



SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-SEVENTH YEAR

1656th MEETING: 31 JULY 1972

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SIXTEEN HUNDRED AND FIFTY-SIXTH MEETING

Held in New York on Monday, 31 July 1972, at 10.30 a.m.

President: Mr. Carlos ORTIZ DE ROZAS (Argentina).

Present: The representatives of the following States: Argentina, Belgium, China, France, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1656)

1. Adoption of the agenda.

2. The situation in Namibia:

Report by the Secretary-General on the Implementation of Security Council resolution 309 (1972) concerning the Question of Namibia (S/10738).

The meeting was called to order at 11.05 a.m.

Tribute to the memory of Mr. Paul-Henri Spaak

1. The PRESIDENT (*interpretation from Spanish*): It is my painful duty to refer, first of all, to the sad news of the death of Paul-Henri Spaak, a great Belgian statesman, who was the first President of the General Assembly of the United Nations. Mr. Spaak's distinguished personality placed him at the forefront of the service of his country, and moreover he was also an outstanding figure on the world scene. His efforts to bring about co-operation and understanding are in all our minds.

On the proposal of the President, the members of the Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia

Report by the Secretary-General on the implementation of Security Council resolution 309 (1972) concerning the question of Namibia (S/10738)

2. The PRESIDENT (*interpretation from Spanish*): I have received a letter from the President of the United Nations Council for Namibia requesting that the representatives of Guyana and Nigeria be invited to participate, on behalf of the Council for Namibia, in the Security Council's discussion of the item on the agenda. In view of that request and in line with decisions taken at previous meetings devoted to discussion of the situation in Namibia, if there are no

objections, I would propose that the Security Council again extend an invitation to the representatives of the Council for Namibia.

At the invitation of the President, Mr. L. Samuels (Guyana), and Mr. O. Adeniji (Nigeria), representatives of the United Nations Council for Namibia, took places at the Council table.

3. The PRESIDENT (*interpretation from Spanish*): As representatives will observe, the Security Council has included in the agenda for this meeting the report by the Secretary-General dated 17 July 1972 on the implementation of Security Council resolution 309 (1972) concerning the question of Namibia. This report appears in document S/10738.

4. Before the Council begins its consideration of the report I should like to express to the Secretary-General, on behalf of the Council, our deepest appreciation for what he has done, for the devotion and dynamism he has shown in discharging the task assigned to him by the Council. These feelings of appreciation go also to the highly qualified group of Secretariat members who assisted him in that task. We are also very grateful to the Secretary-General for delivering to us before the time-limit which was set the report which will now be considered by members of the Council.

5. It is now my pleasure to call on the Secretary-General.

6. The SECRETARY-GENERAL: I am glad to have this opportunity to make a few brief comments in connexion with the Security Council's consideration of the report which I have submitted to the Council pursuant to resolution 309 (1972) and which is contained in document S/10738. It will be recalled that in that resolution the Council invited me:

"in consultation and close co-operation with a group of the Security Council, composed of the representatives of Argentina, Somalia and Yugoslavia, to initiate as soon as possible contacts with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations".

7. The results of the contacts initiated by me in pursuance of the mandate entrusted to me by the Council are set out in my report, which is now before the Council. As I have

stated in paragraph 50 of the report, it is my belief that, on the basis of my decisions so far with the Government of South Africa, it would be worth while to continue the efforts to implement the mandate of the Security Council. I have further suggested that, subject to the wishes of the Security Council, such further efforts be made with the assistance of a representative of the Secretary-General.

8. I should like to draw the Council's particular attention to the fact that at all stages of my contact with South Africa I have kept all interested parties informed. In addition to the various United Nations bodies concerned and the President of SWAPO (South West Africa People's Organization), I have also kept the Chairman of the Organization of African Government of the OAU in Rabat, I had the opportunity of meeting personally with and informing a number of Heads of State and Foreign Ministers on this matter. It is also my understanding that the information which I furnished to the Chairman of the OAU and which included the points referred to in paragraphs 16 and 21 of the report was conveyed by him to all the Heads of African States during the Rabat Assembly.

9. As regards the functions of the proposed representative, all I can add at this stage to what is stated in paragraphs 21 and 22 of the report is that if the Council indicates to me that I should proceed further with the implementation of the mandate as set out in resolution 309 (1972), the representative will assist me on a full-time basis in my further efforts. As stated in the report, South Africa has expressed its willingness to co-operate. The representative will receive his instructions from, and report to, the Secretary-General. It will be for the Council to pass judgement on the results.

10. I have not been aware of the preoccupations of some of the parties with regard to a time-table for the efforts undertaken in pursuance of resolution 309 (1972). It is precisely with that in mind that I have myself proposed, in paragraph 52 of the report, that the next report on the matter be submitted to the Council not later than 30 November 1972. In any case, there is the guarantee that the Council, taking into account all the relevant considerations, can in its wisdom decide on whatever time-table it considers appropriate.

11. If the Council, after due deliberation, agrees that I should continue my efforts with the assistance of a representative, as proposed in the report, I shall be glad to do so. Should the Council's decision be in the affirmative, I shall, as already indicated in my report, continue to discharge my mandate in consultation and close co-operation with the group of the Security Council composed of the representatives of Argentina, Somalia and Yugoslavia.

12. It is now for the Council to pronounce itself on the future course of action.

13. The PRESIDENT (*interpretation from Spanish*): I thank the Secretary-General for introducing his report.

14. Mr. DE GUIRINGAUD (France) (*interpretation from French*): Mr. President, first of all, I should like to associate

myself with the statement you have just made concerning the sad news of the death of Mr. Paul-Henri Spaak. I should like to take this opportunity to express my delegation's deep sympathy to the Belgian delegation. This blow is not only a matter of grief for Belgium; it is a blow to all Europe and to the countless friends Mr. Spaak had throughout the world. I would request Mr. Van Ussel to be kind enough to transmit to Brussels the deepest and sincere condolences of the French delegation. These condolences are all the more deep and sincere since, some years ago, when I served in the modest capacity of Chargé d'affaires of this delegation, I had the opportunity to appreciate the support given by Mr. Spaak in difficult circumstances in these very precincts. I shall never forget him nor the great contribution he made to the building of the European community.

15. No one could be surprised that the representative of France should speak at the outset of a discussion dealing with the implementation of a procedure in whose elaboration we have assisted since last October. This is a new approach to the problem of Namibia which has been outlined within the Council.

16. This approach was based on two observations. On the one hand, the objective sought for by all here was to give to the people of Namibia the opportunity of expressing themselves freely on their own destiny. On the other hand, the increasingly firm resolutions adopted by the Council remained without any practical effects on the fate of that population. We therefore proposed that the collective pressure of the United Nations be brought to bear on the South African Government to establish contacts with the Security Council in order to negotiate an agreement setting up a provisional international régime which would enable the populations concerned to exercise their right to self-determination. Our views coincided with those expressed at that same debate by you, Mr. President, in your capacity then as the representative of Argentina.

17. This idea gathered momentum and, at the meeting held by the Council in Addis Ababa last February, the Argentine delegation was able to submit and have adopted a draft resolution which invited the Secretary-General to undertake the suggested step. My predecessor observed at the time that

"[the] tactic of firmness, patience and broadmindedness"—which the Council had endorsed—"is the only practical one. It conforms with the ideal of peace and liberation of the United Nations. It will contribute to breaking the silence which crushes the southern part of Africa" [1635th meeting, para. 130]."

