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SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-FIFTH YEAR

1528th MEETING: 29 JANUARY 1970

NEW YORK

CONTENTS

| | <i>Page</i> |
|--|-------------|
| Provisional agenda (S/Agenda/1528) | 1 |
| Adoption of the agenda | 1 |
| The situation in Namibia: | |
| Letter dated 26 January 1970 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Ceylon, Chad, the Congo (Democratic Republic of), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Nepal, the Niger, Nigeria, Pakistan, the People's Republic of the Congo, the Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, the Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, the United Arab Republic, the United Republic of Tanzania, the Upper Volta, Yemen, Yugoslavia and Zambia (S/9616 and Add.1 and 2) | 1 |

FIFTEEN HUNDRED AND TWENTY-EIGHTH MEETING

Held in New York on Thursday, 29 January 1970, at 3.30 p.m.

President: Mr. Nsanzé TERENCE (Burundi).

Present: The representatives of the following States: Burundi, China, Colombia, Finland, France, Nepal, Nicaragua, Poland, Sierra Leone, Spain, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia.

Provisional agenda (S/Agenda/1528)

1. Adoption of the agenda.

2. The situation in Namibia:

Letter dated 26 January 1970 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Ceylon, Chad, the Congo (Democratic Republic of), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Nepal, the Niger, Nigeria, Pakistan, the People's Republic of the Congo, the Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, the Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, the United Arab Republic, the United Republic of Tanzania, the Upper Volta, Yemen, Yugoslavia and Zambia (S/9616 and Add.1 and 2).

Adoption of the agenda

The agenda was adopted.

The situation in Namibia

Letter dated 26 January 1970 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Ceylon, Chad, the Congo (Democratic Republic of), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Nepal, the Niger, Nigeria, Pakistan, the People's Republic of the Congo, the Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, the Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, the United Arab Republic, the United Republic of Tanzania, the Upper Volta, Yemen, Yugoslavia and Zambia (S/9616 and Add.1 and 2)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision adopted at our last meeting

[1527th meeting], I invite the representative of Turkey, the President of the United Nations Council for Namibia, Mr. Çuhruk, to take a seat at the Council table.

At the invitation of the President, Mr. N. Çuhruk (Turkey), President of the United Nations Council for Namibia, took a place at the Security Council table.

2. The PRESIDENT (*interpretation from French*): The Council will now continue its consideration of the item on the agenda. I should like to draw the attention of members of the Council to document S/9616/Add.2, which brings to fifty-six the number of signatories to the letter. Furthermore, members of the Council have before them the draft resolution submitted by five Powers, namely, Burundi, Finland, Nepal, Sierra Leone and Zambia [S/9620].

3. Before calling on the speakers on the list, and with the consent of the members of the Council, I should like to invite the representative of Finland to take the floor on a point of order.

4. Mr. JAKOBSON (Finland): I apologize to those representatives who have included their names in the list of speakers for today for asking to make a brief statement at this stage on behalf of the sponsors of draft resolution S/9620, but I think that it would be in the interests of the Council as a whole, before proceeding with the debate, to be informed as quickly as possible and without any delay of certain revisions that the delegations sponsoring the draft resolution wish to make. Members of the Council know that consultations have been conducted both within the Council and with delegations from outside the Council. Many constructive suggestions have been made in the course of those consultations about revisions that would make the draft resolution more widely acceptable, and I should now like to inform the Council of those revisions, which will be circulated in writing as soon as possible.

5. The first revision relates to the fourth preambular paragraph, in which a phrase is added at the beginning. I shall read the paragraph in its revised form:

"Reaffirming that the extension and enforcement of South African laws in the Territory together with the continued detentions, trials and subsequent sentencing of Namibians by the Government of South Africa constitute illegal acts and flagrant violations of the rights of the Namibians concerned, the Universal Declaration of Human Rights and of the international status of the Territory, now under direct United Nations responsibility".

In other words, the words "the extension and enforcement of South African laws in the Territory" have been added at the beginning of the paragraph.

6. The next revision concerns paragraph 5. The sponsors found that the original form of that paragraph seemed to give rise to misunderstandings. To clarify their intentions they wish to rephrase the paragraph to read as follows:

"Calls upon all States, particularly those which have economic and other interests in Namibia, to refrain from any dealings with the Government of South Africa which are inconsistent with paragraph 2 of this resolution".

7. In paragraph 6 the sponsors, after their consultations, have decided to make the proposed committee a sub-committee of the Security Council under rule 28 of the Council's provisional rules of procedure. The paragraph in its revised form would read as follows:

"Decides to establish in accordance with rule 28 of the provisional rules of procedure an *ad hoc* sub-committee of the Council to study, in consultation with the Secretary-General, ways and means by which the relevant resolutions of the Council, including the present resolution, can be effectively implemented in accordance with the appropriate provisions of the Charter, in the light of the flagrant refusal of South Africa to withdraw from Namibia, and to submit its recommendations by 30 April 1970".

8. In paragraph 7 we wish to add to the States and specialized agencies other relevant United Nations organs which the sub-committee may wish to approach with requests for information or assistance. In other words, that paragraph would read as follows:

"Requests all States as well as the specialized agencies and other relevant United Nations organs to give the sub-committee all the information and other assistance that it may require in pursuance of this resolution".

9. In paragraph 8 the original phrase "expert committee" must of course be changed to read "sub-committee", and the same applies to paragraph 9. In other words, paragraph 8 would read:

"Further requests the Secretary-General to give every assistance to the sub-committee in the performance of its task;"

and paragraph 9 would read:

"Decides to resume consideration of the question of Namibia as soon as the recommendations of the sub-committee have been made available".

10. These are the revisions which the sponsors desire to make in their text and we hope that they will meet the wishes of those who have expressed an interest in this matter.

11. The PRESIDENT (*interpretation from French*): I call on the President of the United Nations Council for Namibia, the representative of Turkey.

12. Mr. ÇUHRUK (Turkey), President of the United Nations Council for Namibia (*interpretation from French*): Mr. President, at the outset I should like to thank you and, through you, all the members of the Council for having permitted me as President of the United Nations Council for Namibia to participate in this debate in the Security Council on the question of Namibia.

13. Thus the Security Council is meeting today to consider a situation which is full of grave implications not only for the maintenance of international peace and security in southern Africa, but also for the prestige and authority of the United Nations, and in particular those of the Security Council.

14. The Security Council will recall that on 10 October 1969 the then President of the Council for Namibia, Ambassador Abdulgani of Indonesia, addressed a letter to the President of the Security Council [S/9471] in which he expressed the grave concern felt by the United Nations Council for Namibia at the persistent refusal of South Africa to comply with the terms of Security Council resolution 269 (1969) of 12 August 1969, which called upon the Government of South Africa to withdraw its administration from the Territory immediately and in any case before 4 October 1969. The reply of the South African Government, contained in the letter from the Foreign Minister dated 26 September 1969 [S/9463, annex I, of 3 October 1969], constitutes the fourth challenge by South Africa to the authority of the Security Council in violation of its obligations under Article 25 of the United Nations Charter.

15. Not only does the situation thus created represent a grave challenge to the United Nations on the part of one of its founding Members, but, as the Council for Namibia has pointed out, it could not fail to aggravate further a situation which contains serious threats to international peace and security.

16. The intransigence of South Africa on the question of Namibia follows a long and painful historical process, one so painful indeed as to make it distressing to dwell on. I would point out, however, that for more than three years there has existed the almost unanimous decision of the General Assembly [resolution 2145 (XXI)] to terminate the mandate of South Africa over the Territory of Namibia, known at that time as South West Africa, and to place the administration of that Territory under the direct responsibility of the United Nations. If the Assembly took that decision, it was because South Africa had not fulfilled its obligations under the mandate and had neglected to ensure the material and moral well-being as well as the security of the population.

