntos Cardinales, another weekly programme in Spanish, had items on Namibia in four of its editions. The Week at the United Nations, a weekly news and feature programme in English which is carried by two United States radio networks in addition to its world-wide distribution, featured Namibia on numerous occasions; and Caribbean Echo, a monthly programme in English broadcast to the Caribbean region, dealt with the question in five of its editions.

679. Four series of six 15-minute radio programmes, which were to have been produced in 1980, were submitted to Standing Committee III and reviewed by a working group of that Committee in May 1981. These programmes treated various aspects of the question of Namibia. Initially prepared in English, they are now being adapted into Spanish and French. Consultations with broadcasting organizations are being undertaken concerning the adaptation of the programmes into German. The Department of Public Information has yet to submit the four series of programmes for 1981 in English, French, German and Spanish.

680. The Department of Public Information continued to provide extensive film, television and photo coverage of the activities of the Council and the programmes relating to its work. The meetings of the General Assembly at its resumed thirty-fifth session on Namibia were telecast by Eurovision and 36 other networks. A special film unit was assigned to cover the International Conference on Sanctions against South Africa, held at Paris from 20 to 27 May 1981.

681. A special exhibit showing publications, information materials and articles on a broad range of southern African issues, with special emphasis on the Namibian question, was prepared for the May meeting of the Committee on Information and was used for the 1981 Graduate Intern Programme.

682. A short feature film entitled "Freedom for All", edited from "Namibia: A Trust Betrayed", was produced as part of the 1980-1981 "Vignette" series. A 60-second television spot on Namibia was released and distributed to United Nations information centres around the world. In accordance with the decision of the Council, the Department of Public Information is examining the possibility of preparing a film on the exploitation of the uranium resources of Namibia, using existing footage. It has been recommended that this compilation be confined to the material contained in the film "Follow the Yellowcake Road". After prolonged negotiations the Department of Public Information has begun acquiring footage from Grenada Television.

683. In addition to reprinting a poster on the 1980 uranium hearings, the Council produced a poster with the new slogan "STOP THE PLUNDER OF NAMIBIA'S NATURAL RESOURCES". An exhibit panel containing up-to-date information on Namibia was produced to commemorate the Week of Solidarity with the Struggling People of Southern Africa.

C. External relations

684. The Council made the following publications on Namibia available to the United Nations information centres, which used them in their exhibitions: United Nations Council for Namibia: Meetings at Algiers; United Nations Conference on Sanctions against South Africa; Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; and Plights of Black Women in Apartheid South Africa.

685. A short explanation of United Nations activities on Namibia was included in the one-hour lecture tour given by United Nations guides at Headquarters. Several briefings on developments in Namibia were arranged for non-governmental and other organizations, and a variety of relevant materials on Namibia were distributed to the public.

D. Dissemination of information by the Office of the United Nations Commissioner for Namibia

686. The Commissioner's Office continued to serve as an additional source of information on the activities of the Council. It prepared the substantive parts of the Namibian Bulletin, a quarterly publication in English, Spanish, French and German. The Commissioner's Office also published Namibia in the News, a weekly newsletter which is distributed to all Member States and non-governmental organizations.

PART THREE

ORGANIZATION AND DECISIONS OF THE COUNCIL

I. ORGANIZATION OF THE WORK OF THE COUNCIL

A. Establishment of the Council

687. The Council, as established under General Assembly resolution 2248 (S-V), consisted of 11 members, and was subsequently enlarged pursuant to Assembly resolutions 3031 (XXVII) of 18 December 1972, 3295 (XXIX) of 13 December 1974 and 33/182 A of 21 December 1978. The Council now consists of the following 31 members: Algeria, Angola, Australia, Bangladesh, Belgium, Botswana, Bulgaria, Burundi, Chile, China, Colombia, Cyprus, Egypt, Finland, Guyana, Haiti, India, Indonesia, Liberia, Mexico, Nigeria, Pakistan, Poland, Romania, Senegal, Turkey, Union of Soviet Socialist Republics, United Republic of Cameroon, Venezuela, Yugoslavia and Zambia.

B. Presidency of the Council

688. At its 344th meeting, on 30 December 1980, the Council re-elected Mr. Paul J. F. Lusaka of Zambia as its President for 1981. At the same meeting, the Council elected Messrs. Mohammed Bedjaoui (Algeria), Noel G. Sinclair (Guyana), Brajesh Chandra Mishra (India), A. Coskun Kirca (Turkey) and Miljan Komatina (Yugoslavia) as Vice-Presidents of the Council for 1981. At its 349th meeting on 15 May 1981, the Council elected Mr. Natarajan Krishnan (India) as Vice-President of the Council for the remainder of 1981 on the transfer of Mr. Mishra.

C. Steering Committee

689. The Steering Committee of the Council consists of the President of the Council, the five vice-presidents, the Chairmen of the three standing committees and the Vice-Chairman and Rapporteur of the Committee on the United Nations Fund for Namibia.

D. Standing Committees

690. At its 87th meeting, on 31 December 1980, Standing Committee I re-elected Mr. Tommo Monthe (United Republic of Cameroon) as its Chairman. Mrs. Solmaz Unaydin (Turkey) was re-elected Vice-Chairman at the 90th meeting on 7 January 1981.

691. At its 61st meeting, on 31 December 1980, Standing Committee II elected Mr. Shamshad Ahmad (Pakistan) as its Chairman. Mrs. Famatta Rosae Osode (Liberia) was re-elected Vice-Chairman at the 62nd meeting on 12 January 1981.

692. At its 76th meeting, on 31 December 1980, Standing Committee III elected Mr. Georgy Denichin (Bulgaria) as its Chairman. Mr. Jorge Eduardo Chen Charpentier (Mexico) was elected Vice-Chairman at the 26th meeting on 28 July 1981.

693. The composition of the Standing Committees at 1 January 1981 was as follows:

Standing Committee I - Algeria, Belgium, China, Colombia, Finland, Haiti, Indonesia, Nigeria, Poland, Senegal, Turkey, Union of Soviet Socialist Republics, United Republic of Cameroon, Venezuela, Zambia.

Standing Committee II - Angola, Australia, Bangladesh, Botswana, Bulgaria, Chile, Cyprus, Finland, Guyana, Liberia, Mexico, Pakistan, Romania, Zambia.

Standing Committee III - Algeria, Angola, Australia, Belgium, Bulgaria, Burundi, Colombia, Cyprus, Egypt, India, Mexico, Nigeria, Pakistan, Romania, Venezuela, Yugoslavia, Zambia.

694. At its 297th meeting, on 17 April 1979, the Council approved the terms of reference of Standing Committees I, II and III. 57/

E. Committee on the United Nations Fund for Namibia

695. In accordance with the terms of reference of this Committee (see para. 697 below), the President of the Council acts as Chairman of the Committee on the Fund. At its 34th meeting, on 12 January 1981, the Committee on the Fund elected Mr. Pedro Sorensen-Mosquera (Venezuela) as its Vice-Chairman and Rapporteur for 1981.

696. The composition of the Committee on the Fund is as follows:

Australia, Finland, India, Nigeria, Romania, Senegal, Turkey, Venezuela, Yugoslavia and Zambia.

697. At its 297th meeting, on 17 April 1979, the Council approved the terms of reference of the Committee on the United Nations Fund for Namibia. 58/

F. Other committees and working groups

698. During the period under review, the Council established a number of committees and working groups. Working groups of the Steering Committee prepared recommendations for the Council on the following: (a) the resumed thirty-fifth session of the General Assembly; (b) the Security Council meetings on the question

57/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. II, paras. 33, 35 and 37.

58/ Ibid., para. 44.

of Namibia; (c) the terms of reference of the Council; (d) the extraordinary plenary meetings of the Council which were held at Panama City from 2 to 5 June 1981; and (e) the emergency special session of the General Assembly. A drafting committee and a committee of the whole prepared the Panama Declaration and Programme of Action on Namibia; a drafting committee prepared the annual report of the Council to the General Assembly.

G. Office of the United Nations Commissioner for Namibia

699. By resolution 2248 (S-V), the General Assembly decided that the Council should entrust such executive and administrative tasks as it deemed necessary to a United Nations Commissioner for Namibia, appointed by the Assembly on the nomination of the Secretary-General. The Assembly further decided that, in the performance of his tasks, the Commissioner should be responsible to the Council. The Commissioner is appointed with an annual mandate.

700. At its 99th meeting, on 17 December 1980, the General Assembly, on the proposal of the Secretary-General (A/35/770), appointed Mr. Martti Ahtisaari as United Nations Commissioner for Namibia for a further one-year term beginning on 1 January 1981 (decision 35/323 of 17 December 1980).

H. Secretariat services

701. The secretariat of the Council services the Council, its Steering Committee, the three Standing Committees, the Committee on the United Nations Fund for Namibia and other committees and working groups, as well as missions of the Council, as required.

702. The secretariat comprises the following established posts in the Department of Political Affairs, Trusteeship and Decolonization: one D-1 (Secretary of the Council), one P-4, two P-3s, one G-5 and two G-4s. In addition, the secretariat has two P-4s as temporary assistance for the year 1981, one P-3 temporarily redeployed from another division of the Department and one G-4 as temporary assistance.

II. FORMAL STATEMENTS, COMMUNIQUEs, RESOLUTIONS AND DECISIONS

703. The present section contains the texts of the formal statements issued by the Council or its President and communiquéés issued by the Council's missions of consultation during the period under review. The section also records the resolutions adopted and decisions taken by the Council during the same period.

A. Formal statements

704. The Council issued the following formal statements during the period under review:

1. STATEMENT ISSUED BY THE PRESIDENT OF THE COUNCIL ON
19 SEPTEMBER 1980 REGARDING THE INTENTION OF THE
ILLEGAL SOUTH AFRICAN ADMINISTRATION IN NAMIBIA TO
ESTABLISH COMPULSORY MILITARY SERVICE FOR NAMIBIANS*

1. The attention of the United Nations Council for Namibia has been drawn to reports according to which the illegal South African administration in Namibia intends to establish compulsory military service for all Namibians between the ages of 16 and 25 years.
2. The Council strongly condemns this initiative of the occupation régime in Namibia. This decision, in total defiance of Security Council and General Assembly resolutions on Namibia, is a further and unequivocal indication of South Africa's refusal to comply with Security Council resolutions 385 (1976) and 435 (1978) providing for free and fair elections under United Nations supervision and control and leading to genuine independence for Namibia.
3. In contravention of United Nations resolutions and the will of the international community, South Africa persists in its manoeuvres to impose upon the Namibian people a régime based on political groups subservient to its interests and through which it intends to perpetuate its colonialist and racist exploitation of the people and resources of the Territory.
4. The Council draws the attention of the international community to the persistent attempts of South Africa to undermine the efforts for a negotiated settlement on Namibia through a series of unilateral acts, the sole purpose of which has been to ensure the perpetuation of its illegal occupation and ruthless exploitation of the people and natural resources of the Territory. By its actions, the illegal South African administration in Namibia will increase the suffering of the Namibian people by disrupting the life of the people in the Territory and forcing many to seek refuge in neighbouring countries and requiring additional efforts of United Nations assistance to refugees in order to ensure that adequate shelter and support may be provided for them outside Namibia.

* Previously issued under the symbol A/35/475-S/14186, annex.

5. The Council fully supports the right, even the duty, of Namibians to resist military service imposed on them by the illegal occupation régime and declares that it will do all in its power to mobilize international assistance on behalf of those who are able to leave the Territory.
6. The Council declares that all measures that the illegal occupation régime attempts to enforce in Namibia to establish military conscription are illegal, null and void.
7. The Council once again stresses the position of the United Nations that South Africa's presence in Namibia is illegal and should be immediately and unconditionally terminated and that all arrangements by South Africa to impose unilaterally an internal settlement on the people of Namibia are in contravention of all decisions of the General Assembly and the Security Council and constitute an increasing threat to international peace and security.
8. The Council urges delegations of Member States to the thirty-fifth session of the General Assembly to consider the implications of South Africa's intention to impose compulsory military service in Namibia and to adopt effective measures to protect the Namibian people from this additional demonstration by South Africa of its utter contempt for the inalienable rights of the Namibian people to self-determination, freedom and national independence in a united Namibia.

2. STATEMENT ISSUED BY THE PRESIDENT OF THE COUNCIL ON 23 MARCH 1981
CONCERNING SOUTH AFRICAN AGGRESSION AGAINST ANGOLA

1. The United Nations Council for Namibia has learned with the utmost concern and indignation that the racist Pretoria régime has once again carried out acts of aggression against Angola in violation of that country's sovereignty. Troops of the racist and colonialist Pretoria régime invaded Angolan territory and attacked Namibian refugee camps 306 kilometres inside Angola, in the vicinity of Lubango. These actions, in total defiance of the principles and purposes of the Charter of the United Nations, are a further indication of the criminal schemes of the racist Pretoria régime against the peoples of the region and constitute a grave threat to international peace and security. The Council strongly condemns these brutal acts of armed invasion. The Council is confident that these barbarous acts will not succeed in undermining the liberation struggle being waged by SWAPO, the sole and authentic representative of the Namibian people, and the support extended to them by the people and Government of Angola.
2. The Council strongly condemns South Africa's continuing utilization of the Territory of Namibia, which is the direct responsibility of the United Nations, as a spring-board for these wanton acts of aggression against the people and Government of Angola. The Council particularly deplores public statements of certain Western countries which also give military, economic and political support to South Africa since such statements and support inevitably contribute to an atmosphere which encourages the intransigence and brutality of the racist Pretoria régime.

3. The Council draws the attention of the international community to the continued violations of the sovereignty and territorial integrity of Angola, Mozambique and Botswana by South Africa from bases in Namibia. Furthermore, the Council draws the attention of the international community to the grave implications of the sinister schemes of the Pretoria régime to grant Namibian citizenship to FNLA and UNITA bandits. The Council considers that these acts of aggression and sinister designs are indicative of South Africa's determination to perpetuate its illegal occupation of Namibia in order to continue the exploitation of the people and resources of the Territory.

4. The Council further draws the attention of the international community to the deceitful actions of the South African racist régime during the protracted period of talks for a negotiated settlement in Namibia to the detriment of the Namibian people and SWAPO, their sole and authentic representative, and in contravention of the relevant resolutions of the Security Council, in particular, resolutions 385 (1976), 431 (1978), 432 (1978), 435 (1978) and 439 (1978). South Africa furthermore deliberately caused the collapse of the pre-implementation meeting held at Geneva from 7 to 14 January 1981. By its actions, South Africa has demonstrated the full extent of its contempt for the principled position of the overwhelming majority of the members of the international community which fully supports the aspirations of the Namibian people for self-determination, freedom and genuine national independence in a united Namibia.

5. The Council draws the attention of the Security Council to South Africa's defiance of United Nations resolutions and to its repeated acts of aggression from bases in Namibia, which it illegally occupies and urges the Security Council to take measures envisaged in Chapter VII of the Charter, in response to South Africa's increasing threat to international peace and security.

3. STATEMENT ISSUED BY THE ACTING PRESIDENT OF THE COUNCIL ON
28 JULY 1981 ON FRAUDULENT ATTEMPTS TO REPRESENT NAMIBIA

1. The United Nations Council for Namibia has learned with dismay that certain senior officials of South Africa, on the occasion of a recent visit to the United States, have held some contacts with high-level United States officials and have used the so-called titles of "Chairman" and "members" of the "Council of Ministers" of Namibia.

2. The United Nations Council for Namibia, which is the sole legal Administering Authority for Namibia until Namibia achieves genuine independence, by virtue of General Assembly resolution 2248 (S-V), would like to draw attention to the fact that Security Council resolution 439 (1978) has condemned the unilateral elections held in Namibia by South Africa in 1978 and declared them null and void. Furthermore, General Assembly resolution 3111 (XXVIII) of 12 December 1973 has declared SWAPO to be the sole and authentic representative of the Namibian people. Consequently, attempts made by officials of South Africa to misuse certain titles with the objective of introducing themselves as true representatives of the Namibian people are in contravention of the above-mentioned United Nations resolutions and also are contrary to the letter and spirit of Security Council resolutions 385 (1976) and 435 (1978) which aim at finding an internationally acceptable negotiated settlement to the question of Namibia.

3. It has also come to the attention of the United Nations Council for Namibia that these attempts have recently been extended even into the fields of certain cultural and social activities held in the United States. The Council notes with regret and concern that these well-calculated publicity-seeking manoeuvres serve only to promote the self-interest of South Africa and run counter to the will of the international community.

4. STATEMENT ISSUED BY THE ACTING PRESIDENT OF THE COUNCIL ON
28 AUGUST 1981 CONDEMNING THE RECENT INVASION OF ANGOLA BY
SOUTH AFRICA*

1. The United Nations Council for Namibia has learned with extreme concern that racist South Africa has once again used Namibia as a spring-board to commit a massive armed aggression against Angola.

2. The recent invasion, mounted with a massive force of two South African motorized columns using 32 tanks, 82 armoured vehicles and 8 South African jet bombers which have penetrated deep into Angolan territory, is a flagrant violation of the sovereignty and territorial integrity of Angola. The tragic loss of life and destruction of property which this invasion must inevitably entail cannot be over-emphasized. This illegal and criminal action by the Pretoria régime is proof of its continuing contempt for world opinion and its disregard for international law.

3. Moreover, coming as it does at the present juncture when the international community is seeking a peaceful solution to the Namibian question, South Africa's action is a direct affront to the international community and is a menace to peace and stability in the region.

4. The Council unreservedly condemns this aggression by South Africa, which is fraught with dire consequences for international peace and security.

5. The Council calls upon the international community, and the Security Council in particular, to take the strongest measures against South Africa, as provided for in the Charter of the United Nations, in order to halt these developments, which are detrimental to peace and security in the area.

B. Communiqués

705. The present section contains the texts of the communiqués issued by the five Council missions to (a) Peru, Argentina and Colombia; (b) Spain, Ireland and Finland; (c) the Netherlands; (d) the German Democratic Republic, Hungary and Romania, and (e) India and Viet Nam. Most of the communiqués were issued jointly by the mission and the Government visited. In other cases, communiqués or statements were issued by the mission after consultation on the text with representatives of the Government visited.

* Previously issued under the symbol A/36/467-S/14671, annex.

1. COMMUNIQUE ISSUED BY THE MISSION OF CONSULTATION TO PERU,
ARGENTINA AND COLOMBIA, 4 TO 16 MAY 1981

(a) Joint communiqué issued by the Government of Peru
and the Mission at Lima on 7 May 1981*

1. At the invitation of the Government of Peru, a mission of consultation of the United Nations Council for Namibia visited Peru from 4 to 7 May 1981. The Mission was headed by Mr. Mohammed Bedjaoui, Permanent Representative of Algeria to the United Nations, and included Messrs. Chao Wei (China), Jorge E. Chen Charpentier (Mexico), Shamshad Ahmad (Pakistan), Zdzisław Nicinski (Poland), and Helmut Angula (SWAPO).
2. The purpose of the visit of the Mission was to inform the Peruvian Government of recent developments on the question of Namibia and of the deteriorating situation in Namibia as a result of South Africa's persistent illegal occupation of that Territory. The Mission particularly emphasized the need to identify initiatives for intensified action by the international community to facilitate the exercise of the right of self-determination and national independence by the people of Namibia without further delay. The Mission also pointed out the serious consequences arising from South Africa's failure to implement Security Council resolution 435 (1978).
3. The Mission was received by Mr. Fernando Belaunde Terry, the President of Peru.
4. The Mission held meetings with Mr. Oscar Trelles, the President of the Senate; Mr. Francisco Belaunde, the President of the House of Representatives; and Mr. Javier Arias Stella, the Minister for External Relations.
5. During its stay in Peru, the Mission discussed matters and held working sessions with Mr. Jorge Morelli Pando, the Secretary-General of External Relations, as well as with other officials of the Ministry of External Relations.
6. The Peruvian Government and the Mission express their condemnation of the continued illegal occupation of Namibia by South Africa, in defiance of the relevant resolutions of the United Nations and of the advisory opinion of the International Court of Justice of 21 June 1971. Both sides recognize that the question of Namibia is one of decolonization, and agree that it must be solved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV). The Peruvian Government and the Mission emphasize that South Africa is under obligation to withdraw its administration from the Territory of Namibia so that the people of Namibia may proceed to genuine independence with full respect for the territorial integrity of their country, including Walvis Bay.

* Previously issued under the symbol A/AC.131/L.172.

7. The Peruvian Government reiterates that as a Member of the United Nations, it is committed to the purposes and principles of the Charter of the United Nations, including the principle of self-determination and independence for all peoples. In this respect, the Peruvian Government expresses its conviction that the achievement of social justice, together with full respect for the fundamental rights of the individual, represents one of the most cherished aspirations of mankind. It reaffirms the sense and spirit of Article 88, title II, of the Political Constitution of Peru, which states: "The State rejects all forms of imperialism, colonialism, neo-colonialism and racial discrimination. The State is in solidarity with the oppressed peoples of the world".

8. The Peruvian Government and the Mission emphasize the need for the international community to reinforce and intensify concerted action to take effective measures in accordance with the relevant provisions of the Charter, in order to ensure the withdrawal of South Africa from the Territory of Namibia.

9. The Peruvian Government and the Mission express their firm support for the final communiqué issued by the Extraordinary Ministerial Meeting of the Co-ordination Bureau of the Non-aligned Countries on the Question of Namibia held at Algiers from 16 to 18 April 1981, which states that the United Nations settlement plan for Namibia set out in Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) forms the only universally accepted framework for Namibia's peaceful transition to independence. It also emphasizes the need for immediate implementation of Security Council resolution 435 (1978).

