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LETTER DATED 28 MAY 1969 ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL BY
THE CHAIRMAN OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

I have the honour to communicate to you herewith the text of a consensus on
the question of Namibia, which was adopted by the Special Committee on the
Situation with regard to the Implementation of the Declaration on the Granting
of Independence to Colonial Countries and Peoples at its 692nd meeting, held
on 22 May 1969 at Dar es Salaam, United Republic of Tanzania, and to request you
to be good enough to bring it to the attention of the members of the Security
Council.

Accept, Sir, etc.

(Signed) Mahmoud MESTIRI
Chairman of the Special Committee on the Situation
with regard to the Implementation of the Declaration
on the Granting of Independence to Colonial Countries
and Peoples

QUESTION OF NAMIBIA

1. The Special Committee, having heard the testimony presented to it by petitioners from Namibia and having studied the conditions prevailing in that Territory during its meetings held in Africa, expresses grave concern at the very serious situation which exists in that Territory as a result of South Africa's continuing defiance of the authority of the United Nations and its increasing resort to the use of armed force and other repressive measures to perpetuate its illegal occupation of Namibia and to suppress the liberation movement, which is struggling to assert the legitimate right of the Namibian people to freedom and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples.
2. The Special Committee notes that despite the numerous resolutions of the General Assembly and the Security Council, in particular the latter's resolution 264 (1969), adopted unanimously on 20 March 1969, whereby the Council called on the Government of South Africa to comply with General Assembly resolution 2145 (XXI) of 27 October 1966 by immediately withdrawing its administration from the Territory, the South African Government has not only failed to relinquish its illegal control and prevented the United Nations Council for Namibia from entering the Territory, but has persisted in the adoption of legislative and other measures aimed at destroying the unity and territorial integrity of Namibia and at incorporating it within South Africa.
3. Although two months have elapsed since the Security Council adopted the above-mentioned resolution 264 (1969), the Government of South Africa has not only failed to carry out its provisions, but has persisted in the application of the so-called "Development of Self-Government for Native Nations in South West Africa Act", which provides for the partitioning of Namibia along apartheid lines and the creation of "bantustans" for the non-white population groups. In accordance with this illegal "Act", the Government of South Africa has already established one "bantustan" in Ovamboland and is actively proceeding towards the creation of others; it is also intensifying measures of racial segregation in urban areas and elsewhere by forcibly removing Africans from their homes, despite the hardships and suffering which such action entails.

4. Furthermore, in April 1969, in flagrant defiance of the Security Council which, in paragraph 5 of its resolution 264 (1969), declared that it had no right to take such action, the Government of South Africa promulgated the "South West Africa Affairs Act, 1969" transferring administrative, legislative and financial powers from the Territorial authorities to South Africa and, in effect, virtually reducing the Territory to the status of a South African province.

5. Not content with these measures which are designed to perpetuate its illegal control over Namibia in blatant defiance of the authority of the United Nations, the Government of South Africa has, since 1968, intensified its repression of the Namibian people and has resorted increasingly to the use of force to suppress the liberation movement which is struggling to free the Territory, to support the racist régimes in adjacent territories and to threaten the security of independent African States.

6. In the light of the special responsibility towards the people of Namibia which the United Nations assumed under the terms of General Assembly resolution 2145 (XXI), the Special Committee considers that it is incumbent upon it to draw the attention of all Member States to the dangerous situation which exists in Namibia as a result of South Africa's continued defiance of the United Nations and its persistent policy of repression. The Special Committee deplores in this connexion the support given to South Africa in the pursuit of its policy in Namibia by its major trading partners and by certain foreign economic and other interests, and calls upon the Governments concerned immediately to cease extending assistance and co-operation to South Africa.

7. The Special Committee once again affirms the legitimacy of the struggle of the people of Namibia to attain their inalienable right to freedom and independence and urges all States as a matter of urgency to extend all possible moral and material assistance to the national liberation movement of Namibia, with the efforts of which the Special Committee is in full sympathy.

8. Further, the Special Committee calls upon the Government of South Africa, in view of the armed conflict prevailing in Namibia and the inhuman treatment of prisoners, to ensure the application of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949^{1/} to all those arrested or made prisoners for their activities as freedom fighters.

1/ United Nations, Treaty Series, vol. 75 (1950), No. 972.

9. The Special Committee wishes, in particular, to draw the situation in the Territory to the attention of the Security Council and expresses the hope that the latter, in accordance with paragraph 8 of its resolution 264 (1969), will meet to determine upon necessary steps or measures in accordance with the relevant provisions of the United Nations Charter in view of the failure on the part of the Government of South Africa to comply with the provisions of that resolution.