17. Seven months later, on 19 May 1967, in order to meet its responsibilities, the Assembly created the Council [resolution 2248 (S-V)] of which I at present have the honour of being President, and entrusted it with the task of administering the Territory and of leading its people to independence before June 1968, in accordance with General Assembly resolution 1514 (XV). At the same time, the Assembly urged the Security Council to take necessary measures to enable the United Nations Council for Namibia

to carry out its functions and the responsibilities entrusted to it.

18. What followed is positively lamentable. From the outset, the Government of South Africa refused to comply with General Assembly resolution 2145 (XXI), dated 27 October 1966, as well as with all the subsequent resolutions, whether they were adopted by the General Assembly or by the Security Council, in accordance with the authority vested in them by the Charter.

19. The Government of South Africa has refused to release its hold on Namibia and has constantly opposed the establishment of any contact with the Council set up to administer Namibia, and has also prohibited the latter from having access to the Territory.

20. Such a flagrant challenge to the United Nations and to the Security Council by a Member is without doubt a violation of the provisions of Article 25 of the Charter and represents a threat to the international order on which the United Nations stands. What is even more grave however is that South Africa has not limited itself to challenging the United Nations, but has adopted a series of arbitrary decisions intended to consolidate and strengthen its illegal control over the Territory. I should mention, among others, the use of armed force to put down the groups of the population that are fighting for their legitimate rights, the application of repressive measures such as illegal arrest, deportation, trials and condemnation of Namibians under the Terrorism Act of March 1967.

21. As the Council for Namibia underscored in its letter to the Security Council of 29 August 1969 [S/9420], the Government of South Africa has not only disobeyed resolutions 245 (1968) and 246 (1968) of the Security Council urging that the Namibians arrested under the Terrorism Act be released and repatriated, but has continued holding those trials and has sentenced a new group of Namibians under that same illegal legislation. The results of that constant repression and of that intimidation are manifest in the tension and turmoil prevailing in the Territory and in the general exodus of populations seeking refuge in neighbouring countries.

22. In its latest report to the General Assembly,¹ the United Nations Council for Namibia also dealt with the measures adopted by South Africa to implement the notorious Odendaal report in order to set up within Namibia its own system of *apartheid*, thereby destroying the unity of the Territory and transforming it into a simple province of South Africa. I refer in particular to the promulgation and to the implementation, in complete illegality, of the act of 1968 on the so-called "development of self-government" for the indigenous population. Subsequent measures were adopted to create Bantustans for non-white ethnic groups. We must also mention the promulgation and implementation in 1969 of the so-called law on South West African affairs, providing for the dismemberment of Namibia and the transfer to South Africa of most of the powers and functions earlier exercised

by the territorial bodies. We should also mention the forced settlement of populations in racially separated zones. All those measures were taken in flagrant violation of the international status of Namibia. No notice was taken of the fact that that Territory is juridically under the responsibility of the United Nations. There can be no doubt that all those acts are in contravention of the resolutions of the General Assembly and those of the Security Council.

23. I should like to recall that in resolution 269 (1969) of 12 August 1969—a resolution in which South Africa was called upon to withdraw from Namibia by 4 October 1969 at the latest—the Security Council reaffirmed the responsibility incumbent upon it to require from every Member State respect for its obligations in accordance with the provisions of Article 25 of the Charter.

24. We should also recall that it was furthermore decided that if South Africa refused to comply with the provisions of that resolution, the Security Council would meet immediately to decide upon effective measures in accordance with appropriate provisions of the relevant chapters of the United Nations Charter.

25. This brief glance at the recent evolution of the problem of Namibia, where rights and interests are systematically pitted against each other, shows us clearly that we are confronted by a situation which, if it does not move towards a satisfactory solution, will inevitably have most serious consequences. The authority of the Security Council has been openly defied by a Member State and the body charged with the responsibility of the administration of the Namibian Territory and of leading its people to independence, the United Nations Council for Namibia, is unable to fulfil its tasks.

26. In those conditions, and in the light of its previous decisions, the Security Council must meet the challenge of South Africa. Any other attitude would be tantamount to the abdication of its own responsibility.

27. It is evident that the United Nations Council for Namibia, which I have the honour of representing here, is deeply interested in any steps that might be taken to speed up the solution of the Namibian problem. It is in order to serve that purpose and to make a useful contribution to the efforts of the Security Council that the United Nations Council for Namibia, at its recent meetings, has examined new ways and means, practical and effective steps, which would not necessarily stand in the way of the stern solutions set out in Chapter VII of the Charter and which only the Security Council can invoke. The United Nations Council for Namibia is also aware that the application of such measures is a last resort and, in order to be fully effective, must receive wide support from the Member States of the United Nations.

28. The United Nations Council for Namibia, without being able to go into the specific details, has already considered an interim report from a sub-committee entrusted with examining, among other things, the ways and means of assisting the Security Council to promote the implementation of the previous resolutions adopted, and particularly resolution 269 (1969).

¹ Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 24.

29. In the light of the foregoing comments and on behalf of the United Nations Council for Namibia, I wish to express the hope that the *ad hoc* group of experts envisaged in the draft resolution, if it is set up as the initial draft provides, will work as quickly as possible and submit to the Security Council recommendations in keeping with the views of the United Nations Council for Namibia, that is, the need for effective action, that the work of the *ad hoc* group of experts will tend to complement that being done by the United Nations Council for Namibia and that, in a word, the work being done will effectively assist the Security Council to carry out its heavy responsibilities towards the Namibian people.

30. Speaking as representative of Turkey, I should like also to take this opportunity to express the views of my country on the question of Namibia. The Turkish Government greatly regrets that, in spite of the constant efforts of the international community, no sign of progress towards a solution is yet apparent in the problem of Namibia. The present situation in that country, which is under the jurisdiction of the United Nations, and the illegal presence of South Africa are serious sources of concern for Turkey, not only as a Member of the United Nations but also as a member of the United Nations Council for Namibia. The Turkish Government deeply deplores the persistent attitude of defiance adopted by South Africa towards the world Organization. The Turkish Government also deplores its refusal to co-operate with the United Nations in the finding of a just and equitable solution to this problem which is repugnant to the conscience of mankind.

31. To conclude, I need not recall that the urgent convening of the Security Council is due to non-compliance with the terms of resolution 269 (1969), which justifies the necessity to re-examine the situation arising from the refusal of the South African Government to comply with that resolution. The facts of the problem are clear. The Security Council must make effective the terms of resolution 269 (1969), in which it pledged its full responsibility to the Namibian people.

32. Mr. TOMEH (Syria): Mr. President, I wish first of all, on behalf of my delegation and personally, to address to you our most sincere and genuine congratulations on your election to membership of the Security Council. It certainly augurs well that the beginning of your term, in this first month of the year, coincides with your assumption of the presidency of this high organ of the United Nations. It is also of the greatest significance that the very first problem taken up by the Council should be an African problem, and a problem which not only concerns the African continent but also stirs the hearts and minds of humanity at large. The fact that this African problem should be discussed under your presidency when the United Nations enters the twenty-fifth year of its life also has far-reaching meaning and importance. All of us who have known you as a colleague have recognized in your person the embodiment of the renaissance of the great African continent. In your deep knowledge of legal and international problems, as well as your universal humanistic culture, you represent one of the summits of achievement of the dynamic new African generation.

33. I also wish to pay the highest tribute to the outgoing President, the representative of Zambia, Mr. Mwaanga. As President of the Council and as the representative of his country in the United Nations, he has given ample proof of his qualities of dynamism, integrity and devotion to the noble causes of the United Nations. He also displayed great tact in handling problems in the Security Council. We offer our heartfelt felicitations not only to his distinguished person but also to his great country, Zambia—a leader in the liberation movement now stirring the world.

34. We should also like to pay tribute to Algeria, Hungary, Pakistan, Paraguay and Senegal, the outgoing members of the Council, for their outstanding contribution to the work of the Council and for their devotion to the principles of the Charter.

35. My warmest thanks go to you, Mr. President, and to all the representatives in the Council who so far have welcomed and congratulated my delegation on assuming its seat in the Security Council. To all we pledge our full and unstinted co-operation in supporting the principles of the Charter and in increasing respect for the implementation of the work of the United Nations.