10. The Peruvian Government and the Mission reiterate that Namibia is the direct and special responsibility of the United Nations until the achievement of genuine self-determination and full independence for the people of the Territory. In this regard, the Peruvian Government expresses its support for the United Nations Council for Namibia as the sole legal Administering Authority of Namibia until independence and also expresses its support for the participation of Namibia, represented by the Council, until genuine independence is achieved, as a full member in the specialized agencies and international conferences sponsored by the United Nations.

11. The Peruvian Government and the Mission acknowledge the invaluable role of the United Nations Council for Namibia, the United Nations Institute for Namibia at Lusaka and the Nationhood Programme for Namibia in providing assistance to Namibians in preparation for service in an independent Namibia. In this spirit, the Peruvian Government recognizes the validity of travel documents issued by the Council.

12. The Peruvian Government and the Mission have examined all possible ways and means for accelerating the process of liberation of Namibia and its long overdue accession to independence. They express their conviction that the withdrawal of South Africa from Namibia could be hastened if the countries having influence on South Africa were to exert effective pressure on it. In this regard, they stress the role of SWAPO, recognized by the United Nations as the sole and authentic representative of the Namibian people. The Peruvian Government and the Mission reaffirm the provisions of General Assembly resolution 3295 (XXIX) of 13 December 1974 by which the Assembly endorsed

Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the Council on 27 September 1974. They condemn the continuous exploitation and plunder of Namibia's natural resources and emphasize the need for effective implementation of the Decree.

13. The Mission expresses its appreciation to the Peruvian Government for the role it has played to strengthen the United Nations struggle against the remaining vestiges of colonialism, neo-colonialism and racial discrimination and for the support it is rendering to the cause of self-determination and independence and for the territorial integrity of Namibia.

14. Lastly, the Mission expresses its profound gratitude and appreciation to the Government and people of Peru for the generous hospitality received and for the understanding and friendship shown during its stay in Peru, as well as for the constant support provided to the important activities of the Council.

(b) Joint communiqué issued by the Government of Argentina and the Mission at Buenos Aires on 12 May 1981*

1. At the invitation of the Government of Argentina, a mission of consultation of the United Nations Council for Namibia visited Argentina from 9 to 12 May 1981. The Mission was headed by Mr. Mohammed Bedjaoui, Permanent Representative of Algeria to the United Nations, and included Messrs. Chao Wei (China), Jorge E. Chen Charpentier (Mexico), Shamshad Ahmad (Pakistan), Zdzisław Nicinski (Poland), and Helmut Angula (SWAPO).

2. During the stay of the Mission, the Chairman of the Mission was received by Lieutenant General (R) Roberto Eduardo Viola, the President of Argentina. The Mission held a meeting with Mr. Oscar Camilion, the Minister for External Relations and Worship, and held consultations with other senior officials of the Ministry of External Relations and Worship.

3. The purpose of the visit of the Mission was to inform the Argentine Government of recent developments on the question of Namibia and of the deteriorating situation in Namibia as a result of South Africa's persistent illegal occupation of that Territory. The Mission particularly emphasized the need to identify initiatives for intensified action by the international community to facilitate the exercise of the right of self-determination and national independence by the people of Namibia without further delay. The Mission also underscored the serious consequences arising from the attempts to prevent the implementation of Security Council resolution 435 (1978) and pointed out that such attempts obstruct the search for a peaceful settlement of the Namibian question. The Mission emphasized the role of SWAPO, recognized by the United Nations as the sole and authentic representative of the Namibian people, and reiterated that South Africa and SWAPO are the only two parties to the conflict.

* Previously issued under the symbol A/AC.131/L.173.

4. The representatives of the Argentine Government and the Mission express their grave concern at the situation prevailing in Namibia as a result of its continuing illegal occupation by South Africa, and reaffirm their firm support of the pertinent United Nations resolutions and the advisory opinion of the International Court of Justice of 21 June 1971, with a view to ensuring the prompt and complete independence of Namibia in conformity with those resolutions.
5. In particular, they stress that the long struggle of the Namibian people for their independence has reached a crucial stage. Therefore, the utmost vigilance and unfailing support of the international community are essential to ensure that the transition to independence in Namibia is carried out scrupulously and in accordance with the spirit and letter of United Nations decisions on the question of Namibia.
6. Within this context, the representatives of the Argentine Government reiterate the position consistently sustained by their Government in international fora and their support for Security Council resolutions 385 (1976), 435 (1978) and 439 (1978), which constitute a universally accepted framework for a peaceful transition to independence in Namibia and which must be implemented without further delay, change or condition.
7. The representatives of the Argentine Government and the Mission reaffirm that the question of Namibia is one of decolonization and must be solved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV). They reiterate that South Africa is under obligation to withdraw immediately from Namibia as provided for in relevant resolutions of the United Nations so that the Namibian people may proceed to genuine independence with full respect for the territorial integrity and unity of Namibia including Walvis Bay and the off-shore island, which are an integral part of the Territory of Namibia.
8. The representatives of the Argentine Government and the Mission regret the lack of progress in the pre-implementation meeting held at Geneva from 7 to 14 January 1981 towards the implementation of the United Nations settlement plan for Namibia. While underscoring the need for immediate implementation of Security Council resolutions 435 (1978) and 439 (1978), they reject the attempts to alter the substance of those resolutions. They also agree on the need for the international community to proceed to take necessary action in the United Nations, in accordance with the relevant provisions of the Charter of the United Nations, in order to secure the implementation of United Nations resolutions. They furthermore agree on the need to reject any co-operation with any régime that might be imposed on the Namibian people as part of an internal settlement and in defiance of United Nations resolutions on Namibia.
9. The representatives of the Argentine Government and the Mission reaffirm the provisions of General Assembly resolution 3295 (XXIX), by which the Assembly endorsed Decree No. 1 for the Protection of the Natural Resources of Namibia, and condemn the continuing exploitations of the natural resources of the Territory. The representatives of the Argentine Government and the Mission emphasize the urgency of effectively implementing the Decree.

10. They also reiterate that Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved. In this connexion, the representatives of the Argentine Government reaffirm their firm support for the Council as the sole legal Administering Authority for Namibia until independence. In addition, they agree with the Mission in supporting the participation of Namibia, represented by the Council, until genuine independence is achieved, as a full member in the specialized agencies and international conferences sponsored by the United Nations.

11. The representatives of the Argentine Government and the Mission additionally underline the need for increased dissemination of information on Namibia in order to mobilize world public opinion in support of the rights of the Namibian people to self-determination and independence. They also recognize the invaluable role of the United Nations Council for Namibia, the United Nations Institute for Namibia at Lusaka and the Nationhood Programme for Namibia in the granting of assistance to the Namibians to prepare them for service in an independent Namibia.

12. The Mission expresses its profound gratitude to the Government of Argentina for its support of General Assembly and Security Council resolutions on Namibia and of the activities of the United Nations Council for Namibia. At the same time, the Mission wishes to express its thanks and appreciation to the Government and people of Argentina for the warm welcome and generous hospitality extended to it during its stay in Argentina.

(c) Joint communiqué issued by the Government of Colombia and the Mission at Bogotá on 16 May 1981*

1. At the invitation of the Government of Colombia, a mission of consultation of the United Nations Council for Namibia visited Colombia from 13 to 16 May 1981. The Mission was headed by Mr. Mohammed Bedjaoui, Permanent Representative of Algeria to the United Nations, and included Messrs. Chao Wei (China), Jorge E. Chen Charpentier (Mexico), Shamshad Ahmad (Pakistan), Zdzisław Nicinski (Poland), and Helmut Angula (SWAPO).

2. During its stay, the Mission was received by Mr. Julio César Turbay Ayala, President of the Republic of Colombia, and by Dr. Carlos Lemos Simmonds, Minister for External Relations, to whom the Mission explained the present situation in Namibia. In order to analyse and to exchange views on the situation, the Mission held meetings with a delegation from the Ministry of External Relations, presided over by Mr. Ramiro Zambrano Cárdenas, Under-Secretary-General for International Organizations and Conferences, and including Mr. Humberto Gómez Gómez, Chief of the United Nations Section, and Mrs. María Christina Sus Pastrana, Chief of the Asia and Africa Section.

3. The Mission and the delegation of the Government of Colombia express their deep concern at the deteriorating situation in Namibia as a result of South Africa's continued illegal occupation of the Territory and its refusal to implement relevant resolutions of the United Nations on Namibia. In consequence, they reiterate the following:

* Previously issued under the symbol A/AC.131/L.174.

(a) In accordance with the universally recognized principle of self-determination of peoples, the illegal occupation of the Territory of Namibia by South Africa must cease forthwith and the people of Namibia must obtain their full and genuine independence through totally free and democratic elections held under the supervision and control of the United Nations as stipulated in Security Council resolutions 385 (1976) and 435 (1978).

(b) The independence of Namibia must take place by ensuring full respect for its territorial integrity and unity. Therefore, the preservation of Walvis Bay and several off-shore islands, including the Penguin Islands, as integral parts of the Territory of Namibia must be guaranteed through all appropriate means.

(c) The persistence of South Africa in not complying with the relevant resolutions of the United Nations, in particular Security Council resolutions 385 (1976), 435 (1978) and 439 (1978), and its rejection of the advisory opinion of the International Court of Justice of 21 June 1971 constitute sufficient reasons for the international community to adopt stronger and more effective measures. Consequently, the delegation of the Government of Colombia and the Mission reaffirm that if the situation in Namibia does not find a just and immediate solution in accordance with the relevant resolutions of the United Nations, the Security Council must adopt adequate measures in accordance with Chapter VII of the Charter of the United Nations.

(d) The Mission and the delegation of the Government of Colombia note with grave concern the present exploitation of the natural resources of Namibia which must be preserved in such a way as to enable Namibia to exercise its rights over these resources as recognized by article 2 of the Charter of Economic Rights and Duties of States contained in General Assembly resolution 3281 (XXIX). In this connexion, it is imperative to ensure effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia enacted by the Council on 27 September 1974 and endorsed by the General Assembly in its resolution 3295 (XXIX).

4. Furthermore, the delegation of the Government of Colombia reiterates its Government's support for the Council as the sole legitimate Administering Authority for Namibia until independence, and expresses its satisfaction at the efforts of the Council in executing the mandate conferred upon it by the General Assembly. The delegation of the Government of Colombia, recognizing the important role of SWAPO, expresses satisfaction at the presence of a distinguished representative of SWAPO as a member of the Council's Mission.

5. The Mission expresses its appreciation for the consistent support extended to the just cause of the Namibian people by Colombia, which was a founding member of the Council and whose current President, Mr. Turbay Ayala, has served as President of the Council.

6. The Mission also expresses its gratitude to the Government and people of Colombia for the warm and generous hospitality extended to it.

2. STATEMENTS ISSUED BY THE MISSION OF CONSULTATION TO SPAIN,
IRELAND AND FINLAND, 7 TO 18 MAY 1981

(a) Statement issued by the Mission at Madrid on 9 May 1981*

1. At the invitation of the Government of Spain, a mission of consultation of the United Nations Council for Namibia visited Spain from 7 to 9 May 1981. The Mission was headed by Mr. Miljan Komatina, Permanent Representative of Yugoslavia to the United Nations, and included Mr. Ian H. Hutchens (Australia), Mr. Bariyu A. Adeyemi (Nigeria), Mrs. Solmaz Ünaydin (Turkey), Mr. Mkhondo D. Lungu (Zambia) and Mr. Peter Katjavivi (SWAPO).
2. During its stay in Madrid, the Mission held two working sessions with a delegation of the Ministry of External Affairs headed by Mr. Carlos Robles-Piquer, the Secretary of State.
3. The Mission also had a third working session with senior officials of the Ministry of External Affairs.
4. The Mission was received by Mr. Ignacio Camunas Solis, the President of the Commission on External Affairs of the House of Representatives.
5. The two sides reviewed the present situation in Namibia and exchanged views about current developments following the failure of the pre-implementation meeting held at Geneva from 7 to 14 January 1981 under the auspices of the United Nations, aimed at the implementation of the United Nations plan based on Security Council resolution 435 (1978). The two sides regretted that the pre-implementation meeting had failed due to the blatant refusal by South Africa to implement the United Nations plan. In this connexion, the two sides noted with satisfaction the constructive role played by SWAPO and the statesmanship it had displayed during the negotiating process, in particular at the recent pre-implementation meeting.
6. The Spanish delegation emphasized the special sensitivity of the people and Government of Spain to African problems, an attitude that derived from the strong historical and geographical ties existing between Spain and the African continent. The Spanish side and the Mission recalled the clear and steady position of the Spanish Government in every international organization in support of the just and legitimate aspirations of the Namibian people for the attainment of the long overdue genuine independence of their country.
7. The two sides reaffirmed the illegality of the presence of South Africa in Namibia, as stated by the International Court of Justice in its advisory opinion of 21 June 1971 and in all relevant United Nations resolutions. The Spanish Government expressed its deep appreciation and support for the activities carried out by the Council, in its capacity as the legal Administering Authority for the Territory until genuine independence had been achieved, in promoting the legitimate aspirations of the Namibian people in the attainment of their inalienable rights to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations, as declared in General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as subsequent Assembly resolutions.

* Previously issued under the symbol A/AC.131/L.175.

8. The Spanish Government and the Mission agreed that the Council, as the legal Administering Authority for Namibia, should continue to represent Namibia in major organizations and conferences within the United Nations system with the status of full member as well as in other intergovernmental organizations, in compliance with General Assembly resolutions. In this connexion, the two sides recalled Namibia's membership in the ILO, FAO, UNESCO, WHO, UNCTAD, UNIDO and the Third United Nations Conference on the Law of the Sea.
9. The Spanish delegation once again reaffirmed its Government's support for the inalienable rights of the Namibian people to self-determination, freedom, national independence and territorial integrity, including Walvis Bay and other off-shore islands. The Spanish delegation reiterated its Government's full support for the United Nations plan, as contained in Security Council resolution 435 (1978). The Government of Spain and the Mission considered it of paramount importance to obtain a negotiated settlement of the question of Namibia within the framework of the United Nations.
10. The Spanish side and the Mission, in conformity with Security Council resolution 439 (1978), rejected any internal settlement which South Africa might try to impose in Namibia, as well as those measures already taken by South Africa.
11. The Spanish Government expressed its desire that free elections be held in Namibia under the supervision and control of the United Nations at the earliest possible date and reaffirmed that it was exclusively incumbent on the Namibian people to decide their own future and their own political institutions. The Spanish Government reaffirmed its support for General Assembly resolution 33/206 of 31 May 1979, by which the Assembly recognized SWAPO as the sole and authentic representative of the Namibian people in their national liberation struggle.
12. The Spanish side and the Mission also recalled the necessity of protecting the natural resources of Namibia from illegal exploitation in accordance with Decree No. 1 for the Natural Resources of Namibia, enacted by the Council on 27 September 1974 and endorsed by the General Assembly in its resolution 3295 (XXIX). The Mission welcomed the assurance that the Spanish Government had already complied with the provisions of that Decree.
13. The Spanish side and the Mission condemned the repressive acts perpetrated by South Africa against the people of Namibia. The Spanish side reiterated its support for the Security Council resolutions condemning South Africa's attacks on neighbouring African countries.
14. The Spanish side and the Mission also agreed that the Western contact group must intensify its efforts towards the rapid implementation of the United Nations plan for Namibia as laid down in Security Council resolution 435 (1978).
15. The Spanish delegation and the Mission agreed on the importance of the widest possible dissemination of information on the prevailing situation in Namibia and the urgent need to reach a negotiated settlement. In that regard, the Mission welcomed the fact that the Spanish side would undertake all possible efforts in its international contacts in order to disseminate information and promote the cause of Namibia's independence.

16. The Spanish delegation and the Mission agreed on the importance of exerting direct or indirect pressure on South Africa with a view to securing its rapid compliance with United Nations decisions on the question of Namibia concerning the implementation of the United Nations plan. The Mission welcomed the positive votes cast recently by Spain in the Security Council on the draft resolutions on an oil and arms embargo against South Africa as a positive step in that regard.

17. The Mission welcomed the Spanish Government's recent pledge of \$US 1.0 million to African refugees and its statement that it would seek to have some of the funds directed to assisting Namibian refugees in Angola and Zambia. It was noted that the number of refugees was rising sharply because, among other reasons, of the decision of the South African Government to introduce conscription of Namibian nationals into South Africa's army of occupation. The Mission also welcomed the Spanish Government's willingness to consider contributing to the United Nations Fund for Namibia, the Nationhood Programme for Namibia and the United Nations Institute for Namibia.

18. The Mission thanked the Government and the people of Spain for the warm welcome and generous hospitality extended to it and expressed its appreciation to the Spanish authorities for providing the appropriate atmosphere to facilitate the frank and useful exchange of views during the Mission's stay in Madrid.

(b) Statement issued by the Mission at Dublin on 13 May 1981*

1. At the invitation of the Government of Ireland, a mission of consultation of the United Nations Council for Namibia visited Ireland from 10 to 13 May 1981. The Mission was headed by Mr. Miljan Komatina, Permanent Representative of Yugoslavia to the United Nations, and included Mr. Ian H. Hutchens (Australia), Mr. Bariyu A. Adeyemi (Nigeria), Mrs. Solmaz Unaydin (Turkey), Mr. Mkhondo D. Lungu (Zambia) and Mr. Peter Katjavivi (SWAPO).

2. The Mission discussed the situation in Namibia with Mr. Brian Lenihan, the Minister for Foreign Affairs, and held two working sessions with a delegation from the Department of Foreign Affairs led by Mr. Fdraic Mackerman, Political Director.

3. The Mission also had discussions with members of the Dail and Seanad and with non-governmental organizations.

4. During the discussions with the Minister for Foreign Affairs and officials of his Department, the two sides reviewed the present situation concerning Namibia and exchanged views about recent developments after the failure of the pre-implementation meeting held at Geneva from 7 to 14 January 1981 under the auspices of the United Nations.

5. Both sides regretted that the Geneva meeting had failed because of the refusal of South Africa to implement the United Nations plan.

* Previously issued under the symbol A/AC.131/L.176.

6. The Irish delegation and the Mission acknowledged with appreciation the efforts made by the Secretary-General and his staff, the front-line States, the contact group and by SWAPO in the negotiating process. They noted the constructive role played by SWAPO at the Geneva meeting and the declaration by SWAPO of its willingness to sign a ceasefire agreement.
7. Both sides reviewed the outlook for a resumption of efforts towards the achievement of a negotiated settlement.
8. The Irish delegation referred to the particular interest of Ireland in the question of Namibia and the importance that Ireland attached to the central role of the United Nations in that regard. It reaffirmed the right of the people of Namibia to self-determination and its commitment to the achievement of freedom, national independence and territorial integrity in a united Namibia. Both sides reaffirmed the illegality of the presence of South Africa in Namibia, as stated in the advisory opinion of the International Court of Justice of 21 June 1971 and in the relevant United Nations resolutions. The Irish delegation reiterated its Government's full support for the effort to bring about the early implementation of the United Nations plan as contained in Security Council resolution 435 (1978) and expressed its disappointment that recent attempts to implement the plan had not been successful. Both sides deplored the intransigent attitude maintained by South Africa and agreed on the necessity of maintaining pressure on South Africa to secure the implementation of the relevant Security Council resolutions. In that connexion, the Mission welcomed the positive votes cast recently by Ireland in the Security Council on the draft resolutions on an oil and arms embargo against South Africa.
9. The Irish delegation recalled that the Permanent Representative of Ireland to the United Nations had expressed the grave concern of his Government regarding the critical situation that now existed in relation to Namibia on 28 April 1981 in the course of the Security Council debate. In that statement, the Irish representative had drawn attention to the broader consequences of delay and prolongation of the present conflict in Namibia and noted that it would lead almost inevitably to increased instability in the whole region and probably to wider conflict involving outside interests. Both sides condemned the repressive acts perpetrated by South Africa against the people of Namibia and South Africa's attacks on neighbouring African States.
10. The Irish delegation and the Mission considered that it was vital that South Africa should receive an unambiguous message that further defiance by South Africa of the United Nations decisions and its continued refusal to allow the people of Namibia to determine their own future would not be tolerated. In that connexion, the Irish Government and the Mission noted with concern the recent moves by South Africa in the direction of a so-called internal settlement and reaffirmed their rejection of any kind of internal settlement which South Africa might try to impose in Namibia. Such moves would merely delay the achievement of Namibian independence. In that context, the Irish delegation noted the concern expressed by the Mission at the current recruitment of Namibians into the South African army.
11. The Irish delegation and the Mission discussed the necessity of protecting the natural resources of Namibia from illegal exploitation.

12. The Irish delegation expressed its appreciation for the work of the Council in facilitating the process for the accession of Namibia to independence and noted with interest the work programme of the Council and its proposals for future action. It noted the role which the Council played in the representation of Namibia in major organizations and conferences and in disseminating information on the question of Namibia.

13. The Irish delegation undertook to consider how best Ireland could continue to assist the Council in its activities.

14. The Mission noted with appreciation the contributions made by the Irish Government to the United Nations Fund for Namibia and the United Nations Institute for Namibia.

15. The Mission thanked the Government and people of Ireland for the warm welcome and generous hospitality extended to it and expressed its appreciation for the firm and consistent position taken by the Government of Ireland on the question of Namibia.

(c) Statement issued by the Mission at Helsinki on 18 May 1981*

1. At the invitation of the Government of Finland, a mission of consultation of the United Nations Council for Namibia visited Finland from 13 to 18 May 1981. The Mission was headed by Mr. Miljan Komatina, Permanent Representative of Yugoslavia to the United Nations, and included Mr. Ian H. Hutchens (Australia), Mr. Bariyu A. Adeyemi (Nigeria), Mrs. Solmaz Üneydin (Turkey), Mr. Mkhondo D. Lungu (Zambia) and Mr. Peter Katjavivi (SWAPO).

