



SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-FOURTH YEAR

1493rd MEETING: 4 AUGUST 1969

NEW YORK

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FOURTEEN HUNDRED AND NINETY-THIRD MEETING

Held in New York on Monday, 4 August 1969, at 3 p.m.

President: Mr. Jaime DE PINIES (Spain).

Present: The representatives of the following States: Algeria, China, Colombia, Finland, France, Hungary, Nepal, Pakistan, Paraguay, Senegal, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia.

Provisional agenda (S/Agenda/1493)

1. Adoption of the agenda.

2. The situation in Namibia:

Letter dated 24 July 1969 from the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, the United Arab Republic, Turkey, Yugoslavia and Zambia addressed to the President of the Security Council (S/9359).

Expression of thanks to the outgoing President

1. The PRESIDENT (*translated from Spanish*): During the month of July, the Security Council was particularly active. It is therefore only just that we should pay a tribute of admiration to the outgoing President, Ambassador Boye, who displayed great competence in the discharge of his functions. Speaking for myself and interpreting, I believe, the feelings of all the members of the Council, I should like to express our gratitude to him.

2. Mr. M'BENGUE (Senegal) (*translated from French*): Mr. President, I should like to thank you on behalf of my delegation for your very kind words about Ambassador Boye. As you undoubtedly know, Ambassador Boye is at present serving the international community on a mission which will take him to Europe and then to the Middle East. You may rest assured that, upon his return, I shall not fail to transmit to him the tribute you have just paid him.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia

Letter dated 24 July 1969 from the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, the United Arab Republic, Turkey, Yugoslavia and Zambia addressed to the President of the Security Council (S/9359)

3. The PRESIDENT (*translated from Spanish*): In accordance with the decision previously taken by the Security

Council, I shall now invite the representative of Chile to take a place at the Council table.

At the invitation of the President, Mr. J. Piñera (Chile) took a place at the Council table.

4. The PRESIDENT (*translated from Spanish*): The Council will now continue its consideration of the question of Namibia. In this connexion, I wish to announce that I have received a communication dated 1 August 1969 from forty-six Member States, which has been circulated to the members of the Council in document S/9372. In addition, I have just been informed that the representative of Ghana is also a signatory of that document.

5. The first speaker on my list is the representative of Algeria, whom I now call.

6. Mr. AZZOUT (Algeria) (*translated from French*): Mr. President, first of all I wish, on behalf of my delegation, to tell you how pleased we are to see you presiding over our work for the month of August. It is hardly necessary to recall the many links between our two countries, Spain and Algeria, not the least being the Mediterranean Sea, the cradle of civilization.

7. Needless to say, we also wish to offer our compliments to His Excellency the Ambassador of Senegal, Mr. Ibrahima Boye, who guided our work last month with courtesy and efficiency.

8. During the past week, the Security Council has considered the dangerous situation prevailing in southern Africa. Portugal's stubborn refusal to abide by the decisions of our Organization and its wish to perpetuate its colonial domination over the peoples of Angola and Mozambique create a permanent threat to the free States of Africa.

9. Today we have before us a similar problem. The Pretoria-Lisbon-Salisbury alliance intends to use every possible means to impose the law of *apartheid* and exploitation on all southern Africa. Not content with imposing the system of *apartheid* on the indigenous people, the racist authorities of Pretoria mean to perpetuate their colonial domination over the territory of Namibia and to extend that system of *apartheid*.

10. Despite resolution 2145 (XXI) of the General Assembly, which terminated Pretoria's Mandate over Namibia, and resolutions 245 (1968), 246 (1968) and 264 (1969) adopted by this Council itself, the racist authorities of South Africa continue to scorn all these decisions.

11. South Africa's categorical refusal to comply with Security Council resolution 264 (1969), adopted on 20 March 1969 should, however, meet with an unambiguous response from this Council. In the view of the Algerian delegation, the provisions of this resolution are of paramount importance. Operative paragraph 2 states that the occupation of Namibia is not only illegal but is actually detrimental to the interests of the population of the Territory and those of the international community. Consequently, the Government of South Africa has been asked to withdraw its administration from that Territory.

12. In the event of refusal on the part of South Africa to comply with the provisions of that resolution, our Council had decided to meet at once to determine the necessary measures to be taken in accordance with the relevant provisions of the Charter of the United Nations.

13. The Members of the United Nations and in particular the members of this Council are witnessing a new phenomenon. Certain colonial Powers, which are Members of this Organization, consider that their accession to the United Nations Charter entails no obligation. Moreover, they intend to act within the framework of the old colonialist concepts from which they persist in drawing their fallacious pseudo-legal arguments. In doing so, they are directly violating the spirit of the San Francisco Charter, which is based on the equality of peoples and the right to self-determination and freedom.

14. Thus South Africa, running counter to the unanimous will of the Members of the United Nations and to the principles of international law, continues to occupy a foreign territory. Assisted in that undertaking by the international monopolies, it persists in exploiting the mineral wealth of that territory, reducing the people of Namibia to slavery.

15. In the face of this danger, the people of Namibia have been forced to wage an unequal struggle against the occupants. It is true that, on many occasions, the international community has solemnly recognized the right of this people to freedom and national independence. This will continue to be insufficient as long as we do not commit ourselves to give moral and, above all, material support to the struggle for national liberation undertaken by the Namibian people. The African States and the anti-colonialist peoples have already enlisted on the side of the Namibians, to free them from the yoke of the champions of racism and discrimination.