36. The Security Council has been convened on an urgent basis by a letter that has now been signed by fifty-six Members [*S/9616 and Add.1 and 2*] to look into the question of Namibia. The brief contents of that letter are indeed very significant. It states:

“Upon instructions from our respective Governments, and with reference to paragraph 6 of Security Council resolution 269 (1969), we have the honour to request you to convene, on an urgent basis, the Security Council, in order to examine the failure of the Government of South Africa to comply with the letter and spirit of the above-mentioned resolution and in particular its paragraph 4”.

I say “significant” because, for those representatives, including myself, who signed that letter addressed to you, Mr. President, the basis of our deliberation is paragraph 6 of resolution 269 (1969), adopted by the Security Council on 12 August 1969. It is relevant, therefore, that we should recall that paragraph, which reads as follows:

“Decides that, in the event of failure on the part of the South African Government to comply with the provisions of the preceding paragraph of the present resolution, the Security Council will meet immediately to determine upon effective measures in accordance with the appropriate provisions of the relevant chapters of the United Nations Charter”.

37. The Council was not convened after 4 October 1969, the deadline fixed by paragraph 5 of the same resolution, which calls upon the Government of South Africa to withdraw its administration from “the Territory immediately and in any case before 4 October 1969”. In convening now, we are meeting “to determine upon effective measures in accordance with the appropriate provisions of the relevant chapters of the United Nations Charter”.

38. The first question arises, therefore, within the context of the priority of finding effective solutions to problems that have not yet been solved, and I cannot find better words, as we embark on a new era of the United Nations, than the eloquent words of the representative of Nicaragua, Mr. Sevilla Sacasa, a veteran of the United Nations and one of the signers of the Charter, who in his brilliant and eloquent intervention yesterday stated the following:

“In the search for effective solutions based on fairness and justice, the Security Council must continue its all-important work with the knowledge that the eyes of a hopeful world are fixed on this table.

“If power without justice is tyranny, while justice without power is a mockery, in the wise words of Pascal, let us make every effort to combine power with justice, so that power will always be just and justice will never cease to be powerful.” [1527th meeting, paras. 93 and 94.]

39. It is highly regrettable that the Government of South Africa has once again chosen to oppose the will of the international community by following a completely negative course. Its failure so far to withdraw its administration from the Territory of Namibia and its determination to pursue its occupation of the Territory in defiance of the resolutions of the United Nations, including Security Council resolution 269 (1969), jeopardize the principles of the Charter, the efficacy of the United Nations and the hopes of attaining any degree of international justice, peace and security.

40. Even the delays occurring in the convening of the Security Council did not produce any effect in changing the fundamentally negative stand of the Government of South Africa. Indeed if any change occurred it was for the worse. The authorities of South Africa deliberately escalated their defiance of the United Nations to new heights of cynicism by trying to prove, in their letter addressed to the Secretary-General on 26 September 1969 [S/9463, annex I], that the Namibian people were reaping the benefits of their benevolent presence; these are arguments usually given only by the morally bankrupt, who are blinded by the arrogance of ephemeral power. They go further and describe their propagation of the abominable practice of *apartheid* in Namibia as a step towards the self-determination of Namibians; hence the cleavage that separates them from the trends of the time and the principles of equality and justice, a cleavage that renders any dialogue with them non-viable and futile.

41. This was the bitter experience and the final conclusion of the leaders of the central and eastern African countries. They had, in spite of all the tragedies of the past, extended to South Africa the possibility of a genuine dialogue by their Lusaka Manifesto on Southern Africa,² but, in utter disappointment, they have met now in Khartoum,³ the capital of Sudan, to acknowledge that the ears of the

régime of Pretoria are deaf and to decide on the course dictated, before anything else by the dignity of man, namely, the course of sanctions, the course of liberation, and by the urgent necessity to aid Africa's freedom-fighters.

42. A joint communiqué issued at the final session yesterday of the fourteen-nation meeting suggested the establishment of a “committee of sanctions to study the activities of foreign firms, monopolies or interests dealing with countries under white minority or foreign rule”. It was also reported that delegates to that conference seemed more certain of their position towards colonialism and *apartheid*, and agreed that there was no alternative but to increase aid to the African liberation movements, since “South Africa and Portugal have rejected the possibility of a dialogue opened to them” by the Lusaka Manifesto.

43. When all efforts at persuasion have thus failed and resolution after resolution of the United Nations has been ignored, when the fundamental right of peoples to self-determination and freedom from outside domination is suppressed, the duties incumbent on the highest organ of the United Nations cannot be subject to controversy. Articles 41 and 42 of the Charter indicate with clarity and precision the course to be followed by the Council; this indeed was charted by resolution 269 (1969) of 12 August 1969. If, nevertheless, imperialist and racist interests and alliances are allowed to prevail over the larger interests of the community of nations and peoples and to obstruct the Council in the discharge of its responsibility, to what role will the whole fabric of the United Nations be reduced?

44. Security Council resolution 269 (1969) was not equivocal. As I have stated, in paragraph 6 the Council decides to “meet immediately”—and I repeat—“to determine upon effective measures in accordance with the appropriate provisions of the relevant chapters of the United Nations Charter”; that is, in case of failure by the South African Government to comply with the paragraph calling upon it to withdraw its administration from the Territory immediately and, in any case, before 4 October 1969.

45. There is no need to demonstrate that the Government of South Africa has failed to do so. As a matter of fact it is proceeding now to justify its illegal occupation and openly proclaims that it is maintaining its presence there for ever. In simple terms, it is annexing Namibia. Does the Council need further studies before it realizes that this is a flagrant violation of all norms of international law and morality? Is it not high time for the Council to prove its existence, to take decisive measures and effectively discharge its responsibilities?

46. Mr. President, undoubtedly the efforts deployed by you and your colleagues from Zambia, Sierra Leone, Nepal and Finland aim at helping the Council to meet this challenge with decisiveness and efficacy. Accordingly, we see in the draft resolution presented by Mr. Jakobson of Finland yesterday [S/9620] on behalf of the sponsors the relevant preliminary steps towards a decision on the measures to be employed by the Council in order to give effect to its decision contained in resolution 269 (1969). If

² *Ibid.*, Twenty-first Session, Annexes, agenda item 106, document A/7754.

³ At the Sixth Summit Conference of East and Central African States held from 26 to 28 January 1970.

this is so—and I am commenting on the draft resolution of yesterday—we would prefer the *ad hoc* group which is to be in charge of eliciting this preparatory step to emanate from the Council itself, because in the last analysis it is the Council which has to take the ultimate decisions. The Council can form a committee or a sub-committee of all or some of its own members to engage immediately in this study on the effective enforcement of its decisions and report with the least possible delay.

47. If the Council lives up to its responsibilities, the defiance of the Government of South Africa need not undermine the authority of the United Nations. It lies within the hands of the United Nations and especially in the hands of the Council to take effective measures. If the narrow interests of certain big Powers obstruct such a course, the responsibility is theirs and world public opinion must be aware of where the ills lie. Accordingly, we do not see that a useful purpose is served by paragraph 3 of the draft resolution as it still stands.

48. Paragraph 5 is too restrictive. Acts of South Africa on behalf of Namibia are naturally illegal as they emanate not from a legitimate but from a usurping Power. The emphasis should rather be put on refraining from assisting that usurping Power in any way. That is precisely the tenor of various General Assembly resolutions, the latest of which is resolution 2548 (XXIV), in paragraph 6 of which the General Assembly:

“Requests all States, as well as the specialized agencies and international institutions, to withhold assistance of any kind from the Governments of Portugal and South Africa and from the illegal racist minority régime in Southern Rhodesia until they renounce their policy of colonial domination and racial discrimination.”

49. Indeed, a crucial point in envisaging any preparatory action is the consideration by the Council of how it should best carry out the obligations of the international community towards the colonial peoples whose struggle to exercise their right of self-determination and independence is recognized as legitimate by various General Assembly resolutions, the latest of which is the resolution just mentioned, in its paragraph 5.

