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NOTE

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Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

SEVENTEEN HUNDRED AND FIFTY-SIXTH MEETING

Held in New York on Monday, 10 December 1973, at 3 p.m.

President: Mr. HUANG Hua (China).

Present: The representatives of the following States: Australia, Austria, China, France, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1756)

1. Adoption of the agenda.
2. The situation in Namibia:
 - (a) Letter dated 4 December 1973 from the Permanent Representatives of Guinea, Kenya and the Sudan to the United Nations addressed to the President of the Security Council (S/11145);
 - (b) Report by the Secretary-General on the implementation of Security Council resolution 323 (1972) concerning the question of Namibia (S/10921 and Corr.1).

The meeting was called to order at 3.50 p.m.

Expression of thanks to the retiring President

1. The PRESIDENT (*translation from Chinese*): My first duty as President of the Security Council for the month of December is to express to the outgoing President, Ambassador Jankowitsch of Austria, the warm appreciation of all members of the Council for his dedicated services as President of the Security Council for the month of November.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:

- (a) Letter dated 4 December 1973 from the Permanent Representatives of Guinea, Kenya and the Sudan to the United Nations addressed to the President of the Security Council (S/11145);
- (b) Report by the Secretary-General on the implementation of Security Council resolution 323 (1972) concerning the question of Namibia (S/10921 and Corr.1¹)

2. The PRESIDENT (*translation from Chinese*): I have received letters from the representatives of the Niger and

Somalia requesting that they be allowed to participate, without vote, in the debate on the item before us, under the terms of Article 31 of the Charter and in accordance with the relevant provisions of the provisional rules of procedure of the Council. Accordingly, I propose, with the consent of the Council, and in accordance with past practice, to invite them to participate without vote, in our discussion.

3. In view of the limited number of places available at the Council table, I shall invite the representatives concerned to take the places reserved for them at the side of the Council Chamber, on the understanding that they will be called to the Council table when it is their turn to speak.

At the invitation of the President, Mr. J. Amina (Niger) and Mr. H. Nur Elmi (Somalia) took the places reserved for them at the side of the Council Chamber.

4. The PRESIDENT (*translation from Chinese*): I have also received a letter, dated 3 December 1973, from the President of the United Nations Council for Namibia, in which he requested, in accordance with the decision taken by that Council, that a delegation of the United Nations Council for Namibia be invited to participate in the discussion of the Council concerning the question of Namibia. That delegation will consist of the President of the Council for Namibia, the representative of Zambia, as well as the representatives of Burundi, Indonesia and Mexico.

5. Accordingly, I propose that the Council extend an invitation, pursuant to rule 39 of the provisional rules of procedure, to the delegation of the United Nations Council for Namibia. As I hear no objection, I shall take it that the Council agrees to the proposal.

At the invitation of the President, Mr. P. J. F. Lusaka (President of the United Nations Council for Namibia), Mr. P. Mikanagu (Burundi) and Mr. M. Sidik (Indonesia) took places at the Council table.

6. The PRESIDENT (*translation from Chinese*): The Security Council will now proceed to its consideration of the situation in Namibia in accordance with the request contained in a letter dated 4 December 1973, addressed to me by the representatives of Guinea, Kenya and the Sudan [S/11145].

7. The Security Council last discussed this question at its 1678th to 1682nd meetings held between 28 November and 3 December 1972. I should like to recall, further, that

¹ See *Official Records of the Security Council, Twenty-eighth Year, Supplement for April, May and June 1973.*

on 30 April 1973, the Secretary-General submitted a report to the Security Council on the implementation of resolution 323 (1972) [S/10921 and Corr.1].

8. I now call on the Secretary-General.

9. The SECRETARY-GENERAL: It will be recalled that in Security Council resolution 323 (1972), I was asked by the Council to seek further clarification of the position of the South African Government on a number of important issues concerning the policy and intentions of that Government with regard to Namibia. The report which is now before the Council in document S/10921 and Corr.1, sets out the results of the further contacts with representatives of the Government of South Africa, which took place in New York and Geneva over a period of four months. The contacts were, as previously, carried out in close consultation with the Group of Three of the Security Council, composed of the representatives of Peru, the Sudan and Yugoslavia, to whom I am greatly indebted for their valuable advice and assistance.

10. These further contacts sought clarification from the South African Government on its position on several fundamental questions raised during the last debate in the Council on this matter and, in particular, a complete and unequivocal statement of its policy regarding self-determination and independence for Namibia in line with the principles clearly set out in resolution 323 (1972). Accordingly, in my discussions with the representatives of the South African Government, I emphasized the firm stand of the United Nations on the international status of Namibia, the preservation of its national unity and territorial integrity, and the exercise by the Namibian people of their right to self-determination and independence as a single, united nation. I also stressed that, in order to create conditions for the people of Namibia to exercise that right, it would be necessary to abolish discriminatory legislation and to remove restrictions on freedom of movement and political activity, including freedom of speech, freedom of association and the freedom to hold political meetings.

11. Following my discussions with the Minister for Foreign Affairs of South Africa, I received from the latter on 30 April the statement of his Government's position which is reproduced in paragraph 13 of the report. In this connexion, I also wish to draw the attention of the Council to paragraph 14, which contains information concerning the position of the Government of South Africa on some of the other questions dealt with during our discussions.

12. As I pointed out in paragraph 18, although the statement made clearer South Africa's position on some of the basic issues, it falls short of the complete and unequivocal clarification of South Africa's policy in regard to self-determination and independence for Namibia which the Council sought when it adopted resolution 323 (1972).

13. Because the Security Council had requested me to submit my report not later than 30 April, there remained no time, after receiving the statement from the Foreign Minister of South Africa, to contact the other parties concerned and include their views in the report. However, subsequently I have had the opportunity of obtaining the

views of several of these parties, namely the United Nations Council for Namibia, the President of the South West Africa People's Organization (SWAPO) and Chief Clemens Kapuu, the Chairman of the National Unity Convention in Namibia, with whom I met recently in New York. The position of the Organization of African Unity on Namibia is contained in the resolution adopted at the twenty-first session of the Council of Ministers and endorsed by the Assembly of Heads of State and Government in May this year, which was formally transmitted to me.

14. In addition to receiving the views of these parties, I was able to discuss this matter with many Heads of State and Government during my visits to Zambia and the United Republic of Tanzania and during my attendance at the OAU summit conference in Addis Ababa in May and at the Conference of Non-Aligned States in Algiers in September.

15. In general the view was that, in the light of the position of the Government of South Africa as given in its statement of 30 April 1973; no useful purpose would be served by continuing the policy envisaged in resolution 309 (1972) of the Security Council. The view was also expressed that the approach indicated in resolution 309 (1972) should be resumed only if the Government of South Africa were to make a substantial move towards reconciling its position with that of the United Nations.

16. I feel obliged to bring this additional information to the President's notice and to the notice of members of this Council, as it will no doubt have a bearing on the decisions which you will have to reach during your present series of meetings.

17. In conclusion, I should like to express my deep conviction that the Council will remain aware of the profound and continuing obligation which the United Nations has assumed towards the people of Namibia.

18. Mr. PEREZ DE CUELLAR (Peru) (*interpretation from Spanish*): May I first of all pledge to the President of the Security Council for this month, Ambassador Huang, the most cordial co-operation of the delegation of Peru, and at the same time I should like to express warm congratulations to the outgoing President, Ambassador Peter Jankowitsch, for the intelligent and effective manner in which he conducted our work in November.

19. We are meeting this afternoon to consider the report of the Secretary-General on the implementation of Security Council resolution 323 (1972) concerning the question of Namibia. This report represents the latest stage of the experiment begun by the Security Council when it adopted resolution 309 (1972), which was presented so skilfully and brilliantly at the historic series of meetings in Addis Ababa by the representative of Argentina, Ambassador Ortiz de Rozas.

20. I should also like to express my great appreciation for the manner in which the Secretary-General, impeccably observing the mandate entrusted to him by the Council, pursued negotiations with the Government of South Africa during which he yielded not an inch of the rights of the people of Namibia, which have so often been proclaimed by the United Nations.