16. As for the Security Council, it is today confronted by a grave challenge from South Africa. Pretoria is questioning even the legal basis of the decisions of the Council.

17. In the face of this senseless challenge, the Security Council, which has on several occasions declared its responsibility towards the people of Namibia, must take all appropriate measures to put an end to the military and civilian occupation of Namibia by the Pretoria authorities.

18. The flagrant violation of Article 25 of the United Nations Charter must be met by clear decisions from this Council, in accordance with the relevant provisions of the Charter and particularly of Chapter VII.

19. What could these decisions be? In the view of my delegation, they could be the following:

20. First, solemn confirmation of the legitimate right of the Namibian people to carry on their liberation struggle;

21. Second, provision of concrete moral and material assistance to this movement;

22. Third, formal notice to South Africa to leave the territory by a certain date;

23. Fourth, an invitation to all States to challenge any claim by South Africa to speak on behalf of Namibia;

24. Fifth, an invitation to the *de facto* authorities in Namibia to refrain from hampering the implementation by the United Nations of the Council's decisions on this subject.

25. We hope that this Organization will at last decide to assume its full responsibilities in this matter and realize that the absence of a firm attitude towards South Africa and that country's policy undermines its international authority and may ultimately deprive it of its reputation as the last refuge of oppressed peoples.

26. The PRESIDENT (*translated from Spanish*): I thank the representative of Algeria for the kind words he addressed to me at the beginning of his statement.

27. Mr. KHATRI (Nepal): Mr. President, may I, first of all, express my admiration and gratitude to the Ambassador of Senegal for the effective manner in which he guided our work during the month of July.

28. I am happy, too, to see you as our President for this month. Although formal diplomatic relations between Spain and Nepal were established only recently, our people have long held the Spanish people in deep affection. It will indeed be a pleasure to work under your guidance. Please be assured of the whole-hearted co-operation of my delegation in your tasks.

29. At our last meeting on the situation in Namibia [*1465th meeting*], the Security Council adopted resolution 264 (1969) on 20 March 1969, by which the Council, reaffirming its special responsibility towards the people of the Territory of Namibia, recognized the termination of the Mandate of South Africa over Namibia and the assumption of direct responsibility for the Territory by the General Assembly in accordance with its resolution 2145 (XXI). Considering that the continued presence of South Africa in Namibia was illegal and contrary to the principles of the Charter and previous decisions of the United Nations, the Security Council, furthermore, called upon the Government of South Africa immediately to withdraw its administration from the Territory.

30. But, true to its policy of defiance of all United Nations decisions, the Government of South Africa has not complied with resolution 264 (1969) of the Security Council. On the very day the Council adopted that resolution, the Foreign Minister of South Africa made a

lengthy statement on the subject before the South African Parliament. In that statement the Foreign Minister labelled all United Nations actions in respect of Namibia as illegal and he accused the Organization generally, including the big Powers, of being a promoter of anarchy, international gangsterism and lawlessness. This view was reinforced the next day, on 21 March, by the Prime Minister of South Africa himself, in a public address.

31. Those two statements, which are contained in the report by the Secretary-General in document S/9204,¹ have made it clear that South Africa does not intend to withdraw its administration from South West Africa. We knew this. What makes those statements remarkable, however, is the fact that the Government of South Africa not only has expressed its contempt for the United Nations, but has also arrogated to itself the right to put the Organization on trial and pass judgement on its conduct.

32. This attitude—defiant, arrogant and contemptuous—on the part of South Africa has further aggravated a situation which was already serious. The Government of South Africa has continued to occupy a Territory which has been declared to come under direct United Nations responsibility. Not content with occupation, it has consistently introduced the policies of *apartheid* into Namibia. Those policies, if I may recall, have been branded by resolutions of this Organization as a crime against humanity. The declared policy of South Africa is the establishment of Bantustans in Namibia. That policy is aimed at the destruction of the national unity and territorial integrity of Namibia and, as such, has not only been condemned by the General Assembly in numerous resolutions but also rejected by the Security Council, which declared, in its resolution 264 (1969), that the actions of South Africa designed to destroy the national unity and territorial integrity of Namibia through the establishment of Bantustans are contrary to the provisions of the United Nations Charter.

33. Recent reports concerning the indictment of eight Namibians in South Africa under the so-called Terrorism Act indicated further defiance of the authority of the United Nations by the Government of Pretoria. I need not remind the Council that the so-called Terrorism Act has been condemned by the international community of jurists as a violation of every norm of law in civilized society. The General Assembly and the Security Council have rejected the competence claimed by South Africa to try Namibian nationals under that barbarous act. Both General Assembly resolution 2324 (XXII) and Security Council resolution 245 (1968) condemned the action of the Government of South Africa as a flagrant violation of the rights of the Namibians and of the international status of Namibia. Security Council resolution 246 (1968), in its first operative paragraph, censured the Government of South Africa for its flagrant defiance of resolution 245 (1968) as well as of the authority of the United Nations, of which South Africa is a Member. The reference to South Africa's membership was intended to remind South Africa of its obligations as a Member of the United Nations. The Security Council has not, up till now, taken serious note of

the many flagrant violations of the obligations of membership committed by South Africa subsequent to the adoption of that resolution.