50. Finally, the concern felt all through the continents of Africa and Asia and indeed all through enlightened world opinion over the disquieting evolution of the question of Namibia would make it difficult for the Security Council to desist for a long period from considering the question. The last paragraph of the draft resolution should be flexible enough not to bar the Council from resuming consideration if there is a case of emergency even before the committee or sub-committee or *ad hoc* committee completes its work.

51. These are our suggestions which we humbly think may improve the draft resolution before us to the satisfaction of those most directly affected by and concerned over the deterioration of the situation of their brothers in humanity. Moved as we are exclusively by a constructive spirit, it is our earnest hope that these suggestions will be given the attention they deserve.

52. My delegation considered it its duty to make these remarks concerning the original draft resolution introduced, as I said, by Ambassador Jakobson at our last meeting. Today, at the beginning of this meeting, Ambassador Jakobson introduced a set of amendments. We promise to give those amendments the most careful attention and thank the co-sponsors for this positive step.

53. Mr. NICOL (Sierra Leone): Mr. President, my delegation wishes to congratulate you on your assumption of the presidency of the Security Council, particularly during this series of meetings which has as its aim the elimination of colonialism in its worst form on the continent of Africa.

54. My delegation would, in addition, like to congratulate the representative of Zambia on the most able way in which he conducted matters as President of the Security Council last month and the outstanding work his country has done for liberation movements in southern Africa.

55. We owe a great deal to Algeria, Hungary, Pakistan, Paraguay and Senegal for their distinguished activities during the past two years when they were members of the Council.

56. My delegation wishes to thank the permanent representative of Finland, Ambassador Jakobson, for his welcome to our delegation and also for introducing the draft resolution [S/9620], which incidentally has some relevance to the universality of the problem and to the contribution which citizens of his country have made for many years to the development of Namibia. We also wish to thank the permanent representative of Zambia, Ambassador Mwaanga, and the permanent representative of the United States, Ambassador Yost, for their very kind words of welcome yesterday. My delegation looks forward to a period of co-operation with our colleagues on the Security Council who were here before us, those who will always be here, on a permanent basis, and those who like ourselves have just started on their period of office.

57. Sierra Leone greatly believes in the essential importance of the Security Council and pays a sincere tribute to its tireless and courageous work towards peace and international security. My delegation fervently hopes that its efforts will be more successful in this new decade of the seventies upon which we are now embarking.

58. We have co-sponsored this draft resolution in response to the duties placed on the Council through its resolution 269 (1969) of 12 August 1969. That resolution decided that in the event that South Africa did not withdraw immediately from the Territory or at the latest by 4 October 1969, the Council should meet immediately to determine upon effective measures in accordance with the appropriate provisions of the relevant Chapters of the United Nations Charter. We are now near the end of January and the immediacy of the matter compels us to move forward towards some positive action on this matter.

59. The question of Namibia is one which has occupied the attention of this Council and the General Assembly for many years. It has recurred regularly but it is fair to say that on each occasion some progress, however little, has been made.

60. The position of my delegation on this matter was clearly stated in the General Assembly by our Minister for External Affairs last October, when he stated:

“Although South Africa continues to be a Member of the United Nations, yet it persists in ignoring that body’s resolutions. Since the termination of South Africa’s mandate over Namibia and the setting up of the United Nations Council for Namibia, we have seen no improvement in the attitude of the Vorster régime. Instead, it continues to implement the Self-Government for Native Nations of South Africa Act and the South West Africa Affairs Bill, which give South Africa’s Parliament and its central government very wide powers over the affairs of Namibia and enforce in that Territory the policy of *apartheid* and discrimination.

“Increasingly, the actions of the white minorities of South Africa, Namibia, Rhodesia, Angola, Mozambique and Guinea (Bissau), are forcing the rest of Africa to the realization that the philosophy of non-violence, as stated and exemplified by winners of the Nobel Prize of African origin such as Chief Albert Luthule and Martin Luther King, which we should have chosen to pursue, is not practicable in the face of armed force and condonation by nations which declare themselves democratic. More and more, Africa is being pushed against its inner will into a position of violence and revolution.”⁴

61. My delegation is aware of the historical background of the question. When Namibia was conquered by the South African armed forces in 1915 from a contemporary colonial Power, it was governed for a few years by them before the end of the First World War. It appears that the circumstances surrounding the beginning of South Africa’s association with Namibia have persisted in the minds of its leaders to this day, and to them these circumstances have been further reinforced by the contiguity of the Territory. It must be remembered, however, that Algeria was also near France and had a large European population, but it was eventually given independence. The repeated attempts of General Smuts, the South African leader, at the post-war conferences after the First and Second World Wars, to annex South West Africa clearly demonstrate the South African desire to absorb Namibia. The world community then and now has continued to resist this concept of Namibia being a fifth province of South Africa. This is neither the place nor the time to review the various legal decisions associated with South Africa’s manoeuvres to continue the occupation of Namibia.

62. The United Nations has been judged to be the successor to the League of Nations in the role of having supervisory powers in respect of the obligations which were entrusted to South Africa under the Mandate in 1920.

63. In the past fifty years little has been done to improve the well-being of the citizens of that country in spite of the great wealth possessed by South Africa. For many years, until recently, it did the minimum possible in meeting the budgetary requirements of South West Africa. The people

of Namibia, who have themselves a long history of representative government, have never been allowed representation at the centre. It would perhaps be easy to say that these complaints might similarly have been levelled against some of the other colonial Powers, but the past decade or two have seen those Powers granting independence to their various colonial Territories and granting material assistance to them in varying degrees.

64. The present conditions and development of South West Africa are not exceptionally different from some of the Territories which have been given independence, and it is our considered opinion that there will be little progress in Namibia unless there is international supervision of the Territory, ensuring that it moves rapidly towards gaining independence.

65. In 1966, the General Assembly, after a thorough examination of the situation, decided [*resolution 2145 (XXI)*] that the actions of South Africa with regard to South West Africa were of such a nature that the Mandate assigned to it had rendered itself terminable by all the codes and standards of nations devoted to the pursuance of peace, order and progress. That Mandate, which was given to South Africa to ensure the well-being and security of the inhabitants of Namibia, has been woefully betrayed by racial discrimination, *apartheid*, the forced removal of peaceful citizens from their dwellings, capital punishment, police brutality and murder.

66. The Security Council, in its resolution 264 (1969) of last year, recognized the termination of the Mandate and formally asked South Africa to withdraw its administration from Namibia. The Security Council followed this a short while later by condemning South Africa for failing to comply with the resolutions of the General Assembly and the Security Council: it declared South Africa’s presence in Namibia illegal.

67. It is very clear that all Member States which subscribe to the principles of the Charter and all other States should refrain completely from any recognition of legality of the actions of South Africa in Namibia.

68. The behaviour of South Africa in this matter has caused grave misgivings even amongst its friends. It would probably have been wise, if South Africa had any desire for peace in Africa, for it to have chosen to make its treatment of South West Africa an example of a civilized country willing to adopt the norms and ethics of civilization and international justice.

69. Namibia stands out as a case in which, without infringing on the sovereignty and internal jurisdiction of its Government, South Africa could quite safely have followed the example of the colonial Powers, such as Spain, Britain, France and Belgium, by surrendering its hold on the Territory and leading the people of South West Africa to independence. Nothing would have been lost and a great deal would have been gained if that had been done in a situation where the tenets of international law and morality were so clearly evident.

70. The wearisome persistence of South Africa in holding on to this Territory demonstrates an extraordinary degree

⁴ Official Records of the General Assembly, Twenty-fourth Session, Plenary Meetings, 1777th meeting, paras. 11 and 13.

of obstinacy and a troublesome denial of the march of history towards decolonization and freedom for all men.

71. It is now incumbent on this Organization to plan, fully and thoroughly, methods by which the freedom of Namibia can be gained. The maintenance of a minority identified by race alone and not by individual achievement that holds power in both South Africa and Namibia is an invitation to force and bloodshed both from within and without as the only means of correcting that situation. This is an eventuality which not only white nations but also many others would wish to see avoided. Its own persistent behaviour, however, is steadily driving South Africa down a dismal road where it has few friends, apart from Rhodesia, Mozambique and Angola, which are themselves in a similarly tense and oppressive state.