2. The Mission was received by Mr. Mauno Koivisto, the Prime Minister of Finland, Mr. Johannes Virolainen, the Speaker of Parliament and Mr. Paavo Väyrynen, the Minister of Foreign Affairs. The mission held talks with a delegation of the Ministry of Foreign Affairs as well as with members of the Foreign Relations Committee of the Finnish Parliament.

3. Welcoming the Mission to Finland, the Prime Minister and the Minister of Foreign Affairs reaffirmed their Government's support for the efforts to secure freedom and independence for the people of Namibia. They recalled numerous initiatives that Finland had taken at the United Nations with a view to achieving the liberation of Namibia and the continuous support given by the Government of Finland to the actions undertaken by the Council as the legal Administering Authority established by the General Assembly to administer the Territory until independence.

4. The two sides reaffirmed the illegality of the presence of South Africa in Namibia, as stated by the International Court of Justice in its advisory opinion of 21 June 1971 and by the relevant United Nations resolutions. They also stressed the direct responsibility of the United Nations over Namibia until independence.

* Previously issued under the symbol A/AC.131/L.177.

5. The Finnish delegation reaffirmed its Government's support for the inalienable rights of the Namibian people to self-determination, freedom, national independence and territorial integrity. The two sides, in conformity with Security Council resolution 439 (1978), rejected any kind of internal settlement which South Africa might try to impose in Namibia, as well as those measures already taken by South Africa to that effect.
6. The Finnish delegation and the Mission recalled the necessity of protecting the natural resources of Namibia from illegal exploitation.
7. The Finnish side and the Mission condemned the repressive acts perpetrated by South Africa against the people of Namibia. The Finnish side reiterated its support for the Security Council resolutions condemning South Africa's attacks on neighbouring African countries.
8. The two sides reviewed the present situation in Namibia and exchanged views about current developments following the failure of the pre-implementation meeting held at Geneva from 7 to 14 January 1981 under the auspices of the United Nations, aimed at the implementation of the United Nations plan based on Security Council resolution 435 (1978). The two sides regretted that the Geneva pre-implementation meeting had failed due to the refusal by South Africa to implement the United Nations plan. In this regard, the two sides noted with satisfaction the constructive role played by SWAPO and the African front-line States.
9. The Finnish side and the Mission also agreed that the negotiations on the United Nations plan for Namibia should be resumed without delay and stressed that it was important that the Western contact group exert every effort for its expeditious implementation. The two sides emphasized the importance of intensifying pressure on South Africa with a view to securing its rapid compliance with the United Nations plan.
10. The Mission appreciated the support expressed by the Government of Finland for the plan and its readiness to contribute to its implementation. The Finnish delegation and the Mission reiterated that it was of paramount importance to obtain a negotiated settlement of the question of Namibia within the framework of the United Nations.
11. The Mission further expressed its profound appreciation for the generous contributions made by Finland to the United Nations Fund for Namibia and the Nationhood Programme for Namibia.
12. The Mission thanked the Government and people of Finland for the warm welcome and generous hospitality extended to it and expressed its appreciation to the Finnish authorities for providing the appropriate atmosphere to facilitate the frank and useful exchange of views during the Mission's stay in Finland.

3. STATEMENT ISSUED BY THE MISSION OF CONSULTATION TO THE
NETHERLANDS, 25 JUNE 1981*

Statement issued by the Mission at the Hague on 25 June 1981

1. At the invitation of the Government of the Netherlands, a Mission of the United Nations Council for Namibia held consultations with government officials on 25 June 1981. The Mission was headed by Mr. Shamshad Ahmad (Pakistan) and included Messrs. Essam Ramadan (Egypt), Feodor Starcević (Yugoslavia), Herman Ithete (SWAPO) and Axel Johannes (SWAPO).
2. The Mission was received by Mr. C. A. Van Der Klaauw, Minister for Foreign Affairs, and held consultations with officials of the Ministry for Foreign Affairs.
3. The Government of the Netherlands and the Mission reviewed the latest developments on the question of Namibia and expressed their grave concern over the deteriorating situation in Namibia resulting from South Africa's continued illegal occupation of the Territory, its repressive measures against Namibians and its repeated acts of aggression against the neighbouring independent African States. They emphasized the seriousness of the situation arising from South Africa's unwillingness to implement the United Nations settlement plan for Namibia. The Government of the Netherlands reaffirmed its support for Security Council resolutions on the question of Namibia, particularly resolutions 385 (1976), 435 (1978) and 439 (1978), which constituted the only universally accepted framework for a negotiated solution to the question of Namibia. The Government of the Netherlands and the Mission reiterated their conviction that those resolutions should be implemented without further delay.
4. The Mission informed the Government of the Netherlands that in view of the failure of the Security Council to fulfil its obligations under the Charter of the United Nations, the United Nations Council for Namibia had called for the early convening of an emergency special session of the General Assembly to review the question of Namibia and take appropriate measures.
5. The Government of the Netherlands and the Mission reiterated their rejection of any attempt to impose an internal settlement in Namibia. The Government of the Netherlands reiterated that it would not recognize any government in Namibia which would not be the result of elections held under United Nations supervision and control. The Government of the Netherlands also expressed readiness to continue to use every suitable opportunity to induce South Africa to comply with the United Nations plan for Namibia.
6. The Government of the Netherlands expressed its appreciation for the continued readiness of SWAPO to co-operate in the implementation of the United Nations plan for Namibia. The Mission reaffirmed that the parties to the conflict were on the one hand South Africa, which was illegally occupying Namibia and committing aggression against its people, and, on the other hand, the Namibian people under the leadership of SWAPO, supported by the United Nations, which had direct responsibility for the Territory until genuine independence was achieved.

* Previously issued under the symbol A/AC.131/L.194.

7. The Government of the Netherlands reaffirmed its support for the Council as the legal Administering Authority for the Territory in its endeavours to obtain the withdrawal of South Africa's illegal administration from Namibia and for its efforts to mobilize world action in support of the cause of the Namibian people.
8. The Government of the Netherlands and the Mission expressed concern at the continued exploitation of Namibia's natural resources by South African and other foreign interests. The Government of the Netherlands reaffirmed its recognition of the legal validity in international law of Decree No. 1 for the Protection of the Natural Resources of Namibia and stressed the need for its acceptance by all States Members of the United Nations. The Mission emphasized that foreign economic interests operating in Namibia contributed to the continuation of South Africa's illegal occupation of the Territory.
9. The Government of the Netherlands and the Mission reaffirmed the need to preserve the territorial integrity and national unity of Namibia. In this regard, the Government of the Netherlands stressed that Walvis Bay should form part of independent Namibia.
10. The Government of the Netherlands and the Mission emphasized that the question of Namibia was one of decolonization and must be solved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV).
11. The Government of the Netherlands reiterated its commitment to continue to co-operate in providing assistance to the Namibian people through the United Nations Fund for Namibia, the Nationhood Programme and the United Nations Institute for Namibia.
12. The Government of the Netherlands and the Mission agreed on the need to intensify the dissemination of information on Namibia in order to mobilize greater support for the cause of the Namibian people.
13. The Mission of the Council expressed appreciation for the consistent position taken by the Government of the Netherlands in favour of self-determination, freedom and genuine independence for Namibia and for its continued humanitarian assistance in support of those goals.

4. COMMUNIQUE ISSUED BY THE MISSION OF CONSULTATION TO
THE GERMAN DEMOCRATIC REPUBLIC, HUNGARY AND ROMANIA,
15 TO 26 JULY 1981

(a) Joint communiqué issued by the Government of the
German Democratic Republic and the Mission at Berlin
on 17 July 1981*

1. At the invitation of the Government of the German Democratic Republic, a mission of consultation of the United Nations Council for Namibia visited the German Democratic Republic from 15 to 19 July 1981. The Mission was headed by Mr. Legwaila Joseph Legwaila, Permanent Representative of Botswana to the United Nations, and included Mr. Abu Md. Basharat Ali (Bangladesh), Mr. Zahary Radoukov (Bulgaria), Miss María Eugenia Trujillo (Venezuela) and Mr. Tulinane Obed Emvula (SWAPO).
2. During its stay in the German Democratic Republic, the Mission was received by Mr. Klaus Willerding, Deputy Minister for Foreign Affairs, and held substantive discussions at the Ministry of Foreign Affairs with a delegation comprising the Deputy Foreign Minister; Mr. Harold Rose, Director, United Nations Affairs Division; and Mr. Wolfgang Bayerlacher, Director, East and Central Africa Division.
3. The Mission met with Mr. Kurt Seibt, President of the Solidarity Committee of the German Democratic Republic, and Mr. Henrich Toeplitz, Chairman of the German Democratic Republic Committee for the Decade for Action to Combat Racism and Racial Discrimination.
4. In the course of the exchange of views, the parties noted that the situation in southern Africa had become more critical following the escalation of the policy of apartheid, aggression and occupation pursued by South Africa and its blatant refusal to implement the pertinent resolutions and decisions of the United Nations on the speedy granting of independence to the people of Namibia - a refusal that had become manifest during the pre-implementation meetings held at Geneva in January 1981.
5. In connivance with those Western Powers which were collaborating militarily, economically and politically with South Africa, the latter was trampling upon the decisions of the United Nations, intensifying its systematic repression of the Namibian people and perpetrating repeated acts of aggression against independent sovereign African States, particularly Angola, acts which constituted no longer a threat to but a manifest breach of international peace and security.
6. South Africa's obdurate refusal to comply with the will of the international community, as reflected in the United Nations resolutions and decisions, was receiving strong encouragement from certain Western Powers, particularly the United States, which in April, together with the other Western permanent members of the Security Council, had prevented the Council from imposing sanctions against South Africa. The United States had

* Previously issued under the symbol A/AC.131/L.210.

furthermore stepped up its collaboration with South Africa in the political, military and nuclear fields. The parties condemned the collusion of the Western Powers with South Africa, which was also aimed at destabilizing legitimate Governments of independent sovereign African States, in particular that of Angola. That collusion confirmed existing doubts about the real intentions of the five Western Powers forming the so-called contact group.

7. The parties also expressed their deep concern about the efforts by South Africa and certain Western Powers to forge a South Atlantic alliance as an instrument for the suppression of the liberation struggle in southern Africa and the perpetuation of colonialism in that part of the world.

8. The Government expressed its support for the Panama Declaration and Programme of Action on Namibia, adopted by the Council on 5 June 1981.

9. The Government of the German Democratic Republic expressed support for the peaceful resolution of the problem of Namibia on the basis of Security Council resolutions 385 (1976), 431 (1978), 435 (1978) and 439 (1978). It also reaffirmed its principled position of total support for the legitimate struggle of the Namibian people, including armed struggle, for self-determination, freedom and independence, under the leadership of SWAPO, the sole and authentic representative of the Namibian people. It denounced efforts by South Africa and certain of the Western Powers to elevate the so-called internal parties to equal status with SWAPO and any moves to revise or modify Security Council resolution 435 (1978), which provided the only acceptable basis for a settlement. It also denounced all and any manoeuvres by the South African apartheid régime to impose upon the Namibian people a so-called internal settlement.

10. Both sides expressed their support for the imposition of mandatory comprehensive economic sanctions against South Africa under Chapter VII of the Charter of the United Nations as called for by the General Assembly, OAU and the non-aligned movement, as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.

11. The Government supported the early convening of an emergency special session of the General Assembly to review the question of Namibia and take measures as appropriate under the Charter. The Government also endorsed the intention of the Council to recommend for adoption by the General Assembly, at the emergency special session, resolutions that would provide for measures to be taken by Members of the United Nations to ensure the complete economic and political isolation of South Africa.

12. The parties reaffirmed their position that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the off-shore islands, and that any action by South Africa to fragment the Territory would be illegal, null and void.

13. They condemned the continued illegal exploitation of the Territory's natural resources by South Africa and other foreign interests, particularly certain Western Powers, in defiance of United Nations resolutions and expressed their full support for Decree No. 1 for the Protection of the Natural Resources of Namibia.

14. The Government reaffirmed its position that Namibia was the direct responsibility of the United Nations and that any attempt at reaching a settlement without the direct participation of the United Nations was illegal.

15. The Government expressed its deep appreciation and full support for the efforts of the United Nations and, in particular, the activities of the Council as the legal Administering Authority for Namibia until independence. It also declared its determination to continue its assistance to and support for the struggle of the people of Namibia for independence in accordance with the Charter and General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as subsequent resolutions.

16. The Mission expressed its gratitude to the Government and people of the German Democratic Republic for their consistent support of and assistance to the people of Namibia in their national liberation struggle as well as for the efforts of the German Democratic Republic aimed at stabilizing and strengthening international peace and security in that part of the world.

17. The Mission acknowledged with deep appreciation the firm support which the German Democratic Republic had always given to the Council and expressed its sincere thanks for the generous hospitality extended to it.

(b) Communiqué issued by the Government of Hungary and the Mission at Budapest on 23 July 1981*

1. At the invitation of the Government of Hungary a mission of consultation of the United Nations Council for Namibia visited Hungary from 19 to 23 July 1981. The Mission was headed by Mr. Legwaila Joseph Legwaila, Permanent Representative of Botswana to the United Nations, and included Mr. Abu Md. Basharat Ali (Bangladesh), Mr. Zahary Radoukov (Bulgaria), Miss María Eugenia Trujillo (Venezuela) and Mr. Tulinane Obed Emvula (SWAPO).
2. The Mission was received by Mr. Janos Péter, Vice-President of the National Assembly, and Mr. János Nagy, State Secretary for Foreign Affairs. The Mission held talks with Mr. Imre Hollai, Deputy Minister for Foreign Affairs.
3. In the course of the exchange of views, it was noted that the situation had become critical following the collapse of the pre-implementation meetings held at Geneva in January 1981, during which South Africa had manifested egregious bad faith towards the United Nations and had virtually repudiated its undertaking to hold free and fair elections under the supervision and control of the United Nations. South Africa was further intensifying its systematic acts of repression against the Namibian people and was escalating its acts of aggression against independent African States, particularly Angola, creating a threat to international peace and security.

* Previously issued under the symbol A/AC.131/L.211.

4. South Africa's obdurate refusal to comply with the will of the international community was receiving strong encouragement from certain Western Powers, particularly the United States, which had prevented the Security Council from imposing sanctions against South Africa. The United States furthermore had announced its intention to step up collaboration with South Africa in the political and military fields, including the supply to South Africa of nuclear material. The parties condemned the collusion of certain Western Powers with South Africa, which was also aimed at destabilizing the entire region of southern Africa and especially at undermining the legitimate Government of Angola.
5. Deep concern was also expressed about the efforts by South Africa and certain Western Powers to forge a South Atlantic alliance as an instrument for the suppression of the liberation struggle in southern Africa and the perpetuation of colonialism in that part of the world.
6. The Hungarian side expressed its support for the Panama Declaration and Programme of Action on Namibia, adopted by the Council on 5 June 1981.
7. The Government of the Hungarian People's Republic reaffirmed its principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and independence and reaffirmed its recognition of SWAPO as the sole and authentic representative of the Namibian people. It denounced efforts to revise or modify Security Council resolution 435 (1978) which provided the accepted basis for a settlement. It also denounced all and any manoeuvres by South Africa to impose upon the Namibian people an unacceptable settlement.
8. The Government also expressed its support for the imposition of mandatory comprehensive economic sanctions against South Africa under Chapter VII of the Charter of the United Nations, as called for by the General Assembly, OAU and the non-aligned movement, as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.
9. The Government of the Hungarian People's Republic supported the early convening of an emergency special session of the General Assembly to review the question of Namibia and take measures as appropriate under the Charter. The Government of the Hungarian People's Republic also endorsed the intention of the Council to recommend for adoption by the General Assembly, at the emergency special session, resolutions that would ensure the complete economic and political isolation of South Africa.
10. The Government of the Hungarian People's Republic reaffirmed its position that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the off-shore islands, and that it would regard any action by South Africa to separate them from the Territory to be illegal, null and void.
11. The Government of the Hungarian People's Republic strongly condemned the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa which were exploiting the human and natural resources of the Territory, and demanded that such exploitation cease forthwith. It also expressed its full support for Decree No. 1 for the Protection of the Natural Resources of Namibia enacted by the Council on 24 September 1974.

12. The Government reaffirmed its position that Namibia was the direct responsibility of the United Nations and that any settlement without the direct participation of the United Nations would be illegal.

13. The Government of the Hungarian People's Republic expressed its full support for the efforts of the United Nations and, in particular, the activities of the Council, the legal Administering Authority for Namibia. It also declared its determination to give every possible assistance and support to the struggle of the people of Namibia for independence.

14. The Mission expressed its gratitude for the firm and consistent support given by the Government and people of the Hungarian People's Republic at international fora, including the United Nations, to achieve independence for Namibia and thereby stabilizing and strengthening peace and security in the southern part of Africa.

(c) Communiqué issued by the Government of Romania and the Mission at Bucharest on 25 July 1981*

1. At the invitation of the Government of Romania a mission of consultation of the United Nations Council for Namibia visited Romania from 23 to 26 July 1981. The Mission was headed by Mr. Legwaila Joseph Legwaila, Permanent Representative of Botswana to the United Nations, and included Mr. Abu Md. Basharat Ali (Bangladesh), Mr. Zahary Radoukov (Bulgaria), Miss María Eugenia Trujillo (Venezuela) and Messrs. Tulinane Obed Emvula and Ndeulimane Shamena (SWAPO).

2. The Mission was received by Mr. Stefan Andrei, the Minister for Foreign Affairs, and had talks with Mr. Gheorghe Dolgu, the Deputy Minister for Foreign Affairs.

3. The delegation also participated in a round-table discussion entitled "Namibia and the United Nations", organized by the Association of International Law and International Relations, and held a press conference with representatives of the Romanian mass media.

4. In the course of the exchange of views, it was noted that the situation in Namibia had been aggravated mainly by the persistent refusal of South Africa to cease its illegal occupation of Namibia and to implement the resolutions of the United Nations regarding Namibia. The situation in southern Africa had been further aggravated by the repeated acts of aggression perpetrated by South Africa against neighbouring independent States, creating a threat to international peace and security.

5. The delegation described the activities of the Council aimed at speeding up the accession of Namibia to independence and drew particular attention to the forthcoming emergency special session of the United Nations General Assembly on Namibia.

* Previously issued under the symbol A/AC.131/L.212.

6. The Government of Romania expressed its total support for the legitimate struggle of the Namibian people, including armed struggle, for self-determination, freedom and independence, and reaffirmed its recognition of SWAPO as the sole and authentic representative of the Namibian people.

7. During the talks, the Romanian representatives reiterated the firm position of Romania that the people of Namibia had the inalienable right to accede to independence in a sovereign and unitary State. In that regard, they reaffirmed the support of the Government for the speedy implementation of the United Nations settlement plan embodied in Security Council resolution 435 (1978).

8. The Government expressed the view that the opportunity offered by the forthcoming emergency special session of the General Assembly to be convened in September 1981 should be used to accelerate progress towards a peaceful settlement of the Namibian problem in accordance with the relevant United Nations resolutions on Namibia. The Government also endorsed the intention of the Council to recommend the adoption of appropriate measures by the General Assembly at the emergency special session.

9. The Government was of the opinion that, in the prevailing circumstances, all States should intensify their political and diplomatic activities with a view to securing the independence of Namibia on the basis of the United Nations plan. There was an imperative need for all progressive, democratic and anti-imperialist forces to redouble their efforts aimed at ensuring the success of the just struggle of the Namibian people. Accordingly, the General Assembly and the Security Council were called upon to take urgent measures to eliminate all the obstacles to the exercise by the Namibian people of their right to free and sovereign existence.

10. The Government expressed its full support for the efforts of the United Nations and, in particular, the activities of the Council as the legal Administering Authority for Namibia until independence.

11. It was emphasized that Romania was firmly committed to continue to act with a view to achieving the independence of the Namibian people without delay so that Namibia would take its rightful place among the free nations of the world.

5. COMMUNIQUEES ISSUED BY THE MISSION OF CONSULTATION TO INDIA
AND VIET NAM, 2 TO 12 AUGUST 1981

(a) Joint communiqué issued by the Government of India
and the Mission at New Delhi on 5 August 1981*

1. At the invitation of the Government of India, a mission of consultation of the United Nations Council for Namibia visited India from 2 to 6 August 1981. The Mission was headed by Mr. Michael E. Sherifis, Deputy Permanent Representative of Cyprus to the United Nations, and included

* Previously issued under the symbol A/36/433-S/14629, annex.

Messrs. T. P. Sreenivasan (India), Semion Aleksandrovich Dzakhayev (Union of Soviet Socialist Republics), Tommo Monthe (United Republic of Cameroon), and Tuli Hiveluah (SWAPO).

2. During its stay in India, the Mission was received by Mrs. Indira Gandhi, Prime Minister of India. The Mission held substantive discussions in the Ministry of External Affairs with an Indian delegation consisting of Mr. S. K. Singh, Additional Secretary for United Nations and Administration; Mr. Ramesh N. Mulye, Joint Secretary of United Nations Division; Mr. Sushil Dubey, Director for United Nations Political Affairs; and Mr. Gurcharan Singh, Director of Africa Division.
3. The Mission held consultations with the Government of India and examined ways and means of strengthening the co-operation between the Government of India and the Council during the forthcoming emergency special session of the General Assembly on the question of Namibia.
4. The Government of India reaffirms its well-known support for the Council as the only legal Administering Authority for Namibia until its independence.
5. The Government of India and the Mission declare that South Africa's policies of repression of the people of Namibia, its militarization of the Territory, its use of the Territory as a spring-board for repeated acts of aggression against neighbouring African States, its possession and exploitation of massive reserves of uranium in Namibia and its efforts towards development of nuclear weapons with the assistance and collaboration of certain countries, constitute a threat to international peace and security within the meaning of Chapter VII of the Charter of the United Nations.
6. The Government of India and the Mission consider that the strong political, economic, diplomatic and military support which South Africa receives from certain Western permanent members of the Security Council encourages South Africa to refuse to comply with United Nations resolutions and decisions on Namibia. This stand by certain Western countries has prevented the Security Council from imposing mandatory sanctions against South Africa. This encouragement confirms existing doubts about the real intentions of the five Western Powers which had been the authors of the United Nations plan for Namibia.
7. The Mission welcomes the paramount role played by the Movement of Non-Aligned Countries in seeking a solution to the problem of Namibia and expresses appreciation for the policies advocated for Namibia by India, a founding member of the Movement of Non-Aligned Countries.
8. The Government of India and the Mission are opposed to any attempt at distorting the nature of the question of Namibia, which is specifically a problem of decolonization and of illegal occupation.
9. The Government of India and the Mission reject any attempt to present the Namibian issue as a regional conflict, with the aim of depriving it of its universal dimensions and underplaying the degree of defiance by South Africa of the decisions of the United Nations as a whole.