34. The United Nations, in its dealings with South Africa over more than two decades, has exhausted the possibilities of persuasion. South Africa has proved itself to be a consistently delinquent Member of the Organization. No amount of persuasion that could be brought to bear on South Africa would cause it to change its premeditated policy of defiance towards the United Nations. Much as we may deplore this policy, by its refusal to withdraw from Namibia the Government of South Africa has gone considerably beyond the stage of defiance and has now set foot on a path of active belligerency against the United Nations. Occupation of a Territory which is under the direct responsibility of the United Nations amounts to an act of aggression perpetrated against this Organization. South Africa has been called upon to withdraw, not only repeatedly by the General Assembly but also by the Security Council.

35. South Africa's refusal to withdraw is compounding this serious situation. The aggrieved party in this situation created by the policy of belligerency of the Government of South Africa is not just another Government or two, but the whole United Nations.

36. In this connexion I may recall that in its resolution 264 (1969) the Security Council decided that in the event of failure on the part of the Government of South Africa to comply with the provisions of that resolution, it would meet immediately to determine upon necessary steps or measures in accordance with the relevant provisions of the Charter of the United Nations.

37. This forms the basis for the request submitted by eleven Member States and contained in document S/9359 for the convening of the Security Council in order that it may consider the situation resulting from South Africa's further defiance of the decision of the United Nations. Those eleven Member States, in requesting an urgent meeting of the Security Council, have acted in their capacities as members of the United Nations Council for Namibia, and in pursuance of their unanimous conclusion, referred to in document S/9352, that the Security Council should take urgent measures to secure the speediest implementation of resolution 264 (1969).

38. In a letter, circulated as document S/9372, African-Asian Member States have associated themselves with the members of the Council for Namibia in their unanimous conclusion and their legitimate request for urgent action by the Security Council to deal with the dangerous situation in Namibia.

39. As evidenced by document S/9352, the United Nations Council for Namibia, which bears responsibility for administration of the Territory until independence, has found itself unable to discharge its functions under the terms of General Assembly resolutions 2145 (XXI) and 2248 (S-V), because of the attitude of the Government of South Africa.

¹ *Official Records of the Security Council, Twenty-fourth Year, Supplement for April, May and June 1969.*

40. The near-unanimous decision of the General Assembly to terminate the Mandate was reinforced by resolution 2248 (S-V). That resolution was a most logical follow-up to resolution 2145 (XXI) and constituted an effective answer by the Assembly to the problem resulting from the termination of the Mandate. That decision by the Assembly lacks the support of all four permanent members of the Security Council, which have, nevertheless, failed to come forward with a viable solution of their own. The Foreign Minister of South Africa has accused the United Nations of being unable to act in conformity with its responsibilities.

41. The Charter vests special power and responsibility in the permanent members of the Security Council. It is their special authority to determine whether or not any given situation constitutes a threat to peace or a breach of peace. The Council is powerless to act in this respect without the concurrence of the permanent members. As far as we are concerned, there is no doubt whatever in our minds that the continued occupation of Namibia constitutes a threat to international peace and security. The situation in southern Africa—*apartheid*, Southern Rhodesia, Namibia and Portuguese colonialism—is indeed very serious. It is difficult to see why this situation has not yet resulted in an open racial and colonial war.

42. Solution of this problem depends generally on timely action by the Security Council, and particularly on action by its permanent members. The Afro-Asian States have nothing further to offer by way of solution. It is up to the permanent members now. Let South Africa not receive further aid and comfort from some of those Powers and their allies. It is high time those Powers explored all possibilities provided by the Charter to deal effectively with this situation. As I have already stated, the situation has gone beyond the stage of mere defiance of the authority of the United Nations by South Africa. It is a question of South Africa versus the entire membership of the Organization, in a state of active belligerency.

43. The question of punishment of South Africa is not our primary concern. As a law-abiding Member State, whose faith in the effectiveness of the United Nations is absolute, we feel particularly hurt to have the authority of the United Nations defied in this way. In the words of Ambassador Turbay Ayala, who was the President of the United Nations Council for Namibia for July:

“... the United Nations would very soon find itself heading towards a serious crisis of authority which would destroy all the hopes placed in the system of collective security, erected on the basis of discipline and obedience to common principles of harmonious international co-existence.” [1492nd meeting, para. 21.]

44. Motivated by our deep concern for averting this crisis of United Nations authority, we appeal to the permanent members of the Security Council to do all in their power to compel South Africa to conform with the discipline of the Organization.

45. The PRESIDENT (*translated from Spanish*): I wish to thank the representative of Nepal for the kind words he addressed to me at the beginning of his statement and for

the excellent attitude they reflect with respect to relations with Spain, which my delegation wishes to reciprocate.

46. Mr. SHAHI (Pakistan): Mr. President, let me begin by extending to you the warmest congratulations of my delegation and my own on your assumption of the presidency of the Security Council for this month. You belong to a great country which has left a great heritage to mankind. I have no doubt that, with your great experience and expertise in United Nations matters, you will conduct our deliberations with outstanding success.