18. Today, we must pinpoint the situation as regards this step, since the Secretary-General, as we had requested him to do, has submitted a report to us on the implementation of resolution 309 (1972). Beyond all doubt, as this document emphasizes, it is still too early to try to assess the results. However, what is important for us is to be informed of the first contacts undertaken by our Secretary-General and to renew his terms of reference, that is to say, to express our confidence which he needs in order to carry out his mission. Without going into the possibilities that may open along the road to self-determination and indepen-

dence for the people of Namibia, we can in any case observe that we have won the wager undertaken last February according to which South Africa, a Member of the United Nations, could not decline a step undertaken by the Secretary-General which was supported by all of the international community. At that time we appealed to the Council to undertake that step. That appeal was heeded and the expectations of the Council were not in vain.

19. Naturally, although an exchange of views has begun with Pretoria, difficulties still remain. However, despite all the subsisting obstacles, the first results of the mission undertaken by Mr. Waldheim, in consultation and in close co-operation with our colleagues of Argentina, Somalia and Yugoslavia, seem encouraging. The report of our Secretary-General confirms us in the view that only through patient conversations will it be possible to progress towards the establishment of a new international régime which will serve as a starting point for the population of Namibia to exercise its right to self-determination.

20. We therefore wish to congratulate our Secretary-General for the wise, vigilant and firm manner in which he has carried out the first part of his mission and to express our confidence in him for the future. Just as he wishes, we are ready to give him our approval with respect to the appointment of a special representative whose task it will be to assist him in achieving the objectives of self-determination and independence. The South African Government, furthermore, has stated that it was ready to assist him in the accomplishment of his mission, and we take note of that with satisfaction in the hope that the Pretoria administration will follow this step with concrete action.

21. Naturally, we are counting on the group of three Council members to keep us informed of developments resulting from the contacts begun between the South African Government and the Secretary-General, while awaiting the report which the Secretary-General will submit to us next November. At that time we should be in a position to evaluate the results achieved along the road that we have marked out and to evaluate the ground that we have already covered.

22. Mr. VAN USSEL (Belgium) (*interpretation from French*): Mr. President, on behalf of my Government and on behalf of my own delegation and of all the Belgian people, I should like first to thank you and the representative of France for your expressions of sympathy and condolence on the occasion of the unexpected death yesterday of Mr. Paul-Henri Spaak.

23. Mr. President, you were kind enough to mention the prestige and authority with which Mr. Paul-Henri Spaak presided over the first session of the General Assembly. Two Belgian statesmen have had the signal honour of presiding over the first session of the Assembly of the League of Nations and the first session of the General Assembly of the United Nations. If, within the framework of European unification, Mr. Spaak was responsible for activities which showed great imagination, ingenuity, talent and uncommon vigour, he never ceased to proclaim his faith in the United Nations and his loyalty towards the Charter. It was my great privilege to work together with

him, particularly when relations between Belgium and the United Nations were at a difficult point. At that time I bore witness daily to the enthusiastic hopes Mr. Spaak placed in our Organization.

24. I should not like to conclude this part of my statement without mentioning the last speech made by Mr. Spaak as Foreign Minister of Belgium in 1965. At that time in the Belgian Parliament he mentioned the ideals of the United Nations, and stated:

“Here again”—referring to the United Nations—“we have had quite a few difficulties which have not yet been overcome. But in spite of disillusionment, the devotion of our Government to the United Nations remains intact, because it is especially when the United Nations does not function that we notice how much we need it. Viewing today’s international situation and considering all the problems which remain unsolved, one very easily comes to this conclusion, which should, I believe, be accepted by everyone, namely, that if we have an international Organization strong and powerful enough to proclaim law and ensure respect for it, then a number of conflicts which exist or which threaten to explode could be resolved in better circumstances.”

25. My delegation has considered with special attention the report submitted to us by the Secretary-General on the implementation of Security Council resolution 309 (1972) concerning the question of Namibia.

26. I should first like to perform the pleasant duty of paying a tribute to the Secretary-General for the competence with which he initiated with the South African Government the contacts provided for in this resolution.

27. The Secretary-General has fully justified the trust placed in him by the Council when it assigned to him a task, which was, to be sure, a thankless one but still a very ennobling one, for it concerns paving the way for the self-determination and independence of the Namibian people in circumstances which will ensure the free and equal exercise of its rights. I should like to add to that praise our gratitude to Mr. Chacko, who, as adviser to the Secretary-General, has fully earned the praise of the Council.

28. My delegation is particularly satisfied with the Secretary-General’s report because, in the mind of the person responsible for the negotiations, their results justify the continuation of the mission.

29. My delegation welcomes in particular the agreement in principle which was reached concerning the appointment of a representative of the Secretary-General whose task it would be to achieve the objectives of self-determination and independence and consider all related matters. My delegation gives its full support to this proposal. We would express the hope that all the parties concerned will give him their forthright co-operation.

30. The goal which the Council has set for itself, the emancipation of the Namibian people, is, to be sure, still distant. Although the South African Government has

demonstrated its goodwill by taking part in negotiations, it still must subscribe to the principle of the national unity and territorial integrity of Namibia so frequently proclaimed by the Council.

31. In this connexion, my delegation felt the same concern as the Secretary-General when the South African Government decided to give autonomy to Ovamboland and announced its intention to act similarly in respect of the Eastern Caprivi.

32. Since that time the Prime Minister of South Africa, Mr. Vorster, has declared that his Government has not adopted any irrevocable decision as regards the future of Namibia. It was, he explained, a transitional period in the course of which the people concerned should be prepared for the exercise of self-determination at an appropriate time. My delegation took note of these assurances, but we would like to recall that it is the Namibian people which must freely choose the political structure of the future State.

33. Having entered that reservation, we would now say we are pleased that the South African Government is prepared to assist the Secretary-General in the discharge of his mission and to make the necessary arrangements for his stay in Namibia and for talks with all the people of the Territory. This justifies the hope that negotiations will develop favourably in an atmosphere of mutual trust, which is necessary for the success of these negotiations.

34. I should not wish to conclude without telling the President as representative of Argentina, as well as the representatives of Somalia and Yugoslavia, how grateful we are to them for the support and assistance they have given to the Secretary-General. The Council asked them to enlighten the Secretary-General, and they have performed their task with devotion and competence, which has earned our praise. We trust that in the future, as in the past, they will remain at the side of the Secretary-General, that they will continue to provide their counsel and that they will continue to pursue this quiet diplomacy which, we believe, will guarantee the success of the negotiations.

35. Mr. MOJISOV (Yugoslavia): Mr. President, allow me first of all to associate the Yugoslav delegation with your expression of sorrow and condolence on the occasion of the death of an outstanding statesman of the world, Mr. Paul-Henri Spaak. I should like to extend our deep sympathy to the delegation of Belgium and to the Government and people of Belgium and express our high esteem for the work carried out and the role played by Mr. Spaak not only in the political life and destiny of his country but in European relations and in the world in general. His death is a great loss not only for Belgium but for the whole international community, which will always remember his dedication and the contributions made by him to better international understanding and the peaceful solution of many international problems.