21. Unfortunately, there has been no clear and unequivocal pronouncement by the Government of South Africa on its policy in regard to the exercise of the right to self-determination and independence of the people of Namibia, and on their national unity and territorial integrity. Quite the opposite, the Government of South Africa has confirmed the division of the Territory into bantustans by means of legislative measures which were adopted at the beginning of this year.

22. Today, when we have just celebrated in the plenary meeting of the General Assembly the twenty-fifth anniversary of the Universal Declaration of Human Rights, we cannot but regret that this barrier to self-determination still exists in a territory the legal status of which is crystal clear, for no one can honestly deny the authority of this Organization over it.

23. Having all these facts before us, the delegation of Peru, which participated in the group of the Security Council established pursuant to resolution 309 (1972), after talks with members of the Council, has submitted a draft resolution contained in document S/11152. As will be observed, the preambular part is limited to a reference to the report of the Secretary-General. Here I would venture to make an oral amendment which consists of adding an additional preambular paragraph, which would be the first preambular paragraph, and it would simply read: "Recalling its resolutions 309 (1972), 319 (1972) and 323 (1972)".

24. Operative paragraph 1 expresses our appreciation for the report of the Secretary-General, to whose excellent work I had an opportunity to refer earlier. In operative paragraph 2 the Council decides to discontinue the efforts already made on the basis of resolution 309 (1972), which is also explained in the first part of my statement. Operative paragraph 3, which is closely linked to paragraph 2, ensures that the Council will continue to take up any important matter which might arise and which, in the opinion of the Secretary-General, warrants submission to us for consideration.

25. We trust that the adoption of this draft resolution will cause no difficulties, since it flows from the need to preserve the authority which our Organization must have.

26. The PRESIDENT (*translation from Chinese*): I call now on the President of the United Nations Council for Namibia, Mr. Lusaka.

27. Mr. LUSAKA (President of the United Nations Council for Namibia): Mr. President, allow me, first of all, to express my gratitude to you and to all the members of the Security Council for enabling the United Nations Council for Namibia to be present at your deliberations. As President of the United Nations Council for Namibia, it is indeed an honour and a duty for me to address the Security Council and to provide it with some assistance at a time when it is considering the report of the Secretary-General on the implementation of resolution 323 (1972) on Namibia. My colleagues on the Council for Namibia already had an opportunity of addressing the Security Council in 1972 in Addis Ababa and here in New York on this question. The presence of a representative of the United

Nations Council for Namibia during those debates, as well as at this meeting, is a recognition of the responsibilities accepted by the United Nations in regard to that Territory. Those responsibilities proceed from the decision of the General Assembly which terminated the Mandate of South Africa over Namibia in 1966 and its establishment of the United Nations Council for Namibia in 1967. Yet, for over six years, South Africa has defied the United Nations and, regardless of the decision of the Security Council—reinforced by the advisory opinion of the International Court of Justice—has not only continued to occupy the territory illegally, but has further intensified the application in Namibia of its evil *apartheid* policies and practices, which were one of the primordial reasons why it was declared unfit to administer the Territory.

28. For more than six years, in contemptuous disregard of the authority of the United Nations and world public opinion, South Africa has continued to oppress the people of Namibia, dividing them and confining them to remote and inhospitable areas and resorting to the most ruthless use of armed force and police state measures in its efforts to stifle the demand of the Namibian people for their legitimate and inalienable rights and to suppress those who are struggling for their freedom and independence.

29. When the Security Council, in its resolution 309 (1972) of 4 February 1972, invited the Secretary-General to initiate contacts with all parties concerned, with a view to establishing the necessary conditions which would enable the people of Namibia to exercise their right to self-determination and independence, it did so because the pressure on South Africa was so great, as a result of the advisory opinion of the International Court of Justice of June 1971² and the mass reactions that followed it in the Territory, that it was thought that South Africa would be ready to accept a peaceful transfer of the administration to the United Nations, and in particular, to the United Nations Council for Namibia.

30. Like many others, the United Nations Council for Namibia was sceptical about the usefulness of any dialogue with South Africa. The Council for Namibia cautioned that South Africa should not be allowed to use the establishment of contacts to procrastinate and prevaricate in order to consolidate its illegal occupation of Namibia. At the same time, the Council insisted that the national unity and territorial integrity of Namibia should be preserved and the Bantustans abolished, and that the policy of *apartheid* should be stopped. It also required the abolition of all restrictions upon freedom of movement and political activity.

31. The report of Ambassador Escher came as a surprise to all, including the members of the Security Council. The Council for Namibia was dismayed to find that the Vorster régime had attempted, through duplicity and subterfuge, to trap the Security Council into granting some kind of legitimacy to its continuing illegal occupation of Namibia and into giving a semblance of approval to its Bantustan

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

policies in Namibia. Not only had it failed to agree to the right of free movement within the Territory—a right which we consider to be the prerogative of every citizen in a democratic society—but it had even refused to give a clear and unequivocal interpretation of its policies with regard to self-determination and independence for Namibia, which was the very essence and purpose of the contacts, claiming that it was not appropriate to go into a detailed discussion on the question at that stage.

32. When the Security Council, despite the totally negative stand taken by South Africa, decided to continue the mandate of the Secretary-General, our worst fears were confirmed. It was clear that Vorster had succeeded in diverting attention from the crucial question of the withdrawal and transfer of power over Namibia, by giving a semblance of legitimacy to South Africa's presence in the Territory and that he was utilizing the contacts to consolidate further its hold over the Territory. Even while the contacts with the Secretary-General were still going on, the Vorster régime was hastening the implementation of its *apartheid* policy of Bantustans aimed at destroying Namibia's national unity and territorial integrity.

33. In the light of the foregoing, the Council for Namibia was not in the least surprised that the further round of contacts created under resolution 323 (1972) resulted in no significant modification of South Africa's position on any of the basic issues. The report of the Secretary-General on the third phase of the contacts was issued on 30 April 1973 [*S/10921 and Corr.1*].

34. The Council for Namibia has met and considered that report. Special attention was given to the question raised very pointedly in paragraph 19, which I quote:

“The question arises whether, in the light of the results achieved so far, the contacts and efforts initiated pursuant to resolutions 309 (1972), 319 (1972) and 323 (1972) should be continued. Should the Security Council decide to continue these efforts, it should bear in mind my earlier statement to the effect that time and protracted discussion would be required if any progress is to be achieved.”

35. The Council will have noted that in the report [*ibid.*, annex II, para. 5 (b)], the Secretary-General has reported that the Council for Namibia, before submission of the Secretary-General's report, called for termination of the contacts.

36. This report did not help the Council for Namibia to emerge from the feeling that these contacts are useless for the purpose of liberating Namibia from Vorster's yoke. The Council will note that the paragraph which I have just cited not only mentions that “protracted discussion would be required if any progress is to be achieved”, but it speaks of “any progress”, which implies the assumptions that no progress has been made so far. We must, therefore, ask ourselves what span of time “protracted discussions” would cover if after more than a year of contacts no progress has been made. As all the reports show, and as is stated in paragraph 5 of the latest report, these contacts are forever bedevilled by the fact that

“... circumstances beyond our control made it impossible for us to examine exhaustively all the basic issues during the period available to us”.

37. The likelihood that there will ever be sufficient time “to examine exhaustively all the basic issues” during any phase of contacts seems as elusive as the clouds in the heavens. For the conduct of Vorster's régime indicates that they intend to avoid by every possible means adherence to the only issue with which the United Nations is concerned—that is, the question of withdrawal and transfer of power to the United Nations over Namibia.

38. Vorster not only diverts discussion into tangential issues, but adds injury to insult by indulging in the most blatant equivocation which could ensnare only the negligent. But by these very acts he indicates his consciousness of the extent to which he and his clique of racists in Pretoria have tried deliberately to brutalize the minds of the African people who have had the terrible misfortune of falling under their inhuman domination. They hope, no doubt, that pressures will be applied to make us chase after the carrots they dangle before us.

39. I could cite at great length evidence in support of the proposition that Vorster is bent upon trying to deceive us into accepting his presence in Namibia. But I cannot inflict upon you the agony of having to listen to a recitation of Vorster's attempts at deception. You and all the members of this high body are all too painfully familiar with them. Therefore I will mention only the most recent, merely because of its importance for careful thought rather than as corroboration.