47. I should also like most sincerely to pay a tribute to the manner in which Mr. Boye of Senegal presided over our deliberations last month. The Security Council was indeed very active, and it gives me great pleasure to pay tribute to the fact that it was due to his skill and good judgement that we were able to arrive at many conclusions and that the Council was able to make positive contributions in its deliberations last month.

48. The Security Council is seized for the fourth time in two years of the question of Namibia. This meeting comes in the wake of eighty-five resolutions of the General Assembly and three of the Security Council, every one of which has been rejected and indeed flagrantly flouted by South Africa. For twenty-three years South Africa has frustrated all United Nations efforts towards enabling the Namibian people to accede to sovereignty and independence. This illustrates graphically the enormity of the conduct of the Pretoria régime. Its posture is contrary to world public opinion and militates against international law and order, against the progress of peoples to independence and against all principles of justice, human rights and human dignity.

49. The Security Council has already dealt three times with the question of Namibia. On the first two occasions, in 1968, the Council was concerned with a single important issue, namely, the detention, trial and sentence of thirty-seven Namibians by the South African authorities. On both those occasions the Council adopted resolutions—namely, resolutions 245 (1968) and 246 (1968)—unanimously. The latter resolution condemned South Africa for its flagrant violation of the Universal Declaration of Human Rights and its rejection of the Council's earlier resolution [245 (1968)].

50. Resolution 245 (1968) marked the first time the Security Council took cognizance of the Namibian problem and, viewed in this light, it was indicative of some positive action. Resolution 246 (1968) was noteworthy because it declared in its operative paragraph 5:

“that in the event of failure on the part of the Government of South Africa to comply with the provisions of the present resolution, the Security Council will meet immediately to determine upon effective steps or measures in conformity with the relevant provisions of the Charter of the United Nations”.

51. The third occasion on which the Security Council deliberated the question of Namibia has been categorized as one of historic importance—historic because the Council

was seized for the first time of the substantive and fundamental issue of South Africa's unlawful presence in Namibia and was not confined to certain oppressive acts concerning the so-called trial of Namibian patriots. Consequently resolution 264 (1969) of 20 March 1969 constituted a major step forward, inasmuch as the Security Council recognized its own responsibility in the question of Namibia. Furthermore, that resolution considered that the continued presence of South Africa in Namibia was illegal and detrimental to the interests of the population of the Territory and those of the international community. Therefore it called upon the Government of South Africa immediately to withdraw its administration from the Territory. As the Security Council is aware, that call has also been ignored—in fact rejected—by South Africa. Therefore the United Nations Council for Namibia has requested this Council urgently to consider the situation resulting from the wholly negative reaction of South Africa to resolution 264 (1969).

52. The continuing measures taken by South Africa in defiance of the authority of the Security Council and the recommendations of the General Assembly are well known to all of us. What is intolerable is that the Pretoria authorities refuse to hold themselves accountable to anyone in the world in respect of their actions relating to a Territory the international status of which is beyond question. The case of the international community—not only the people of Namibia but the international community—against the South African Government constitutes a long list of acts in the nature of grave transgressions of international law, including violations of human rights.

53. First, South Africa categorically refused to honour the obligations entrusted to it under the Mandate and to recognize that the United Nations had supervisory powers in respect of Namibia.

54. Second, South Africa rejected the demand of the United Nations to withdraw its authority and administration from the Territory in consequence of the termination of the Mandate and to transfer it to the United Nations Council for Namibia.

55. Third, despite the clear call of the General Assembly not to alter the international status of the Territory, the Pretoria régime continues to adopt measures to incorporate Namibia as an integral part of South Africa, in violation of the right to self-determination of the Namibian people.

56. Fourth, South Africa persists in policies calculated to destroy the national unity and territorial integrity of Namibia through the establishment of Bantustans.

57. Fifth, South Africa is illegally extending the odious system of *apartheid* to a Territory over which it has no lawful authority.

58. Sixth, South Africa is continuing to impose oppressive measures against the people of Namibia, in violation of their fundamental human rights.

59. Those are grave findings, each of which has been given repeated expression in the resolutions of the General

Assembly and the Security Council. South Africa has been repeatedly condemned for its defiance of all those resolutions, but it is impenitent and continues to maintain its obdurate course.

60. In document S/9204 the Secretary-General has circulated the text of a statement made by the Foreign Minister of South Africa in the Senate on 20 March 1969. That statement speaks for itself. It makes it clear beyond any shadow of doubt that South Africa will not alter its defiant attitude towards the resolutions of the General Assembly and the Security Council. The South African Foreign Minister has, indeed, made an attempt to justify the policy of dismemberment of the Territory of Namibia, with the plea that Namibia has never formed a homogeneous entity and that the Namibian people themselves wish to retain their tribal identities. To assert that the existence of tribes negates the concept of nationhood is indeed an extraordinary argument. No nation consists of a single tribe or a single ethnic group. Most nations are congeries of various tribal, ethnic and linguistic groups united by a common will to nationhood. If the Foreign Minister of South Africa does indeed believe that there can be no unity by government fiat between the peoples of what he calls Eastern Caprivi and the Rehoboth Basters or between the Bushmen and the Herero or between the Ovambo and the Nama, could we not ask why should there be unity through a common government between the Afrikaaner and English ethnic groups in South Africa? Would he be prepared to break up his country into Afrikaaner and English-speaking Bantustans? After all, it is only a little more than half a century ago that those two ethnic groups were at war with one another and locked in a struggle for domination.