36. We have met today to express our views and to reach a fitting, although partial, decision on ways and means to approach the question of Namibia, which, in the considered judgement of my Government, is of great importance to the

United Nations. Whatever we say and whatever we do about Namibia, how we assist the just struggle waged by the people of Namibia to end the illegal occupation of their country, will affect in turn the fundamental trust in the world Organization. The duty of the United Nations to help the people of Namibia to achieve freedom and independence in unity and territorial integrity remains our collective responsibility, as so frequently expressed in its decisions on the question of Namibia.

37. We have before us today a comprehensive report of the Secretary-General. As a member of the group of three established by Security Council resolution 309 (1972), we had the privilege of following more closely the activities and the efforts of the Secretary-General in the fulfilment of the mission with which the Council entrusted him. On behalf of my delegation I should like to express my sincere appreciation to the Secretary-General for having shared, through intensive consultations, in the efforts to deal with different questions arising in the pursuance of the very difficult and complex task which he assumed under the mandate the Council entrusted to him by its resolution 309 (1972). We also extend our appreciation to the Secretary-General's assistant, Mr. Chacko, who assisted in a distinguished manner not only the Secretary-General but also the group of three, informing and advising us on the different aspects of the fulfilment of the Secretary-General's mission.

38. We are today engaged in a sort of interim consideration of one of the aspects of the Namibian item on our agenda. Having the Secretary-General's report before us, which encompasses a significant period since the Council's decision in Addis Ababa, we are in a position to make some preliminary assessments of the results of the Secretary-General's mission and, more specifically, to pronounce ourselves on the substantive proposal contained in the Secretary-General's report on the recommendation regarding the appointment of a representative of the Secretary-General who would assist him in discharging his mandate under resolution 309 (1972). This preliminary assessment is based on the partial and initial results of the Secretary-General's mission. However, in the opinion of the Yugoslav delegation we shall need more tangible results, further experience and greater clarification before reaching our final decision. We expect that we shall have such a possibility at the time when we examine more thoroughly and in a more substantive way the next report of the Secretary-General.

39. As a member of the group of three and as the representative of a country with a declared policy of unswerving support for the oppressed African peoples, my delegation feels obliged to submit its views in a more elaborated manner and to state its position on the meaning of the contacts pursued in the implementation of resolution 309 (1972) in the context of all other relevant developments in Namibia at this phase of the fulfilment of the Secretary-General's mission.

40. I should like to reiterate that the fundamental position and the demands of the United Nations with respect to Namibia remain the immutable and consistent point of departure of the Yugoslav Government in any

consideration of the question of Namibia. More specifically, this fundamental position, briefly outlined, means: South Africa must end the occupation of and withdraw its administration from Namibia; the people of Namibia must exercise its inalienable right to freedom and independence; the United Nations should act to reaffirm the national unity and territorial integrity of Namibia; the legitimacy of the struggle of the people of Namibia by all means at their disposal is unquestionable; and the United Nations has a special responsibility and obligation towards the people and the Territory of Namibia.

41. Guided by these basic positions and demands, we voted in favour of the draft resolution that is now resolution 309 (1972) and agreed to participate in the group of three. We were guided by the same principles when expressing our views during the formulation of the aide-mémoire of the group of three which is to be found in annex I to the Secretary-General's report.

42. Regarding the results of the mission of the Secretary-General achieved thus far, the Secretary-General himself expressed the opinion, based on his discussions with the Government of South Africa resulting in documents known as the three points from Cape Town and New York, that it would be worth while to continue the efforts towards implementing the mandate of the Security Council with the assistance of the representative of the Secretary-General and proposed to proceed with the appointment of the representative after the necessary consultations had been completed.

43. Without neglecting certain signs which could probably be interpreted as indirect steps towards changes, we should like at this point to mention very briefly some basic requirements and demands which, in our opinion, have so far not been achieved in the contacts with the Government of South Africa: there is no explicit acceptance of resolution 309 (1972) by the Government of South Africa; no valid explanation was given as to how the Government of South Africa visualizes the realization of the process of self-determination and independence of Namibia; the Government of South Africa has not yet demonstrated in a satisfactory way that it is prepared to change basically its well-known policies towards Namibia; and the Government of South Africa does not agree to have the headquarters of the Secretary-General's representative in Namibia.

44. There have been expressed many grave and justified doubts that the Government of South Africa intends to co-operate fully with the United Nations in creating the necessary conditions for achieving the self-determination and independence of Namibia. These doubts, moreover, have been greatly fortified not only by these deficiencies shown by the South African Government in the contacts with the Secretary-General but also by the actions of the South African Government after the Secretary-General's visit to South Africa and Namibia. Allow me just to mention some of the most disturbing actions: the highly ominous continuation of the application of the policy of "homelands" in Namibia, also described in paragraph 49 of the Secretary-General's report, the intensification of oppressive measures right after the Secretary-General's visit to Namibia, even against some of those persons who met or

endeavoured to meet him and express their views against the illegal occupation of their country; the recent statements by the leaders of the South African Government, like the one by Prime Minister Vorster actually reported on 12 June this year in the press, which quoted him as having said, *inter alia*, that any speculation that a United Nations presence was to be established in Namibia was "unadulterated nonsense".

45. Judging by the foregoing facts, we have a situation in which the Government of South Africa still persists in giving its own interpretation—namely, that the contacts with the Secretary-General are to be conducted only in a manner which South Africa considers to be a framework for such contacts.

46. In paragraph 48 of his report the Secretary-General stated very clearly and directly that:

"During my contacts and consultations with the other parties concerned, doubts were expressed to me about South Africa's readiness to co-operate in the implementation of resolution 309 (1972) and therefore about the possibility of any positive outcome as a result of my contacts with the Government of South Africa."

In the same paragraph, the Secretary-General also said:

"However, despite their doubts, they did not wish to raise any opposition to my efforts in pursuance of my mandate, if for no other reason than to show their readiness to explore all possible avenues for a peaceful solution of the question of Namibia."

47. Frankly speaking, my delegation also has doubts as to the true intentions of the Government of South Africa. We also feel that it must give new evidence of readiness to co-operate so that we could truly expect positive results in the implementation of the Secretary-General's mission. However, since it is too early to reach definite decisions, and in view of the fact that some of the main interested parties, namely the representatives of the people of Namibia and of the Organization of African Unity, have not manifested open opposition to the extension of the Secretary-General's mission—as can be seen from the recent statement released by the African Group in New York—but instead have given a possibility of seeing how the action will further develop, we also can support the continuation of the Secretary-General's mission for a short and specific period of time in the expectation of more visible and substantive results. It stands to reason that in formulating our position we were guided by the standpoints of representatives of the people of Namibia and of the African States.

48. In the light of the obtaining situation and the opinions expressed here and at the previous informal consultations among the members of the Security Council in the group of three and on various other levels, in our opinion the following standpoint could constitute a possible and reasonable course of action. We may accept, with our eyes fully open and aware of all the contingencies of the case in point, the Secretary-General's proposal to extend his mandate until 15 or 30 November of this year and, after the

necessary consultations, he may proceed with the appointment of the representative. It is to be understood, however, that after we receive the second report by the Secretary-General we shall be in a position to review more substantively the results of the mission and adopt an appropriate decision. In the meantime, some of the following conditions should, in the opinion of my delegation, be fulfilled:

—First, there should be a specific and clear formulation of the tasks of the representative, including the conditions of his work and assignment in Namibia.