72. We call upon all States to refrain, in any dealings with respect to Namibia, from recognizing any right of the Government of South Africa to act on behalf of the Territory of Namibia. We must point out that there are many of us who have decided to operate a total boycott on South African goods and are doing so, so that South Africa can realize the abhorrence with which we view not only its illegal occupation of Namibia but also its denial of human rights to most of its own citizens.

73. We commend those nations and those groups of citizens in nations still co-operating with South Africa for the economic pressure they have concentrated and are concentrating on the latter. It is sometimes said that this is ineffective; but the example of the success of the bank campaign against the consortium loan to South Africa mounted by Members of the United Nations and committees of citizens in the United States should be noted. It has terminated a \$40 million credit loan by ten United States banks to the Government of South Africa. It is only by increasing the taking of practical steps of this nature that South Africa will be compelled to change its policies. It is again sometimes said that the black and coloured South Africans and Namibians suffer most in an economic boycott; but many of them have so little already that a percentage loss affects their wealthy oppressors much more.

74. We have once more heard it said that trade should have nothing to do with politics. In our view this is a misguided opinion. Trade flourishes best and longest in nations which have a stable democratic government in which all communities enjoy full representation and have access to just rewards for their individual efforts. Our narrowing of economic restrictions to those in respect of Namibia, in the present draft resolution, is dictated by those obligations incumbent on us in this particular case.

75. A considerable amount of thought was given to our request in the draft resolution to set up a committee of experts. It has now been strongly suggested that the committee should be composed of members of the Security Council, among whom should be the permanent members.

76. It is possible in the view of my delegation to appoint a committee which could report within three or four months. This committee will in effect be investigating the ways and means of implementing effectively the relevant provisions

of the Charter to counter the refusal of South Africa to withdraw from Namibia as demanded by Security Council resolution 269 (1969).

77. There have been suggestions in the past for the formation of a council put forward by Canada, Italy and the United States⁵ which called for a comprehensive survey of the situation in the Territory of its human and material resources, of its various requirements and of the conditions which would enable the Territory to achieve self-determination.

78. We very much hope that the present committee envisaged will not only cover the same ground but will also go much further in mapping out means for the compulsory withdrawal of South Africa from Namibia.

79. My delegation appeals to all members of the Security Council to support this draft resolution which has added force because of its rationality and restraint. We appeal to all Member States, specialized agencies and international organizations to grant every possible assistance to this committee and its work.

80. My delegation cannot conclude without paying a tribute to the United Nations Council for Namibia and its Presidents, who have worked hard and steadily since the Council was established under resolution 2248 (S-V) and have had little co-operation from the South African authorities. We reinforce that section of General Assembly resolution 2588 B (XXIV) on the implementation of the recommendations of the International Conference on Human Rights which noted with appreciation the efforts of the United Nations Council for Namibia. The reports of the Council for Namibia should be of great value to the committee which we envisage, and the Council's persistence in working under such difficult and trying circumstances will long be remembered in the history of the independent State of Namibia.

81. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): Mr. President, may I at this first debate of the Security Council in 1970 welcome you as the first President of the Council this year and as representative of the African continent and of a State which is a new member of the Security Council, a State with which the Soviet Union has established relations of friendship, mutual understanding and co-operation? Your country, Mr. President, is small in size, but its voice is clearly heard both in and outside the United Nations. The Republic of Burundi has constantly been an advocate of peace and security, and an opponent of imperialist arbitrariness and oppression. It is only a short time since your country became a member of the Security Council, but you have already been invested with great trust and with full powers to direct the work of the United Nations body which is charged with the primary responsibility for the maintenance of international peace and security; and everyone can see how successfully you are discharging this difficult but very honourable and responsible task. This is due in large measure to your well-known personal qualities and to your high degree of competence in

⁵ *Ibid.*, Fifth Special Session, Annexes, agenda item 7, document A/6640, para. 84.

United Nations matters. We are sincerely glad to observe your success in the office of President of the Security Council, and with all our hearts we wish you great success.

82. It is with a feeling of great sympathy that the Soviet delegation also welcomes Ambassador Kulaga, representative of the fraternal Polish People's Republic, which is a member of the friendly family of countries in the socialist commonwealth. Socialist Poland has been a Member of the United Nations since the day on which this Organization was founded, and it is not the first time that it has been a member of the Security Council. Everyone knows what a significant contribution the Polish People's Republic has made to the Council's work in the past, and what a constructive and active role Poland is playing in international affairs, in the activities of the United Nations as a whole and in the noble cause of strengthening security in Europe.

83. We can be quite sure that socialist Poland, having now become a member of the Security Council again, will ensure that its participation in the Council's work is even more weighty and even more positive from the point of view of strengthening peace and international security. We are also deeply convinced that the great diplomatic experience of Ambassador Kulaga, his tact which is widely known in United Nations circles, his outstanding talent for dealing with the United Nations matters, as was clear to all of us at the General Assembly's twenty-fourth session, during which he served so brilliantly as Chairman of the Special Political Committee, and also his ability to find ways of communication and to establish personal and business contacts with representatives of other countries—all this makes it certain that his participation in the Council's work will contribute to the effective work of this Council.

84. We also congratulate Ambassador Tomeh, the representative of a country friendly to the Soviet Union, the Syrian Arab Republic, which has become a member of the Security Council; and we hope that his wide scholarly erudition, his deep knowledge of international problems and his great political experience will contribute substantially to the common efforts of all members of the Security Council to find practical ways and means of solving the important international problems which are and will be before the Council.

85. The Soviet delegation welcomes Ambassador Nicol, the representative of yet another friendly country, Sierra Leone. The election of this young African State to the Security Council is eloquent evidence of the high esteem in which the United Nations and its Members quite rightly hold the peoples of the African continent. We are sure that Ambassador Nicol will work tirelessly in the Security Council in the interests of maintaining international peace and security and in the interests of the active struggle against the last vestiges of colonialism in Africa.

86. Among the representatives of countries which are new members of the Security Council, there is also the representative of Nicaragua, Ambassador Sevilla Sacasa. I should like to ask his colleagues to convey to him my personal greetings and congratulations. He is an old

colleague of mine in our common work in the United Nations. I hope that, with his great experience and erudition, he will make a useful contribution to our common co-operation in the interests of solving the international problems which are to be considered by the Security Council.

87. The Soviet delegation would also like to take this opportunity of expressing its appreciation to all our colleagues who, on the expiry of their two-year term in the Security Council at the end of 1969, have now left the Council. We shall always remember with satisfaction our work together in the Council with the representatives of fraternal Hungary, with the representatives of the friendly countries of Algeria, Pakistan and Senegal, and also with the representative of Paraguay, a Latin American country with which—though there are no diplomatic relations between our countries—we have always had constructive co-operation.

88. Finally, we should like to note the important positive role played by the last President of the Security Council for 1969, the outstanding representative of Zambia, Ambassador Mwaanga. We should like to express our appreciation and gratitude to him.

89. The Security Council is considering the question of Namibia at a time when the peoples are entering a new decade, the seventh decade of the twentieth century. The decade which has just concluded was tempestuous and rich in events. It brought about many changes in the political configuration of our planet; and its results are undoubtedly favourable for the forces fighting for peace, national freedom and independence and social progress. Imperialism has been forced to retreat. At the beginning of the new decade, the peoples are firmly confident of the triumph of the forces of peace over the forces of war, and of the forces of national liberation and progress over the forces of oppression, imperialism and colonialism.

90. Nineteen-seventy—the first year of the new decade—is the year of a great anniversary, the hundredth anniversary of the birth of Vladimir Ilich Lenin. The name and activities of Lenin are linked with the creation of the first socialist State in the world, and are linked with a whole revolutionary era of liberation in the life of mankind.