10. At the same time, the Government of India and the Mission denounce attempts by South Africa and its allies to characterize the liberation struggle in Namibia as part of an East-West confrontation, thus distorting and undermining the purpose of the struggle of the Namibian people against the illegal occupation of their country and for genuine independence.

11. The Government of India expresses support for the peaceful resolution of the problem of Namibia on the basis of Security Council resolutions 385 (1976), 431 (1978), 435 (1978) and 439 (1978). It also reaffirms its principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence in a united Namibia under the leadership of SWAPO which is the sole and authentic representative of the Namibian people. The legitimacy of the armed struggle by the Namibian people led by SWAPO has been solemnly proclaimed by resolutions of the General Assembly of the United Nations.

12. The Government of India and the Mission denounce efforts by South Africa and certain Western Powers to elevate the so-called internal parties to equal status with SWAPO and any moves to revise or modify Security Council resolution 435 (1978) which provides the only universally acceptable basis for a settlement. It also denounces any manoeuvres by South Africa to impose a neo-colonial régime upon the Namibian people through a so-called internal settlement.

13. The Government of India and the Mission express their support for the imposition of mandatory comprehensive economic sanctions against South Africa under Chapter VII of the Charter as called for by the General Assembly, the non-aligned movement and OAU as one of the most effective ways to obtain South Africa's compliance with the relevant Security Council resolutions.

14. The Government of India supports the early convening of an emergency special session of the General Assembly to review the question of Namibia and take measures as appropriate under the Charter. The Government also supports the intention of the Council to recommend for adoption by the General Assembly at the emergency special session resolutions that would provide for measures to be taken by Members of the United Nations in accordance with the Charter to ensure the complete economic and political isolation of South Africa.

15. The Government of India and the Mission reiterate that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the off-shore islands, and that any action by South Africa to fragment the Territory would be illegal, null and void.

16. The Government of India reaffirms its position that Namibia is the direct responsibility of the United Nations and rejects any attempts at reaching a settlement without the direct participation of the United Nations.

17. The Government of India and the Mission strongly condemn the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa. These activities constitute a major obstacle to the genuine independence of Namibia.

18. The Government of India and the Mission consider that in the light of the failure of the Geneva pre-implementation meeting in January 1981 and the subsequent failure of the Security Council to act, the efforts for the implementation of the United Nations plan have reached an impasse. The two sides commend the positive attitude of SWAPO which has worked for the implementation of the United Nations plan and condemn the persistent refusal of South Africa to comply with the United Nations resolutions and its rejection of the United Nations plan.
19. The Government of India and the Mission consider that in these circumstances, it is necessary for the international community to prepare for an active and concerted political campaign in support of the struggle of the Namibian people.
20. The Government of India and the Mission consider that it is essential to ensure the non-recognition, as called for by the Security Council, of any fraudulent entities which may be established by South Africa in Namibia.
21. The Government of India and the Mission consider that it is essential to seek the full implementation of all Security Council resolutions on the question of Namibia, all of which are binding on all Member States.
22. The Government of India and the Mission consider that programmes of assistance to the Namibian people should be strengthened. In this connexion, the United Nations should consolidate all activities which are directed towards support of the Namibian people.
23. The Government of India and the Mission consider that the programme for a voluntary boycott of South Africa embodied in the Panama Declaration and Programme of Action on Namibia should be adopted by the General Assembly at its forthcoming emergency special session. In this context the Mission notes with appreciation that, as far back as 1946, India was among the first countries to impose comprehensive voluntary sanctions against South Africa by means of appropriate legislation.
24. The Government of India and the Mission consider that in order to ensure the effectiveness of a boycott it is necessary to increase assistance to neighbouring African States. Such assistance should be designed to enable these States to move towards self-reliance.
25. The Government of India and the Mission reiterate the importance of the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. In this connexion, the two sides express support for the development of a comprehensive programme to enforce the implementation of the Decree consisting, *inter alia*, of exertion of pressure on Governments which have not yet done all in their power to carry out their obligations, institution of effective legal action in appropriate courts and action by non-governmental organizations.
26. The Mission, on behalf of the Council, expresses its appreciation to the Government of India for the moral and material support which it has extended to SWAPO, the sole and authentic representative of the Namibian people, and welcomes the recent decision of the Government of India to receive a resident mission of SWAPO in Delhi.

27. The Mission, on behalf of the Council, expresses its appreciation to the Government of India for its contribution to the United Nations Fund for Namibia and for the scholarships which it has awarded to Namibian students.

28. The Mission expresses its gratitude for the firm and consistent position taken by the Government of India with respect to the efforts of the Council in support of genuine independence for the Namibian people and expresses its sincere thanks to the Government and people of India for the warm welcome extended to it and for their generous hospitality.

(b) Joint communiqué issued by the Government of Viet Nam and the Mission at Hanoi on 12 August 1981*

1. At the invitation of the Government of Viet Nam, a mission of consultation of the United Nations Council for Namibia, visited Viet Nam from 7 to 12 August 1981. The Mission was headed by Mr. Noel G. Sinclair, Permanent Representative of Guyana to the United Nations, and included Messrs. Michael E. Sherifis (Cyprus), T. P. Sresnivasan (India), Semion Aleksandrovich Dzakhayev (Union of Soviet Socialist Republics), Tommo Monthe (United Republic of Cameroon); and Mr. Tuli Hiveluah (SWAPO).

2. During its stay in Viet Nam, the Mission was received by Mr. Nguyen Huu Tho, Vice-President of the State Council, and Mr. Nguyen Co Thach, Minister for Foreign Affairs. The Mission held substantive discussions with a Vietnamese delegation consisting of Mr. Nguyen Thuong, Director of the Department for General Affairs of the Ministry for Foreign Affairs; Mr. Vu Tien, Acting Director of the Department for African Affairs II; and Messrs. Pham Ngac, Do Cong Minh, Vu Quang Diem, Tran Duc Diem and Nguyen Van Thuy of the Department for General Affairs.

3. The Mission held consultations with the Government of Viet Nam and examined ways and means of strengthening the co-operation between the Government of Viet Nam and the Council, particularly during the forthcoming emergency special session of the General Assembly on the question of Namibia.

4. The Government of Viet Nam reaffirms its well-known support for the struggle of the Namibian people for self-determination under the leadership of SWAPO and, in this context, its support for the United Nations Council for Namibia, designated by the United Nations as the legal Administering Authority for Namibia until its independence.

5. The Government of Viet Nam and the Mission declare that South Africa's policies with respect to Namibia constitute an encroachment on the fundamental national rights of the Namibian people and a threat to international peace and security within the meaning of Chapter VII of the Charter of the United Nations. These policies include the stationing of large numbers of troops in Namibia and the construction of military bases, the use of these bases to launch repeated acts of aggression against neighbouring States, the increased

* Previously issued under the symbol A/36/450-S/14644, annex.

repression of the Namibian people and the determined efforts towards development of nuclear weapons with the assistance and collaboration of certain countries, coupled with the massive exploitation of reserves of uranium and other resources in Namibia.

6. The Government of Viet Nam and the Mission reaffirm their solidarity with the front-line States and condemn all actions by South Africa and its allies aimed at destabilizing them or at forcing them to withdraw their support for the struggle of the people of Namibia under the leadership of SWAPO.

7. The Government of Viet Nam supports the early convening of an emergency special session of the General Assembly to review the question of Namibia and take measures as appropriate under the Charter of the United Nations. The Government also supports the decision of the Council to recommend for adoption by the General Assembly, at the emergency special session, resolutions that would provide for measures to ensure the complete economic and political isolation of South Africa.

8. This emergency special session of the General Assembly will take place in the light of South Africa's continuing refusal to accept the implementation of Security Council resolution 435 (1978). It is the expectation, therefore, of both the Government of Viet Nam and the Council that the emergency special session will devise a new strategy to compel South Africa to comply with United Nations decisions on Namibia in order to enable Namibia to secure full independence.

9. The Government of Viet Nam and the Mission consider that South Africa's obdurate refusal to comply with United Nations resolutions and decisions has been made possible through the strong political, economic, diplomatic and military support of certain Western Powers, particularly some permanent members of the Security Council. This has so far prevented the Security Council from imposing mandatory sanctions against South Africa. This support, coupled with the failure of the five Western Powers which had been the authors of the United Nations plan for Namibia to bring about the implementation of the plan which they themselves had initiated, leads the Government of Viet Nam and the Mission to doubt the true intentions of the authors of the plan and to conclude that efforts to implement this plan have reached an impasse.

10. The Government of Viet Nam and the Mission express their support for the imposition of mandatory comprehensive economic sanctions against South Africa under Chapter VII of the Charter of the United Nations, as called for by the General Assembly, the Movement of Non-Aligned Countries and OAU, as one of the most effective means to compel South Africa to comply with the relevant decisions and resolutions of the United Nations.

11. The Government of Viet Nam reaffirms its principled position of total support for the legitimate struggle of the Namibian people for self-determination, freedom and genuine independence, under the leadership of SWAPO, which is the sole and authentic representative of the Namibian people. The Government of Viet Nam strongly supports the struggle of the Namibian people by all available means including the armed struggle, the legitimacy of which has been solemnly proclaimed by resolutions of the General Assembly.

12. The Government of Viet Nam and the Mission denounce moves to revise or modify the United Nations plan as contained in the relevant Security Council resolutions, which provide the only basis for a negotiated settlement accepted by all the parties concerned. They denounce the attempts by South Africa to undermine and sabotage the United Nations plan. They also denounce any manoeuvres by South Africa to impose upon the Namibian people a neo-colonial régime through a so-called internal settlement.
13. The Government of Viet Nam and the Mission are of the opinion that all States should further intensify their political and diplomatic activities with a view to securing the genuine independence of Namibia. There is an imperative need for all progressive, democratic and anti-imperialistic forces to redouble their efforts aimed at ensuring the success of the just struggle of the Namibian people.
14. The Government of Viet Nam and the Mission reiterate that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the off-shore islands, and that any action by South Africa to fragment that territory would be illegal, null and void.
15. The Government of Viet Nam and the Mission reaffirm their position that Namibia is the direct responsibility of the United Nations and condemn any attempts at reaching a settlement without the direct participation of the United Nations. They also reaffirm their basic position that SWAPO must participate in any negotiations concerning the future of Namibia.
16. The Government of Viet Nam and the Mission strongly condemn the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa. These activities cause massive profits to be accumulated by these corporations, which in turn provide extensive financial support to the occupation régime, thus contributing its perpetuation. Such activities in Namibia, and also in South Africa, constitute a major obstacle to the achievement of independence by the Namibian people and lie behind the reluctance of the authors of the United Nations plan for Namibia to proceed with its implementation.
17. The Government of Viet Nam and the Mission welcome the paramount role played by the Movement of Non-Aligned Countries and OAU in seeking a solution to the problem of Namibia and express appreciation for the policies advocated for Namibia by them.
18. The Government of Viet Nam and the Mission reaffirm that the struggle of the people of Namibia is for self-determination and against colonialism and illegal occupation. They denounce attempts by South Africa and its allies to characterize that struggle as part of either East-West confrontation or of international terrorism, thus distorting and undermining the nature and purpose of the struggle of the Namibian people against the illegal occupation of their country and for genuine independence.
19. The Government of Viet Nam and the Mission consider that, in these circumstances, it is now necessary for the international community to prepare for an active and concerted political campaign in support of the struggle of the Namibian people.

20. The Government of Viet Nam and the Mission consider that it is essential to ensure the recognition by all States of SWAPO as the sole and authentic representative of the Namibian people, and the non-recognition, as called for by United Nations resolutions, of any puppet entities which may be established by the illegal South African régime in Namibia.
21. The Government of Viet Nam and the Mission consider that it is essential to seek the full implementation of Security Council resolutions on the question of Namibia, all of which are binding on all Member States.
22. The Government of Viet Nam and the Mission consider that programmes of assistance to the Namibian people should be strengthened. In this connexion, the United Nations should consolidate all activities which are directed towards support of the Namibian people.
23. The Government of Viet Nam and the Mission consider that the call for a voluntary boycott of South Africa embodied in the Panama Declaration and Programme of Action on Namibia should be adopted by the General Assembly at its forthcoming emergency special session. The Government of Viet Nam and the Mission also consider that, in order to ensure the effectiveness of a boycott, it is necessary to consider a strengthening of programmes of assistance to States which are neighbours of South Africa. Such assistance should not merely envisage the overcoming of short-term difficulties but should be designed to enable these States to move towards self-reliance.
24. The Government of Viet Nam and the Mission reaffirm their belief in the value of an informed international public opinion and stress the need to ensure the widest possible dissemination of information on the struggle of the Namibian people and on the activities of the United Nations Council for Namibia not only among Governments but also among peoples.
25. The Government of Viet Nam and the Mission reiterate the importance of the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. In this connexion, the two sides express support for the development of a comprehensive programme to enforce the implementation of the Decree consisting, *inter alia*, of exertion of pressure on Governments which have not yet done all in their power to carry out their obligations, institution of effective legal action in appropriate courts and action by non-governmental organizations.
26. The Mission, on behalf of the United Nations Council for Namibia, expresses its appreciation to the Government of Viet Nam for the unreserved support which it extends to SWAPO, the sole and authentic representative of the Namibian people. The Government of Viet Nam believes that the Namibian people under the leadership of SWAPO, with unity, determination and perseverance, will finally achieve their lofty goals, namely, independence, sovereignty and territorial integrity.

C. Resolutions

706. The Council adopted the following resolutions during the period covered by the present report:

1. Nationhood Programme for Namibia*

The United Nations Council for Namibia,

Having studied the progress report of the United Nations Commissioner for Namibia on the implementation of the Nationhood Programme for Namibia,

1. Takes note with appreciation of the progress report of the United Nations Commissioner for Namibia on the implementation of the Nationhood Programme for Namibia;

2. Commends the progress made in bringing the pre-independence components of the Nationhood Programme, particularly in the fields of training and sectoral surveys and analyses, to implementation;

3. Requests the Commissioner to continue his efforts in the further implementation of the Nationhood Programme in consultation with the South West Africa People's Organization;

4. Approves the revisions made to the total budgets of the two projects entitled "Training in Public Enterprises Management" and "Clerical and Transport Services to Support Nationhood Programme Projects" to which reference is made in the report of the Commissioner;

5. Requests the Commissioner to submit to the Committee on the United Nations Fund for Namibia on a semi-annual basis a progress report on the status of the implementation of the Nationhood Programme, indicating the status of both the training activities and the sectoral surveys and analyses of the Namibian economy.

335th meeting
5 September 1980

* Previously issued under the symbol A/AC.131/85.

2. Mandate of the Council*

The United Nations Council for Namibia,

Having received a letter dated 9 June 1980 from the Permanent Observer of the South West Africa People's Organization to the United Nations, 59/

Having heard the statements of the Permanent Observer of the South West Africa People's Organization to the United Nations 60/ and the members of the Council,

Recalling General Assembly resolution 2248 (S-V) of 19 May 1967, by which the Assembly established the United Nations Council for Namibia to administer the Territory until independence,

Decides that the member States of the Council shall be committed to the following principles and policies:

- (a) To uphold the cause of Namibia as the cause of the United Nations, which expresses the will of the international community against the illegal occupation of Namibia by South Africa;
- (b) To adhere fully to all resolutions of the United Nations on Namibia, particularly General Assembly resolution 2248 (S-V), which establishes the mandate of the Council;
- (c) To commit themselves fully to the early exercise of self-determination by the people of Namibia and their liberation from the illegal occupation by South Africa;
- (d) To act in accordance with the recognition granted by the United Nations to the South West Africa People's Organization as the sole and authentic representative of the Namibian people and to support the South West Africa People's Organization in its struggle for liberation;
- (e) To reflect the best interests of the people of Namibia in the deliberations of the Council and to participate in the activities of the Council solely in pursuance of the mandate of the Council;
- (f) To support the territorial integrity of Namibia, including Walvis Bay, the Penguin Islands and other off-shore islands.

340th meeting
13 November 1980

* Previously issued under the symbol A/AC.131/83, annex III.

59/ See A/AC.131/83, annex I.

60/ See A/AC.131/83, annex II.

3. Expression of thanks to the Government and people of Panama*

The United Nations Council for Namibia,

Having met at Panama City from 2 to 5 June 1981 for the purpose of reviewing the internal and international situation regarding Namibia and mobilizing international support for self-determination, freedom and national independence for Namibians in a united Namibia,

Having heard a very important and inspiring statement made by His Excellency Mr. Aristides Rojo, President of the Republic of Panama, at the inaugural meeting on 2 June,

Expresses its profound gratitude to the President, the Government and the people of Panama for providing the Council with the necessary facilities for its extraordinary plenary meetings, for the outstanding contribution they have made to the success of the meetings, and in particular for the very generous and kind hospitality and the warm and cordial reception accorded to the participants and observers throughout their stay in Panama City.

357th meeting
5 June 1981

D. Decisions

707. The Council adopted the following decisions during the period covered by the present report:

1. International Conference in Solidarity with the Struggle of the People of Namibia, held at Paris from 11 to 13 September 1980

The United Nations Council for Namibia,

Having heard the statements of Mr. Mostapha Niasse, Foreign Minister of Senegal and President of the Conference, and of Mr. Mohamed Sahnoun, Ambassador of Algeria to France and Secretary-General of the Conference,

Decides:

- (a) To take note with appreciation of the report of the Secretary-General of the Conference and to endorse the Declaration of the Conference; 61/
- (b) To give the Declaration the widest possible circulation.

337th meeting
6 October 1980

* Previously issued under the symbol A/AC.131/87.

61/ See annex IV to the present report. Official Records of the Security Council, Thirty-fifth Year, Supplement for October, November and December 1980.

2. Report of the Chairman of Standing Committee II

The United Nations Council for Namibia,

Having considered the report of the Chairman of Standing Committee II on the mission of consultation with the leadership of the South West Africa People's Organization,

Decides to approve the report of the Chairman of Standing Committee II.

337th meeting
6 October 1980

3. Hearings on Namibian uranium

(a) Report of the Panel

The United Nations Council for Namibia,

Having heard the statement of the Chairman of the Panel for hearings on Namibian uranium,

Decides to approve the report of the Panel for hearings on Namibian uranium.
62/

342nd meeting
21 November 1980

(b) Supplementary report of the Panel

The United Nations Council for Namibia,

Having considered the supplementary report of the Panel for hearings on Namibian uranium,

Decides to approve the report, as amended, together with the following recommendations:

(a) Consultations should be held with the Government of the Netherlands in June 1981 to discuss matters contained in the Panel's report;

(b) A seminar on legal issues concerning Namibia should be held at The Hague in June 1981 to commemorate the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1981;

62/ A/AC.131/82 and Add.1-11. Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24.

(c) A seminar should be held at London for trade unionists on the illegal exploitation of Namibian uranium and the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia.

348th meeting

24 April 1981

4. Consideration of the question of Namibia at the resumed thirty-fifth session of the General Assembly

(a) Report of the President

The United Nations Council for Namibia,

Having considered the report of the President 63/ on the consideration of the question of Namibia at the resumed thirty-fifth session of the General Assembly,

Decides to approve the report of the President, as amended.

346th meeting

19 February 1981

(b) Report of the President

The United Nations Council for Namibia,

Having considered the report of the President 64/ with respect to the additional draft resolution to be submitted by the Council to the General Assembly at its resumed thirty-fifth session,

Decides to approve the report of the President and the annexed draft resolution entitled "Situation resulting from South Africa's refusal to comply with United Nations resolutions on Namibia".

347th meeting

26 February 1981

63/ A/AC.131/84.

64/ A/AC.131/86.

5. Report of the Chairman of Standing Committee III

The United Nations Council for Namibia,

Having considered the report of the Chairman of Standing Committee III on the work programme of Standing Committee III for the year 1981, 65/

Decides to approve the report of the Chairman of Standing Committee III and the amendment to part (b) of the Committee's terms of reference, which shall henceforth read as follows:

"(b) To consider ways and means of acquainting world public opinion with all aspects of the question of Namibia, especially in the light of the continued defiance by South Africa of the United Nations resolutions on Namibia, particularly Security Council resolution 435 (1978) of 29 September 1978, and to entrust the Department of Public Information and other relevant bodies of the Secretariat with the carrying out of specific tasks under the Committee's programme;"

348th meeting
24 April 1981

6. Extraordinary plenary meetings at Panama City

(a) Report of the President

The United Nations Council for Namibia,

Having considered the report of the President 66/ with respect to the invitation extended by the Government of Panama to the Council for the holding of extraordinary plenary meetings at Panama City from 2 to 5 June 1981,

Decides to approve the report of the President.

349th meeting
15 May 1981

65/ A/AC.131/L.220.

66/ A/AC.131/L.168.