—Secondly, the representative of the Secretary-General should enjoy full freedom of access to Namibia and throughout Namibia; he should be able to meet anyone anywhere; all Namibians should be able to meet him personally. His first duty should be to achieve an immediate end to the terror and oppression practised against the people of Namibia, their political parties and leaders; to establish their basic rights of freedom of expression and free movement within, to and from Namibia; to release political prisoners and to give the political exiles the right to return and take an active part in political activities in Namibia. We cannot conceive of an honourable and useful presence of the Secretary-General's representative in Namibia in the midst of the continuing oppression.

—Thirdly, we must also obtain unequivocal acknowledgement by the Government of South Africa of resolution 309 (1972) as the framework in which contacts are to be pursued.

—Fourthly, the Government of South Africa should discontinue the application of so-called homelands policies and abolish its oppressive measures in Namibia. This would serve as a clear indication to all concerned of the readiness of the Government of South Africa to co-operate with the United Nations or, on the contrary, it would represent a clear indication that it insists on pursuing its policy of confrontation with the decisions of the United Nations. The fulfilment of those requirements by the Government of South Africa would create the conditions necessary for the continuation of the Secretary-General's mission and that of his representative after November this year.

49. My delegation firmly believes that in the meantime all the respective organs of the United Nations should continue, with the same intensity and without interruption, their efforts on the basis of all other resolutions relating to Namibia. A specific action undertaken in pursuance of resolution 309 (1972) cannot possibly constitute a reason for delaying or weakening other actions. Therefore, the embargo on arms supply, other measures which all Member States have pledged to apply against South Africa, other actions stipulated in the resolution of the General Assembly and the Security Council and the consequences and obligations of all States stemming from the advisory opinion of the International Court of Justice¹ must firmly continue unchanged.

¹ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

50. Furthermore, my delegation feels that the Secretary-General and his representative should in the new phase of their mission more closely co-operate with and more frequently consult all the interested parties—primarily the representatives of the people of Namibia and of the Organization of African Unity and the United Nations Council for Namibia.

51. Mr. FARAH (Somalia): It is unfortunate that we should have had to begin this meeting under a cloud cast by the untimely death of Paul-Henri Spaak. We join you, Mr. President, in the tribute which you have paid to him and in the message of condolence which you have extended to the Belgium delegation on this sad occasion.

52. The Somali delegation, being a member of the consultative group set up last February by the Security Council under its resolution 309 (1972), has perhaps been more closely involved than other delegations in the development outlined in the Secretary-General's report on Namibia. In the discussions that preceded the adoption of resolution 309 (1972), my delegation shared the doubts and uncertainties of many other representatives about the prospects for the success of the new approach proposed in the resolution. But we felt that we should not oppose such an initiative since there were members of the Council who appeared convinced that it could lead to a breakthrough.

53. Before commenting further on the question, I should like to say from the outset that the Secretary-General, true to the mandate given him by the Security Council, has made it a cardinal point of the whole exercise to keep the group of three fully informed of his activities and has consulted it on all the issues involved. We on our part felt it necessary as the starting-point of the exercise of our responsibilities to convey to the Secretary-General our understanding and interpretation of the provisions of resolution 309 (1972). As members will see from annex I to the report, our aide-mémoire stating the points about which there could be no compromise was drawn up as a guide. My delegation is satisfied from the remarks of the Secretary-General incorporated in the aide-mémoire that the points we made were fully taken into account in the execution of his mandate.

54. Let me expand a little on the doubts and uncertainties which, as I have indicated, have accompanied us from the beginning. I believe we have legitimate grounds for our fears about the prospects for a successful outcome to this effort and we are not alone in these doubts. In presenting the draft resolution which subsequently was adopted as resolution 309 (1972) in Addis Ababa last February, the representative of Argentina made mention of "the concerns, the doubts, the hesitations, the serious apprehensions" [*1638th meeting*] of the African, Asian and Latin American countries. Since that time, similar doubts have been expressed to the Secretary-General in the course of his contacts with many of the parties directly concerned, as he notes in paragraph 48 of his report.

55. The scepticism which many of us have felt about the possibility of bringing about a change in South Africa's attitude towards Namibia is based on well-known facts. In the 25 years of the United Nations conflict with South

Africa over the rights of the people of Namibia and the status and future of that Territory, successive Nationalist Party Governments have been completely intransigent and have shown nothing but contempt for the authority of the United Nations and for the rulings and opinions of the International Court of Justice on this question. Whether or not South Africa accepts this, the fact remains that its presence in Namibia is illegal and the United Nations, politically and legally, has a direct responsibility for the Territory until the people achieve their independence.

56. Somalia has been in the forefront of those States—and they constitute a vast majority of the membership of the United Nations—which believe that coercive action under Chapter VII of the Charter is the only effective course of action open to the United Nations to bring about speedy liberation of the Namibian people and respect for this Organization's decisions. However, there are some States—and they are States whose support and co-operation are absolutely necessary for successful United Nations action on this question—which continue to cling to the view that a final diplomatic effort should be made in order to bring about a peaceful solution. This position became evident in the course of last year's discussion of Namibia in the Security Council, although the case against South Africa had never been stronger.

57. I remember that during the course of that debate I asked the South African Foreign Minister, through the President, to give the Council his understanding of what self-determination and independence meant in the context of the Namibian question. The same question was addressed to members of the Council. The interpretations that followed were significant in that while the Council accepted the view that independence for Namibia meant self-determination within a national framework that would preserve the unity of the people and the integrity of the Territory, the South African representative made it clear that his Government visualized self-determination on the basis of the division of the territory on tribal and racial lines, through the establishment of so-called homelands.

58. The opposition of the Namibian people to this policy and its incompatibility with the United Nations principles were well expressed by Bishop Leonard Auala of Namibia in his open letter to Prime Minister Vorster in June 1971, when he wrote:

"We cannot do otherwise than regard South West Africa, with all its racial groups, as a unit. By the Group Areas Legislation the people are denied the right of free movement and accommodation within the borders of the country. This cannot be reconciled with Article 13 of the Human Rights Declaration."

59. Members will, I hope, bear with me when I repeat these facts which are well known to them. I do so because in the view of my delegation this question of what we do or do not mean when we speak of self-determination and independence is a matter of overriding importance in any approach which the United Nations may take towards the question of Namibia. I think it is particularly important to keep this question in the forefront of this debate, because the position of the South African Government, as stated in

the report, is not clear on whether it now accepts the United Nations interpretation of self-determination and independence for the people of Namibia. Furthermore, recent developments support our belief that South Africa has no intention of changing its position. Since the adoption of resolution 309 (1972) it has established a so-called homeland in the eastern Caprivi, by the creation of a Legislative Council for the area, and it has over the past few weeks announced steps for the creation of a Bantustan in Ovamboland.

60. It would have been a hopeful sign if South Africa in this period of supposed co-operation with the United Nations had at least refrained from taking any administrative or political actions in the Territory that would aggravate the situation and make the Secretary-General's task more complicated. But such has not been the case. Indeed, the Secretary-General has expressed his concern over these developments in paragraph 49 of the report.

61. It is hard to escape the conclusion that unless South Africa accepts the interpretation of the other 130 Members of the United Nations of the meaning of self-determination and independence for Namibia we will be speaking at cross-purposes and all our efforts will be mere shadow-boxing.