40. In paragraph 14 of the most recent report, the Secretary-General cites information given to him by the Minister for Foreign Affairs of Vorster's racist régime as follows:

“On the basis of present developments, the Government of South Africa anticipates that it might not take longer than 10 years for the population of South West Africa to reach the stage where it will be ready to exercise its right to self-determination.”

41. That statement, strictly interpreted, means that by 10 years from today, in the eyes of the racists, the people of Namibia will reach only that stage when they will be able to exercise their right to self-determination—that is, to choose whether or not they want independence or something else, but not attain independence itself. That offers us the hope that the people of Namibia will choose independence. But it is necessary to guard against the seductiveness of that prospect. For the realities are that Vorster and his racists, if we consent to it, will remain in occupation of the Territory to work their own mischief by conditioning the minds of the people, particularly those who can be bought with racist gold, and by establishing institutions which will ensure that such choice as they will be permitted to exercise will be favourable to the colonialist imperialists in Pretoria. What is worse is that acceptance of that 10-year period will imply acceptance of the presence of Vorster in Namibia and his right to impose his brand of political development upon its people.

42. In that connexion, it is necessary to note that Vorster's régime introduced into the South African Parliament, on 8 February 1973, the Development of Self-Government for Native Nations in South West Africa Bill and established the Advisory Council, which had been rejected in November 1972, and packed it with puppets of Pretoria. In the meantime, Vorster has embarked upon a vicious propaganda campaign of misrepresentation which seems to have been designed to have a twofold effect. He claims publicly that his acts in Namibia have the blessings of the United Nations.

43. Clearly, that is designed to lull the people of Namibia into a state of acquiescence to the imperialist strangle-hold which Vorster is trying to gain over Namibia. For if they believe Vorster's lies they will believe that the establishment of colonial domination over their territory, having the blessing of the United Nations, is in the best interest of its people.

44. At the same time, it seems also to be intended to have a not dissimilar effect upon those outside Namibia who are critical of the violence which Vorster is doing to the people and the Territory of Namibia. The regions of the world in which that can have any credibility need not be mentioned by me.

45. All the reports of contacts between the Secretary-General and those acting on his behalf with Vorster, if we need to rely on them, show that, except for the paid puppets, all the people of Namibia want Vorster and his racism to be removed from Namibia. We cannot allow ourselves to do anything which would jeopardize the retention of that spirit of dignity and independence of the people of Namibia. Rather, we should act to encourage and mature it. For it is the courage and determination of the people of Namibia which will win and maintain for them independence from racist domination.

46. However, we need to counter the possible effects of Vorster's lies. I can assure you that the Council for Namibia is pursuing this energetically. We can allow neither the people of Namibia nor indeed the people of any part of the world to be duped into the acceptance of Vorster's mendacities.

47. The racist régime of South Africa has continued to treat with equal contempt the entire United Nations. They have disregarded, and continue to disregard, the resolutions of the United Nations, including the advisory opinion of the International Court of Justice which terminated their Mandate over Namibia, and have been trying deliberately to mislead the Security Council. They have begun to implement the so-called Odendaal plan which, *inter alia*, is a blueprint to further fasten the illegal hold of South Africa over Namibia.

48. Under its illegal occupation of Namibia, and while pretending to participate in the conduct of a dialogue with the Secretary-General, in compliance with Security Council resolution 310 (1972), the *apartheid* régime of South Africa has continued to assault the territorial integrity of Namibia through persistent application to that Territory of the odious policy of so-called homelands or Bantustans.

They have begun to try to erode national unity in the so-called homelands; they have launched a vicious campaign against Namibian family life through the institutionalization of the so-called influx control, alias pass laws; and, as before, they have been forcibly removing groups or tribes from their established areas to make room for whites. The old town of Katutura was demolished in 1971 for the same purpose.

49. Superimposed upon these inhuman and illegal policies was the establishment of a so-called Advisory Council, comprising the régime's hand-picked representatives accountable only to the prime racist of the illegal régime. Torture, detention without trial, indiscriminate murder, terrorism and flogging are the order of the day in Namibia.

50. I shall now read a letter transmitted to me by the Secretary-General, who received it from Namibian women. I shall read it as I received it in its rough translation.

"To the Members of the United Nations,

"In the name of the women of Namibia I would like to bring the following to your attention:

"(a) We hereby wish the guidance of God for the General Assembly of the United Nations; may God give you the wisdom which you will need in dealing with these difficult matters; may the Holy Spirit inspire you to differentiate between what is the truth and what are lies.

"(b) Hear our cry in need because you are now our Moses. You are appointed by God to mediate for the nations under oppression. We are being tortured here in Namibia in secret but because we live in isolation we have not the possibility to make our need known and if we succeed to do so we are tortured by the South African Government.

"We, the women of Namibia, have hard times and we are tired of carrying our burden further, which means seeing by what methods those to whom we gave birth are being tortured. Many of our children are now in jail. Many of them are burned with electricity and many of them have been killed.

"Now, from August 15, 1973, nearly all freedom fighters are put in jails which burn them like hot grill-pans. These jails are built with corrugated iron only and are standing in the burning sun. Those inside turned pale because of the heat and we fear what can happen to them.

"(c) The women of Namibia are beaten and tortured very much, e.g. Aneli Dama, and others. The women are ordered to lie on their stomachs and then they are beaten shamelessly (it may mean that they were naked). Some of them are still in jail and suffer a lot.

"(d) The freedom fighters are being beaten up only by the Chiefs (Headmen). When the South African Government could not bring any charges against these men they were sent to the Chiefs who had beaten them with palm sticks, 15-20 strokes, e.g. Andreas Nuukwawo, . . . and others received as many strokes.

"(c) Harsh laws are being put into practice against the teachers to keep them from active political involvement. Many of them lose their work without knowing the reasons why. . . .

"The School councils have been dismissed because they asked for the reasons why these teachers were expelled. This Government only wants to use the 'blind'. Anyone who says that each person is the image of God and should have human rights is put into jail. We are not allowed in Ovambo to use the word "Namibia". Those who do that are terribly beaten up.

"(f) The Government uses almost the same primitive methods of punishment now as in the traditional times. They, for example, take the freedom fighters from their homes--Johanne Nangutwala for instance was banned from his home. They use the uneducated to torture their own people.

"Hear our cry in need, brothers. We and our children are tortured by the South African Government and they are 'very busy' torturing the people. We have raised our voice to God and now we turn to the organization of the peace of the world so that the help of God can come to us through you.

"If it should go on like this, we shall be totally destroyed. We shall always be tortured.

"We trust that our cry in need will bring you hastily to us--our cry.

"Thanking you on behalf of the women of Namibia."

51. It will be noted that the illegal occupiers have chosen to ignore human rights and to disregard the will of the people of Namibia and of the United Nations because of the existence of the policy of appeasement, saturated with the indifference of South Africa's major trading partners and sympathizers who, unfortunately, are among the most powerful of the industrial, commercial and military States in the United Nations.

52. The Council for Namibia feels extremely dissatisfied with the conduct of the contacts because the dialogue has, as I have pointed out, been diverted from the central issue--the withdrawal of South Africa's illegal occupation from Namibia. We had hoped, in spite of our scepticism about the utility of dialogue with Pretoria, that it might have been possible, with a genuine and vigorous effort, to make some progress; but our hopes have been frustrated and our scepticism confirmed. In the face of the manifest intent of Vorster never to permit the dialogue to focus upon the essential issue which exists between the United Nations and Vorster on the question of Namibia, there seems no point in permitting the continuation of apparently interminable arguments with Vorster on merely tangential questions, accompanied by insincerities and deliberate attempts at deception.

53. What is even more important is the fact that Vorster has been claiming United Nations approval for his illegal presence and conduct in Namibia. If, being aware of that

fact, we consent to a continuation of the dialogue, the world will believe Vorster's misrepresentations to be true, however vociferously or persistently we may deny it. Vorster's *bona fides* may be questionable now, but our conduct could give him considerable credibility.

54. It is true that the Council for Namibia called for the termination of the current contacts before the report of the Secretary-General had been seen or its contents were known, but we have just elaborated the reasons which we believe justify that stand. There are those who are being misguided or are cunningly and maliciously representing our just demands as precipitate, because we did not await the so-called "concessions" which they claim Vorster has made to the Secretary-General.

