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UNITED NATIONS  
SECURITY  
COUNCIL



Distr.  
GENERAL

S/8399  
13 February 1968

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL IN PURSUANCE OF RESOLUTION 245 (1968) ADOPTED  
BY THE SECURITY COUNCIL AT ITS 1387TH MEETING ON 25 JANUARY 1968

1. On 25 January 1968, at its 1387th meeting, the Security Council unanimously adopted resolution 245 (1968), whereby it took note, among other things, of General Assembly resolution 2324 (XXII) of 16 December 1967, condemning the illegal arrest, deportation and trial at Pretoria of thirty-seven South West Africans, as a flagrant violation by the Government of South Africa of their rights, of the international status of the Territory and of General Assembly resolution 2145 (XXI) of 27 October 1966. In the preamble, the Council also referred to the grave consequences of the continued illegal application of those arbitrary laws by the Government of South Africa to the Territory of South West Africa, and to the special responsibilities of the United Nations towards the people and the Territory of South West Africa. The Council took the following decisions in the operative paragraphs:

"1. Condemns the refusal of the Government of South Africa to comply with the provisions of General Assembly resolution 2324 (XXII);

"2. Calls upon the Government of South Africa to discontinue forthwith this illegal trial and to release and repatriate the South West Africans concerned;

"3. Invites all States to exert their influence in order to induce the Government of South Africa to comply with the provisions of the present resolution;

"4. Requests the Secretary-General to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date;

"5. Decides to remain actively seized of the matter."

2. Following the adoption of resolution 245 (1968) on 25 January 1968, the Secretary-General immediately transmitted its text by telegram to the Minister of Foreign Affairs of the Republic of South Africa.

3. On 30 January 1968, the Secretary-General received the following letter from the Permanent Representative of South Africa (S/8370):

"I have the honour to transmit the following communication from the Minister of Foreign Affairs of the Republic of South Africa, Dr. the Hon. Hilgard Muller:

'I have the honour to acknowledge receipt of your telegram of 25 January 1968 and to inform you that the position of the South African Government relating to the relevant General Assembly resolutions was set out in the communication which I addressed to you on 26 September 1967.  
[A/6822]

'Furthermore as indicated by the South African Prime Minister on 16 December 1967 the case of the persons accused of terrorism is still before the South African courts.

'Please accept, Excellency, the assurances of my highest consideration.'

"Please accept, etc."

4. By a note dated 31 January 1968, the Secretary-General transmitted the text of the resolution to all States Members of the United Nations or members of the specialized agencies, referring, in particular, to operative paragraph 3. Noting the request made to him in operative paragraph 4, he stated that he would therefore appreciate information, as early as possible, on action taken by the Governments so addressed in pursuance of operative paragraph 3 of the resolution.

5. It will be recalled that the General Assembly, at its 1635th plenary meeting, on 16 December 1967, adopted resolution 2324 (XXII), the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Condemns the illegal arrest, deportation and trial at Pretoria of the thirty-seven South West Africans as a flagrant violation by the Government of South Africa of their rights, of the international status of the Territory and of General Assembly resolution 2145 (XXXI);

"2. Calls upon the Government of South Africa to discontinue forthwith this illegal trial and to release and repatriate the South West Africans concerned;

/...

"3. Appeals to all States and international organizations to use their influence with the Government of South Africa in order to obtain its compliance with the provisions of paragraph 2 above;

"4. Draws the attention of the Security Council to the present resolution;

"5. Requests the Secretary-General to report as soon as possible to the Security Council, the General Assembly, the United Nations Council for South West Africa and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on the implementation of the present resolution."

6. In pursuance of operative paragraph 5 of the resolution, the Secretary-General on 25 January 1968, submitted a report to the Security Council (S/8357), as well as to the General Assembly (A/7045), the United Nations Council for South West Africa (A/AC.131/8) and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/283). The substantive parts of replies received subsequently by the Secretary-General have been circulated as addenda to the reports submitted to the Security Council (S/8357/Add.1-6) and to the General Assembly (A/7045/Add.1-6).

7. In view of the fact that Security Council resolution 245 (1968) and General Assembly resolution 2324 (XXII) are similar in substance, some of the replies received since the adoption of the Security Council resolution necessarily refer to both resolutions. For convenience of reference and in order to avoid duplication of documentation, further replies referring either to the Council resolution or to the Assembly resolution will be brought to the attention of the members of the Security Council in addenda to document S/8357.

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