(b) Report of the President

The United Nations Council for Namibia,

Having considered the report of the President 67/ regarding the organization of the extraordinary plenary meetings of the Council to be held at Panama City from 2 to 5 June 1981,

Decides to approve the report of the President.

349th meeting
15 May 1981

7. Election of a Vice-President

The United Nations Council for Namibia,

Having heard the nomination by the Permanent Representative of Turkey,

Decides to elect Mr. Natarajan Krishnan, Permanent Representative of India to the United Nations, to the post of Vice-President of the Council.

349th meeting
15 May 1981

PART FOUR

RECOMMENDATIONS AND ACTIVITIES INVOLVING FINANCIAL IMPLICATIONS

I. RECOMMENDATIONS

708. The United Nations Council for Namibia recommends to the General Assembly the adoption of the following draft resolutions:

Question of Namibia

A

Situation in Namibia resulting from the illegal occupation
of the Territory by South Africa

The General Assembly,

Having examined the report of the United Nations Council for Namibia 68/ and the relevant chapters of the 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, 69/

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971, 70/ delivered in response to the request addressed to it by the council in its resolution 284 (1970) of 29 July 1970,

Recalling also its resolutions 3111 (XXVIII) of 12 December 1973, and 31/146 and 31/152 of 20 December 1976, by which it, inter alia, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

68/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24).

69/ Ibid., Supplement No. 23 (A/36/23), chaps. I-VI and VIII.

70/ Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.

Taking into consideration the Panama Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981, 71/

Taking into consideration the resolution on Namibia adopted by the Council of Ministers of the Organization of Africa Unity at its thirty-seventh ordinary session, held at Nairobi from 15 to 21 June 1981, 72/ and endorsed by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, as well as decisions of the Organization of African Unity reaffirming the unequivocal support of member States for the just armed struggle of liberation waged by the people of Namibia under the leadership of the South West Africa People's Organization, the sole legitimate and genuine representative of the Namibian people,

Taking into consideration the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia, adopted by the International Conference on Sanctions against South Africa, held in Paris from 20 to 27 May 1981, 73/

Welcoming the establishment of a solidarity Fund by the Movement of Non-Aligned Countries and an Emergency Namibia Liberation Fund by the Organization of African Unity to support the efforts of the South West Africa People's Organization in its liberation struggle,

Stressing the grave responsibility of the international community to take all possible measures in support of the Namibian people in their liberation struggle under the leadership of their sole and authentic representative, the South West Africa People's Organization,

Strongly reiterating its support for the national liberation movement of Namibia, the South West Africa People's Organization, the sole and authentic representative of the Namibian people, in their struggle to achieve self-determination, freedom and national independence in a united Namibia,

Reaffirming its full support for the armed struggle of the Namibian people under the leadership of the South West Africa People's Organization,

Strongly condemning South Africa's continued illegal occupation of Namibia, its brutal repression of the Namibian people and its ruthless exploitation of the people and resources of Namibia, as well as its attempts to destroy the national unity and territorial integrity of Namibia,

71/ See para. 222 above.

72/ A/36/534, annex I, resolution CM/RES. 853 (XXVII).

73/ A/36/319-S/14531, annexes I and II. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

Strongly condemning the United States of America, the United Kingdom of Great Britain and Northern Ireland and France for their collusion with the South African racists as manifested in the triple vetoes in the Security Council, where the majority of the world body demonstrated its determination to adopt concrete political and economic measures aimed at isolating terrorist South Africa in order to compel it to vacate Namibia,

Indignant at South Africa's refusal to comply with Security Council resolutions 385 (1976) of 30 January 1976, 431 (1978) of 27 July 1978, 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978 and at its manoeuvres aimed at gaining international recognition for illegitimate groups which it has installed in Namibia and which are subservient to Pretoria's interests in order to maintain its policies of domination and exploitation of the people and natural resources of Namibia,

Strongly condemning the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes,

Deeply concerned by the increasing militarization of Namibia and by the continuing acts of aggression against neighbouring independent African States, particularly Angola and Zambia, which have caused extensive loss of human lives and destruction of economic infrastructure,

Noting with grave concern that the Security Council failed on 31 August 1981, 74/ on account of the veto of the United States, to exercise its responsibilities in the face of unprovoked massive armed aggression against Angola,

Reaffirming that the resources of Namibia are the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive racist colonial administration, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council, and of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974, 75/ is illegal and contributes to the maintenance of the illegal occupation régime,

Indignant at the arbitrary imprisonment and detention of political leaders and followers of the South West Africa People's Organization, the killing of Namibian patriots and other acts of brutality, including the wanton beating, torture and murder of innocent Namibians, and the arbitrary inhuman measures of collective punishment and measures designed to intimidate the Namibian People and to destroy their will to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia,

Commending the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it under the relevant resolutions of the General Assembly as the legal Administering Authority for Namibia until independence.

74/ See S/PV.2300.

75/ See Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

[Approval of the report of the Council]

1. Approves the report of the United Nations Council for Namibia;

2. Requests all Member States to co-operate fully with the United Nations Council for Namibia, the legal Administering Authority for the Territory until independence, in discharging the mandate entrusted to it under the provisions of General Assembly resolution 2248 (S-V) and subsequent resolutions of the Assembly.

[Right to independence]

3. Reaffirms the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, including Walvis Bay and the off-shore islands, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as in subsequent resolutions of the Assembly relating to Namibia, and the legitimacy of their struggle by all means at their disposal, including armed struggle, against the illegal occupation of their territory by South Africa;

[United Nations responsibility]

4. Reiterates that Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory and, for this purpose, reaffirms the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence;

5. Strongly supports the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it both as a policy-making organ of the United Nations and as the legal Administering Authority for Namibia;

[SWAPO]

6. Reaffirms that the South West Africa People's Organization, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people;

7. Supports the armed struggle of the Namibian people, under the leadership of the South West Africa People's Organization, to achieve self-determination, freedom and national independence in a united Namibia;

8. Solemnly reaffirms that the genuine independence of Namibia can be achieved only with the direct and full participation of the South West Africa People's Organization, the sole and authentic representative of the Namibian people, in all efforts to implement resolutions of the United Nations on Namibia and further reaffirms that the only parties to the conflict in Namibia are, on the one hand, South Africa, which is illegally occupying the Territory and committing aggression against the people, and, on the other, the Namibian people, under the leadership of the South West Africa People's Organization, supported by the United Nations, which has direct responsibility for the Territory until independence;

9. Calls upon Member States, specialized agencies and other international organizations to render sustained and increased support and material, financial, military and other assistance to the South West Africa People's Organization to enable it to intensify its struggle for the liberation of Namibia;

[Condemnation of South Africa]

10. Strongly condemns the South African régime for its continued illegal occupation of Namibia and for its persistent refusal to comply with the resolutions of the United Nations relating to Namibia;

11. Strongly condemns the manoeuvres of South Africa in Namibia aimed at transferring power to illegitimate groups subservient to its interests in order to maintain its policies of domination and exploitation of the people and natural resources of the Territory and declares that actions taken in this regard by the racist Pretoria régime are illegal, null and void;

12. Strongly condemns South Africa for its ever-increasing military build-up in Namibia, its recruitment and training of Namibians for tribal armies and the use of mercenaries to carry out its policy of military attacks against independent African States, particularly Angola and Zambia, its threats and acts of subversion and aggression against these countries and the forcible and massive displacement of Namibians from their homes for military and political purposes;

13. Strongly condemns the illegal South African administration for its introduction of compulsory military service for Namibians;

14. Declares that all measures by the illegal occupation régime to enforce military conscription in Namibia are illegal, null and void;

15. Strongly condemns South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and for its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia;

16. Condemns South Africa for its increased oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks against neighbouring States, particularly Angola;

[Condemnation of support for South Africa]

17. Strongly condemns the collusion by the Governments of certain Western countries and other States, particularly those of the United States of America, the Federal Republic of Germany and Israel, with the racist régime of South Africa in the nuclear field and calls upon France and all other States to refrain from supplying the racist minority régime in South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

18. Strongly condemns the activities of all foreign economic interests operating in Namibia under the illegal South African administration which are exploiting illegally the resources of the Territory and demands that transnational corporations and others engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately abstaining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;

19. Declares that, by their depletive exploitation of natural resources and the continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating at present in Namibia constitute a major obstacle to its political independence;

[Non-recognition of illegal acts of South Africa]

20. Calls upon the international community, especially all Member States, to continue to refrain from according any recognition to or co-operation with any régime which the illegal South African administration may impose upon the Namibian people in disregard of the provisions of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and other relevant resolutions of the General Assembly and the Council;

21. Reiterates that, in accordance with the resolutions of the United Nations, in particular General Assembly resolution S-9/2 of 3 May 1978 and Security Council resolution 432 (1978) of 27 July 1978, Walvis Bay and the off-shore islands of Namibia are an integral part of Namibia and that any decision by South Africa to annex Walvis Bay is therefore illegal, null and void;

22. Affirms that the off-shore islands of Namibia, including Penguin, Ichaboe, Hollam's Bird, Mercury, Long, Seal, Halifax, Possession, Albatross Rock, Pomona, Plum Pudding and Sinclair's, are an integral part of Namibia and that any decision by South Africa to claim sovereignty over those islands is illegal, null and void;

23. Strongly condemns the illegal South African administration for its massive repression of the people of Namibia and their national liberation movement, the South West Africa People's Organization, with the intention of establishing an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian people a political arrangement aimed at undermining the territorial integrity and unity of Namibia as well as perpetuating the systematic plunder of the natural resources of the Territory;

[Political prisoners]

24. Demands that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such Namibians have been charged or tried or are being held without charge in Namibia or South Africa;

25. Demands that South Africa account for all "disappeared" Namibians and release any who are still alive and declares that South Africa shall be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;

[Threats to peace and security]

26. Declares that the illegal occupation of Namibia by South Africa continues to constitute an act of aggression against the Namibian people and against the United Nations, which has direct responsibility for the Territory until independence;

27. Declares that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policy of apartheid and its development of nuclear weapons constitute a serious threat to international peace and security;

28. Calls upon the international community to extend, as a matter of urgency, full support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the repeated acts of aggression by South Africa;

[Security Council action]

29. Demands that South Africa urgently comply fully and unconditionally with the resolutions of the Security Council, in particular resolutions 385 (1976) and 435 (1978) and subsequent resolutions of the Council relating to Namibia;

30. Reaffirms that Security Council resolution 435 (1978) in which the Council endorsed the United Nations plan for the independence of Namibia, is the only basis for a peaceful settlement;

31. Firmly rejects the latest manoeuvres by certain members of the Western contact group aimed at undermining the international consensus embodied in Security Council resolution 435 (1978) and depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation;

32. Demands the immediate commencement of the unconditional implementation of Security Council resolution 435 (1978) without any prevarication, qualification or modification and not later than December 1981;

33. Strongly urges the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of the South West Africa People's Organization, for self-determination and national liberation, as well as at negating the achievements of their just struggle;

34. Strongly urges the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions as provided for in Chapter VII of the Charter of the United Nations.

B

Action by Member States in support of Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia, 68/

Recalling its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967, as well as its subsequent resolutions relating to Namibia,

Recalling its resolution 3295 (XXIX) of 13 December 1974, by which it requested all Member States to take measures to ensure compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974, 75/

Taking into consideration the Panama Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981, 71/

Recalling its request to the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions as provided for in Chapter VII of the Charter of the United Nations, 76/

Recalling its call upon States, in view of the threat to international peace and security posed by South Africa, to impose against that country comprehensive mandatory sanctions in accordance with the provisions of the Charter, 76/

Recalling its call upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally, 76/

Conscious of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of the human and natural resources of Namibia, which contributes to the perpetuation of the illegal South African occupation of Namibia,

76/ See General Assembly resolution ES-8/2.

[Isolation of South Africa]

1. Requests all States to take legislative, administrative and other measures, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolution ES-8/2 of 14 September 1981;

[Action regarding trade, investments and breaking off of contracts]

2. Calls upon all States to sever all diplomatic, consular and trade relations with South Africa;

3. Requests all States, in furtherance of the objective of bringing to an end South Africa's illegal occupation of Namibia, to prevent:

(a) The import into their territories of all commodities and products originating in South Africa or illegally occupied Namibia and exported therefrom after the date of this resolution (whether or not the commodities or products are for consumption or processing in their territories, whether or not they are imported in bond and whether or not any special legal status with respect to the import of goods is enjoyed by the port or other place where they are imported or stored);

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export of any commodities or products from South Africa or occupied Namibia, and any dealings by their nationals or in their territories in any commodities or products originating in South Africa or occupied Namibia and exported therefrom after the date of this resolution, including in particular any transfer of funds to South Africa or occupied Namibia for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories of any commodities or products (whether or not originating in their territories, but not including supplies intended strictly for medical purposes, educational equipment and material for use in schools and other educational institutions, publications, news material and, in special humanitarian circumstances, food-stuffs) to any person or body in South Africa or occupied Namibia or to any other person or body for the purposes of any business carried on in or operated from South Africa or occupied Namibia and any activities by their nationals or in their territories, which promotes or are calculated to promote such sale or supply;

4. Requests all States not to make available to the régime in South Africa or illegally occupied Namibia, or to any commercial, industrial or public utility undertaking, including tourist enterprises, in South Africa or occupied Namibia, any funds for investment or any other financial or economic resources, and to prevent their nationals and any persons within their territories from making available to the régime or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within South Africa or occupied Namibia, except payments exclusively for pensions or for strictly medical, humanitarian or educational purposes or for the provision of news material and, in special humanitarian circumstances, food-stuffs;

5. Requests all States to prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a South African passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal administration of South Africa in Namibia;

6. Calls upon all States to prohibit travel for any purpose, including tourism, sports and scientific and cultural exchanges, by their nationals to South Africa or occupied Namibia;

7. Requests all States to prevent airline companies constituted in their territories and aircraft of their registration or under charter to their nationals from operating to or from South Africa or occupied Namibia and from linking up with any airline company constituted or aircraft registered in South Africa or occupied Namibia;

8. Reiterates that the exploitation of the resources of Namibia by foreign economic interests under the protection of the repressive racist administration, in violation of the Charter of the United Nations, relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, is illegal and contributes to the maintenance of the illegal occupation régime;

9. Requests once again all Member States to take all appropriate measures, including legislation and enforcement action, to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia;

10. Calls upon all States to prohibit state-controlled corporations from investing or obtaining concessions in Namibia, as called for in Security Council resolutions 276 (1970) of 30 January 1970, 283 (1970) of 29 July 1970 and 301 (1971) of 20 October 1971;

11. Calls upon all States to prohibit companies of their nationality not under direct governmental control from investing in or obtaining concessions in Namibia and to announce that they will not protect such investments against claims of a future lawful government of Namibia;

12. Requests all States to prevent investment in projects or corporations within their territories by corporations or individuals of South African nationality, or based in South Africa or illegally occupied Namibia;

13. Requests all States to adopt legislation which will penalize corporations dealing with South Africa or with entities in illegally occupied Namibia by the denial of tax relief and the imposition of fines exceeding the amount of profits derived from those dealings;

[Petroleum embargo]

14. Requests all States to prohibit:

(a) The sale or supply of petroleum and petroleum products to any person or body in South Africa or occupied Namibia, or to any person or body for the purpose of eventual supply to South Africa or occupied Namibia;

(b) Any activities by their nationals or in their territories which promote or are calculated to promote the sale or supply of petroleum or petroleum products to South Africa or occupied Namibia;

(c) The shipment in vessels, aircraft or any other means of transportation of their registration, or under charter to their nationals, of any petroleum or petroleum products to South Africa or occupied Namibia;

(d) Any investments in, or provision of technical and other assistance, including technical advice and spare parts, to the petroleum industry in South Africa or occupied Namibia;

(e) The provision of transit facilities in their territory, including the use of their ports, airports, roads or railway network, to vessels, aircraft or any other means of transportation carrying petroleum or petroleum products to South Africa or occupied Namibia;

(f) Any activities by their nationals or in their territories which promote or are calculated to promote the prospecting for petroleum in South Africa or occupied Namibia;

[Strengthening of arms embargo]

15. Requests all States to cease forthwith any provision to South Africa or arms and related matériel of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, para-military police equipment and spare parts for the aforementioned, and to cease as well the provision of all types of equipment and supplies and grants of licensing arrangements for the manufacture or maintenance of the aforementioned, which would further strengthen South Africa's illegal occupation of Namibia;

16. Requests all States to ensure that arms-export agreements provide for guarantees which would prevent embargoed items or any components thereof from reaching South Africa through third countries under any circumstances, including subcontracts by firms from one country to another;

17. Requests all States to prohibit the export of spare parts for embargoed aircraft and other military equipment belonging to South Africa, and the maintenance and servicing of such equipment;

3. Requests all States to prohibit government agencies and corporations under their jurisdiction from transferring technology for the manufacture of arms and related matériel of all types to South Africa;

19. Requests all States to prohibit government agencies, corporations and individuals under their jurisdiction from investing in the manufacture of arms and related matériel in South Africa;

20. Requests all States to prohibit all imports of arms and related matériel of any type from South Africa;

[Legal action]

21. Requests those States which have not yet done so to renounce those elements of bilateral or multilateral treaties in which South Africa has claimed to represent Namibia, or to take other action to ensure that these treaties cannot be interpreted as applying to Namibia;
22. Requests the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco;
23. Requests all States, by making use of article 35 B of the Convention on International Civil Aviation, signed at Chicago on 7 December 1944, 77/ to prohibit the carriage of Namibian uranium or other products emanating from Namibia above their territory;
24. Calls upon all States to take effective legislative measures to prevent the recruitment, training and transit of mercenaries for service in Namibia;
25. Urges, having regard to the principles stated in Article 2 of the Charter of the United Nations, States not members of the United Nations to act in accordance with the provisions of the present resolution;
26. Requests the Secretary-General to prepare, in consultation with the United Nations Development Programme, a comprehensive programme of assistance to States which are neighbours of South Africa and Namibia, on the understanding that such assistance should envisage not only the overcoming of short-term difficulties but should be designed to enable these States to move towards complete self-reliance;
27. Requests the Secretary-General to report to the General Assembly at its thirty-seventh session on the preparation of the above programme;

[Reports]

28. Requests the United Nations Council for Namibia to seek from any States information relevant to the implementation of General Assembly and Security Council resolutions on Namibia, particularly General Assembly resolution ES-8/2, and to compile information from other sources;
29. Requests the United Nations Council for Namibia, in implementation of paragraph 15 of resolution ES-8/2, to continue to monitor the boycott of South Africa and to submit to the General Assembly at its thirty-seventh session a comprehensive report on all contacts between Member States and South Africa, containing a systematic analysis of the information received from Member States and other sources on the continuing political, economic, financial and other relations of States and their economic and other interests with South Africa and of measures taken by the Member States to terminate all dealings with the racist régime of South Africa;

77/ United Nations, Treaty Series, vol. 15, No. 102, p. 295.

30. Requests all States to co-operate fully with the United Nations Council for Namibia in the fulfilment of its tasks concerning the implementation of resolution ES-8/2 and to supply such information as may be sought by the Council in pursuance of the present resolution;

31. Requests all States to report to the Secretary-General by the thirty-seventh session of the General Assembly on the measures taken by them to implement the present resolution;

32. Requests the Secretary-General to report to the General Assembly at its thirty-seventh session on the implementation of the present resolution.

C

Programme of Work of the United Nations Council for Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia, 68/

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority of Namibia until independence,

Taking into consideration the Panama Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981, 71/

Reaffirming that Namibia is the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence in a united Namibia;

Convinced of the need to continue consultations with the South West Africa People's Organization in the formulation and implementation of the programme of work of the United Nations Council for Namibia as well as in any matter of interest to the Namibian people,

1. Approves the report of the United Nations Council for Namibia, including the recommendations contained therein, and decides to make adequate financial provision for their implementation;

[Political activities of the Council as a whole]

2. Decides that the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, shall:

(a) Continue to mobilize international support in order to press for the withdrawal of the illegal South African administration from Namibia in accordance with the resolutions of the United Nations relating to Namibia;

(b) Counter the policies of South Africa against the Namibian people and against the United Nations, as well as against the United Nations Council for Namibia as the legal Administering Authority for Namibia;

(c) Denounce and seek the rejection by all States of all fraudulent constitutional or political schemes through which South Africa may attempt to perpetuate its presence in Namibia;

(d) Ensure non-recognition of any administration or entity installed in Windhoek not issuing from free elections in Namibia, conducted on a territory-wide basis, under the supervision and control of the United Nations, in accordance with Security Council resolutions, in particular resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978, and subsequent relevant resolutions in their entirety.

[Representational activities of Standing Committee I]

3. Decides that the United Nations Council for Namibia shall:

(a) Consult Governments in order to mobilize support for the cause of Namibia and to further the implementation of United Nations resolutions on the question of Namibia;

(b) Represent Namibia in United Nations conferences and intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be adequately protected;

4. Decides that Namibia, represented by the United Nations Council for Namibia, shall participate as a full member in all conferences and meetings organized by the United Nations to which all States or, in the case of regional conferences and meetings, all African States, are invited.