55. The South African régime destroyed the prospect of any credibility being attached to the assurances given by it to the Secretary-General with regard to freedom of political activity, including the holding of meetings, by arresting in Ovamboland early in May of this year nine national leaders of Namibia.

56. An analysis of what is being represented as a "concession" by the Vorster régime shows that the "concession" is only apparent and not real and is in fact a cunning manoeuvre on its part. If the United Nations were to accept it, the racists of Pretoria would be given, in effect, the illegal right once more to tyrannize over the people and Territory of Namibia for at least another 10 years. Very likely acceptance of South Africa's position would be tantamount to agreeing that racist tyranny may remain in Namibia forever. Paragraph 14 of the report says:

"On the basis of present developments, the Government of South Africa anticipates that it might not take longer than 10 years for the population of South West Africa to reach the stage where it will be ready to exercise its right to self-determination."

57. It is necessary to note that by that so-called concession, after 10 years the people of Namibia would reach only that stage where they would be able to exercise their right to self-determination, not that of independence itself. That ultimate goal, so fervently desired by the people now, would be placed much further beyond their reach than appears at first glance if Vorster's so-called concession were agreed to now, for the United Nations would be giving the racist tyrants the opportunity during those 10 years to work their evil machinations in the Territory and to stamp out the determination of the people, which exists now, to achieve independence and the right to manage their own affairs.

58. Moreover, by acceptance of the so-called "concessions", the United Nations would be giving, once more, to the apostles of *apartheid* in Pretoria the legal right to continue to brutalize the people of Namibia as they have been doing over the past 50 years.

59. If after 50 years of administration by Pretoria, another 10 years are necessary to reach the stage when the right to self-determination can be exercised, the conclusion which must be drawn is that Pretoria was not competent to

implement that responsibility. The situation in the Territory today shows that this is not a logical deduction but a demonstrable fact.

60. The United Nations Council for Namibia, on the basis of the facts just recounted, is opposed to continuation of the contacts between the United Nations and the Vorster régime of South Africa because it believes they can only prejudice the United Nations position and result in *de facto* recognition of a situation which is illegal and contrary to the interests of the Namibian people. The contacts must be terminated since, as has been proved, they have served only to alleviate the pressure created by the Advisory Opinion of the International Court of Justice.

61. Let me point out that the Council for Namibia is not alone in that conclusion. Among others who have formed a similar judgement is the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, which in its report to the General Assembly states that:

“No contacts, dialogues or negotiations should be conducted with South Africa except to arrange for the immediate transfer of power in accordance with the provisions of General Assembly resolution 2145 (XXI)”.³

62. We have been mindful also of the fact that SWAPO of Namibia, through its President, Mr. Nujoma, also called for discontinuation of the dialogue at a press conference which he held during the first week of May of this year at United Nations Headquarters, here in New York.

63. The Organization of African Unity, at its summit conference in Addis Ababa, in May of this year, also adopted a similar decision. Governments of African countries with which the Council for Namibia had consultations in their capitals have since then reaffirmed their individual decisions to demand termination of the contacts. That opinion was shared by the non-aligned summit held in Algiers last September and by a number of United Nations bodies and organizations including the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Fourth Committee.

64. This wide similarity of views has not unnaturally caused the Council for Namibia to feel even more confident in the correctness of its decision. Therefore it is being urged here with that sense of assurance which arises from the knowledge that our views have been examined and re-examined by others who have come to the same conclusion.

65. It is often argued that once the contacts are terminated the United Nations will not have an alternative action to ensure that the people in Namibia will enjoy their right to self-determination and independence. It is true that South Africa might have lost its last chance to ensure the peaceful transfer of power in the Territory to the United Nations Council for Namibia. However, it is not the first

time that the United Nations has tried to convince South Africa to accept the authority of the United Nations over Namibia. There were, for example, the Good Offices Committee, the Carpio Mission and many other official and unofficial contacts. The result was always the same: the contacts failed because South Africa never discussed in good faith and always tried to use the United Nations for its own ends. In the meantime, the Pretoria régime continued its illegal occupation of Namibia and the plunder of its wealth.

66. The Council for Namibia, at a special session held in Lusaka, during its visit to Africa in June of this year, assessed the existing situation concerning the struggle to liberate Namibia. At the end of its deliberations the Council issued a Declaration on the Question of Namibia.⁴ In that Declaration the Council reaffirmed its decision, made in March this year, that the contacts must be terminated because they are detrimental to the interests and welfare of the people of Namibia.

67. Stemming from that reaffirmation of its stand on the contacts between the United Nations and the Vorster régime of racists, the Council for Namibia drew a number of conclusions. We now wish to urge the Security Council to terminate the contacts and in so doing to adopt some of the conclusions of the Council for Namibia as measures to deal with the situation which will be created by the termination of the contacts.

68. As the Council for Namibia and many others have come to recognize, it is necessary for the Security Council to acknowledge the following:

“The United Nations Council for Namibia has come to the conclusion that the time has come for the international community to recognize that South Africa’s illegal occupation of Namibia cannot continue without serious danger to international peace and security. It is therefore incumbent on all the nations of the world actively to support the struggle of the people of Namibia for liberty and independence, not only politically but also materially.”⁴

69. That obligation to assist actively the legitimate struggle of the people of Namibia for their rights to self-determination and independence lies heaviest on this Security Council. For, as is stated in paragraph 8 of the Lusaka Declaration of the Council for Namibia:

“The United Nations, having assumed responsibility for the Territory, has an obligation to intensify its action to compel South Africa to withdraw from Namibia and allow the United Nations Council for Namibia to take over administration of the country. The Council for Namibia will urge the Security Council, the United Nations organ charged with primary responsibility for international peace and security, to fulfil its obligation under the Charter of the United Nations by taking effective action to compel South Africa to withdraw immediately from Namibia.”⁴

³ See Document A/9061, pertaining to agenda items 23, 70, 71 and 72 of the twenty-eighth session of the General Assembly, issued separately (offset).

⁴ See *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 24*, para. 157.

70. Among measures which the Security Council can consider are those identified by the Council for Namibia in paragraph 5 of its Lusaka Declaration—that is, the Security Council should adopt a resolution which will impose an obligation upon all countries who are giving political, military, economic and financial support, either directly or indirectly, to the régime of the occupying Power to discontinue such aid and support immediately. They should also withdraw their consular offices from Namibia. Furthermore, the investment of foreign capital and the activities of Western transnational corporations in Namibia exploiting and exhausting the natural resources of the country to the detriment of the rightful owners of these resources must be terminated. Several petroleum companies which had withdrawn at about the time of the advisory opinion of the International Court of Justice have taken up prospecting concessions. A number of companies have started new prospecting ventures.

71. Governments seem not to be aware that by allowing powerful financiers, whether persons or corporations, from among their nationals to invest in Namibia, they are subjecting themselves to powerful pressures to maintain and support Vorster's colonialist ambitions in Namibia for the sake of men whose greed has enveloped their judgements. In so doing, they are creating an engine for their own destruction. For Namibia's wealth, added to that already under the control of Pretoria's racist imperialists, will enhance and strengthen their imperialist opportunities and ambitions, and, indeed, will encourage them into further illegal and aggressive conduct. In that connexion, I wish here to remind the Security Council of the effect of the same policies and practices upon the imperialist ambitious Nazi Germany and to remember that Vorster was a disciple of Hitler.

72. However, it is the view of the Council for Namibia that, if necessary, the Security Council should not hesitate to adopt measures under Chapter VII of the Charter of the United Nations to compel Vorster and his band of imperialist-colonialist plunderers to withdraw from Namibia. The United Kingdom decided to bring the case of an illegal régime in Southern Rhodesia to the Security Council as a threat to peace under Chapter VII. The Namibian question is equally dangerous. South African troops and police are extremely active in Namibia. The United Nations is unable to solve this problem without applying Chapter VII. In order, therefore, to strengthen the force of international law, the Security Council—which has the primary responsibility for peace and security—must take it upon itself to consider measures not exclusive of Chapter VII which will help in removing South Africa's occupation régime from Namibia. At the special meetings of the Security Council held in Addis Ababa in February 1972, the then President of the Council for Namibia, Ambassador Shahi of Pakistan, stated the responsibility of the Security Council as follows:

“The cardinal issue before the Security Council concerning Namibia is the removal of South Africa from the Territory so as to create proper conditions in which the United Nations can discharge the responsibilities it has assumed in respect of Namibia. It is to this cardinal issue that the Security Council must address itself. In the

considered opinion of the overwhelming majority of the Members of the United Nations, the Council, in keeping with its functions and responsibilities, should no longer shrink from taking appropriate measures, if necessary, under Chapter VII of the Charter to compel South Africa to withdraw its administration and presence from Namibia without delay.” [1628th meeting, para. 91.]