61. In my statement in the Security Council on 20 March of this year, I made the following plea:

“A warning was given last year. The warning was not heeded. Surely it must now be followed by effective action and not by yet another warning.” [1464th meeting, para. 123.]

Surely that plea is even more relevant and carries greater force today. Given the outrageous record of South Africa for more than twenty years and given the fact that repeated warnings of effective steps or measures in conformity with the relevant provisions of the Charter of the United Nations have not been heeded by South Africa in the slightest and that that racist and colonial Power is set on pursuing its evil and illegal course in Namibia, surely the time has come for passing from warnings to deeds, from words to action—and action under Chapter VII of the Charter of the United Nations.

62. We would appeal to the permanent members of the Security Council to ponder the situation seriously and to lend their active co-operation and support to a resolution which would not merely repeat resolution 264 (1969), but would go further, to induce South Africa to cease and desist from its colonial policies.

63. The PRESIDENT (*translated from Spanish*): Again, I wish to thank the representative of Pakistan for the kind words he has spoken about my country and about me personally.

64. I have just received a letter from the representative of India asking to participate in this debate. If I hear no objection, I intend to invite the representative of India to take a place at the Council table.

At the invitation of the President, Mr. S. Sen (India) took a place at the Council table.

65. The PRESIDENT (*translated from Spanish*): The next speaker on my list is the representative of India, on whom I now call.

66. Mr. SEN (India): Mr. President, I should like at the outset to thank you and through you the members of the Council for this opportunity to address the Security Council on the question of Namibia, which is currently on the agenda of the Council. I should like to make it clear that though I happen to occupy the post of President of the Council for Namibia for the month of August, it is not really in that capacity that I wish to take the floor. That function was carried out by my colleague, Ambassador Turbay Ayala of Colombia, with his characteristic lucidity and eloquence at the 1492nd meeting of the Security Council on 30 July. I have asked to participate in this debate principally in view of the abiding concern of my Government with a problem which we were the first to raise in the forum of the United Nations, as far back as 1946, when we took the initiative of introducing a draft resolution which sought to place South West Africa under the International Trusteeship System.

67. I need hardly recall that that effort and all subsequent ones by the international community to secure South Africa's withdrawal from the Territory have met with shameful failure. However, despite the frustrations of the long history of the bitter struggle of the Namibian people for their freedom and independence, there have been two constitutional developments which, though of limited importance in themselves, can be considered to have pointed to the possible path for future action.

68. The first of these was the decision adopted by the General Assembly three years ago, by which it decided² by an overwhelming majority that South Africa had forfeited the right to administer the Territory and that South Africa's Mandate over the Territory should accordingly be terminated. As a logical sequence to that decision, in the following year the General Assembly formally set June 1968 as the date for the independence of the Territory. In the face of South Africa's blatant and brutal refusal to comply with the solemn decisions of the United Nations, the international community felt compelled to have recourse to the Security Council to achieve the objective of the withdrawal of South Africa's administration from the Territory.

69. The second constitutional development of note was the recognition by the Security Council, when it adopted resolution 246 (1968), of its special responsibility towards the people and the Territory of Namibia. The Security Council first met for the discharge of that responsibility in

March of this year, when it adopted resolution 264 (1969) by a very large majority. While the provisions of that resolution fell far short of the aims and aspirations of the Afro-Asian States, it still did mark a certain definite advance in what the international community as a whole was prepared to accept as a basis for future action in regard to Namibia. By that resolution the Security Council took four important steps. First, it reaffirmed the inalienable right of the people of Namibia to freedom and independence. Secondly, it recognized that the General Assembly had terminated South Africa's Mandate over Namibia and had assumed direct responsibility for the Territory until its independence. Thirdly, it recognized the illegality and grave consequences of South Africa's continued occupation of the Territory, which it considered to be detrimental to the interests of both the population of the Territory and the international community. And, fourthly, it decided that in the event of failure on the part of the Government of South Africa to comply with that resolution, the Security Council would meet immediately to determine upon necessary steps or measures in accordance with the relevant provisions of the Charter.

70. The significance of the resolution, as Ambassador Jakobson of Finland pointed out in his statement at the 1465th meeting of the Council on 20 March 1969, was that the power and authority of the Security Council was for the first time fully engaged in the task of translating into reality the decision concerning assumption by the United Nations of direct responsibility for the Territory until its independence.

71. The only reaction of the Government of South Africa to Security Council resolution 264 (1969) is contained in statements made by the South African Foreign Minister and the South African Prime Minister which were forwarded to the Secretary-General and are reproduced in document S/9204. These arrogant and patently unreasonable statements seek to deny the legal basis of United Nations decisions concerning the Territory and amount to a categorical refusal to comply with these decisions.