[Economic and legal activities and studies of Standing Committee II]

5. Decides that the United Nations Council for Namibia shall also:

(a) Review the progress of the liberation struggle in Namibia in its political, military and social aspects and prepare periodic reports related thereto;

(b) Consider the compliance of Member States with the relevant United Nations resolutions on Namibia, taking into account the advisory opinion of the International Court of Justice of 21 June 1971; 70/

(c) Consider the activities of foreign economic interests operating in Namibia with a view to recommending appropriate policies to the General Assembly in order to counter the support which those foreign economic interests give to the illegal South African administration in Namibia;

(d) Continue to examine the exploitation of and trade in Namibian uranium by foreign economic interests and report on its findings to the General Assembly at its thirty-seventh session;

(e) Notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations;

(f) Send missions of consultation to Governments whose corporations have investments in Namibia in order to review with them all possible action to discourage the continuation of such investments;

(g) Contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis on which they are operating in Namibia;

(h) Draw the attention of the specialized agencies to Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974; 75/

(i) Take all measures to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including consideration of the institution of legal proceedings in the domestic courts of States and other appropriate bodies;

(j) Conduct hearings, seminars and workshops in order to obtain relevant information on the exploitation of the people and resources of Namibia by South African and other foreign interests and to expose such activities;

(k) Prepare and publish reports on the political, economic, military, legal and social situation in and relating to Namibia;

(l) Secure the territorial integrity of Namibia as a unitary State, including Walvis Bay and the islands off the shore of Namibia;

6. Requests the Secretary-General to prepare, in accordance with the guidelines established by the United Nations Council for Namibia, an indexed reference book on transnational corporations operating in Namibia;

7. Requests the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, to accede to the International Convention on the Elimination of All Forms of Racial Discrimination, 78/ the International Convention on the Suppression and Punishment of the Crime of Apartheid 79/ and such other related conventions as may be appropriate;

8. Requests all committees and sub-committees of the General Assembly to continue to invite a representative of the United Nations Council for Namibia to participate whenever the rights and interests of Namibians are discussed, and to consult closely with the Council before submitting to the Assembly at its thirty-seventh session any draft resolution which may involve the rights and interests of Namibians;

78/ General Assembly resolution 2106 A (XX), annex.

79/ General Assembly resolution 3068 (XXVIII), annex.

[Support for SWAPO]

9. Decides to make adequate financial provision in the budget of the United Nations Council for Namibia to finance the office of the South West Africa People's Organization in New York in order to ensure appropriate representation of the people of Namibia through the South West Africa People's Organization at the United Nations;

10. Decides to continue to defray the expenses of representatives of the South West Africa People's Organization, whenever the United Nations Council for Namibia so decides;

11. Declares that all United Nations programmes for the benefit of the Namibian people will be carried out in accordance with the resolutions of the General Assembly in support of the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, to achieve genuine self-determination and national independence in a united Namibia;

12. Requests the United Nations Council for Namibia to continue to consult with the South West Africa People's Organization in the formulation and implementation of its programme of work, as well as in any matter of interest to the Namibian people;

[Provision of resources]

13. Requests the Secretary-General to establish an office of the United Nations Commissioner for Namibia in Luanda in early 1982;

14. Requests the Secretary-General, in order to facilitate financial reporting to the Council, to ensure that within the programme budget of the United Nations Council for Namibia, the accounts will reflect closely the activities of the Council as described in the report of the Council to the General Assembly at its thirty-sixth session;

15. Requests the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to review the requirements of personnel and facilities of all units which service the Council so that the Council may fully discharge all tasks and functions arising out of its mandate;

[Extraordinary plenary meetings]

16. Requests the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia, to hold a series of plenary meetings in Africa during 1982 and to recommend appropriate action to the General Assembly in the light of the refusal by South Africa to implement Security Council resolution 435 (1978) and requests the Secretary-General to defray the cost of these meetings and to provide the necessary staff and services for them;

17. Requests the Secretary-General to give the widest possible publicity to the extraordinary plenary meetings through all the means at his disposal, including special publications, press releases and radio and television broadcasts;

[International conference]

18. Requests the Secretary-General, after consulting the United Nations Council for Namibia regarding its assessment of the situation pertaining to Namibia, to carry out preparatory work with a view to organizing, at an appropriate time, an international conference in support of the struggle of the Namibian people for independence;

19. Further requests the Secretary-General to report to the General Assembly at its thirty-seventh session on the preparatory arrangements made.

D

Action by intergovernmental and non-governmental organizations
with respect to Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia, 68/

Taking into consideration the Panama Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981, 71/

Bearing in mind the Declarations adopted by the International Conference on Sanctions against South Africa, held in Paris from 20 to 27 May 1981, 73/

1. Requests all specialized agencies and other organizations and conferences within the United Nations system to grant full membership to Namibia, represented by the United Nations Council for Namibia, so that it may participate as the legal Administering Authority for Namibia in the work of those agencies, organizations and conferences;

2. Requests all specialized agencies and other organizations within the United Nations system to grant a waiver of the assessment of Namibia during the period in which it is represented by the United Nations Council for Namibia;

3. Requests all intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be protected and to invite Namibia, represented by the United Nations Council for Namibia as the legal Administering Authority for Namibia, to participate as a full member whenever such rights and interests are involved;

4. Requests the International Atomic Energy Agency to grant full membership to Namibia, represented by the United Nations Council for Namibia;

5. Requests the Secretary-General of the United Nations and the Administrator of the United Nations Development Programme to take the necessary administrative action to end all contracts between, on the one hand, the United Nations, the United Nations Development Programme and the specialized agencies of the United Nations and, on the other hand, corporations that directly or indirectly support South Africa's illegal occupation of Namibia;

6. Requests the Secretary-General to report to the General Assembly at its thirty-seventh session on the implementation of the above provisions;

7. Requests the Economic and Social Council to consider granting membership in the Executive Committee of the Office of the United Nations High Commissioner for Refugees to Namibia, represented by the United Nations Council for Namibia;

8. Expresses its appreciation to the specialized agencies and other organizations of the United Nations system for their assistance to Namibia, to the United Nations Fund for Namibia, to the United Nations Institute for Namibia and to the Nationhood Programme and requests them to give priority to the allocation of funds for material assistance to the Namibian people.

9. Requests the United Nations Council for Namibia to undertake a programme of co-operation with non-governmental organizations and support groups which are actively engaged in supporting the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, in order to intensify international action in support of the liberation struggle of the Namibian people;

10. Decides to allocate a sum of \$US 200,000 to be used by the United Nations Council for Namibia to undertake a programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of conclusions of such conferences and support to such other activities as will promote the cause of the liberation struggle of the Namibian people, subject to decisions of the Council in each individual case, on the recommendation of the South West Africa People's Organization.

E

Dissemination of information on Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia, 68/

Taking into consideration the Panama Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981, 71/

Recalling General Assembly resolution ES-8/2 of 14 September 1981,

Stressing the urgent need to mobilize international public opinion on a continuous basis with a view to assisting effectively the people of Namibia in the achievement of self-determination, freedom and independence in a united Namibia and, in particular, to intensify the world-wide and continuous dissemination of information on the struggle for liberation being waged by the people of Namibia, under the leadership of the South West Africa People's Organization, their sole and authentic representative,

Deploing the increased assistance rendered by certain Western countries, especially the United States of America, to South Africa in the political, economic, military and cultural fields and expressing its conviction that this assistance should be exposed with all means available to the Council,

Reiterating the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the United Nations Council for Namibia and mindful of the pressing need for the Department of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia, in accordance with policy guidelines formulated by the Council,

1. Requests the United Nations Council for Namibia to consider ways and means of increasing the dissemination of information relating to Namibia;

2. Requests the Secretary-General to ensure that the Department of Public Information, in all its activities of dissemination of information on the question of Namibia, follows the policy guidelines laid down by the United Nations Council for Namibia as the legal Administering Authority for Namibia;

3. Requests the Secretary-General to direct the Department of Public Information, in addition to its responsibilities relating to southern Africa, to assist, as a matter of priority, the United Nations Council for Namibia in the implementation of its programme of dissemination of information in order that the United Nations may intensify its efforts to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia, particularly in the Western countries;

4. Decides to launch an international campaign in support of the cause of Namibia and to expose and denounce the collusion of certain Western countries with the South African racists and to this end requests the United Nations Council for Namibia to formulate a programme of activities on dissemination of information including the following:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters and on the question of the territorial integrity of Namibia;

(b) Production and dissemination of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films, film-strips and slide sets on Namibia;

(f) Production and dissemination of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia;

(h) Production and dissemination of a comprehensive economic map of Namibia;

(i) Preparation and wide dissemination of booklets, containing (i) the texts of declarations and formal statements of the Council, (ii) joint communiqués, communiqués and press statements issued by missions of consultation of the Council; and (iii) resolutions of the General Assembly and the Security Council on the question of Namibia together with relevant portions of General Assembly resolutions on the question of foreign economic interests operating in Namibia and on military activities in Namibia;

(j) Publicity for and distribution of an indexed reference book on transnational corporations involved in Namibia;

(k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia enacted by the Council on 27 September 1974; 75/

(l) Acquisition of already-published books and pamphlets for further dissemination;

5. Requests the Secretary-General to allocate, in consultation with the United Nations Council for Namibia, sales numbers to publications on Namibia selected by the Council;

6. Requests the Department of Public Information to indicate specifically, at the time of preparation of its budget, the items in its work programme which relate to dissemination of information on Namibia;

7. Requests the Secretary-General to provide the United Nations Council for Namibia with the work programme of the Department of Public Information for the year 1982 covering the activities of dissemination of information on Namibia, followed by quarterly reports on the programmes undertaken including details of expenses incurred;

8. Requests the Secretary-General to establish, in consultation with the United Nations Council for Namibia, the basic statistics of Namibia, and to include these statistics in the appropriate United Nations publications;

9. Requests the United Nations Council for Namibia to continue to inform leading opinion makers, media leaders, political and academic institutions and other concerned non-governmental organizations, cultural organizations and support groups about the objectives and functions of the United Nations Council for Namibia and the struggle of the Namibian people under the leadership of the South West Africa People's Organization and also to hold consultations with, and seek the co-operation of, those personalities and institutions by inviting them on special occasions to participate in the deliberations of the Council;

10. Requests Member States to broadcast programmes on their national radio and television networks and to publish material in their official news media, informing their populations about the situation in Namibia and the obligation of Governments and peoples to assist in the struggle of Namibians for independence;

11. Requests all Member States to commemorate and publicize Namibia Day and to issue special postage stamps for the occasion;

12. Requests the Secretary-General to direct the United Nations Postal Administration to issue a special postage stamp on Namibia by the end of 1982 in commemoration of Namibia Day.

F

United Nations Fund for Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia on the United Nations Fund for Namibia, 80/

Recalling its resolution 2679 (XXV) of 9 December 1970, by which it decided to establish the United Nations Fund for Namibia,

Recalling also its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United Nations Council for Namibia trustee of the United Nations Fund for Namibia,

Taking into consideration the Panama Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981, 71/

Recalling its resolution 34/92 A of 12 December 1979 by which it approved the Charter of the United Nations Institute for Namibia, 81/

Commending the Institute for its effective contribution in promoting the acquisition of skills by young Namibians, thus enabling them to contribute to the administration of a future independent Namibia, and for its research activities into the various political, economic and social aspects of the question of Namibia,

Recalling its resolution 31/153 of 20 December 1976, by which it decided to launch a comprehensive assistance programme within the United Nations system, covering both the period of struggle for independence and the initial years of independence of Namibia,

[Fund as a whole and general account]

1. Takes note of the report of the United Nations Council for Namibia on the United Nations Fund for Namibia;

80/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), part two, chap. V.

81/ Ibid., Thirty-fourth Session, Supplement No. 24 (A/34/24), vol. IV, annex XXXII.

2. Expresses its appreciation to all States, the specialized agencies and other organizations within the United Nations system, governmental and non-governmental organizations and individuals that have made voluntary contributions to the United Nations Fund for Namibia, the United Nations Institute for Namibia and to the Nationhood Programme for Namibia, and calls upon them to increase their assistance to Namibians through these channels;
3. Decides that the utilization of the resources of the United Nations Fund for Namibia should be considered also in the context of the implementation of the Nationhood Programme for Namibia;
4. Decides to allocate, as a temporary measure, to the United Nations Fund for Namibia the sum of \$US 1,000,000 from the regular budget of the United Nations for 1982;
5. Urges the organizations of the United Nations system to waive programme support costs in respect of projects in favour of Namibians financed from the United Nations Fund for Namibia and other sources;
6. Requests the Secretary-General and the President of the United Nations Council for Namibia to intensify appeals to Governments, intergovernmental and non-governmental organizations and individuals for generous voluntary contributions to the General Account of the United Nations Fund for Namibia and to the special accounts for the Nationhood Programme and the United Nations Institute for Namibia;
7. Invites Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;
8. Requests the specialized agencies and other organizations and bodies within the United Nations system when planning and initiating their new measures of assistance to Namibians to do so within the context of the Nationhood Programme for Namibia and the United Nations Institute for Namibia;
9. Expresses its appreciation for the efforts of the United Nations High Commissioner for Refugees to assist Namibian refugees and requests him to expand these efforts in view of the substantial increase in the number of Namibian refugees;
10. Decides that Namibians shall continue to be eligible for assistance through the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;
11. Decides that the United Nations Council for Namibia shall:
 - (a) Continue to formulate policies of assistance to Namibians and co-ordinate assistance for Namibia provided by the specialized agencies and other organizations and bodies within the United Nations system;
 - (b) Continue to act as trustee of the United Nations Fund for Namibia and, in this capacity, administer and manage the Fund;

(c) Provide broad guidelines and formulate the principles and policies for the United Nations Institute for Namibia;

(d) Co-ordinate, plan and direct the Nationhood Programme for Namibia in consultation with the South West Africa People's Organization, with the aim of consolidating all measures of assistance by the specialized agencies and other organizations and bodies of the United Nations system into a comprehensive assistance programme;

(e) Continue to consult with the South West Africa People's Organization in the formulation and implementation of assistance programmes for Namibians;

(f) Report to the General Assembly at its thirty-seventh session on activities in respect of the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia;

[United Nations Institute for Namibia]

12. Commends the efforts of the United Nations Institute for Namibia to provide substantive support for the struggle for freedom of the Namibian people and the establishment of an independent State of Namibia;

13. Requests the United Nations Council for Namibia to prepare and publish, through the Institute, a comprehensive reference book on Namibia, covering aspects of the question of Namibia as considered by the United Nations since its inception, in accordance with the outline prepared by the Council;

14. Urges those specialized agencies and other organizations of the United Nations system which have not done so to review with the Institute ways and means of strengthening its programme of activities;

15. Further urges the specialized agencies and other organizations and bodies within the United Nations system to co-operate closely with the Institute in their efforts to support its programme;

[Nationhood Programme for Namibia]

16. Commends the progress made in the implementation of the pre-independence components of the Nationhood Programme for Namibia and requests the United Nations Council for Namibia to elaborate and consider in due course policies and contingency plans regarding the transitional and post-independence phases of the Programme;

17. Expresses its appreciation to those specialized agencies and other organizations and bodies of the United Nations system that have contributed to the Nationhood Programme for Namibia and calls upon them to continue their participation in the Programme by:

(a) Implementing projects approved by the United Nations Council for Namibia;

(b) Preparing new project proposals at the request of the Council;

(c) Allocating funds from their own financial resources for the implementation of the projects approved by the Council;

18. Expresses its appreciation to the United Nations Development Programme for its contribution to the financing and administration of the Nationhood Programme for Namibia and calls upon it to continue to allocate, at the request of the United Nations Council for Namibia, funds from the indicative planning figure for Namibia for the implementation of the projects within the Nationhood Programme and to increase the indicative planning figure for Namibia;

19. Requests the Secretary-General to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of its responsibilities, entrusted to it by the United Nations Council for Namibia, as the co-ordinating authority in the implementation of the Nationhood Programme for Namibia.

II. DESCRIPTION OF ACTIVITIES WHICH WILL REQUIRE THE PREPARATION OF A STATEMENT OF ADMINISTRATIVE AND FINANCIAL IMPLICATIONS

709. In the light of the foregoing recommendations and subject to further directives that might be given by the General Assembly at its thirty-sixth session, the Council will continue to carry out its mandate as the legal Administering Authority for Namibia until independence, established by the Assembly in its resolution 2248 (S-V).

710. The Council notes that, in accordance with rule 153 of the rules of procedure of the General Assembly, certain of its recommendations contained in the preceding section will require preparation by the Secretary-General of a statement of administrative and financial implications. In order to assist with the preparation of this statement, the Council has decided, as in the past, to provide further information regarding certain of its recommendations.

A. Activities of the Council regarding compliance by States with General Assembly resolution ES-8/2

711. The monitoring of the boycott and the related report to the General Assembly at its thirty-seventh session mentioned in section B, paragraphs 28 and 29 of the recommendations would require: (a) the preparation of a questionnaire to be sent to all States; and (b) the preparation of a comprehensive report based on information provided by States and by other sources. The Council considers that the preparation of this report would require the services of additional professional staff in the Council secretariat.

712. Paragraph 32 of recommendation E calls for a report by the Secretary-General to the General Assembly at its thirty-seventh session. It is expected that the preparation of this report will not entail any financial implications.

B. Missions of consultation with Governments and representation of Namibia at international conferences and other forums

713. In fulfilment of paragraph 3 (a) of recommendation C, it is expected that during 1982 the Council will undertake two missions to conduct political consultations with Governments in Western Europe and Asia. The missions to Governments whose corporations are operating in Namibia and to the board of directors or managing bodies of such corporations envisaged in paragraphs 5 (e), (f) and (g) of recommendation C will be undertaken in conjunction with the political consultations.

714. It is anticipated that each mission in 1982 will consist of five Council members and a representative of SWAPO. The missions would be serviced by the following staff: one principal secretary, one administrative officer and one secretary. The duration of each mission will be three weeks.

715. In implementation of paragraphs 3 (b) and 4 of recommendation C, it is expected that the Council will represent Namibia at meetings of OAU where it has permanent observer status, and at meetings of the Movement of Non-Aligned Countries, where it has guest status. The Council will also participate in meetings of the specialized agencies and in meetings of international organizations, United Nations conferences and other conferences and meetings according to the priorities of its programme of work. These missions will include up to three Council members, a representative of SWAPO and not more than three staff members of the Secretariat as indicated above. It is anticipated that there will be 20 missions with a duration of approximately five days each.

716. In particular, included in the above requirement would be attendance by Council delegations at meetings of the FAO, UNESCO, the Third United Nations Conference on the Law of the Sea and UNCTAD, of which Namibia, represented by the Council, is a full member.

717. In accordance with paragraphs 1, 3 and 4 of recommendation D, full membership for Namibia in various organizations would be sought. If Namibia, represented by the Council, acquires full membership in new organizations, this could entail payment of the appropriate membership fee or contribution.

C. Studies on the political, economic, military, legal and social situation in and related to Namibia

718. Paragraphs 5 (a), (c), (d) and (k) of recommendation C indicate that the Council will require at least five draft reports to be prepared by the secretariat of the Council on the political, economic, military, legal and social situation in and related to Namibia. The economic report would include the question of uranium. These activities will require the retention in 1982 and 1983 in the secretariat of the Council of the existent two P-4 posts and one G-4 post as temporary assistance.

719. The preparation of the indexed reference book on transnational corporations operating in Namibia called for by paragraph 6 of recommendation C would require the engagement of one consultant for approximately one year.

D. Implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia and activities in respect of foreign economic interests in Namibia

720. Paragraph 5 (i) of recommendation C indicates that the Council will, inter alia, consider the institution of legal proceedings in the domestic courts of various countries where corporations or individuals engaged in economic activities in Namibia are based. The Council considers that \$US 58,000 will be required during 1982 to engage lawyers to prepare a study on the possibility of instituting such proceedings.

E. Support for SWAPO

721. In accordance with paragraph 9 of recommendation C, the General Assembly would decide to continue to defray the expenses of the SWAPO office in New York in order to ensure the representation of the people of Namibia through SWAPO at the United Nations. The requirements of SWAPO for 1982 and 1983 should take into account the following items: (a) salaries; (b) rent; (c) telex; (d) telephone; (e) news agency service; (f) utilities (electricity, water, etc.); (g) rental of copying equipment; (h) stationery; (i) postage; (j) printing; (k) films, books, newspapers and periodicals (information purposes); (l) supply and delivery of official United Nations documents to the SWAPO office; and (m) official travel (expenses of the Permanent Observer and his Deputy, as well as travel and subsistence of other SWAPO members to New York, for the purpose of representing Namibia at the United Nations, to the extent not otherwise covered by the proposed programme budget for 1982 and 1983 with regard to representation of SWAPO in missions of the Council).

722. It is also expected that the Council will continue to invite, whenever necessary, SWAPO officials based outside Headquarters to attend meetings dealing with matters of interest to the liberation struggle of the Namibian people. It is expected that approximately 20 persons will be invited to New York, each for an approximate duration of one week.

F. Extraordinary plenary meetings of the Council

723. In accordance with paragraph 16 of recommendation C, the General Assembly would request the Council to hold extraordinary plenary meetings in Africa during 1982 and would request the Secretary-General to provide the necessary staff and services for the meetings. It is expected that the extraordinary plenary meetings will last for five working days. In addition to the necessary provision for travel of the members of the Council and its secretariat staff in accordance with the United Nations guidelines covering the holding of meetings away from Headquarters, it would be required that the Department of Conference Services make appropriate arrangements for pre-, in- and post-session documentation, meeting services and verbatim or summary records of the plenary meetings. Interpretation into five languages would be required for 10 plenary meetings held during the five-day period and also for a committee which would meet simultaneously with the plenary. Arrangements for amplification and recording only, without interpretation, should be made for two other committee meetings. Arrangements should also be made for interpretation equipment, local staff, office equipment and supplies and local transportation.

724. In accordance with paragraph 17 of recommendation C, the Secretary-General would be requested to give the widest possible publicity to the extraordinary plenary meetings, including the production of publications, press releases and general radio and television broadcasts. The costs of these activities will be covered by the Department of Public Information.

G. International conference on Namibia

725. By paragraph 18 of recommendation C, the Secretary-General is requested to carry out preparatory work to organize an international conference on Namibia. Once a venue were decided upon, such activity would require a survey mission to ascertain the requirements in equipment and personnel needed to hold the conference.