91. The ideas of Leninism, which represent the organic unity of scientific theory and revolutionary activity, have exercised a most profound influence on the struggle for the liberation of peoples, wherever it may be waged. The twentieth century may with confidence be called the century of the triumphal advance of Lenin's revolutionary ideas of freedom and the national liberation of oppressed peoples.

92. Lenin deeply believed in the revolutionary possibilities and the creative and constructive potential of the enslaved peoples of Asia, Africa and Latin America. He unmasked the imperialist and colonialist myth about the so-called "non-historical character" of these peoples and, with his genius, he foretold that their struggle for liberation would become one of the most important forces for world progress. The prophetic forecast made by Lenin as long ago

as 1921 that "... in spite of the fact that the masses of toilers—the peasants in the colonial countries—are still backward, they will play a very important revolutionary part in the coming phases of the world revolution,"⁶ is now coming true.

93. Subsequent events have confirmed the accuracy of that scientific forecast by Lenin. The immense importance of the national liberation struggle of the peoples of Asia, Africa and Latin America, and its effect on the course of historical development, are now no longer contested by anyone, even the most dyed-in-the-wool imperialists and colonizers and their "learned advocates".

94. Guided by Leninist ideas, the Soviet Union has since the first days of its existence resolutely opposed all forms of social and national inequality; it has opposed colonial and racist oppression and enslavement; and it has provided every possible kind of support to peoples fighting for their national freedom and independence. In the theses of the Central Committee of the Communist Party of the Soviet Union "On the hundredth anniversary of the birth of Vladimir Ilich Lenin", which appeared in *Pravda* of 23 October 1969, particular stress is placed on the fact that:

"... there is not and has never been any revolutionary movement, or any action by the masses of the people for national and social liberation, which has not received active support from the party of Lenin, the country of the October Revolution".

95. This role which the Soviet Union is playing in the international arena has not, of course, evoked the same response from the various forces in the contemporary world. Some it inspires to an even more resolute struggle for freedom and national independence and for their lawful rights; and it strengthens their confidence in the final triumph of justice and the equality of all peoples. In others, it gives rise to ungovernable malice and hatred, and a pathological hostility to the Soviet Union.

96. One consequence of this is that imperialism has been elevating anti-communism and anti-Sovietism to the level of State policy. We are not paying any attention to this howling by the imperialists. We are moving forward, resolutely and confidently, along the path traced out by Lenin, the path of support and defence of the rights of all peoples which have been and are being oppressed by imperialism.

97. Since the Soviet Union has from the first days of its existence been in the vanguard of the great struggle for the liberation of the peoples, it is quite natural and legitimate that it should have taken the initiative which led to the adoption by the General Assembly of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

98. This year the whole world—and, of course, the United Nations above all—will be celebrating the tenth anniversary of the adoption of that most important document, which

has played and is still playing a positive role in the struggle for the liquidation of colonial and racist régimes.

99. Since the adoption of the Declaration, about thirty countries have cast off the colonial yoke and become independent and sovereign States. However, the struggle is not yet by any means concluded. Colonialism has been mortally wounded, but it is not yet dead and it is still resisting violently. This is particularly evident in the case of southern Africa. The verdict of future generations on the times in which we live will depend to a large extent on how long it takes us—the United Nations as a whole—to rid mankind of the scourge of colonialism once and for all, and to wipe the last vestiges of colonialism from the face of earth.

100. The Security Council is now considering the question of Namibia, which is located in southern Africa, the last major bastion of colonialism and racism. It is very significant that this question has now been brought before the Security Council by fifty-six Afro-Asian countries—nearly half the total number of States Members of the United Nations. This is a tremendous and imposing force of international public opinion, and a force for international progress. It makes a great impression on each one of the members of the Security Council individually, on the Council as a whole and on the United Nations.

101. The States of Asia and Africa are unanimously and with one voice demanding that the process of clearing Africa of the last vestiges of colonialism should be speeded up. They are placing serious hopes in the Security Council; and it is the duty of the Security Council to take account of these views of Africa and Asia and to adopt practical and effective measures.

102. It would seem that, in regard to the question of Namibia, everything is quite clear. First, the United Nations has long since recognized that the domination of Namibia by the South African racists is illegal. Secondly, the General Assembly and the Security Council have repeatedly demanded South Africa's withdrawal from Namibia. The racist régime of South Africa is disregarding the decisions of the United Nations. This means that the Government of the Republic of South Africa has set itself against the United Nations and defied it. Thirdly, the Security Council resolution of 12 August 1969 [269 (1969)] set a time-limit for the liberation of Namibia from domination by the South African racists. However, the Government of South Africa has violated this binding decision of the Security Council as well. This means, in the political sense, that South Africa—as a State Member of the United Nations—has come out in direct opposition to this international Organization. This position of South Africa represents a threat to peace and international security.

103. How is it that the South African racists and colonizers are adopting this attitude of defiant effrontery? Where do they get the audacity to disregard decisions of the Security Council which are binding on all States Members of the United Nations under Article 25 of the Charter? Although the South African racist régime has established its own economic and military machine, which is fairly considerable in size by African standards, everybody—

⁶ See V. I. Lenin, *Collected Works*, vol. 32, p. 482.

including the members of the Security Council—knows full well that this is not the whole picture. There is no doubt that if South Africa were acting alone, it would never have the courage, never dare to set itself against the United Nations and to engage in a confrontation with the Security Council.

104. However, South Africa, in its colonialist and racist policy in Namibia, is not alone; and this is the crux of the matter. It is relying on direct economic, political and military support from a number of Western countries—particularly the United States of America, the United Kingdom, the Federal Republic of Germany and certain others.

105. The representative of Zambia, Ambassador Mwaanga, in the interesting and informative statement he made at our last meeting, listed in detail the Western countries which are giving military and economic support to the racist régime in South Africa. He pointed out that it is precisely this circumstance which is encouraging the South African racists to continue their policy of *apartheid*—the tyrannical oppression of the African population of that country, numbering many millions—and which is also enabling them to disregard the decisions of the United Nations and defy the Security Council.

106. United Kingdom, United States and West German monopolies are investing thousands of millions in the economy of South Africa and are deriving many millions in profits from the exploitation and plundering of the African population. It is enough merely to mention that investments by United Kingdom monopolies in the South African monopoly amount to more than \$3,500 million, United States investments to about \$1,000 million and West German investments to about 1,000 million marks.

107. These activities represent a gross violation of the General Assembly resolutions condemning the imperialist monopolies for their co-operation with the racist régime in South Africa and demanding an end to such activities and such co-operation.

108. The Western countries and their monopolies are also grossly violating decisions of the United Nations such as the Security Council resolution calling upon States to cease the shipment of arms, ammunition and military vehicles to South Africa. As is confirmed by a recent report in a South African newspaper, *The Rand Daily Mail* of 4 November 1969, the United States supplied South Africa with weapons to a value of 25 million rands during the period 1962-1968.

109. The South African Minister of Defence, Mr. Botha, speaking in February 1969 to the Air Force Association in Johannesburg, boasted that:

“New and modern aircraft and equipment have been acquired, are on firm order, or are included in plans for future orders. We have, or will shortly have, aircraft for maritime reconnaissance, day fighter aircraft for support of ground force, all-weather aircraft, various types of helicopters, light reconnaissance planes, communication aircraft and bombers.”

110. Where is South Africa receiving all these armaments from? Always from the same source—from the military arsenals of States members of NATO. This means that the NATO military bloc was not established merely against the Soviet Union. This is confirmed even by *The Times* of London. In its issue of 24 January 1969 that leading United Kingdom newspaper wrote as follows:

“... the embargo does not actually put a stop to arms traffic between South Africa and Britain. The embargo is not complete. . . . She”—South Africa—“has bought ships, armoured cars, and . . . fighters. . . . She is building the Belgian rifle under licence. The latest addition to the South African arms industry is the Impala jet fighter, of which initially 400 will be built. American light aircraft, which could be useful for counter-insurgency, are being assembled there”—i.e., in South Africa—“under licence, and in all South Africa has acquired licences to build 140 different types of ammunition and bombs from overseas”.