72. The Security Council is now faced with a situation in which a Member State has defiantly, almost sneeringly, refused to fulfil its obligations under Article 25 of the Charter of the United Nations. The Security Council is accordingly duty bound to honour the commitment it entered into under the provisions of operative paragraph 8 of resolution 264 (1969) and to determine upon effective steps or measures calculated to put an immediate end to South Africa's persistent defiance of the authority of the United Nations. As Ambassador Turbay Ayala put it in his statement last Friday [*1492nd meeting*], the eleven States members of the Council for Namibia have requested an urgent meeting of the Security Council in the firm belief that some effective steps must be taken to reverse the unjustifiable refusal of South Africa to comply with the resolutions of the Security Council and of the General Assembly.

73. The question with which we are now faced is what those effective steps should be. The Afro-Asian States which have submitted a letter [S/9372] in support of the request for an urgent meeting of the Security Council made

² See General Assembly resolution 2145 (XXI).

by the member States of the Council for Namibia have stated:

"The inescapable conclusion is that it is only resolute action by the Security Council under the provisions of Chapter VII of the United Nations Charter which can achieve the objective of securing the immediate withdrawal of South Africa from the Territory." [S/9372.]

That statement fully reflects the views of the Government of India—views which it has held for some considerable period of time. Regrettably, we are only too familiar with the pretexts—which are neither honourable nor responsible—put forward by certain States, some of which are permanent members of the Security Council, for refusing to consider the only effective action this Council can and should take. Like my colleague Ambassador Mwaanga of Zambia, I should like to be informed what more attractive alternative they can offer which would ensure immediate compliance by South Africa with decisions of the United Nations.

74. I cannot but refer here in passing to the equally supine and helpless attitude the Council demonstrated in its handling of the question of Rhodesia and to the way in which speaker after speaker emphasized the danger which the United Nations faces in not standing up to the challenge posed by the triumvirate of South Africa, Portugal and the Ian Smith régime in Zimbabwe. I hasten to add that the palliatives suggested so far for our consideration in respect of Namibia are so puerile and inadequate as to suggest a withdrawal from solemn commitments and a distressing failure to heed either realism or conscience.

75. We were advised during our meetings in March that we should act in agreement and within our clear capacity. It was further suggested that only such a course would fail to give encouragement to the South African Government in the pursuit of its evil policies and would prevent the people of Namibia from losing hope in our authority. The Afro-Asian world may not have any disagreement in principle with such an approach. However, when we are told that action within the framework of such a policy must be limited to contributions to the United Nations Education and Training Programme or the implementation of a plan for a comprehensive survey of the situation in the Territory, it becomes dismally clear that our so-called capacity is determined by a total lack of political will, and our professions of concern for the liberation of the oppressed Namibian people cannot but sound as hollow as they are hypocritical.

76. It is obvious that we have to shift our sights to more meaningful solutions. We have no fixed or dogmatic ideas about what those solutions should be, but we believe that some of them should be explored carefully. A decision prohibiting all dealings with South Africa in so far as they relate to Namibia would appear to be a logical step flowing from recognition that South Africa has ceased to enjoy any legal right to administer the Territory. A ban on the sale of arms to South Africa has been the subject of several resolutions adopted by the General Assembly and has been endorsed by the Security Council. A reaffirmation of that decision and its effective implementation can be secured

through the full power and authority of the Security Council. Such implementation is urgently required in view of the massive repression of the liberation movement within Namibia. We could also investigate the possibility of the United Nations, as the legally appointed Administering Authority, claiming the revenue due to it from the mining and other enterprises in Namibia. Another possibility lies in the United Nations claiming indemnities and reparations from South Africa on account of the deprivations and disposessions of the Namibian population. These are all proposals action on which is within our capacity and on which we should be able to reach agreement if we are at all serious about honouring our commitment to bring the people of Namibia to freedom and independence. We should perhaps also consider if a Government in exile could not justly be established for Namibia and be permitted to be seated in the United Nations as representing Namibia. We should further enquire what has been achieved by the intervention of Powers which are supposed to have influence on the South African Government. That was one of the elements of the Council's resolution of 20 March 1969.

77. I have refrained from dealing in my statement to the deteriorating situation in Namibia because the facts are known to all and other speakers have dealt with them during this debate and our earlier meetings in March. The South African authorities have proceeded, in blatant defiance of Security Council resolution 264 (1969) and all previous resolutions of the General Assembly and of the Security Council, to accelerate the process of destroying the national unity and territorial integrity of Namibia. The representatives of Afro-Asian States who have addressed a letter to the President of the Security Council [S/9372], associating themselves with the request made by the eleven States members of the Council for Namibia for urgent action to deal with the dangerous situation in Namibia, have warned in their letter that:

"Failure to find an early solution to this burning problem will inevitably result in the outbreak of racial conflict on an unprecedented scale in the Territory and the region as a whole which will only aggravate the already serious threat to international peace and security in the area." [S/9373.]

78. I would submit in all seriousness that this is no empty warning. The persistent attempt on the part of certain States to deny that the situation in Namibia and in southern Africa as a whole is a serious threat to international peace and security is in our view based on a political refusal to take remedial action inimical to their narrow national, mainly financial, interests rather than on an objective appraisal of the situation. In our view this policy not only makes nonsense of the commitment of these States to secure freedom and independence for the people of Namibia but is at the same time extremely short-sighted. The threat of the outbreak of racial conflict is a very real one and those who choose to ignore it do so at their own risk. These are the dimensions of the problem which we have before us today. Failure on our part to tackle it resolutely and without delay is fraught with the most serious consequences for the international community as a whole. It is our earnest hope that the Governments which have continued to offer direct or indirect support, if

not encouragement, to the racist authorities in South Africa will find it possible to act with courage and sincerity for the fulfilment of objectives to which they claim to subscribe and in the long-term interest of peace, which should be as necessary to them as to the unfortunate victims of racial domination and racial injustice.