62. Having stated those negative feelings which my delegation has had about the initiative under discussion, I should now like to say what have been our more positive reactions. As I indicated earlier, my delegation is prepared to leave no stone unturned in the attempt to bring justice with peace to the Namibian people. In Addis Ababa my delegation, along with those which were sceptical, supported the initiation of this new approach because we felt it would have some value even if its only results were to make clear the fact that the South African Government had not changed and that only the use of the Security Council's most forceful measures under Chapter VII of the Charter would produce positive results.

63. My delegation fully appreciates the fact that the effort now in train is an exercise in quiet diplomacy and that it is only those on the inside who are best able to assess and to advise on the usefulness of pursuing this line of action. It may well be that this is an "iceberg" situation, where there could be more substance beneath the surface than appears above it. Obviously, the Secretary-General is in a good position to test the atmosphere in a way that it is not possible for the rest of us to do. My delegation must therefore respect his judgement when in paragraph 50 of his report he expresses his belief that "it would be worthwhile to continue the efforts to implement the mandate of the Security Council".

64. In the nature of things, the report must be considered a preliminary one and exploratory in character, and we expect that the next phase will be a period of intensive follow-up of the initiatives so far taken. In the light of these considerations, my delegation favours the Secretary-General's proposal that he be authorized to appoint a representative to assist him. We note that paragraph 21 of the report sets out the framework within which a representative would work; but we would, at the same time, like to

express agreement with the proposals on this particular aspect of the question so eloquently stated by my colleague and friend the representative of Yugoslavia.

65. In this context we would like to place on record our stand that self-determination and independence for Namibia must presuppose the establishment of such essential political principles as equal political rights, universal suffrage, freedom of speech, freedom of assembly and freedom of movement. Equally important must be the release of political detainees and the right of political exiles to return to the Territory.

66. In short, it would be incompatible with the objectives of the United Nations if any effort in Namibia with which it is associated does not include bringing a speedy end to the iniquitous system of laws and the racist policies which oppress the people of Namibia.

67. In the months ahead my delegation would like to see the Secretary-General, with the assistance of his representative, address himself to these problems, so that when his next report is brought before the Council there can be specific answers to some of the doubts and questions which occupy the minds of many delegations.

68. Certainly there must be a point where the Secretary-General and the United Nations will have to make a very thorough reappraisal of this approach to determine whether it will still be worth while to pursue it or whether the exercise should be abandoned.

69. At this point I should like to draw the attention of members of the Security Council to the fact that the African Group at the United Nations has given careful thought to the Secretary-General's report and has issued a press release on the question. It is the view of the African Group that the report currently before the Council leaves many fundamental questions unanswered. Naturally, the Group will reserve its position on the whole exercise until the second report is issued. The Secretary-General has indicated in his report that he proposes, if his mandate is extended, to issue a further report not later than 30 November 1972. The African Group has suggested that the date should be advanced to 15 November so that sufficient time will be given not only to the Security Council, but also to the General Assembly, to enable these bodies to give their views on this important matter.

70. In closing, I should like to make clear the perspective in which my delegation views resolution 309 (1972). As that resolution carefully points out in its first preambular paragraph, it is without prejudice to other resolutions adopted by the Security Council on the question of Namibia. We believe, and indeed we will continue to insist, that the Security Council should proceed, simultaneously with the initiative of resolution 309 (1972), to carry out programmes of action which have as their end the effective implementation of resolution 283 (1970), resolution 301 (1971) and resolution 310 (1972). These resolutions call for important political and economic measures which the President of SWAPO has welcomed because in his words, "They support the aspirations and goals of our struggle for liberation". The Council must continue to work

on all fronts and must not allow any one resolution or any one initiative or any one course of action to suspend or to halt other actions advocated by the Council from continuing.

71. Finally, permit me to express the sincere appreciation of my delegation for the sterling services that have been rendered in this whole question by the Secretary-General with the able assistance of his advisors. Should the proposal of the Secretary-General be approved and should the Security Council agree to the continuation of Somalia on the consultative group I should like to say that my delegation would be honoured by the decision.

72. The PRESIDENT (*interpretation from Spanish*): The representative of Nigeria, as a representative of the United Nations Council for Namibia, has indicated his desire to make a statement at today's meeting. I am now pleased to call on him.

73. Mr. ADENIJI (Nigeria): Mr. President, permit me at the outset to associate myself with the expressions of condolence which you conveyed to the delegation of Belgium on the death of Mr. Paul-Henri Spaak, a distinguished statesman.

74. As a representative of the United Nations Council for Namibia, I am grateful for being accorded this opportunity to address the Security Council in connexion with its consideration of the report by the Secretary-General on the implementation of resolution 309 (1972).

75. The invitation extended to the Council for Namibia at its request, like those on previous occasions, is a recognition of the role which the Council has been called upon to play in the discharge of the responsibilities which the United Nations has assumed in regard to the Territory. These responsibilities, it must be recalled, flow from the action of the General Assembly in terminating the Mandate of South Africa over Namibia in 1966 [*resolution 2145 (XXI)*], an action which subsequently endorsed by the Security Council in 1969 [*resolution 264 (1969)*], and, more recently, by the International Court of Justice in its advisory opinion of 21 June 1971.

76. Permit me at this juncture to express on behalf of the Council for Namibia my gratitude to the Secretary-General and to his assistants for their efforts, the results of which are embodied in the report now before the Council.

77. It is the position of the Council for Namibia that resolution 309 (1972) must not be misconstrued as a retreat from the legal status which Namibia has attained. It is merely one in a sequence of United Nations efforts aimed at the withdrawal of South Africa's illegal presence from Namibia. This being the case, the Council for Namibia had expected to take an active part in events leading up to the preparation of the report which is now before the Security Council.

78. In this connexion I would recall paragraph 1 of resolution 309 (1972), which invited the Secretary-General

"to initiate as soon as possible contacts with all parties concerned, with a view to establishing the necessary

conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations”.

79. The Council for Namibia was not just a concerned party, but the sole body established by the United Nations to prepare the people of Namibia for self-determination and to administer the Territory until independence.

80. In attempting to discharge its duties—and this is the same with other United Nations bodies concerned with the question of Namibia—the Council has been faced with the incessant defiance of the Government of South Africa, which is in illegal occupation of the Territory of Namibia. Like other United Nations bodies also, the Council has always welcomed the opportunity for joint action to implement the United Nations Mandate in regard to the Territory.

81. It was in this spirit of co-operation that the Council for Namibia had expected to be involved with the implementation of resolution 309 (1972) resulting in the preparation of the report which is now before the Security Council. Unfortunately, the Council for Namibia was regarded merely as one of the bodies concerned and was so treated. It did not have an opportunity, as the sole body established by the General Assembly with the responsibility for Namibia, to express its views in detail.

82. In paragraph 2 of resolution 309 (1972), the Government of South Africa was called upon to co-operate fully in the implementation of the resolution. The text of that resolution was transmitted to the Government of South Africa. But what has been the reaction of that régime? Let me recall a statement made by the Prime Minister of South Africa to the South African House of Assembly on 4 February 1972. He said:

“if he”—the Secretary-General—“wishes to come to South Africa to act as a mouthpiece for the extremists of the Organization of African Unity and others, and decisions taken in that connexion, he will nevertheless be welcome and still be very courteously received by us but I can tell him in advance that he will be wasting his time” [see S/10738, para. 6].