This is where the South African racists are getting their weapons from.

111. While discussions are going on in the United Nations, while resolutions are being adopted, the South African racists, relying on this assistance, are continuing to take measures to consolidate the colonial régime in Namibia and to perpetuate the *apartheid* system. It is precisely for these purposes that Namibia is being divided into a “white part” and the so-called “Bantustans”—African reservations resembling the ghetto, that blot on the escutcheon of the second half of the twentieth century.

112. Joint exploitation and plundering of the indigenous African population of South Africa and Namibia, and the joint extraction of super-profits from the blood and sweat of Africans—this is what is uniting the South African racists and the colonizers and making them allies. Joint exploitation and plundering of the African population of Namibia and South Africa is uniting the South African racists and the imperialist monopolies of Western countries, like twins.

113. Everyone remembers that it was precisely the representatives of these countries which, in August 1969, did not vote for the resolution on Namibia [269 (1969)] introduced by the Afro-Asian countries. This means that their hands were tied by some special considerations. What considerations? The answer to this is perfectly clear to each one of us. All this means that, if we are going to call things by their proper names, we must in today’s discussion in the Security Council on the question of Namibia refer to and have in mind not only the South African racists, but also their accomplices and protectors.

114. From all this, a quite definite and logical conclusion must be drawn. The Security Council must seriously and severely demand of the Western Powers that their monopolies should cease their moral, political, economic and military support to the racist régime in South Africa and their co-operation with this régime. What is the essential requirement for this? The essential requirement is the readiness and unity of action of all members of the Security Council—above all, its permanent members.

115. As representative of the Soviet Union, a State Member of the United Nations and a permanent member of the Security Council, I wish to put the following question to the representatives of all permanent members of the Security Council who are present at this meeting: are they prepared, together with all the other members of the Council, to take effective measures on the question under consideration?

116. At the Council's last meeting we heard the official statement by Ambassador Yost, representative of the United States of America, a State which is also a permanent member of the Security Council. Mr. Yost said that the United States of America recognizes the illegality of South Africa's presence in Namibia. If the United States really takes this position on the question under discussion, then—in order to ensure that its deeds tally with its words, as they say—it should, having said "A", also say "B"—that is, together with all the other members of the Security Council and the Council as a whole, it should adopt a strong and effective resolution which would really pillory the racist régime in South Africa and would genuinely help to free the people of Namibia from the terrorist domination and tyranny of this régime.

117. As far as the Soviet Union is concerned, it is ready to co-operate in helping the Council to take effective measures by means of which it would be possible to force the South African régime to comply with the decision of the United Nations revoking the mandate over Namibia, and to force South Africa to leave that country and allow the people of Namibia to decide its own future and manage its own affairs itself.

118. The essence of the Soviet Union's position on the question under consideration may be summed up as follows. First, in keeping with the Leninist principles of its foreign policy, the Soviet Union is in favour of the earliest possible liberation of the people of Namibia. The Namibians have grown tired of waiting; they are losing faith in the United Nations. They have no alternative left but to take up arms. The armed struggle of the colonial peoples has been officially recognized and legalized by the United Nations. The sooner the Security Council takes effective measures against South Africa to speed up the liberation of Namibia, the better. Secondly, the Soviet Union believes that the decisions of the Security Council must be complied with. It has consistently striven to uphold the honour and international prestige of the Security Council and the United Nations as a whole. This exalted United Nations body, which is invested with extensive powers for the maintenance of peace and international security, has a duty to force South Africa to heed its decisions and to find the possibilities and ways of ensuring compliance. Thirdly, the Soviet Union is ready to take part in the implementation, in regard to South Africa, of "effective measures in accordance with the appropriate provisions of the relevant chapters of the United Nations Charter", those measures which—as the Government of South Africa was warned in Security Council resolution 269 (1969)—were to be applied if by 4 October 1969 it had not withdrawn its administration from Namibia.

119. What are these measures? At the twenty-fourth session of the General Assembly many representatives of

the Afro-Asian countries repeatedly referred to them. They were also described by the representatives of the USSR and the representatives of other socialist countries. In order to exert effective pressure on South Africa and bring about an end to the occupation of Namibia, the Security Council must call upon all States to discontinue completely all economic, trade, transport and other relationships with the Republic of South Africa. All these measures are legally justified under the Charter of the United Nations. They are provided for in Article 41 of the Charter.

120. Many countries, including the Soviet Union, have long since ceased to maintain any relations with the Republic of South Africa. It is essential that all other countries—including the main partners and friends of South Africa, and particularly the permanent members of the Security Council—should do likewise. This will indeed constitute "effective measures". It will mean that the South African colonizers and racists will be isolated in international politics and also physically isolated. It will be of genuine help to the people of Namibia in its struggle for freedom and national independence. This is the basic position from which the Soviet Union will proceed when the Security Council takes a decision on the question under consideration.

121. The representative of Zambia has already reminded us of Security Council resolution 269 (1969) which referred to the need for taking effective measures against South Africa if it should fail to comply with the Security Council's previous resolution on Namibia. South Africa has not complied with that resolution, and it is clear that the time has now come to take these effective measures. If they are not taken, the whole procedure in the Security Council will be reduced merely to the utterance of statements which are resolute and sometimes even revolutionary in tone, but are followed by the adoption of weak, unavailing and ineffective resolutions.

122. With regard to the draft resolution which has been introduced [S/9620], the Soviet delegation reserves its right to state its views after the text of this resolution has been finalized. We believe the final text is now in the process of being drafted.

123. Mr. KHATRI (Nepal): Mr. President, may I first of all welcome you most warmly to the Security Council as representative of Burundi, and express my particular satisfaction at seeing you preside over the Council in the first month of the year? We are impressed with the able manner in which you have been guiding the work of the Security Council. My delegation has full confidence in your leadership and wishes to pledge its co-operation in the discharge of your duties. I should also like to pay our tribute to your predecessor, Ambassador Mwaanga of Zambia, for the most effective and impartial fashion in which he conducted the proceedings of our Council during the last month.

124. I take this opportunity of extending my warm welcome to—besides you, Mr. President—the other new members of the Security Council: Ambassador Sevilla Sacasa of Nicaragua, Ambassador Kulaga of Poland, Ambassador Nicol of Sierra Leone and Ambassador Tomeh of

Syria. All of them are eminent diplomats of very high qualities, very worthy representatives of their countries. I look forward to working with them in close collaboration during this year.

125. Finally, I should like to pay our warmest tribute to the five outgoing members of the Security Council, which during their fruitful terms of office left a mark on the work of the Council. My particular gratitude is due to Ambassador Agha Shahi of Pakistan, whose outstanding qualities as a diplomat and as a person we all recognize and who represents a country with which my own country enjoys a friendship of good co-operation and neighbourliness.

126. Turning to the matter under consideration I would make it clear at the outset that the general position of my delegation with regard to the question of Namibia has been stated time and again. I refer particularly to the statements I made before the Council on 20 March [1464th meeting], 4 August [1493rd meeting] and 12 August 1969 [1497th meeting].

127. The convening of the Security Council at this time was necessitated by the refusal of the Government of South Africa to comply with the provisions of Security Council resolution 269 (1969) of last August. South Africa persists in its illegal occupation of the international Territory of Namibia. That has led to the undermining of the authority of the United Nations and the worsening of the international situation in southern Africa. Both resolution 2498 (XXIV) and resolution 2517 (XXIV), adopted by the General Assembly at its last session, called attention to that deteriorating situation. Resolution 2517 (XXIV), in particular, drew the attention of the Security Council to the need for taking appropriate measures to solve the grave situation that has resulted from South Africa's refusal to withdraw its administration from Namibia.