H. Hearings, seminars and workshops on major issues concerning Namibia

726. In order to assist in bringing about compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia, the Council will hold hearings/seminars/workshops dealing with the activities of foreign economic interests in Namibia. The Council will also hold hearings/seminars/workshops on other major issues related to Namibia such as the increasing militarization of the Territory, South Africa's exploitation of Namibian Labour and South Africa's manoeuvres to annex Walvis Bay and the islands off the shore of Namibia.

727. In this connexion, the Council will require budgetary allocations to cover expenditures related to five days of hearings/seminars/workshops in New York or in Western Europe for the production of verbatim records, the provision of meeting services and the production of pre-, in- and post-session documentation, and the cost of inviting approximately 20 witnesses to New York and/or Western Europe for an estimated stay of three days each. It is expected that there will be a total of two hearings/seminars/workshops in 1982. The dissemination of information and publicity costs of these activities will be met by the Department of Public Information.

I. Co-operation with non-governmental organizations

728. By paragraphs 9 and 10 of recommendation D, the General Assembly would request the Council to undertake a programme of co-operation with non-governmental organizations. Under the terms of paragraph 10, the Assembly would decide to allocate the sum of \$US 200,000 to be used by the Council to undertake a programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of the conclusions of such conferences and support to such other activities as will promote the cause of the liberation struggle of the Namibian people, subject to decisions of the Council in each individual case, on the recommendation of SWAPO.

J. Dissemination of information on Namibia

729. By paragraph 3 of recommendation E, the General Assembly would request the Secretary-General to direct the Department of Public Information to assist the Council in the implementation of its programme of dissemination of information. It is expected that the Department of Public Information will, from its general budget, provide press, radio and television coverage and produce general publications, as appropriate, for regular commemorative and extraordinary meetings of the Council. The Department will also provide, at its own expense, press coverage for two missions of consultation of the Council.

Special publications, films and radio programmes

730. In implementation of paragraph 4 of recommendation E, it is expected that in 1982 the following activities relating to the dissemination of information on the question of Namibia will be undertaken under the guidance of the Council:

(a) Preparation and dissemination of six publications dealing with (i) political matters; (ii) economic matters; (iii) military questions; (iv) social matters; (v) legal questions; and (vi) the question of the territorial integrity of Namibia;

(b) Production and dissemination of four series of radio programmes in English, French, German and Spanish; with each series consisting of six 15-minute programmes;

(c) Production of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia and production of material for publicity through radio and television broadcasts, at an expected cost of \$US 82,900;

(d) Production of a full-length feature film on the question of Namibia, a film strip and slide sets;

(e) Production and dissemination of four posters;

(f) Production and dissemination of a comprehensive economic map of Namibia on the scale of 1:2,000,000;

(g) Production of four issues in 1982 of the Namibia Bulletin;

(h) Production and dissemination of three booklets containing (i) the texts of declarations and formal statements of the Council; (ii) joint communiqués, communiqués and press statements issued by missions of consultation of the Council; and (iii) resolutions of the Security Council and General Assembly on the question of Namibia together with the relevant portions of resolutions dealing with the activities of foreign economic interests and military activities in Namibia. Provision should also be made for the reprinting of existing booklets;

(i) Publicity and distribution of an indexed reference book on transnational corporations (the work required for the compilation of the handbook has been discussed in paragraph 719 above);

(j) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia (the compilation of the study will be carried out by the lawyers mentioned in paragraph 720 above);

(k) Acquisition and reproduction of United Nations and non-United Nations materials including the following:

<u>Materials required</u>	<u>Copies required</u>	<u>Estimated cost</u> (\$US)
<u>Publications</u>		
Red folders: "For Self-Determination and Genuine National Independence for Namibia"	English 25 000	20 000
"Namibia: A Unique UN Responsibility" (updated)	English 10 000 French 1 800 Spanish 1 000	8 000
"Namibia: A Trust Betrayed" (updated)	English 5 000	4 000
"Namibia: the Facts" (International Defence and Aid Fund for Southern Africa)	English 5 000	4 000
"The Rössing File" (Alun Roberts)	English 5 000	4 000
Biography of John, Ya Otto	English 1 000	2 000
"To Be Born a Nation"	English 2 000	6 000
"Let Us Die Fighting"	English 500	2 500
Pamphlet on labour in Namibia (15-25 pp.)	English 25 000 French 1 800 Spanish 1 000	8 000
Corporations handbook (150-500 pp.)	English 5 000 French 1 800 Spanish 1 000	5 000
Corporations in Namibia (15-25 pp.)	English 25 000 French 1 800 Spanish 1 000	8 000
Walvis Bay (15-25 pp.)	English 25 000 French 2 000 Spanish 2 000	8 000
Uranium in Namibia (50-100 pp.)	English 5 000 French 1 000 Spanish 1 000	5 000
Pamphlet on the United Nations Institute for Namibia (2-5 pp.)	English 25 000 French 1 800 Spanish 1 000	5 000

<u>Materials required</u>	<u>Copies required</u>	<u>Estimated cost</u> (\$US)
Pamphlet on the activities under the General Account of the United Nations Fund for Namibia	English 25 000 French 1 800 Spanish 1 000	5 000
Social situation in Namibia (15-25 pp.)	English 25 000 French 1 800 Spanish 1 000	8 000
Military situation in Namibia (15-25 pp.)	English 25 000 French 1 800 Spanish 1 000	8 000
Uranium in Namibia (15-25 pp.)	English 25 000 French 1 800 Spanish 1 000	8 000
<u>Map</u>		
Economic map of Namibia	10 000	3 000
<u>Posters</u>		
Uranium poster	5 000	2 500
Map poster	5 000	2 500
SWAPO poster	10 000	5 000
Human interest poster	10 000	5 000
Solidarity poster	10 000	5 000
<u>Slide sets</u>		
15-minute slide sets for schools, non-governmental organizations and support groups on the following subjects:	25 000 of each with text in English, French and Spanish	20 000
United Nations Institute for Namibia SWAPO and the struggle		
The role of Namibian women		
Human rights violations in Namibia		
The role of the churches in the Namibian struggle		
Role of the United Nations Council for Namibia		

<u>Materials required</u>	<u>Copies required</u>	<u>Estimated cost</u> <u>(\$US)</u>
<u>Films (16 mm)</u>		
Free Namibia	8	2 400
Trust Betrayed	8	2 400
Remember Cassinga	8	2 400
Yellowcake Road	8	4 400
Mercenaries in Africa	8	4 400
South Africa's Bombshell	8	6 400
<u>Video cassettes</u>		
Yellowcake Road	8	400
Mercenaries in Africa	8	400
South Africa's Bombshell	8	400
<u>Other materials</u>		10 000

731. In accordance with paragraph 5 of recommendation E, the General Assembly would request the Secretary-General to allocate, in consultation with the Council, sales numbers to publications on Namibia selected by the Council.

732. In accordance with paragraph 8 of recommendation E, the General Assembly would request the Secretary-General to establish, in consultation with the Council, the basic statistics of Namibia and to include these statistics in the appropriate United Nations publications. It is understood that these publications include the United Nations Statistical Yearbook and the United Nations Demographic Quarterly.

733. In accordance with paragraph 9 of recommendation E, the General Assembly would request the Council to continue to inform leading opinion makers, media leaders, political and academic institutions and other concerned non-governmental organizations, cultural organizations and support groups about the objectives and functions of the Council and the struggle of the Namibian people under the leadership of SWAPO. The Council considers that the costs incurred under the opinion makers' programme for travel away from Headquarters can be covered by the funds made available in terms of paragraph 715 above. It should be noted that on a limited number of occasions the Council will cover the travel expenses of the personalities invited to participate in the deliberations of the Council.

734. Paragraph 12 of recommendation E requests the Secretary-General to direct the United Nations Postal Administration to issue a special postage stamp on Namibia by the end of 1982 in commemoration of Namibia Day.

K. United Nations Fund for Namibia

735. In accordance with paragraph 3 of recommendation F, the Council would be authorized to transfer funds from the General Account of the United Nations Fund for Namibia to the Trust Fund for the Nationhood Programme in any amount which might be approved by the Council in its capacity as trustee of the Fund.

736. In accordance with paragraph 4 of recommendation F, the General Assembly would decide to allocate to the Fund as a temporary measure the sum of \$US 1,000,000 from the regular budget of the United Nations for 1982. It is foreseen that a similar recommendation would be made at a later date in respect of 1983.

737. The implementation of paragraph 6 of recommendation F dealing with an appeal for voluntary contributions implies that the Secretary-General would continue to assume administrative responsibilities in respect of the Fund as a whole, the Institute and the Nationhood Programme.

738. The implementation of paragraph 6 would also require, in addition to the fund-raising activities of the United Nations Commissioner for Namibia, two fund-raising missions conducted by the Council. It is expected that such missions would consist of up to two Council members accompanied by up to two secretariat staff members.

739. Under the terms of paragraph 11 (b) of recommendation F, the Council would continue to act as trustee of the Fund and, in this capacity, to administer and manage the Fund. The Council would exercise this responsibility through its Committee on the United Nations Fund for Namibia, which has the primary responsibility of trusteeship over the Fund, subject to the approval of its recommendations by the Council as a whole. The Secretary-General retains the fiduciary responsibility which he exercises in respect of all trust funds.

L. United Nations Institute for Namibia

740. The implementation of paragraph 13 of recommendation F would require the Council to prepare and publish, through the Institute, a comprehensive reference book on Namibia. It is understood that at least half the cost of the compilation of the reference book would be borne by the Institute from its own funds and that the Council should make available the sum of \$US 25,000 to complete the compilation, which would take place in 1982 and 1983. It is also expected that the Council will in 1983 request the Department of Public Information to publish the reference book and distribute it widely.

741. The Council will invite the Chairman of the Senate of the Institute or the Director of the Institute to attend those meetings of the Council at which the report of the Institute is considered.

742. The President of the Council or his representative, the Vice-Chairman and Rapporteur of the Committee on the Fund and two members of the Council represent the Council on the Senate of the Institute, which meets at Lusaka. During 1982, it is anticipated that delegations of the Council, accompanied by appropriate staff members of the Secretariat, will participate in three meetings of the Senate in order to continue to provide the policy guidance necessary to ensure the effectiveness of the Council in the exercise of its responsibilities with respect to the Institute.

M. Review of the requirements of units servicing the Council

743. In implementation of paragraph 2 of recommendation C, the Council will meet in continuous session throughout the years 1982 and 1983. This will require the maintenance for 1982 and 1983 within the secretariat of the Council of one P-3 post which has been temporarily redeployed to the secretariat of the Council from another division of the Department of Political Affairs, Trusteeship and Decolonization. In addition, the Council's secretariat will require 10 months of temporary secretarial assistance. This should be provided by means of redeployment within the appropriate Department.

744. The intensification of the efforts of the Council in support of self-determination, freedom and national independence for the Namibian people has greatly expanded the activities of the Council with respect to consultations with Governments, participation in international organizations and conferences, preparation of documentation and contacts with leading personalities in the information media as well as the non-governmental organizations actively supporting the cause of the liberation struggle of the Namibian people. To meet the current workload of the Council, the staffing of its secretariat should be kept at a level not less than that established at the previous sessions of the General Assembly. The Council therefore recommends that the General Assembly should decide to maintain during 1982 and 1983 the temporary posts created at its thirty-third session, namely, two Professional posts at the P-4 level and one General Service post at the G-4 level, as well as the post at the P-3 level mentioned above.

745. According to paragraph 15 of recommendation C, the General Assembly would request the Secretary-General, in consultation with the President of the Council, to review the requirements of all units which service the Council so that the Council may fully discharge all tasks and functions arising out of its mandate.

746. In accordance with paragraph 14 of recommendation C, the General Assembly would request the Secretary-General, in order to facilitate financial reporting to the Council, to ensure that within the programme budget of the Council the accounts would reflect closely the activities of the Council as described in the Council's report to the General Assembly at its thirty-sixth session. In accordance with this recommendation, appropriate administrative action would be taken so that the Field Operations Division of the Office of General Services would be enabled rapidly to prepare reports to the Council on the status of expenditure, using for this purpose categories of expenditure which would correspond to the section headings of the present statement of administrative and financial implications, rather than the categories currently in use, which are too broad to provide meaningful information to the Council.

747. Within the framework of paragraph 15 of recommendation C, the Secretary-General is requested on a permanent basis to assign to the Council, in its capacity as the legal Administering Authority for Namibia, a caucus room suitable for the Council's Steering Committee.

748. By paragraph 6 of recommendation E, the General Assembly would request the Department of Public Information to indicate specifically, at the time of the preparation of its budget, the items in its programme of work which relate to the dissemination of information on Namibia; such items would include publications, films, radio programmes, television programmes, photographic exhibits and other materials on Namibia which it intends to produce.

749. By paragraph 7 of recommendation E, the General Assembly would request the Secretary-General to provide the Council with the work programme of the Department of Public Information for the year 1982 covering the activities of dissemination of information on Namibia, followed by quarterly reports on the programmes undertaken, including details of expenses incurred.

N. Office of the United Nations Commissioner for Namibia

750. In accordance with paragraph 13 of recommendation C, the General Assembly would request the Secretary-General to establish an office of the United Nations Commissioner for Namibia in Luanda. This office would require the establishment of the following temporary posts: one P-5; one P-3; one P-1/2; one G-5; and six L-3/5.

751. In accordance with paragraph 19 of recommendation F, the Secretary-General would be requested to provide the office of the United Nations Commissioner for Namibia with the necessary resources for the performance of its responsibilities as the co-ordinating authority in the implementation of the Nationhood Programme.

ANNEX I

Reservations and observations on the Panama Declaration and Programme of Action on Namibia

A. Reservations

Australia

1. Australia joins the consensus on the Panama Declaration and Programme of Action on Namibia a/ because its support for prompt self-determination for Namibia and its commitment to the principles involved in Security Council resolution 435 (1978) of 29 September 1978 are in accord with the broad thrust of the Declaration.
2. Nevertheless there are certain references in the Declaration on which Australia must reserve its position.
3. While Australia is prepared to study carefully proposals for further sanctions, such as those called for in paragraphs 14, 21 and 32 to 34, these are matters we could address only in the light of debates and discussions within the Security Council, the organ constitutionally mandated to pronounce on these issues. In this respect, with reference to paragraph 31 calling for a strengthened arms embargo, the Australian delegation would like to place on record that Australia has observed a comprehensive ban on the export of arms and military material to South Africa since well before the passage of Security Council resolution 418 (1977) of 4 November 1977. That resolution of course enjoys the full support of the Australian Government.
4. Australia is committed to a peaceful resolution to the problem of Namibia and believes that it is still possible to achieve an internationally acceptable settlement by diplomatic means. We, therefore, must reserve our position on paragraphs 26 and 29 with their implied support for armed struggle.
5. Finally, while we recognize that the South West Africa People's Organization (SWAPO) is an important protagonist, its representative status can only be determined by the Namibian people in free and fair elections.

Belgium

6. The Belgian Government wishes to clarify its position as regards the Panama Declaration and Programme of Action adopted on 5 June 1981 at Panama City by the United Nations Council for Namibia.
7. The Belgian Government is of the opinion that the question of imposing additional sanctions against South Africa requires close and in-depth study on the part of the Security Council, which is the only organ competent in the matter.

a/ See para. 222 of the present report.

8. The Belgian Government cannot endorse the affirmation that the chances for a peaceful settlement are now exhausted. It feels that calling for the complete political and economic isolation of South Africa would be not only unrealistic but extremely detrimental to the interests of the oppressed majority of the population.

9. The Belgian Government cannot associate itself with the calls for military assistance.

10. The Belgian Government fully acknowledges the important role SWAPO continues to play in expressing the legitimate aspirations of the Namibian people. It expresses the wish that both SWAPO and the other movements representing the Namibian people will continue in their unwavering efforts to bring about a peaceful solution to the Namibian question. It will be up to the Namibian people to designate its legitimate representatives through free and fair elections organized under the supervision of the United Nations, as envisaged by the Security Council under the provisions of its resolution 435 (1978).

11. As a matter of principle, the Belgian Government is opposed to selective designations of countries or groups of countries in official United Nations documents. It cannot subscribe to the specific criticisms addressed to them and contained in the Panama Declaration.

12. If nevertheless the Belgian delegation joins in the consensus, it is with the desire clearly to express its total condemnation of the apartheid policy of South Africa, of its illegal occupation of the Namibian territory and of its armed incursions into the territory of neighbouring independent States.

13. The Belgian Government deplores strongly the procrastination and dilatory tactics of the South African Government which have impeded up to now the implementation of the decisions of the Security Council.

Finland

14. The Government of Finland endeavours to work constructively with other members of the United Nations Council for Namibia for the independence of Namibia. Finland is convinced that the illegal South African occupation of Namibia must be brought to an end through increased international pressure on South Africa. The Namibian people must be allowed, without further delay, to exercise their inalienable right to self-determination and national independence by means of free and fair elections under the supervision and control of the United Nations on the basis of Security Council resolution 435 (1978). Finland urges the Western contact group to use its influence on South Africa and to continue negotiations towards this end in co-operation with all concerned.

15. Thus, Finland understands the political motivation of the Panama Declaration and Programme of Action on Namibia and shares the concern over the situation in Namibia, reflected in the final document. Finland therefore joins the consensus.

16. The decision of Finland to join the consensus is not to be interpreted as constituting a departure from certain basic principles to which it continues to adhere. Specifically, Finland reiterates the following:

(a) Finland cannot accept endorsement by the United Nations of armed struggle nor requests for military assistance. The United Nations was established in order to promote peaceful solutions to international disputes.

(b) Finland dissociates itself from any arbitrary singling out of countries as responsible for the policies of South Africa.

(c) Finland continues to maintain the view that, in accordance with the Charter of the United Nations, the adoption of sanctions is within the exclusive purview of the Security Council, which is the only organ with competence to take decisions binding on Member States.

(d) Finland cannot endorse measures which would infringe upon the constitutional rights and liberties of its citizens and private organizations.

(e) No political organization enjoying popular support should be excluded from a political solution in Namibia through free and fair elections. SWAPO, which has played a constructive and crucial role in the search for a negotiated settlement, is such an organization and must be part of any solution. Finland has given and continues to give humanitarian assistance to SWAPO.

B. Observations

17. The representative of India expressed regret that it had been necessary for certain delegations to make reservations on the Panama Declaration despite (a) the existence of a universal consensus in favour of the early decolonization of Namibia; (b) the consensus decisions taken at the International Conference on Sanctions against South Africa held at Paris from 20 to 27 May 1981, in favour of applying sanctions against South Africa; b/ and (c) the adoption by the Council of a set of guidelines for its members according to which the member nations are expected to act solely in accordance with the mandate of the Council. He said that the pre-implementation meeting in Geneva had shown beyond any doubt that South Africa had totally rejected the United Nations plan and that it was necessary for the international community to take firm action against South Africa with a view to compelling it to comply with the plan. He hoped that the entire membership of the Council would remain united in the effort to isolate South Africa by adopting the measures outlined in the Panama Declaration.

18. The representative of Algeria, while acknowledging the right of any Member State to maintain its national positions on world issues, regretted that in the present case the reservations were made not on the basis of principles, but on the basis of interests. Certain Western countries had shielded South Africa and even encouraged it to be belligerent against the United Nations. The question of Namibia was one of decolonization and the States Members of the United Nations were duty-bound to work for the ending of the illegal occupation of Namibia by South Africa.

b/ See A/36/319-S/14531. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981.

19. The representative of SWAPO stated that he was aware that most members of the Council would have accepted stronger formulations in the Panama Declaration had it not been for their keenness to attain a consensus in its favour. The drafting committee had worked in a spirit of compromise and understanding and, therefore, the Panama Declaration had turned out much weaker than it should have. He was, therefore, surprised that certain countries felt obliged to express reservations on the formulations accepted by consensus. He was gratified, however, that the cause of Namibia enjoyed almost universal support and that more and more countries were coming forward to support SWAPO. He expressed gratitude to the members of the Council for adopting the Panama Declaration, which was another important milestone in the history of the struggle of the people of Namibia.

ANNEX II

Allocation of resources to the Council for 1981 within the programme budget for 1980-1981

1. In its report to the General Assembly at its thirty-fifth session, a/ the Council made a number of recommendations and gave an indication of their financial implications. Those recommendations were incorporated in draft resolutions which were placed before the General Assembly, involving (a) the situation in Namibia resulting from the illegal occupation of the Territory by South Africa (A/35/L.50 and Add.1); (b) intensification and co-ordination of United Nations action in support of Namibia (A/35/L.51 and Add.1); (c) the programme of work of the Council (A/35/L.52 and Add.1); (d) action by intergovernmental and non-governmental organizations with respect to Namibia (A/35/L.53 and Add.1); (e) support for the United Nations Institute for Namibia (A/35/L.54 and Add.1); (f) the Nationhood Programme for Namibia (A/35/L.55 and Add.1); (g) the United Nations Fund for Namibia (A/35/L.56 and Add.1); (h) dissemination of information on Namibia (A/35/L.57 and Add.1); (i) the question of Namibian uranium (A/35/L.58 and Add.1); and (j) the situation resulting from South Africa's refusal to comply with United Nations resolutions on Namibia (A/35/L.59 and Add.1). The draft resolutions were adopted by the General Assembly at its 111th plenary meeting, on 6 March 1981, as resolutions 35/227 A, B, C, D, E, F, G, H, I and J respectively.

2. Prior to the consideration of the above-mentioned draft resolutions, the Secretary-General submitted to the Fifth Committee a statement (A/C.5/35/107) containing the administrative and financial implications of a draft decision (A/35/L.37/Rev.1) by which the Assembly would decide that, subject to additional appropriations which might be considered by it at its resumed thirty-fifth session, the activities of the Council and the support extended to the SWAPO office in New York should be maintained during 1981 at the same level as in 1980.