73. Let there be no doubt about the seriousness of the present situation nor about the seriousness of the undertakings of the Council for Namibia which were made in the Declaration:

“Every effort will be exerted to marshal the international community into contributing to that undertaking. Vigilance will be maintained to ensure that the international community will not be made to waver or be diverted from that course by the South African racists, colonialists and their imperialist allies.”⁴

74. I wish to conclude my statement with the serious and earnest request to the Security Council that all the organs of the United Nations work together to free Namibia and all of southern Africa from Pretoria's imperialist clutches, and to free the world from a serious threat to international peace and security by way of a racial war.

75. The Council for Namibia, during the course of its visit to Africa, was afforded the opportunity to visit capitals and border areas in the south of Africa. Everywhere we went we could actually feel the tension originating from the presence of the troops of the racists that, for example, form an arc around Zambia. Their presence, combined with the ever-present threat of sabotage of vital facilities, creates a situation which can explode very easily into a major racial conflagration. It is clear that if a military conflict starts in southern Africa today, it will be impossible to contain it. It will embroil all of Africa and ultimately draw in the rest of the world.

76. There is only one way in which the situation can be defused. The racists must be compelled to respect the United Nations and the principles of law and justice which it represents and which it has been demanding to be accorded to the people of Africa.

77. The time has come for the Security Council to acknowledge that, in its hesitation to take effective measures, it has contributed to the development of a serious threat to international peace and security by, for example, allowing the aggressive racist imperialists in Pretoria to expand their domination in southern Africa and to make satellites of Ian Smith and his rebels, and of the Portuguese colonialist rulers in Angola and Mozambique. Vorster's band of racists now looms as a large and menacing presence in the south of Africa, ever threatening to invade and occupy.

78. A decisive stage in the question of Namibia has been reached. The time for decision is now.

79. Mr. ODERO-JOWI (Kenya): Mr. President, my delegation congratulates you on your assumption of the high office of President of the Security Council for the month of

December. Under your leadership, I am sure that the Council will discharge its responsibilities with effectiveness and dignity. I also congratulate the Ambassador of Austria for the way in which he conducted the Council's deliberations during the month of November.

80. The question of Namibia is a painful one. The United Nations has been seized of it in its legal and political organs since its inception. Significant case law has developed on this Territory. In all this, the unchallenged view in law and in politics has been that the United Nations has a degree of responsibility for the Territory previously administered as a Mandate by the racist régime of South Africa. In 1966 the General Assembly, with the support of the Security Council, terminated the Mandate of South Africa over Namibia and assumed responsibility for that Territory. The opinion of the International Court of Justice, issued in June 1971 pursuant to a Security Council request, vindicated the termination of that Mandate and defined the limits of contact that States should have in respect of activities carried on in Namibia.

81. In spite of all these efforts of the United Nations, the South African régime is still illegally exercising its authority in Namibia in open defiance of the United Nations Council for Namibia, the body charged by the United Nations with the responsibility for overseeing the interests of the Namibians. The South African régime has refused to discuss the crucial question of transferring power to the Council and the people of Namibia and withdrawing therefrom. We must condemn this intransigence and illegal presence, for it is contrary to the Charter of the United Nations and to international law.

82. This act of omission on the part of the South African régime constitutes grave aggression, not only against the Namibian people and Territory, but against the international community as well. It contradicts all efforts at peace and reconciliation; it invites discord, hatred and the use of the only other means available, namely, the application of force to evict the South Africans from the United Nations Territory of Namibia.

83. The alternative just mentioned is one that this Council and the African peoples inside and outside Namibia can take with comfort. Considering that already the southern African situation is an area fraught with tension and threats to international peace and security, we cannot afford to add insult to injury. South Africa, anxious to have an empire in southern Africa, extends its tentacles to the British colony of Southern Rhodesia, and in collusion with the Fascist Portuguese, maintains its active presence in Mozambique and Angola. Racial tension in the entire area is, to our regret, a way of life. Independent countries close by are subjected to intrusion and harassment. In the wake of such grave threats, of which the United Nations is fully aware and of which it is seized, the Security Council should exercise its full responsibility and end the South African presence in Namibia.

84. The United Nations has been ridiculed and downgraded in the eyes of public opinion as impotent in enforcing its decisions. South Africa's defiance and continued aggression in its occupation of the United Nations

Territory of Namibia gives credibility to such feelings. The Council, as the body charged with the primary responsibility for maintaining international peace and security, must come to the rescue of the United Nations. It must go a stage further than mere talking; it must act now and remove the colonial shackles of South Africa from Namibia.

85. In calling upon the Security Council to act, my delegation is mindful of the fact that the Council is made up of individual delegations, some of which are very close allies of South Africa. The Council's inability to act, therefore, is to be blamed not only on the régime of South Africa but on those who make it possible for South Africa to defy the Council and the United Nations. These friends of South Africa actively trade with it and maintain a presence in South Africa and in Namibia. They are beneficiaries of the evil system of *apartheid* in South Africa and in southern Africa. They derive economic benefits and cherish strategic interests beyond their responsibility to the Charter of the United Nations and respect for human dignity and the self-determination of peoples.

86. As presently constituted, the Council enjoys impeccable and valuable support from its members from Africa, Asia, Latin America and Eastern Europe. But significantly, the Western European members of the Council—or at least some of them—have consistently given only partial and faltering support to the Council on matters such as the one we are discussing. This group is well known for its pious respect for the rights of men and individuals and for international law, but this region, which has considerable influence on both South Africa and Portugal, should examine its conscience and its long-term interests and cast its weight in accordance with justice and the wishes of Namibia, Africa and the other regions of the world. Verbal support is not good enough. The Western countries must go the extra mile.

87. When Africa and other regions supported the Security Council in its resolutions 319 (1972) and 323 (1972), they did so with considerable misapprehension. In spite of their doubts of the legality of such talks with an illegal occupier long after its mandate was terminated, they suspected that South Africa would not respond with equal magnanimity to their overtures in seeking an early, peaceful solution to the Namibian question. However, they gave the benefit of the doubt to South Africa and the members of the Western group. We Africans hoped that this group—and I mean the Western group—which has close ties and wields considerable influence on South Africa, would apply friendly pressure on South Africa in such a way that it would begin the process of transferring power to the United Nations and thus honourably end its occupation of Namibia. The mission of the Secretary-General was, however, fraught with insuperable difficulties, as his report clearly spells out. The régime of South Africa did not give a categorical clarification in regard to:

(a) South Africa's policy regarding self-determination and independence for Namibia; (b) the composition and functions of the proposed advisory council; (c) the removal of restrictions on movement and measures to ensure freedom of political activity, including freedom of speech and the holding of meetings; and (d) the discon-

tinuance of measures in furtherance of South Africa's 'homelands' policy". [S/10921 and Corr.1, para. 6.]

88. It appeared, therefore, that those who were in a position to advise South Africa lost the opportunity as well as the good will of the African people and of the General Assembly of the United Nations. No doubt they also lost the good will of many members of the Security Council. Since the South African régime did not appear to consider seriously an honourable end to its illegal rule in Namibia, the African and other peace-loving peoples have come to the conclusion that a continuation of the dialogue between the United Nations and the South African authorities must be ended.

89. My delegation notes that the South African régime in its reply to the Secretary-General had in part the following to say:

"On the basis of present developments, the [régime] of South Africa anticipates that it might not take longer than 10 years for the population of South West Africa to reach the stage where it will be ready to exercise its right to self-determination". [Ibid., para. 14.]