128. The draft resolution [S/9620], which was presented to the Council at our last meeting by Ambassador Jakobson of Finland on behalf of five delegations, including my own, and which has been revised today, does not initiate those appropriate measures called for in the Assembly resolution. The reasons are obvious. The measures cannot be applied without the support of all the permanent members of the Security Council most of which, as we all know, are unfortunately opposed to a course of corrective action in cases in which the interests of South Africa are concerned. It is the view of my delegation that the continued occupation of Namibia by South Africa is an aggression and that it represents a threat to international peace and security. My delegation is convinced that no measure by the United Nations which fell short of those provided for in Chapter VII of the Charter would be sufficient to persuade or coerce the Government of South Africa to withdraw its illegal presence from Namibia. We realize the difficulty in securing the application of those measures by the Security Council.

129. In these circumstances, the Security Council has but one alternative open to it: either it does nothing and remains content with its resolution 269 (1969), which has been contemptuously disregarded, and it consequently loses initiative on the question which remains under the special

responsibility of the United Nations, or it continues to explore all possible avenues and make all possible efforts to find the ultimate solution of the question. Naturally, we must make the latter choice. The Security Council must retain the initiative and try to achieve what little progress can be achieved in this difficult situation.

130. In the draft resolution we are seeking to move the Council, in its search for a solution of the question of Namibia, a little ahead of the dead centre in which it has been placed as a result of South Africa's refusal to comply with the decisions of the United Nations, particularly Security Council resolution 269 (1969). The final text of the draft resolution is the product of the broadest and the most serious and careful consultations not only among the sponsors but also among other members of the Council.

131. Paragraphs 5 and 6 are the main features of the draft resolution. In paragraph 5, a call has been addressed to all States, particularly those which have economic and other interests in Namibia, to refrain from any dealings with the Government of South Africa which are inconsistent with paragraph 2 of the draft resolution, which declares that South Africa's presence in Namibia is illegal. This is a very important provision. However, it is not an entirely novel feature, because we may recall that in paragraph 7 of resolution 269 (1969) the Security Council had called upon "all States to refrain from all dealings with the Government of South Africa purporting to act on behalf of the Territory of Namibia".

132. In paragraph 6, which is the central and novel feature of the draft resolution, the Council decides to establish an *ad hoc* sub-committee of the Council to study, in consultation with the Secretary-General, ways and means by which the relevant Council resolutions can be implemented in the light of South Africa's refusal to withdraw from Namibia.

133. I would not like to anticipate the work of the sub-committee. However, it is the wish of my delegation that the sub-committee seriously examine, among other things, all the possibilities of action which were suggested for the consideration of the Council—first, by Ambassador Sen of India in his statement made before the Council on 4 August 1969, and then, in detailed outline, by Ambassador Mwaanga of Zambia in his statement yesterday.

134. The draft resolution is interim in nature and its purpose is to help the Security Council to make vital decisions in this regard in the future. In the opinion of my delegation, it represents, above all, an attempt to confront the permanent members of the Security Council, and particularly those which have political, economic and other interests in South Africa, with a fuller and expert evaluation of the situation of Namibia and get them increasingly and effectively committed, if they are at all committed, to the United Nations cause with regard to the situation. My delegation sincerely hopes that the draft resolution will be overwhelmingly adopted by the Security Council.

135. Mr. DE PINIES (Spain) (*interpretation from Spanish*): First of all, Mr. President, I wish to congratulate you on your election to the presidency of the Security Council. In the performance of your duties you can count on the assistance and co-operation of my delegation. I

should also like to take advantage of this opportunity to congratulate Ambassador Mwaanga of Zambia for his conduct of the Council's business last month, when he showed great competence and activity in the performance of his duties as President. Finally, on behalf of my delegation and personally, I wish to welcome the representatives of Nicaragua, Poland, Sierra Leone and Syria, who have joined us in the work of the Council. At the same time, I should like to express our appreciation to the outgoing members—namely, Algeria, Hungary, Pakistan, Paraguay and Senegal—for their co-operation with us in the work we accomplished together last year.

136. We have just begun the year during which we shall commemorate the twenty-fifth anniversary of the creation of the United Nations. In the course of those twenty-five years one problem has been of constant concern to the United Nations and has constantly appeared on the agenda of the General Assembly session—the question of Namibia. The very first Assembly session adopted resolution 65 (I) on 14 December 1946 in which the Government of the Union of South Africa was warned to call off its plans to incorporate the Territory of South West Africa, which still enjoyed international status. Since that time the General Assembly and the Security Council have adopted almost 100 resolutions on the problem of Namibia.

137. A number of committees and sub-committees entrusted with studying and recommending measures to be adopted have been created, dissolved, and re-created. All paths have been explored to find a solution in keeping with the terms of the Charter and with the resolutions adopted by the political organs of the United Nations. The results of these efforts and steps are most discouraging. The Government of South Africa refuses to accept the resolutions of the United Nations, and the situation in the Territory has deteriorated to the point where today it is threatened with the loss of its national identity and territorial integrity.

138. Owing to the gravity of the situation, the Security Council adopted two resolutions on the subject in 1968, and met twice more in the year that has just ended, approving two further resolutions. The first of these, resolution 264 (1969) of 20 March 1969, declares that the presence of South Africa in Namibia is illegal and contrary to the principles of the Charter. Any title that South Africa might have held over the Territory expired when the General Assembly by resolution 2145 (XXI) of 27 October 1966 declared the Mandate terminated and decided that the Territory would become a direct responsibility of the United Nations.

139. In resolution 269 (1969) adopted on 12 August 1969, the Security Council took a further step when it called upon the Government of South Africa to withdraw its administration from the Territory immediately and in any case before 4 October 1969. Thus, the obligation was defined in a more precise way since a concrete date was set, which did not allow for any manoeuvres of interpretation with regard to the scope or the moment of fulfilment of the obligation.

140. However, the date has passed, as did also that of June 1968, set by the General Assembly in resolution 2248

(ES-V) calling for the decolonization of the Territory. Yet, South Africa has not taken the least steps to fulfil its ineluctable obligation. Yet, my delegation feels that in the eyes of the law dates are not irrelevant. They may or may not be respected, but none can deprive them of their formal value, since all legal situations acquire full validity when referred to a specific time. As far as the law is concerned—and resolutions of this organ, we must recall, do have a binding nature—the setting of a date always presumes the creation of an obligation for the one to whom the binding regulation is addressed. Lack of compliance with that obligation does not void the obligation of its validity. It merely places the guilty party in a criminal position. It legally confronts him with a blame for which he may have to answer.

141. The Assembly and the Council have condemned the conduct of South Africa, but that is where the problem rests, gravely sapping the authority of our Organization. Perhaps the most important problem we have to face today is the stand of the Member States that refuse to take into account the resolutions of the main bodies of the United Nations, thus hurling the gravest of all challenges that the world Organization has to confront, since they affect the Organization's very reason for existence and the very pillars on which rest its authority, its prestige in the eyes of world public opinion and its ability to carry out the tasks that were entrusted to it twenty-five years ago.

142. For these reasons my delegation would have preferred a draft resolution more in keeping with the principles that have been violated. Yet we prefer to believe that with the adoption of the draft resolution before us a new possibility is opened to us to find a just solution to the problem of Namibia.

143. My delegation will vote in favour of this draft resolution in the hope that we will not be adopting just another resolution nor creating just another committee, but rather that we are making a new and perhaps a last effort to find a solution to a problem which in the course of twenty-five years has been a source of constant concern to the Organization and which constitutes one of the most bitter frustrations that the United Nations faces in this year of 1970, when it celebrates its twenty-fifth anniversary. Finally, I should like to thank the United Nations Council for Namibia and its President for the valuable contribution they have made to this important question.

144. The PRESIDENT (*interpretation from French*): (There are no further speakers on the list.) The enthusiasm of the Council, and particularly of those members that have spoken, leads me to express the hope that we shall not need to hold a meeting during the week-end. You have surely earned a rest and therefore if at all possible we should avoid imposing another burden upon you. Hence, I propose that we hold a meeting tomorrow morning at 10.30, hoping that we can conclude our work at that meeting or, if not, in the afternoon at the latest. From the consultations held it appears that there is agreement on this point. As there is no objection, it is so decided.

The meeting rose at 7.20 p.m.