83. Despite those rather arrogant remarks of the Prime Minister, the Secretary-General dutifully undertook the visit and listened to the Prime Minister reaffirm his Government’s policy of so-called self-determination and independence for the peoples of Namibia, that is, a reaffirmation of the policy of homelands.

84. Since the visit by the Secretary-General to South Africa and Namibia, the Government of South Africa has not by its public pronouncements given the Council for Namibia much hope that it was ready to accept the United Nations concept of self-determination for Namibia. By its conduct in the Territory, the South African Government has left no doubts as to its determination to ignore human rights, suppress civil and political rights and apply its own unique concept of self-determination to Namibia by the policy of granting self-government to homelands.

85. Perhaps the following would bring the conduct of South Africa into sharper focus. It was announced on 2 June 1972, for instance, that so-called self-rule would be offered to Ovamboland. It was also announced later that self-government would be granted to the Damara people, whose leaders, incidentally, have refused to consider the offer. Though these offers of self-rule have been condemned by the Council for Namibia and rejected by leaders of the Namibian people, such as Bishop Auala, who fortunately is present here today, the Government of South Africa has nevertheless decided to proceed.

86. Many people have been expelled for conduct unfavourable to the Government of South Africa, people who have been assisting the Namibian people to achieve the aim which the United Nations has set for them. Among these was the Anglican bishop, Colin Winter, who was accused of defending the right of Namibian workers to strike. The Acting President of SWAPO in Namibia was recently served with a banning order by the Government of South Africa, confining him to the magisterial district of Windhoek and forbidding him to make speeches or to engage in political activities.

87. In the name of the Council for Namibia, I would strongly appeal to the Security Council to bear in mind these acts of breach of faith on the part of the South African Government before it decides on a future course of action.

88. The Council for Namibia regrets the failure to involve it actively in connexion with the implementation of resolution 309 (1972), an omission which it hopes will be avoided in any future action in pursuance of that resolution.

89. In the light of recent experiences, the Council for Namibia feels that it cannot emphasize too strongly the need for total support by all organs of the United Nations for the legal status over the Territory of Namibia. I repeat, it must be adequately involved in future efforts to implement resolution 309 (1972) if the United Nations is not to erode its legal position with respect to Namibia.

90. Finally, I wish to emphasize again that the United Nations must resist with all its resources any attempt at Balkanization of the Territory of Namibia. The unity and territorial integrity of Namibia must be preserved. This should be an article of faith for the United Nations in the further implementation of resolution 309 (1972).

91. Mr. HUANG Hua (China) (*translation from Chinese*): The prolongation of the United Nations dialogue with the South African authorities on the question of Namibia and the appointment of a personal representative of the Secretary-General are not a simple matter of a procedural and routine nature. Therefore, the Chinese delegation is not in favour of a hasty and perfunctory handling of this question. This is a question which remains unsettled in the long struggle between the peoples of Namibia and the rest of Africa and all the countries and people that support the principles of self-determination and independence, on the one hand, and the South African colonialist authorities and the forces of colonialism and neo-colonialism, on the other.

In the past two decades and more, the General Assembly and the Security Council have adopted many positive resolutions on the question of Namibia, but none of them has been carried out. This is because the South African authorities and their supporters have stubbornly resisted the efforts of the United Nations in their attempt to perpetuate their forcible occupation of Namibia and further to annex it completely.

92. The United Nations position on the question of Namibia is clear from the various resolutions of the General Assembly and the Security Council. It can be summed up as follows: the illegal rule of South Africa over Namibia must be ended, and the United Nations is the Administering Authority for Namibia; the national unity and territorial integrity of Namibia must be upheld, and the South African authorities' policy of so-called Bantustans for the purpose of "divide and rule" must be opposed; the Namibian people are entitled to their inviolable political rights and basic human rights, and the South African authorities' policies of *apartheid* and racial discrimination must be opposed; the South African authorities must release the political prisoners they have arrested. It is the unshirkable duty of every Member State of the United Nations to fulfil and implement these resolutions.

93. Basing ourselves on the aforementioned resolutions and having studied the report by the Secretary-General on the implementation of Security Council resolution 309 (1972), the Chinese delegation finds that some fundamental questions are far from clear. For instance, what should be the point of departure and purpose of the dialogue? Which of the United Nations principles concerning Namibia have been accepted or rejected by the South African authorities through the dialogue? What words and deeds on the part of the South African authorities are sufficient to encourage the Security Council further to prolong the dialogue? All this calls for clarification by the Secretary-General and the group of three. The Security Council and the United Nations Council for Namibia are in duty bound to study these questions carefully. The following are the questions I want to raise.

94. First, it has been explicitly pointed out in the relevant resolutions of the Security Council and the General Assembly that the continued presence of the South African authorities in Namibia is illegal and that they must withdraw unconditionally their military and police forces as well as their administration therefrom. However, the well-known fact is that over a long period the South African racist régime has categorically rejected this and has intensified its efforts to strengthen its Fascist rule over Namibia. What indications have emerged from the contacts with the South African authorities showing that the latter have changed their previous persistent stand? What consequences will continued dialogue bring to the implementation of General Assembly resolutions 2145 (XXI) and 2248 (S-V)?

95. Secondly, in its relevant resolutions the United Nations has repeatedly stressed and reaffirmed the national unity and territorial integrity of Namibia and condemned the South African authorities for all their acts of undermining Namibia's unity and territorial integrity, such as the

establishment of "Bantustans". However, through the past decade and more, the South African racist régime has adamantly pursued its so-called homeland policy for the purpose of "divide and rule". Through the current dialogue have the South African authorities expressed their willingness to stop their colonialist policy? What actions have they taken to this end? What is the implication of the consistent policy of "self-determination and independence" referred to by the South African authorities? What preparatory steps have they taken in this connexion? Does their so-called consistent policy of "self-determination and independence" have the same meaning as the self-determination and independence referred to in the United Nations Charter and the relevant resolutions on Namibia?

96. Thirdly, in its relevant resolutions the United Nations repeatedly condemned the South African authorities for pursuing their policy of *apartheid* and demanded that they immediately release the political prisoners they had arrested and cease their persecution of the freedom fighters of Namibia. However, the South African authorities have acted to the contrary. They have been wantonly practising *apartheid* and have arrested a large number of Namibian freedom fighters, turning Namibia into a prison. After the dialogue, has the South African racist régime agreed to stop its policy of *apartheid* and decrees of suppression, release the political prisoners and grant basic democratic rights to Namibia? What concrete steps is it prepared to take to end its reactionary policies? Failing this, how can the self-determination and independence of Namibia be achieved?

97. Fourthly, in its relevant resolutions, the United Nations repeatedly reaffirmed the direct responsibility of the United Nations for Namibia, and in pursuance of General Assembly resolution 2145 (XXI) the United Nations Council for Namibia was established as the Administering Authority for Namibia. If the South African authorities are to accept only the personal representative of the Secretary-General but reject the representative of the Council for Namibia, and if the Security Council is to accept this condition, what effect will it have on the resolutions adopted in the past? Where will the Council for Namibia stand?

98. Fifthly, the report fails to make clear the terms of reference of the Secretary-General's representative to be appointed. We should like to know what the tasks of this representative will be. What will be his concrete terms of reference and what will be his relationship to the Security Council? What are the considerations for the candidacy?