90. My delegation cannot accept that the illegal occupier should dictate or determine the timing of the realization of the inalienable right of the Namibians to self-determination. The illegal occupier should not arrogate to itself further usurpation of the prerogatives of the United Nations over Namibia. The Council cannot accept the compounding of illegality with illegality. Without in any way detracting from the position that my delegation has just stated, the Council observes that this proposition has not been followed seriously by the régime of South Africa. For example, the Pretoria régime has not said categorically that it intends to evacuate Namibia within that time nor issued a time-table that it considered applying to the question of withdrawal. The Council and the United Nations are therefore left precisely without any clear information on the position of the South African régime. Nothing short of an immediate, unconditional and complete pullout from Namibia by South Africa—which is long overdue—would satisfy my delegation, or for that matter this Council. The régime of South Africa and its friends should pay heed to this warning.

91. Besides, it is with considerable regret that my delegation notes from press reports that the South African régime has continued to pursue its policy of Bantustans in Namibia. It has also apparently approved the flogging of the indigenous people by some of the chiefs imposed upon them. These are aspects of the Namibian question that the Security Council cannot accept.

92. In conclusion, my delegation takes the view that, first, the Government of South Africa should be condemned for its continued illegal occupation of Namibia, its perpetuation of the policy of Bantustans in the area, and its continued exploitation of the resources of that Territory;

93. Second, the Council should request the permanent members of the Western group of the Council which have continued to co-operate with the South African Govern-

ment, to exercise the utmost influence on South Africa with a view to bringing an immediate end to South Africa's illegal occupation of Namibia.

94. Third, the Council should request those countries which continue to trade with South Africa and to exploit the resources in Namibia, as a result of licences granted by the South African authorities, or otherwise invest resources in Namibia pursuant to South African laws, to desist from such activities immediately.

95. Fourth, the Council should request all those countries which maintain a diplomatic or consular presence in Namibia to terminate them immediately. In this regard those countries which maintain such relations with Pretoria should so prescribe their jurisdiction so as to exclude Namibia.

96. Fifth, the Council should, at the present time, terminate United Nations dialogue with South Africa since there is no basis at present for realizing the desired results.

97. Finally, I should like to request you formally, Mr. President, to invite the representative of the South West Africa People's Organization, under rule 39 of the provisional rules of procedure of the Council, to participate in the Council's debate.

98. Mrs. Jeanne Martin CISSE (Guinea) (*interpretation from French*): Mr. President, before speaking on the subject of the problem before us, I should like to extend to you the heartfelt congratulations of my delegation and pay a tribute to your predecessor, my colleague and friend Ambassador Jankowitsch of Austria, for having conducted, with so much competence and dynamism, both the consultations and the meetings of the Security Council during the past month.

99. More than six years have elapsed since our Organization, by resolution 2145 (XXI) of the twenty-first session of the General Assembly, put an end to the Mandate entrusted to South Africa to administer Namibia and decided to take over direct responsibility for the Territory and its population. Throughout this period, the racist Government of South Africa continued to violate the obligations devolving upon it by refusing to comply with the pertinent decisions of the General Assembly and the Security Council. On the contrary, the racist minority is resorting increasingly to coercion and oppression of the Namibian people for the purpose of perpetrating its illegal occupation of this Territory, thereby hampering the exercise of the inalienable right of this people to self-determination and independence. Moreover, it is extending its criminal policy of *apartheid* by establishing alleged independent homelands, or Bantustans, in order systematically to destroy the national unity and the territorial integrity of Namibia.

100. The Security Council is thus placed in the dilemma of either assuming its responsibilities or observing passively the challenge flung at it by the Government of Pretoria. Already in the course of its historic special series of meetings held on African soil at Addis Ababa, from 28 January to 4 February 1972, the Security Council by its

resolution 309 (1972), entrusted the mandate to the Secretary-General calling upon him to initiate contacts with the parties concerned "with a view to establishing the necessary conditions for enabling the people of Namibia, freely and with strict regard to the principle of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations". The Security Council, moreover, urged the South African Government to co-operate fully with the Secretary-General in the implementation of that resolution.

101. In spite of the laudable efforts undertaken by the Secretary-General in pursuance of resolution 309 (1972) and knowing the obstinacy of the racist minority, a large number of delegations, including my own, have always had serious doubts concerning the usefulness and efficacy of contacts between the United Nations and the Pretoria Government. The disappointing conclusion of the report of the Secretary-General, as the result of a mission carried out by his Special Representative to the South African authorities in Namibia, confirmed our apprehension.

102. The most recent report of the Secretary-General, which my delegation has examined with the greatest of interest, shows clearly that South Africa still has no intention of complying with decisions of the United Nations inviting it to withdraw immediately from Namibia, nor to abolish its policy of *apartheid*, of the so-called homelands, a policy which has not only been condemned by international opinion, but, better still, has met with the vehement opposition of the overwhelming majority of the Namibian population.

103. At the very time when contacts were being conducted between the Secretary-General and the South African authorities, Pretoria was intensifying the application of the hideous system of Bantustans. Evidence of this is the proclamation of two homelands—the Ovamboland and Kavangoland—as "autonomous zones". Moreover, in March 1973, South Africa established an alleged "Advisory Council", consisting essentially of members of the administration of the homelands and not including the authentic representatives of the people of Namibia. By illegally applying such measures, Pretoria has ignored the opinion of the majority of the Namibians in their claims to their lawful aspirations.

104. We note with regret that tension in the Territory has become more serious recently as a result of the pitiless pursuit of repression against the nationalists of SWAPO, chiefly in Ovamboland.

105. The Namibian people has shown its will to take into its own hands the question of the liberation of its country and to have its right to self-determination and independence prevail by all the means at its disposal. In the face of this firm commitment, the Tenth Assembly of Heads of State and Government of OAU expressed its determination to provide all possible support to the liberation movement of Namibia.

106. In the resolution adopted for this purpose, OAU reaffirms its full and unconditional support to the Namibian people in their legitimate struggle for Namibia's

independence, calls upon the international community to increase its political, moral, financial, material and other forms of support to the people of Namibia, under the leadership of SWAPO, in order to enable them to carry out an effective armed struggle so as to expedite the attainment of independence of Namibia, condemns the South African racist authorities for their enforcement of the racist policy of Bantustans which is designed to destroy the unity and territorial integrity of the Namibian people, supports the efforts of the United Nations Council for Namibia to implement the mandate entrusted to it by the United Nations General Assembly, calls upon the Security Council to take appropriate measures under Chapter VII of the Charter of the United Nations to force South Africa into terminating its illegal occupation of Namibia, calls upon the United Nations Security Council to terminate the contacts of the United Nations Secretary-General with the South African racist authorities as such exercise has proved ultimately to be detrimental to the interests of the people of Namibia and prejudicial to an early attainment of independence by this territory.

107. For its part, the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held in Algiers in September 1973, by firmly adhering to the OAU resolution, reaffirmed as well the legitimacy of the struggle of the Namibian people and committed itself to providing concrete reinforcement with material, moral and diplomatic aid to the fighters of Namibia regrouped within SWAPO, and supported the interruption of the dialogue between the Secretary-General and the illegal South African régime in Namibia, in accordance with the wishes already expressed by its people and pursuant to the recommendation of the United Nations Council for Namibia.

108. Moreover, this Conference expressed concern over the continuous exploitation of the natural resources of the Namibian territory by the Pretoria régime and categorically condemned the presence of military bases, of troops and of the police of that Government upon Namibian soil.

109. That same opinion had already been expressed by the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa held in February 1973 in Oslo.

110. My delegation profoundly regrets that the minority régime of South Africa persists in its failure to co-operate with the Secretary-General. It reaffirms the special responsibility and the obligation of the United Nations vis-à-vis the Namibian people and supports the proposition that the Security Council has the duty to do everything in its power to restore to the Namibian people its inalienable right to self-determination, independence and territorial integrity.

111. My delegation believes that members of the Council, specifically its permanent members, who some years ago put an end to the Mandate of South Africa in Namibia and two years ago instructed the Secretary-General to restore legality in that country, are now in duty bound to find appropriate means to bring the Government of South Africa to see reason. All the States Members of the United Nations should aid Africa in freeing Namibia.