79. On many occasions these days, with the twenty-fifth anniversary of the United Nations taking place next year, we speak about the importance of youth and its idealism and of its contribution to the great adventure of man. Unless we are totally hypocritical, how can we expect these young men and women to support and sustain us when we not only fail them so consistently but cannot even live up to the standards our own parents and grandparents have set for us. We were cowardly for years towards Hitler and Mussolini—and what a penalty we paid for it. If nearly thirty years after the war we refuse through fear and greed to demolish utterly the pernicious doctrine of "*Mein Kampf*," then there is little hope for peace with justice, for which this Organization stands and for which most people of the world pine. In human history it is often necessary to take risks in order to secure worthy objectives. And it is the hope of my Government that even at this stage the Council will take energetic and effective action and frustrate the evil designs of evil men. Alternatively, we shall be guilty in the eyes of God and man alike for the catastrophe which our lack of action may bring upon the world—and perhaps in not too distant a future.

80. The PRESIDENT (*translated from Spanish*): The next speaker on my list is the representative of Chile, on whom I now call.

81. Mr. PIÑERA (Chile) (*translated from Spanish*): Mr. President, first of all I should like, through you, to thank the members of the Security Council—the organ with the greatest powers in the United Nations—for allowing the Permanent Representative of Chile to participate in this debate, without the right to vote. I should, however, be remiss in my duty of friendship if I failed to offer very special greetings to the President, the distinguished Ambassador of Spain and a great friend, Jaime de Piniés. The friendship between Spain and Chile is one of equals. We have received proof of this friendship from Spain and we have also given it proof of our friendship. I should like to add a very personal note here. The President of the Security Council has done many good things in his life and one in particular—he married a Chilean. Once again, I thank the President and all the members of the Council.

82. Why has the Permanent Representative of Chile asked to participate in the debate today, when a large number of African, Asian and Latin American representatives have already done so? At last week's meeting, we heard the clear statements of Ambassador Turbay Ayala of Colombia, who was President of the United Nations Council for Namibia during July. We also heard the lucid statement of the Ambassador of Zambia, a country to which we are bound by very close friendship. Today, we have heard the representative of Algeria who made a short but very important statement, and the representatives of Pakistan, Nepal and, a few minutes ago, of India; the latter made a special point of saying that he was speaking as the

representative of his country but those of us who are members of the Council for Namibia recognize him as President of that Council for this month of August.

83. If Chile wishes to participate today, after all the simple yet profound statements which have been made on this case—perhaps the noblest that can be defended in the United Nations—it is because of a moral duty. Ever since the problem of *apartheid* was discussed in the United Nations, Chile has been present. From the very outset one of its men, Mr. Hernán Santa Cruz, played an outstanding part in all the commissions in which man's freedom has been defended and *apartheid* has been combated. Unfortunately, this system has had its philosophers and theoreticians, such as Gobineau in France, and also some followers.

84. Chile is participating because almost three years ago, at the 1966 session of the General Assembly, we fought for resolution 2145 (XXI), to which we attach exceptional importance. For the first time the United Nations General Assembly adopted (with two negative votes—South Africa and Portugal—and two abstentions—the United Kingdom and France) a resolution which placed the problem of Namibia in its proper perspective and recognized Namibia's right to independence and the responsibility of the United Nations in this problem. This was an extremely important resolution which, among the eighty-five resolutions mentioned by Ambassador Shahi, stood out as a basic turning-point in the position of the General Assembly, which is today the best embodiment of the international community. Since my country participated very actively in the drafting of this resolution, I remember all the efforts which were made in that direction even by the great Powers which abstained in the vote. Subsequently, my country was a member of the so-called Committee of Fourteen, which was the preparatory committee set up to seek ways and means of putting the Assembly's resolution in practice. Many ideas were discussed and it was decided to establish a Council for Namibia. Perhaps that was not the best of ideas; it was only a means to an end. What counted was resolution 2145 (XXI), with which the General Assembly—in other words, the international community—is confronted. There is resolution 2145 (XXI); here is the international community. It is a challenge to this international community.

85. I hope that, at its next session, the General Assembly will take up the challenge of a resolution which is now three years old and has still not been implemented. Later Chile, aware of its slight weight in international affairs, was willing to serve on the Council for Namibia, together with African and Asian countries, Yugoslavia and Turkey. That is why—let this be the justification—Chile asked to participate in the debate today. The reason why it did not do so earlier was that it wished to hear the voice of Africa, Asia and Latin America, which it has heard at the last two meetings.

86. It also wished, out of elementary respect and friendship, to hear first the representative of India, Ambassador Sen, who is President of the Council for Namibia for this month.

87. I am sure that at the coming meetings we shall hear the voice of the countries of Western and Eastern Europe.

Many of them participated in the drafting of the General Assembly resolution and many of them—almost all the Council members, with two abstentions—voted in favour of resolution 264 (1969) last March, four months ago.