99. Those are the questions I would raise for clarification. This might be over-serious, at least in the eyes of certain people who have confidence in the South African authorities. But we are materialists. We would respect the facts and the truth.

100. Mr. HAKSAR (India): We have heard with regret the news of the demise of Mr. Spaak. He was a great son of Belgium and a distinguished and respected statesman of international reputation. The Indian delegation would like to associate itself with the expressions of sympathy and condolence which have already been extended to the delegation of Belgium.

101. Mr. President, we recall with admiration your initiative and labours as representative of Argentina which contributed so much to the adoption of Security Council resolution 309 (1972) at Addis Ababa. It is fitting that the Council's discussion of the Secretary-General's report which follows from that resolution should now commence under your presidency. We are glad that an open and formal discussion is taking place. It is only appropriate that a subject of such vital importance to the future of so many people should be discussed in this way. Any other method would have left room for doubts and ambiguities which could only hamper the pursuit of the goal to which we have all subscribed. That goal is clearly indicated in numerous resolutions of the United Nations, as also in the advisory opinion of the International Court of Justice. We recall, in particular, Security Council resolutions 264 (1969), 301 (1971), 309 (1972) and 310 (1972).

102. Resolution 309 (1972), under which we are proceeding today, does not prejudice the other resolutions and also reaffirms the inalienable and imprescriptible right of the people of Namibia as well as its national unity and integrity. There can and shall be no compromise on these basic principles. The processes initiated under resolution 309 (1972) are directed towards the realization of these principles. There is no scope in it for making any concessions or adjustments to accommodate any other point of view.

103. India has reaffirmed principles in clear and unequivocal terms in the Security Council, in the General Assembly and in the United Nations Council for Namibia, of which it is a member. It is in the light of that position that we shall also consider the present efforts in relation to the question of Namibia.

104. We have heard the Secretary-General today and also studied his report with close attention. We appreciate deeply the dynamism and dedication with which he has responded to the mandate given to him under resolution 309 (1972) and the persevering efforts made by him and his collaborators. We appreciate also the co-operation and assistance extended by the group of three States members of the Security Council, which is acknowledged in the Secretary-General's report and its annexes.

105. We realize fully the complex nature of the Secretary-General's efforts in the pursuit of his mandate. Moreover, they have just begun and are still by no means complete. A further report is promised in November. By then we hope our information will increase and many considerations will become clear. We would then be in a better position to comment more fully. It would thus be proper to wait until November.

106. However, at this time it would only be fair to us, to the members of the Council, to the Secretary-General and, above all, to the people of Namibia if we once more clearly emphasized that self-determination and independence for Namibia must be viewed in absolute terms and only in the context of the whole of Namibia. Any so-called self-rule, home rule, or self-determination on the line of Bantustans is a negation of this and must be unacceptable.

107. In this context we view with concern the statement reported to have been made by the Prime Minister of South Africa following the release of the Secretary-General's report. As mentioned in paragraph 49 of the Secretary-General's report, the Secretary-General had conveyed to the Government of South Africa his concern regarding the developments in respect of the Eastern Caprivi and Ovamboland in further application of South Africa's so-called homelands policy and has expressed the hope that the South African Government would not proceed with any measures which could adversely affect the outcome of the contacts which he had initiated.

108. The Prime Minister of South Africa, in his statement to which I have referred, has described these developments as "simply part of the process by which the peoples concerned are being politically prepared to exercise at the appropriate time their right of self-determination". Many of us with our own experience of having suffered under colonial domination cannot fail to take note of the ambivalent connotations of this. In the same statement the Prime Minister of South Africa has mentioned that trust and confidence are essential prerequisites in the search for a solution. Not only do these need to be reassured—and measures such as the restoration of fundamental rights and the release of political prisoners are also relevant to this—but it is also necessary to ensure that there is complete clarity regarding definitions and terminology. We have no doubt that this should be borne in mind in the implementation of resolution 309 (1972).

109. It is in the light of these considerations that the Indian delegation will participate in the Council's decision on the present report. We note the Secretary-General's intention to continue to discharge his mandate in consultation and close co-operation with the Security Council and its group of three. We hope that, as in the present report the continued efforts will include all the parties concerned, including also the other relevant organs of the United Nations such as the United Nations Council for Namibia and others mentioned in the report. The responsibility of the United Nations with respect to Namibia is clear and must be fully discharged.

110. Mr. ABDULLA (Sudan): Mr. President, my delegation is sorry to hear of the unexpected death of Mr. Paul-Henri Spaak of Belgium and wishes to join you in expressing our deepest sympathy and condolences to the representative of Belgium.

111. My delegation has studied with interest and care the Secretary-General's report on the implementation of Security Council resolution 309 (1972). The Sudan delegation has no intention of discussing the substance of the report or of passing any judgment on it, having already had the opportunity to discuss a good deal of its contents during informal Security Council meetings and at informal meetings with the Secretary-General himself during his informal briefings of the members of this Council.

112. This attitude is dictated by the delicate nature of the mandate of the Secretary-General and by the attitude of the African Group towards resolution 309 (1972). We shall however reserve our position on the question until the

publication of the second report, which, as the present draft resolution [S/10750] suggests, will be submitted not later than 15 November 1972.

113. My delegation wishes also to reaffirm its firm stand on the whole Namibian question on the basis of General Assembly resolution 1514 (XV) and the relevant Security Council resolutions as well as the resolution of Namibia adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its ninth session held in Rabat last June [see S/10741]. We wish also to associate ourselves with the views expressed in the aide-mémoire submitted by the group of three to the Secretary-General and which appears as annex I of the Secretary-General's report. We also endorse the comments of the Secretary-General in the same aide-mémoire, which show beyond doubt his full understanding of his mandate.

114. We are aware of the immense difficulties he had to cope with in his discussions during the initial stage of his contacts. We have no doubt—and we are sure he has no doubt—that more difficult contacts lie ahead of him should his mandate be extended. His main difficulty will be that he bases his talks with the authorities of South Africa on decisions of this Council on Namibia, which South Africa adamantly refuses to acknowledge or to comply with. His comment on point 8 of the aide-mémoire of the group of three proves our assumption. It shows that on four occasions—twice by letter and twice in his discussions with the Prime Minister and the permanent representative—he explained to the South African authorities that he was taking his initiative in pursuance of Security Council resolution 309 (1972). We notice that on no occasion does the comment show that the South African authorities had tacitly or implicitly acknowledged resolution 309 (1972). Assuming that it was conveyed to him orally, we doubt that the reply was other than evasive and non-committal.

115. My delegation is not in the least surprised by such an attitude on the part of the Government of South Africa. Its record in the United Nations only points to its persistent defiance and refusal to acknowledge, let alone comply with, the decisions of this Council on the question of Namibia.

116. The experience of the United Nations with South Africa gives no reason to believe in its goodwill towards genuine co-operation with the Secretary-General in fulfilment of his mandate. In our view, he and the Government of South Africa represent two opposite poles. While he champions the principles of the self-determination and independence of a united Namibia, South Africa stands arrogantly by its policy of disintegration and division of Namibia through adopting and executing a repugnant and outmoded policy of homelands or Bantustans in Namibia which is essentially based on segregation, race, colour and exploitation and is maintained by naked repression. And whereas one stands for the immediate termination of the illegal administration and the withdrawal of the forces of repression, the other continues to consolidate its oppressive machinery and extends further its policy of Bantustans and councils of traditional chiefs manipulated by white administrators. I ask how those two poles could meet.