112. My delegation, while taking note of the efforts of the Secretary-General, believes sincerely that it is time to put an end to the mandate as it is stipulated in resolution 309 (1972) and confirmed in paragraph 4 of resolution 319 (1972) and paragraph 5 of resolution 323 (1972). Moreover, it appeals to all States, particularly those which maintain economic and military ties with South Africa, that the economic embargo, which has produced some effect in Southern Rhodesia, should be extended to South Africa so as to compel it to apply the pertinent resolutions of the United Nations.

113. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): This meeting of the Security Council has been convened at the request of three African States, members of the Council, for consideration of the question of Namibia and, in this connexion, discussion of the report of the Secretary-General on the implementation of resolution 323 (1972).

114. The United Nations has exerted considerable efforts and adopted various approaches to solve the problem of the liberation of Namibia from its illegal occupation and the enslavement of its people by racist South Africa. At its meetings away from Headquarters in Addis Ababa, the Council, as a result of urgent proposals made by various members of the Council and supported by a number of African countries, took the decision, in resolution 309 (1972), to establish direct contacts between the United Nations and the parties concerned, including South Africa, through the Secretary-General. To assist him in carrying out that mission, the Council established a group of three members of the Council.

115. At the same time, the Council once again solemnly affirmed the right of the people of Namibia to self-determination, national independence and maintenance of its territorial integrity, upon which any decision relating to Namibia must be based.

116. The Council rejected any other interpretation, measure or policy which ran counter to this. The Secretary-General was instructed to continue his efforts, with the assistance of the three members of the Council, so as to enable the people of Namibia, freely and with strict regard to the principle of the equality of the whole population of the country, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations.

117. From the very outset, when the idea of contacts for the purpose of a "dialogue" between the Secretary-General and the South African racists on the question of Namibia first began to emerge, the Soviet delegation expressed serious doubts, which have been fully justified, regarding the practicality and advisability of such a measure. We did not believe it would be possible to reach agreement with the racists on the liberation of the people of Namibia. We cautioned the principal supporters of the idea of a "dialogue"—the representative of Argentina, Ambassador Ortiz de Rozas, and various other representatives—that such a "dialogue" could only provide the South African racists with a pretext for further procrastination in implementing earlier United Nations decisions on Namibia that provided

for the maintenance of the territorial integrity of Namibia and the immediate granting of freedom and independence to its people.

118. Life and the further development of events have clearly and convincingly confirmed the correctness of the position taken by the Soviet delegation.

119. Now scarcely anyone can doubt that the racists of South Africa have used the contacts with the Secretary-General to consolidate their positions in Namibia, which they occupy illegally, and to continue their policy of *apartheid* through the dismemberment of that country. Moreover, at the time when the Secretary-General was establishing contacts with the racist régime in South Africa, that régime was intensifying its persecution, terrorism and repressive measures against the population of Namibia. In violation of United Nations decisions on the territorial integrity of Namibia and the national unity of its people, the racists advanced an anti-national plan allegedly giving "autonomy" to individual regions of Namibia and began to establish the so-called homelands or Bantustans. In other words, they applied the well-known imperialist method of "divide and rule" in order to continue and strengthen their racist domination in Namibia. The people of Namibia discovered in time what the treacherous plan of the racists was. The people boycotted the establishment of the homelands.

120. The people of Namibia do not want to endure the colonial oppression of the racists. In Namibia there is a mass awakening of the national consciousness and a growing trend towards open struggle for independence. The working class of Namibia is progressing towards effective action and has become aware of itself not only as a class in itself, but also as a class for itself. As a means of protest and struggle under the conditions of the Fascist police terror that prevails in Namibia, the workers have resorted to strikes. The extension of racist laws to Namibia is arousing opposition from increasingly wider sectors of the population of Namibia.

121. Speaking at the World Peace Congress in Moscow, the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Comrade L. I. Brezhnev, stressed that "the whole course of post-war development has shown convincingly that colonialism and aggression, the policy of colonial oppression and the policy of force are, in essence, two sides of the same coin". The situation in Namibia is a clear illustration of that statement. In inflicting colonialist and racist oppression of the people of Namibia, the Pretoria régime is at the same time using the territory and resources of Namibia for the aggressive purposes of threatening and making military attacks on independent African States. For example, along the border with Zambia, in the Caprivi Strip in the north-eastern part of Namibia, a military base has been established with take-off and landing runways and a system of ground-to-ground missiles. The hostile purposes for which these bases are being used against countries in Africa have been made known to the Security Council in the statements of the delegation of Zambia made during consideration of the question of aggression by South Africa against Zambia.

122. A whole series of decisions on Namibia has been adopted by the United Nations in connexion with the racist policy being pursued by the Government of South Africa. We would like to dwell briefly only on the most important of these. First of all, the United Nations has recognized and reaffirmed in its decisions, that the people of Namibia have an inalienable right to freedom and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. Secondly, the United Nations has officially terminated the Mandate of South Africa to administer Namibia. Consequently, the further presence in that country of the authorities, armed forces, police and other attributes of the racist domination of South Africa is unlawful. Thirdly, and lastly, the national unity of the people of Namibia and the territorial integrity of that country have been recognized and reaffirmed by the United Nations and thus are inviolable.

123. Accordingly, any support, whether political, economic, military or other, given to the racist régime of South Africa, cannot be regarded otherwise than as a direct violation of the resolutions of the General Assembly and the Security Council and as thus aiding and abetting this international crime of the racists and complicity with it.

124. It is the duty of the United Nations to put an immediate end to these violations. The fact that South Africa enjoys wide support from its political and economic and its military partners is no secret to anyone. That, indeed, is the main reason why the racist authorities of South Africa ignore United Nations decisions. The South African authorities, and their colonialist racist policy in regard to the African population of South Africa itself and in regard to Namibia, are directly supported by some Western Powers, and in particular by their international monopolies. The racists are being provided with assistance and support by their closest allies and partners in the colonial plundering of Africa, the Portuguese colonialists and the Southern Rhodesian racists. Another ally and close partner of South Africa is Israel. These two countries are united and brought together, firstly, by their policy of aggression—Israel against the Arabs, and South Africa against the Africans—and, secondly, by the fact that both Governments are like-minded racists. Israel, with its Zionist credo, is propagating the antediluvian nonsensical idea of the “chosen people of God”, and the basis of the policy and ideology of the South African racists is the old slogan of the colonialists and imperialists about the so-called superiority of the white man and the burden supposedly placed upon him by God to care for the black man. In the former case, with the Zionists, and in the latter case, with the racists, God is appealed to as an ally and protector to justify aggression and racism and to conceal the true nature of the misanthropic theory and policy of racial superiority and the oppression of some nations by others. These false theories have long been condemned and rejected by the modern world and by the United Nations.

125. The Western European and North American self-styled defenders of human rights should turn their attention elsewhere—to South Africa and Israel—in connexion with the protection of human rights, instead of seeking out, for tendentiously hostile and slanderous purposes, the alleged non-observance of human rights in places where the

exploitation of man by man has been eliminated for ever and racism and national hatred are criminal offenses punishable by law.

126. There is no doubt whatsoever that, without assistance and support from outside, the racist régime in Pretoria would not have dared challenge the United Nations, the peoples of Africa and world public opinion. Its racist policy is contrary to the purposes and the decisions of the United Nations; it is a violation of generally accepted international rules of law and therefore falls into the category of internationally punishable crimes, with all that that entails.

127. The General Assembly has frequently condemned racism and *apartheid* as crimes against humanity. The Special Political Committee, at the twenty-eighth session of the General Assembly, has just recently reaffirmed this condemnation in a draft resolution.⁵

128. A particularly sinister role in the provision of assistance and support to racism in South Africa is the one played by international monopolistic capital as it exists in the so-called Western world.

129. The penetration of this capital into the South African economy is constantly growing. It is drawn there by greed for profit and by the cheap slave labour of the Africans, the possibility of unlimited and unrestricted exploitation of the African working class, the absence of any labour legislation or trade unions, and the complete and absolute defencelessness of the worker in the face of the omnipotence of capital under the conditions of racist domination. That is what is enticing and attracting the international imperialist monopolies and causing them to rush to South Africa, without stopping to think that they are thus becoming direct accomplices in the international crime of the racists. From this example of our times, we see that even today the words of Marx in his famous work, *Das Kapital*, are still convincing. Referring to the English economist Danning, he wrote:

“Capital abhors the absence of profit or too small a profit, just as nature abhors a vacuum. But once there is sufficient profit, capital grows bold. Ensure a 10 per cent profit, and capital is ready to be applied to anything. With 20 per cent it becomes lively; with a 50 per cent profit it tramples underfoot all human laws, and with a 300 per cent profit there is no crime which it would not embark upon, even when threatened with the gallows.”