88. Allow me to say here once again with the greatest modesty, that, just as the forthcoming General Assembly will in a few weeks have before it resolution 2145 (XXI) for the third time, so this Council and its members—the representatives of Finland, France, Hungary, Nepal, Pakistan, Paraguay, Senegal, Spain, the United Kingdom, the Soviet Union, the United States of America, Zambia, Algeria, China and Colombia—are now confronted by resolution 264 (1969). That resolution is before you and, in the opinion of my delegation, it is the Security Council and especially its permanent members who must, in the full sense of the word, face up to resolution 264 (1969), which was adopted in this very room barely four months ago.

89. I do not wish to speak at great length but the question with which we are dealing is so important and my country attaches so much significance to the problems of human dignity that I should like to make some remarks, which will be as brief as possible. Today an example of brevity was given to me by all the members of the Council who spoke in the discussion and by the representative of India.

90. Now, Mr. President, what are we dealing with? We are dealing with South Africa, which is a great country, which is highly advanced in the realms of industry, agriculture and mining, remarkably advanced in transportation and communications, and amazingly advanced also in the field of power production. It is a country which has solved health problems in certain sectors, performing what some term virtual miracles; it has solved the problem of education in some sectors, providing a very high standard of education for a certain proportion of the population; it has done the same in so far as housing is concerned. It is an extraordinary country whose industrial and material development make it worthy of the last third of the twentieth century. Yet, by some inexplicable paradox, in the matter of moral development—to use a simple term—that same country does not belong to the third part of the twentieth century.

91. We should perhaps go back to the history of the patricians and the plebeians. There were patricians—and it was very pleasant to be one; it was not pleasant to be a plebeian. There were masters and slaves in this country not many years ago; and it was better to be a master than a slave. There were once lords and serfs; and it was better to be a lord than a serf. There were also those who are called *caballeros* in Spanish, because they rode on horseback, while those who travelled only on foot were called *infantes*; and it was better to be a *caballero* than an *infante*.

92. But what has been the outcome of all the efforts of mankind in these last twenty-five years since the Second World War? It has been this: together with amazing material progress, which has enabled representatives of the United States to reach the moon as citizens of the world, we have also achieved genuine moral progress. Yet that great country, South Africa, has not—and we say this with

grief and sorrow—contributed to this moral progress, because of the existence there of masters and slaves, privileged and those who not only have no privileges but are subjected to punishment. For what are they punished? For their race, for their skin, for their origin?

93. Injustice has always existed in the world but no attempt has been made to vindicate it by philosophy. What is surprising and shocking is that in South Africa this discrimination is being vindicated by philosophy and even in the case of some poor wretches by religious ideas. Is God white, perchance? There are some small local churches which are trying to prove that He is. No words can express our view of those who are making these efforts—only profound contempt.

94. In conclusion, I wish to repeat two points I made earlier: the General Assembly is face to face with resolution 2145 (XXI) of 1966 and the Security Council, a sovereign and independent body, is face to face with resolution 264 (1969). That is the challenge before the Security Council, as it will be the challenge which the Members of the General Assembly will have to face in another five or six weeks. Shall we meet it or shall we fail to meet it? There are these two alternatives; but if we fail to rise to the challenge, we shall have been instrumental in making the men and women of the world postpone, for who knows how long, the one thing for which all of us in this world, whatever our religious or philosophical beliefs, are striving: to ensure that all men and women in the world have their share of happiness.

95. Having listened to the representative of India, I should like to take up two concepts expressed in his statement. One is that political will is indispensable if the situation is to change. This is a concept which the countries of the Third World have propounded many times but it is no less valid for being repeated. Only political will is capable of making the world's great decisions. Technical reports, which are supplementary, cannot do that. They may be very useful but it is political will which determines what position is to be taken regarding Namibia.

96. The representative of India also mentioned youth. We know what youth is. In my country, in the countries of the Third World, it constitutes over half the population. Youth, which is the concern of many technical reports of UNESCO, the Commission for Social Development and the General Assembly and which, at least in the world of the poorer peoples, makes up over half the population, also expects from the mature men of the United Nations a justification for its own existence.

97. Therefore, the challenge does not only concern resolution 2145 (XXI) and resolution 264 (1969). It is a challenge from the world's youth who are watching us from beyond these doors and whom we are going to invite next year to celebrate the first twenty-five years of the United Nations. And what are we going to invite them for? To see that we have sanctioned *apartheid*? Or are we going to invite them to see the new world, the world of this third part of the twentieth century, the world of outer space, of the sea-bed and, basically, of this earth which is our own?

98. The PRESIDENT (*translated from Spanish*): I thank the representative of Chile. I particularly wish to thank him for his kind words about our two countries and I can only say, in exercise of the right of concurrence, that I am in complete agreement with him about the important decision which I had to make at a certain point in my life.

99. I wish to inform the members of the Council that just a few minutes ago I received a communication from the representative of Iran, who wishes his country to be added

to the sponsors of the document circulated under the symbol S/9372.

100. I have no more speakers on my list. If no other representative wishes to speak at this stage, I propose to adjourn the meeting. Following informal consultations with the members of the Council, it has been agreed that the next meeting will take place on Wednesday, 6 August, at 3 p.m.

The meeting rose at 5.5 p.m.