3. In his statement, the Secretary-General indicated that with regard to the activities of the Council, an amount of \$US 1,256,100 had been appropriated by the General Assembly at its thirty-fourth session, and that more than one half of that amount was available for 1981. With regard to the support to the SWAPO office, an amount of \$US 230,500 would be needed if the representation of the people of Namibia through SWAPO at the United Nations were to be maintained at the same level as in 1980. An amount of \$US 211,500 was available for the SWAPO office, leaving a balance required of \$US 19,000. Furthermore, an appropriation of \$US 500,000 would be needed for the proposed contribution to the United Nations Fund for Namibia for 1981. Adoption of the draft decision would therefore require an additional appropriation of \$US 519,000.

a/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24 and Corr.1 and 2), vol. II.

4. At its 52nd meeting, on 10 December 1980, the Fifth Committee, having considered the above-mentioned report of the Secretary-General, decided to inform the General Assembly that, should it adopt draft resolution A/35/L.37/Rev.1, an additional appropriation of \$US 519,000 would be required under section 3 of the programme budget for 1980-1981 (see A/35/761).

5. At its 98th plenary meeting, on 16 December 1980, the General Assembly decided that, subject to additional appropriations which might be considered by it at its resumed thirty-fifth session, the activities of the Council and the support extended to the SWAPO office in New York, in order to ensure appropriate representation of the people of Namibia through SWAPO at the United Nations, should be maintained during 1981 at the same level as during 1980, and requested and authorized the Secretary-General to make the necessary expenditures for that purpose; and also decided to appropriate as a temporary measure, an amount of \$US 500,000 for the United Nations Fund for Namibia for the year 1981 (decision 35/442).

6. Subsequently, when the General Assembly considered the question of Namibia at its resumed thirty-fifth session, the Secretary-General submitted to the Fifth Committee a statement (A/C.5/35/120) containing the administrative and financial implications of the draft resolutions on Namibia cited in paragraph 1 above. The statement analysed the financial implications of all the draft resolutions taken together as follows:

Proposed activity	Proposed cost in 1981 (total)	Council	Office of the Commissioner	Department of Public Information	Department of Conference Services
United Nations Fund for Namibia	38 900	7 500	31 400		
Dissemination of information	212 800			212 800	
Extraordinary plenary meetings away from Headquarters	251 600	92 300			159 300
Missions of the Council	196 400	196 400			
Representation of Namibia in conferences	319 200	319 200			
SWAPO office in New York	77 000 <u>a/</u>	77 000			
Contacts with opinion-makers	46 000	46 000			
Mission to the Senate of the United Nations Institute for Namibia at Lusaka	22 500	22 500			
Contacts with non- governmental organizations	226 700	226 700			
Implementation of Decree No 1 for the Protection of the natural resources of Namibia	495 600	29 200	29 200		437 200
Hearings	<u>437 200</u>				<u>437 200</u>
Available resources for 1981	2 323 900	1 016 800	60 600	212 800	1 033 700
	...	824 300	- <u>b/</u>	- <u>c/</u>	
To be included in the consolidated statement on conference services					1 033 700
Balance requested for appropriation	-	-	-	-	-

a/ This amount is distinct from the amount for SWAPO described in paragraph 3 of the present annex.

b/ See paragraph 7 of the present annex.

c/ See paragraph 8 of the present annex.

7. In his statement, the Secretary-General indicated that the total cost associated with the work of the Council (excluding support to the SWAPO office and a grant to the United Nations Fund for Namibia, which had already been covered by General Assembly decision 35/442) was estimated at \$US 1,016,800, compared with an existing balance of appropriation of \$US 824,300. It was considered that funds could be redeployed within section 3 of the programme budget to meet any shortfall in that regard.
8. Regarding the Office of the United Nations Commissioner for Namibia, sufficient savings had been made in 1980 to cover the additional costs foreseen for 1981.
9. The costs of public information were expected to be covered from the available resources within the budget of the Department of Public Information. Should there not be sufficient resources, the Secretary-General would exercise the authority to seek additional resources through existing procedures.
10. The costs of conference services for the meetings outlined in the draft resolutions would be included in the Secretary-General's report to the Advisory Committee on Administrative and Budgetary Questions on financing the calendar of conferences for 1981.
11. The Secretary-General concluded that the adoption of the draft resolutions by the Assembly would not necessitate any request for additional appropriations.
12. At its 64th meeting, on 5 March 1981, the Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolutions on the question of Namibia, no additional appropriation would be required (see A/35/861). As mentioned above (see para. 1), the General Assembly adopted the draft resolutions at its 111th meeting on 6 March 1981.

ANNEX III

List of official documents of the Council (19 July 1980 to 21 August 1981)*

Documents issued in the general series

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/82	Report of the Panel for hearings on Namibian uranium: Part I: I. Introduction - II. Organization of the hearings on Namibian uranium	11 November 1980
A/AC.131/82/Add.1 and Corr.1	Report of the Panel for hearings on Namibian uranium: III. Legal premises in relation to Namibia and its resources	14 November 1980 20 November 1980
A/AC.131/82/Add.2 and Corr.1	Report of the Panel for hearings on Namibian uranium: IV. Illegal exploitation of Namibian uranium	14 November 1980 20 November 1980
A/AC.131/82/Add.3 and Corr.1	Report of the Panel for hearings on Namibian uranium: V. The economic and strategic value of Namibian uranium	14 November 1980 20 November 1980
A/AC.131/82/Add.4	Report of the Panel for hearings on Namibian uranium: VI. Military co-operation with the South African administration by corporations involved in uranium extraction	13 November 1980
A/AC.131/82/Add.5 and Corr.1	Report of the Panel for hearings on Namibian uranium: VII. Development by South Africa of a nuclear capability and the threat to international peace and security	14 November 1980 20 November 1980
A/AC.131/82/Add.6 and Corr.1	Report of the Panel for hearings on Namibian uranium: VIII. Conclusions, recommendations and financial implications	17 November 1980 20 November 1980
A/AC.131/82/Add.7	Report of the Panel for hearings on Namibian uranium: Annex I. List of experts and organizations invited to testify at the hearings - Annex II. List of participants in the hearings	14 November 1980

* The official documents of the Council issued prior to those shown in the present annex are listed in Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex III.

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/82/Add.8	Report of the Panel for hearings on Namibian uranium: Annex III. List of written material presented at the hearings	14 November 1980
A/AC.131/82/Add.9 and Corr.1	Report of the Panel for hearings on Namibian uranium: Annex IV. Supplementary legal information	14 November 1980 20 November 1980
A/AC.131/82/Add.10 and Corr.1	Report of the Panel for hearings on Namibian uranium: Part II: Verbatim transcripts of the public meetings of the Panel held at Headquarters from 7 to 11 July 1980	30 September 1980 12 November 1980
A/AC.131/82/Add.11	Report of the Panel for hearings on Namibian uranium: Part III: Index to the verbatim transcripts (list of speakers)	14 November 1980
A/AC.131/83	Implementation of the mandate of the Council	8 January 1981
A/AC.131/84	Consideration of the question of Namibia at the resumed thirty-fifth session of the General Assembly: report of the President	24 February 1981
A/AC.131/85	Nationhood Programme for Namibia: Resolution adopted by the Council at its 335th meeting on 5 September 1980	9 April 1981
A/AC.131/86	Consideration of the question of Namibia at the resumed thirty-fifth session of the General Assembly: report of the President	9 April 1981
A/AC.131/87	Expression of thanks to the Government and People of Panama: resolution adopted by the Council at its 357th meeting, held at Panama City on 5 June 1981	15 July 1981

Documents issued in the limited series

A/AC.131/L.163	Observance of a Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO, 27-31 October 1980	1 April 1981
A/AC.131/L.164	Nationhood Programme for Namibia: Project for training in the development, planning and administration of human settlements	8 April 1981
A/AC.131/L.165	Nationhood Programme for Namibia: Project for training in public enterprise management	8 April 1981
A/AC.131/L.166	Programme of work of the Committee on the United Nations Fund for Namibia for 1981	27 April 1981

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/L.167	Report of the delegation of the Council to the Eleventh African-American Conference, held at Freetown from 8 to 12 January 1981	14 May 1981
A/AC.131/L.168	Nationhood Programme for Namibia and activities under the general account of the United Nations Fund for Namibia	14 May 1981
A/AC.131/L.169	Extraordinary plenary meetings of the Council for Namibia, to be held at Panama City from 2 to 5 June 1981; report of the President	18 May 1981
A/AC.131/L.170	Organization of the extraordinary plenary meetings of the Council to be held at Panama City from 2 to 5 June 1981; report of the President	18 May 1981
A/AC.131/L.171 and Corr.1 (English only)	Guidelines for a seminar on legal issues concerning the question of Namibia to commemorate the tenth anniversary of the advisory opinion of the International Court of Justice of 21 June 1971, to be held at The Hague from 22 to 24 June 1981	20 May 1981 29 May 1981
A/AC.131/L.172	Joint communiqué issued by the Government of Peru and the Mission of consultation of the Council at Lima on 7 May 1981	20 May 1981
A/AC.131/L.173	Joint communiqué issued by the delegation of the Government of Argentina and the Mission of consultation of the Council at Buenos Aires on 12 May 1981	20 May 1981
A/AC.131/L.174	Joint communiqué issued by the delegation of the Government of Colombia and the Mission of consultation of the Council at Bogotá on 16 May 1981	20 May 1981
A/AC.131/L.175	Statement issued by the Mission of consultation of the Council at Madrid on 9 May 1981	21 May 1981
A/AC.131/L.176	Statement issued by the Mission of consultation of the Council at Dublin on 13 May 1981	21 May 1981
A/AC.131/L.177	Statement issued by the Mission of consultation of the Council at Helsinki on 18 May 1981	21 May 1981

<u>Document No.</u>	<u>Title</u>	<u>Date</u>
A/AC.131/L.178	Provisional agenda of the -extraordinary plenary meetings of the Council to be held at Panama City from 2 to 5 June 1981	21 May 1981
A/AC.131/L.179	Seminar on legal issues concerning Namibia to be held at The Hague from 22 to 24 June 1981: rules of procedure	8 June 1981
A/AC.131/L.180	United Nations Institute for Namibia: appointment of Senators	9 June 1981
A/AC.131/L.181	General account of the United Nations Fund for Namibia: publications project	9 June 1981
A/AC.131/L.182	Report of the representative of the Council to the Government Consultation on the Centre on Integrated Rural Development for Africa, held at Rome on 8 and 9 December 1980	20 August 1981
A/AC.131/L.183	Report of the delegation of the Council to the sixty-sixth session of the International Labour Conference, held at Geneva from 4 to 25 June 1980	21 August 1981

ANNEX IV

Declaration of the International Conference in Solidarity
with the Struggle of the People of Namibia, held at Paris
from 11 to 13 September 1980*

1. The International Conference in Solidarity with the Struggle of the People of Namibia was organized on the initiative of the South West Africa People's Organization (SWAPO), the sole and authentic representative of the people of Namibia, with the support of the United Nations Council for Namibia, the legal Administering Authority for the international Territory of Namibia.
2. It brought together Governments, organizations and individuals who have demonstrated by action their unequivocal commitment to the struggle of the Namibian people for independence.
3. It met at a crucial time in the history of the struggle for liberation in southern Africa. On the one hand, the triumph of liberation in Zimbabwe acted as a powerful spur for the liberation of Namibia and South Africa. On the other hand, the South African racist régime, unnerved by the defeat of its manoeuvres to preserve Zimbabwe as a buffer, seeks to reverse the irreversible tide of liberation.
4. With the independence of Angola, Mozambique and Zimbabwe, the struggle of the people of Namibia and South Africa assumed new significance. The people of these countries heightened their mobilization for final victory, and support to them becomes today an urgent task for the international community.
5. The racist régime of South Africa has resorted to desperate acts and devious manoeuvres to continue its illegal occupation of Namibia, consolidate its illegitimate rule over the great majority of the people of South Africa, and reverse the march of freedom in Africa. It has armed itself to the teeth and sought to acquire nuclear capability, with the collaboration or complicity of powerful Governments, such as the United Kingdom of Great Britain and Northern Ireland, the United States of America, France and the Federal Republic of Germany and their transnational corporations, in order to intimidate and blackmail the Governments and peoples of the entire region.
6. Southern Africa, therefore, is at the crossroads. The racist régime of South Africa poses a serious challenge to the entire international community, which has assumed special responsibility for Namibia and declared its solemn commitment to the oppressed people in South Africa.
7. The international community is faced with a threat and challenge which it cannot fail to meet with all its strength.

* Previously issued under the symbol A/35/539-S/14220.

8. The Conference was, therefore, organized to mobilize all progressive forces of the world to ensure international action for the independence of Namibia and to bring closer the destruction of white racist domination in South Africa, and pledged that their courage shall be matched by the determination of all forces of solidarity.

9. The President of SWAPO, Mr. Sam Nujoma, told the Conference:

"This collective manifestation of your support for and solidarity with the just cause of our people and the struggle for national and social liberation being waged by SWAPO in Namibia, is a living testimony that our cause is a universal cause and that our people are not suffering and sacrificing alone; it tells us that imperialism and colonialism are enemies of all mankind; it is proof that racism and exploitation of man by man are abhorrent, denounced, condemned and rejected; and that the overwhelming majority of the international community is ready, prepared and willing to render all-round material, financial, military, political and moral support and assistance to the Namibian people under the leadership of SWAPO, to intensify, expand and prosecute the struggle for Namibia's national independence on all fronts - military, political and diplomatic."

10. The President of the African National Congress of South Africa (ANC), Mr. Oliver Tambo, said:

"The South African racist régime is employing numerous devices and inventing many schemes to prolong and legitimize its illegal occupation of Namibia. The response of the international community to those manoeuvres should not be confined to countering them in debate and exposing them for what they are. What the Namibian situation requires is a declaration of war on all the manoeuvres hatched by the racist régime and the 'Contract Group of Five' designed to obstruct the United Nations in the discharge of its duty to the people of Namibia.

"What is required is massive material assistance to SWAPO enabling it to drive the racists out of Namibia and liberate the country.

"There can be no peace for Africa and the world until the brutal system of apartheid is finally destroyed."

11. The Conference benefited from the guidance of the President of the United Nations Council for Namibia, Mr. Paul Lusaka, who identified the main directions for urgent action to reinforce the heroic struggle of SWAPO and the efforts of the Council as the instrument for the discharge of the special responsibility of the United Nations for the independence of Namibia.

12. The United Nations General Assembly terminated South Africa's mandate over Namibia on 27 October 1966, the year of the launching of the armed struggle by SWAPO. In 1967, it established the United Nations Council for Namibia as the legal Administering Authority for Namibia. In 1971, the International Court of Justice delivered its advisory opinion on Namibia. a/ In 1973, the General Assembly

a/ Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.

recognized SWAPO as the sole and authentic representative of the people of Namibia and renewed the commitment of the United Nations to the people of Namibia.

13. These decisions and solemn commitments, in the discharge of the "sacred trust", must remain the basis of all actions by the international community. Any deviation from them must be exposed, condemned and firmly resisted.

14. The South African racist régime is illegally occupying Namibia in violation of international law, the Charter of the United Nations and the authority of the United Nations. It has engaged in brutal repression of the Namibian people and ruthless exploitation of the natural resources of the Territory. It has used the Territory as the base for aggression against Zambia and Angola. It is guilty of crimes against humanity; it is the main enemy of Africa and the United Nations; it must be expelled from the international Territory of Namibia.

15. SWAPO, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people. This status, which was earned by struggle and sacrifice, and by the blood of the Namibian patriots, was confirmed by the United Nations in 1973. SWAPO is today a respected member of the international community.

16. The national unity and territorial integrity of Namibia - including Walvis Bay and Penguin and the other off-shore islands b/ - must be preserved.

17. The United Nations Council for Namibia is the legal Administering Authority for Namibia until independence. Its authority must in no way be undermined.

18. Any collaboration with the illegal occupying power in Namibia, direct or indirect, and any exploitation of Namibian natural resources in violation of Decree No. 1 for the Protection of the Natural Resources of Namibia, c/ Enacted by the United Nations Council for Namibia on 27 September 1974 is a hostile act against the Namibian people and against the United Nations and the international community.

19. The threat to the peace in southern Africa arising from the policies and actions of the racist régime of South Africa has been a source of grave concern to the United Nations and the international community for two decades. By increasing their collaboration with apartheid and persistently protecting the Pretoria régime from sanctions; the Western Powers have reinforced its destructive power, undermined the effectiveness of the United Nations and aggravated the threat to the peace. Their continued collusion with the racist régime, even after the termination of the mandate in 1966 and the advisory opinion of the International Court of Justice in 1971, has now helped precipitate the most severe challenge to the authority of the United Nations.

b/ Ichaboe, Hollamsbird, Mercury, Long, Seal, Halifax, Possession, Albatross Rock, Pomona, Plum Pudding and Sinclairs.

c/ See Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II. Among other things, the Decree prohibits the extraction, export or sale of any natural resource of Namibia without the consent and permission of the United Nations Council for Namibia. Resources exported without such permission, and ships, vehicles and containers carrying them, are subject to seizure on behalf of the Council, to be held in trust for the benefit of the people of Namibia.

20. The efforts of the United Nations Council for Namibia as the legal Administering Authority for the Territory have been constantly frustrated by these Powers, who have thereby shown contempt for their obligations under the Charter of the United Nations.
21. They persisted in this attitude even after the Security Council unanimously adopted resolution 385 (1976) of 30 January 1976, with the full support of SWAPO, on the process of transition to independence through free and fair elections under the supervision and control of the United Nations.
22. Yet, when the five Western Powers (Canada, France, the Federal Republic of Germany, the United Kingdom and the United States) offered their good offices in 1977 to promote the implementation of that resolution, SWAPO and the front-line States responded in good faith, in order to facilitate a speedy transfer of power to the people of Namibia. Their co-operation made possible the United Nations plan for the independence of Namibia, endorsed by the Security Council in resolution 435 (1978) of 29 September 1978.
23. But the Western Powers enabled the South African régime to defy the plan, by once again failing to exercise pressure on it, and by embarking on protracted talks which tended to undermine the integrity of United Nations resolutions, the status of SWAPO and the authority of the United Nations Council for Namibia.
24. They enabled the South African régime, under the cover of these talks, to consolidate its hold over the Territory, to create puppet institutions and to undermine the territorial integrity of Namibia. The increased militarization of the Territory and its use as the base for aggression against independent African States has, in fact, heightened the threat to international peace and security.
25. Thus the Western Powers have not only failed to promote a solution in accordance with the Security Council resolution but have contributed to the creation of a graver crisis.
26. Moreover, despite the mandatory embargo against South Africa, military equipment and technology from these countries continue to be supplied to South Africa, and an increasing number of mercenaries are also being recruited from them.
27. The Governments and peoples truly committed to freedom must, therefore, take the initiative and act in full solidarity with SWAPO. All efforts must be directed at the imposition of mandatory sanctions, including an oil embargo, against the South African régime under Chapter VII of the Charter of the United Nations, in order to secure the implementation of Security Council resolutions 385 (1976) and 435 (1978) and the unconditional withdrawal of South Africa from Namibia. The Conference calls for co-ordinated action by all committed Governments and organizations for this purpose.
28. The international community should not in any way recognize the authority of the illegal occupying régime. It should take firm action to counter its manoeuvres to prevent the genuine independence of Namibia by creating puppet institutions and providing them with military, police and other repressive powers. It should reiterate Security Council resolution 439 (1978) and prevent any recognition of, or relations with, any authorities or institutions created by the illegal occupying régime.

29. All who support the genuine aspirations of the Namibian people for freedom and independence should provide full and unconditional political and material support to SWAPO in its legitimate struggle by all means - including armed struggle - to drive out the aggressive illegal régime from Namibia.

30. They should expose and condemn the transnational corporations which are involved in illegally plundering the natural resources of Namibia. They should take action to ensure that Decree No. 1 for the Protection of the Natural Resources of Namibia is effectively implemented by governmental and public action to punish the transnational corporations, airline and shipping companies and other interests guilty of violation of the Decree.

31. They should provide all necessary political and material support to the front-line States, which have faced persistent acts of aggression and subversion by the Pretoria régime because of their commitment to African liberation and their loyalty to the United Nations.

32. Towards this end, the Conference calls for the following urgent actions by Governments and organizations:

(a) The Conference urges the Security Council to meet not later than 15 October 1980 to impose comprehensive mandatory sanctions, including an oil embargo, against South Africa in order to enforce its compliance with Security Council resolutions 385 (1976) and 435 (1978). It further urges the Security Council to declare categorically that Walvis Bay and all the off-shore islands of Namibia are integral and uncontestable parts of the Territory and to reject any moves intended to leave the matter for negotiation between an independent Namibia and South Africa.

(b) The Conference affirms the authority of the United Nations Council for Namibia as the legal Administering Authority and supports the Algiers Declaration and Programme of Action on Namibia, d/ adopted by the Council at its 328th meeting on 1 June 1980. The Council must be given all necessary co-operation and support in order to discharge the mandate conferred upon it by the General Assembly. The Conference pledges full co-operation with the Council in its efforts to mobilize world public opinion, with the support of the solidarity organizations, to help secure the independence of Namibia.

(c) The Conference calls on all Governments and organizations to support this Declaration and to take all necessary action in the light of the conclusions of the Conference. It invites all solidarity organizations to mobilize public opinion in support of the struggle for the independence of Namibia, particularly during the Week of Solidarity with the People of Namibia and their Liberation Movement, SWAPO, proclaimed by the United Nations General Assembly, beginning 27 October 1980.

33. The Conference requests its Presidium to appoint a delegation to present this Declaration to the Secretary-General of the United Nations, the Security Council and the United Nations Council for Namibia, as well as other appropriate bodies.

d/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, para. 91.

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