117. It is not conceivable to believe that by agreeing, in one way or another, to talk to the Secretary-General, the Government of South Africa has suddenly changed its policy, or has a mind to do so. One day, to be sure, it will be obliged to come to reason. We would hope that the Secretary-General would succeed in making South Africa see reason and comply with the general will of the Namibian people and the decisions of this Council and world opinion. Any indication of goodwill on the part of South Africa will be welcome. At this stage my delegation would welcome a clear and positive declaration of its acceptance of the principles of the United Nations Charter and the relevant decisions of the General Assembly and the Security Council on Namibia. We would advocate and welcome positive measures by the Government of South Africa in Namibia that demonstrate and prove the sincerity of such a declaration.

118. First and foremost, no new Bantustans or councils should be created in Namibia. Repressive laws should be rescinded and repressive forces should be immediately withdrawn from the Territory. At the same time full freedom of speech, of movement and of political association should be ensured. Subsequently, political prisoners should be set free and deportees should be given amnesty to return to Namibia. As a token of co-operation with the Secretary-General, should the mandate be extended, his representative should be allowed to set up his office in Windhoek, with all the staff he requires.

119. Without such a declaration and supporting concrete evidence of goodwill, my delegation will remain convinced that the acceptance of conducting further contacts with the South African authorities will only serve the attempt being made by South Africa to appease both world opinion and the Namibians.

120. In all circumstances, my delegation remains convinced, as do the Namibians themselves, that in the final analysis it is the Namibians themselves, through their legitimate struggle, who can and will liberate their country. My country and all other freedom-loving countries will continue to give them the support they need to obtain their freedom and liberty.

121. In expressing these doubts on the intentions of the Government of South Africa and displeasure about its policy on the question of Namibia, my delegation does not aim at expressing any particular optimism or pessimism about the possible extension of the mandate of the Secretary-General, nor do these views attempt to minimize or to discourage him in his initiative. The Secretary-General may rest assured that my delegation has great confidence in him and in his sincerity and devotion to the task that may be entrusted to him by the extension of his mandate.

122. Finally, should the members of the Council see fit to adopt the draft resolution under consideration on the expansion of the mandate of the Secretary-General, my delegation will join in wishing the Secretary-General good luck in the difficult task which the Council may decide to remandate to him. My delegation will, however, reserve its position until submission of the second report of the Secretary-General not later than 15 November 1972, should

the present draft resolution be adopted. By then, my delegation will be prepared to make its position very clear in both the General Assembly and the Security Council.

Tribute to the memory of Mr. Paul-Henri Spaak
(continued)

123. Mr. BUSH (United States of America): Mr. President, although I did not plan to speak at this meeting I would ask your indulgence in order to offer the deepest sympathy of the United States delegation to the Government, delegation and people of Belgium upon the death of Paul-Henri Spaak. Mr. Spaak was one of the giants among the international statesmen of our time. He was tireless, imaginative and stubborn in his search for peaceful and constructive solutions to world problems. Whether one found in him a faithful friend or a formidable adversary, he universally evoked respect and admiration. The world is better because of him; it is poorer without him. And I am sure he would prefer no other memorial than the achievement of a more peaceful world, especially through the strengthening of the effectiveness of this Organization.

124. Sir Colin CROWE (United Kingdom): I had not intended to intervene in this debate until tomorrow, but I would simply like to add a few words to the tributes we have already paid to the memory of Paul-Henri Spaak. A great world statesman, particularly one who played such an important role at the United Nations, may, I think, justifiably be claimed by us all. My country has so many special reasons to be grateful for his life and for his work. During the war we worked side by side for victory, and after the war, when we turned to reconstruction, Paul-Henri Spaak appeared as one of the major architects of the new Europe. His contribution in his own country, as Secretary-General of NATO, and in other international forums was unfailingly determined and effective. It was always characterized, as those who knew him well will recall, by his inimitable blend of forthrightness, honesty and good humour. For all those reasons I am glad to join in the tribute the Security Council has appropriately paid to his memory.

125. Mr. MIGLIUOLO (Italy) (*interpretation from French*): Mr. President, I hope you will allow me to express my condolences to the representative of Belgium and to add to the expressions of grief expressed this morning by Council members at the death of Paul-Henri Spaak. As an Italian and as a European, I share the grief of others at this table at the death of a statesman who was able to remain so deeply loyal to his ideals and at the same time retain a remarkable feeling of international solidarity. I should be very grateful to the representative of Belgium if he would be kind enough to transmit to his Government the deepest condolences of the Italian delegation.

126. Mr. VAN USSEL (Belgium) (*interpretation from French*): Mr. President, allow me to express my deep gratitude to the representatives of Yugoslavia and Somalia, to the representative of Nigeria as representative of the United Nations Council for Namibia, and to the representatives of India, the Sudan, the United States, the United Kingdom and Italy, for the kind words of sympathy they have expressed at the death of Mr. Paul-Henri Spaak. I shall not fail to transmit to my Government, and also to

Mrs. Spaak, the condolences expressed by Council members.

127. As one of those who contributed to the building of European unification and integration, and who worked with such eminent and farsighted statesmen as Mr. de Gasperi, Mr. Adenauer, Mr. Robert Schuman and Sir Winston Churchill, Mr. Spaak on the eve of his death saw the culmination of one of his greatest efforts.

128. A socialist deputy since 1932, he associated himself closely with the liberation of the worthy working class of my country. As Foreign Minister of Belgium and as Secretary-General of NATO, he devoted all his efforts and energy to the construction of a strong Atlantic community both as regards diplomacy and defence. Within him were commingled qualities of statesmanship and deep human generosity, which he used to bring about the rapprochement of all the people of the world and to ensure co-operation between Africa and Europe.

129. Those of us who, like me, knew him during the 1960s will recall that he was an indefatigable pilgrim of peace who gave up his national, European and international duties to remain here in New York to attend meetings of the Fourth Committee, the General Assembly and the Security Council and to work together with his African friends to achieve one of the main objectives of Belgian policy, namely, the attainment of national sovereignty by the Trust Territory of Ruanda-Urundi, and, besides independence, to achieve the strengthening of the friendly and brotherly relations between my country and the African countries.

130. The PRESIDENT (*interpretation from Spanish*): I am sure that the representative of Belgium will transmit to his Government and to the family of Mr. Paul-Henri Spaak the expressions of grief and solidarity which we heard at this morning's meeting.

Statement by the President

131. The PRESIDENT (*interpretation from Spanish*): We have now come to the end of the month of July; at the same time I have come to the end of my term of office as President of the Security Council. On this occasion I should like to convey to all the members of the Security Council and to the distinguished Secretary-General and his very efficient associates my deepest appreciation of the co-operation which they have given me in the discharge of my responsibilities. Without the assistance of all my friends and colleagues around this table, my duties would not have been performed in the way in which I have been able to carry them out.

132. Before I adjourn this meeting, and taking advantage of this occasion, I should like to make an announcement. Today, if there are no objections, we shall distribute the interim communication [S/10749] prepared in the Working Group which the President of the Security Council transmits to the Secretary-General in connexion with his note of 25 February 1972 concerning General Assembly resolution 2880 (XXVI) on the implementation of the Declaration on the Strengthening of International Security.

The meeting rose at 1.05 p.m.