130. It is the fabulously high profits in South Africa which are pressuring international capital into participating in the crime of the racists. According to information provided by the Secretariat, over the 10-year period from 1960 to 1970 the amount of capital investment by foreign monopolies in the economy of South Africa and Namibia rose from \$4.3 thousand million to \$8.2 thousand million. The world community is aware of these facts, which demonstrate the cruel and inhuman exploitation by foreign monopolies of the people and working class of Namibia.

131. It has already been mentioned in statements by previous speakers that certain States Members of the United

⁵ Subsequently adopted by the General Assembly as resolution 3151 G (XXVIII).

Nations are continuing to co-operate with the South African racists in violation of United Nations resolutions. This is reflected in moral and political support and in economic relations, and also in military co-operation with South Africa. The military relations between South Africa and the United Kingdom are particularly close. For example, joint British-South African naval manoeuvres are carried out. I have before me a report of the Special Committee on *Apartheid* on the military build-up in South Africa and the implementation of the arms embargo against South Africa [S/11005 of 4 October 1973].

132. It is stated in this report that during the period under review, 1972-1973, there has been continued co-operation between South Africa and the United Kingdom under the Simonstown Agreements, especially as regards joint naval exercises and that "Sanex 2", an exercise with the participation of the combined forces of the South African Navy and the Royal Navy, took place along the southern Cape coastline between 14 and 20 August 1972.

133. It was also reported that several further combined exercises would take place in the next few months. Joint British and South African naval exercises did in fact take place again in July 1973. This information from official United Nations documents was submitted to the General Assembly at its twenty-eighth session.

134. It is also generally known that, in violation of the Security Council embargo, South Africa is still receiving armaments from a number of Western countries. It is the task of the United Nations to persuade those countries which are co-operating with the Republic of South Africa to halt such co-operation immediately.

135. It has now become quite clear and obvious to everyone that the "dialogue" and "contacts" between the United Nations and the racists of South Africa have proved to be a total failure. This conclusion is confirmed by the Secretary-General in his report to the Security Council. In paragraph 18 of the report it is stated: "... the position of the Government of South Africa is still far from coinciding with that established in the resolutions of the United Nations concerning Namibia". It is clear from the report also that the evasive and hypocritical statements of the South African authorities during the "dialogue" with the Secretary-General did not provide a complete and unequivocal clarification of South Africa's policy in regard to self-determination and independence for Namibia.

136. The Secretary-General noted in the introduction to his annual report to the General Assembly at its twenty-eighth session on the work of the Organization⁶ that the contacts and efforts he had undertaken to achieve the objectives and implement the decisions of the United Nations with respect to Namibia had not produced the desired results.

137. The Security Council, in considering the question of the "dialogue" between the United Nations and South Africa, cannot disregard the position and views of the

largest, the most influential and the most concerned element in this matter of African unity, that is, the Organization of African Unity. That organization, which represents all the States of Africa, has come out directly and categorically against continuance of the "dialogue" between the United Nations and the South African racists. At the tenth anniversary Assembly of Heads of State and Government of OAU, a special resolution was adopted on this question. In it, the Assembly of OAU calls upon the Security Council to terminate the contacts of the United Nations Secretary-General with the South African racist authorities as such exercise has proved ultimately to be detrimental to the interests of the people of Namibia and prejudicial to an early attainment of independence by this territory. The United Nations Council for Namibia took the same position in this matter in its famous Lusaka Declaration of 14 June 1973, to which the distinguished representative of Zambia, Ambassador Lusaka, referred. The Special Committee on decolonization has also taken a similar position on this issue. I referred to Mr. Lusaka as the representative of Zambia, but he is also the President of the Council for Namibia.

138. At the current session of the General Assembly, the Fourth Committee has also adopted a draft resolution calling for the termination of contacts between the Secretary-General and the Government of South Africa. It is to be hoped that this resolution will be confirmed in the plenary meeting of the General Assembly.⁷

139. This is therefore the position of the United Nations and of the overwhelming majority of its Member States. It is, above all, the position of the people of Namibia themselves, whose representatives in SWAPO have frequently stated that the people of Namibia reject diplomatic contacts, "dialogue" or negotiations with the racists.

140. In this connexion there can be only one answer to the question posed by the Secretary-General in his report to the Security Council on whether there is any sense in continuing contacts with the Government of South Africa—that answer is that the contacts and "dialogue" with the racist régime are incompatible. Such an approach can only serve as a cover for the racists and give rise to entirely unfounded illusions on the part of world public opinion and the States Members of the United Nations. The Secretary-General's contacts with the racists are of no use whatsoever to the people of Namibia but are, in fact, detrimental to their interests. The United Nations, and particularly the Security Council, cannot permit such an unacceptably illusory situation to continue; it is not in accord with the purposes and principles of the Charter of the United Nations or with its decisions, and it contradicts the elementary principles and norms of justice.

141. It is the task and the duty of the Security Council to take the most effective measures possible to compel South Africa to submit to United Nations decisions, to ensure the realization by the people of Namibia of their inalienable right to independence and national self-determination, and to ensure that the territory of Namibia ceases to be used by

⁶ Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 1 A

⁷ Subsequently adopted by the General Assembly as resolution 3111 I (XXVIII).

the South African racist régime as a bridgehead for hostilities and aggression against independent African countries.

142. In the statement issued by the World Peace Congress, which was held in October of this year in Moscow, special emphasis was laid, in the section dealing with national liberation movements and the struggle against colonialism and racism, upon the need to achieve the total isolation of the colonialist, Fascist and racist régimes of Portugal, South Africa and Rhodesia. That decision by the Congress is in accord with the prevailing conditions in southern Africa. The Security Council must take measures to compel the racist régime of South Africa to implement the United Nations decisions concerning Namibia.

143. The Soviet Union has—as it will continue to do—steadfastly stood for the immediate liberation of the people of Namibia from racist tyranny and for their self-determination and independence. The Soviet Union recognizes and supports the legality of the struggle by the people of Namibia, with all means at their disposal, against the South African occupiers and racists.

144. The Soviet Union pursues an undeviating policy in support of the liberation of all peoples from colonial domination and the complete elimination of colonialism and racism. This firm Leninist policy is reflected in the Programme—approved at the twenty-fourth Congress of the Communist Party of the Soviet Union—for the struggle by our Party and people on behalf of peace, international co-operation and friendship among peoples.

145. In conformity with this anti-colonialist policy and the policy of providing aid to the national liberation struggle of the peoples, the Soviet Union also realizes that it is not enough for young States to attain political indepen-

dence alone. The young developing countries also need economic support. The Soviet Union provides extensive assistance and support to the developing independent countries and national liberation movements in Asia, Africa and Latin America. The noble objectives of support and expansion of assistance to developing countries are served also by the proposal—submitted by the Soviet Union and adopted by the General Assembly as resolution 3093 (XXVIII)—concerning the reduction of military budgets of States permanent members of the Security Council by 10 per cent and utilization of part of the funds thus saved to provide assistance to developing countries.

146. The Soviet Union fully supports United Nations decisions on the provision of assistance to the national liberation struggle of the peoples, primarily the peoples of southern Africa and Namibia. The Soviet Union is a member of the United Nations Council for Namibia. It plays an active part in working out constructive measures to ensure to the people of Namibia their inalienable right to freedom and national independence.

147. Firmly condemning the policy of colonialism, racism and *apartheid*, the Soviet Union has no diplomatic, economic or other ties with the racist régime of the Republic of South Africa and favours the adoption by the Security Council of the firmest measures to enable the people of Namibia to exercise their lawful and inalienable right to freedom and national independence.

148. The delegation of the Soviet Union supports the draft resolution submitted by Peru [S/11152] concerning the discontinuance of further contacts by the Secretary-General with the racists of South Africa and will vote in favour of that draft resolution.

The meeting rose at 5.55 p.m.