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QUESTION OF NAMIBIA

SECURITY COUNCIL
Thirty-ninth year

Letter dated 31 May 1984 from the President of the United Nations
Council for Namibia to the Secretary-General

I have the honour to transmit to you the text of the Bangkok Declaration and Programme of Action adopted by the United Nations Council for Namibia at its 424th meeting, held at Bangkok on 25 May 1984 (see annex).

In conformity with the decision of the Council taken at the same meeting, I should like to request that the Bangkok Declaration and Programme of Action be circulated as an official document of the General Assembly, under item 29 of the preliminary list, and of the Security Council.

(Signed) Paul J. F. LUSAKA
President of the
United Nations Council for Namibia

* A/39/50.

ANNEX

Bangkok Declaration and Programme of Action

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I. DECLARATION

1. In pursuance of General Assembly resolution 38/36 C of 1 December 1983 and in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, the United Nations Council for Namibia convened a series of extraordinary plenary meetings at Bangkok, Thailand, from 21 to 25 May 1984. The meetings were held with a view to taking stock of the continuing critical situation in and relating to Namibia in the light of the persistent refusal of South Africa to implement the relevant United Nations resolutions, in particular Security Council resolutions 385 (1976) and 435 (1978), and to recommending appropriate action to the General Assembly at its thirty-ninth session.

2. The Council deemed these extraordinary plenary meetings to be of particular importance and urgency in view of the continued delay in bringing about the independence of Namibia and the persistence of the racist Pretoria régime in seeking to sabotage, at every step and in various forms, the implementation of the United Nations plan for Namibia's independence and to impose an internal settlement in Namibia subservient to its own interests, in defiance of relevant United Nations resolutions on Namibia.

3. The Council attached importance to meeting in Asia, following its earlier successful extraordinary plenary meetings held in Africa and Latin America. Recalling the steadfast support extended by Asian countries to the process of decolonization, and in particular to the Namibian cause, the Council voiced the hope that the convening of its extraordinary plenary meetings in Asia would cause the Governments and peoples of that continent, and indeed the entire international community, to redouble efforts to achieve the cherished goal of the liberation of Namibia from colonial and racist occupation without further delay.

4. The Council appreciated the consistent support given by Thailand to the Namibian cause and expressed its gratitude to the Government of Thailand for the invitation extended to it to hold the extraordinary plenary meetings in Bangkok.

5. Inaugurating the extraordinary plenary meetings of the Council, His Excellency General Prem Tinsulanonda, Prime Minister of Thailand, stated that the major obstacle to the realization of Namibia's independence, sovereignty and territorial integrity had been the continued illegal occupation of that country by South Africa. He reiterated Thailand's full support for the legitimate cause and struggle of the Namibian people, represented by the South West Africa People's Organization (SWAPO).

6. In his message on the occasion, the Secretary-General of the United Nations said that it was regrettable that, notwithstanding all the progress made in the negotiations thus far, Security Council resolution 435 (1978) had not yet been implemented. He also emphasized that the continued delay in the implementation of that resolution could only prolong the agony of the Namibian people, cause more bloodshed and imperil the peace and development of other countries in the region.

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7. The Council made an in-depth review of the situation in and around Namibia, in the context of the continued illegal occupation of the Territory by South Africa and its implications for international peace and security; it analysed the causes for the continued delay in the implementation of relevant United Nations resolutions, in particular Security Council resolution 435 (1978); it examined in detail practical measures to increase support for the struggle of the people of Namibia led by SWAPO, their sole and authentic representative for self-determination and independence, to assist the front-line States in resisting South Africa's acts of aggression and destabilization and to ensure the immediate implementation of the United Nations plan for Namibian independence.

8. In this context, the Council took special note of the further reports of the Secretary-General concerning the implementation of Security Council resolutions 435 (1978) and 439 (1978) concerning the question of Namibia (S/15776, S/15943 and S/16237). The Council recalled Security Council resolutions 532 (1983) of 31 May 1983 and 539 (1983) of 28 October 1983; General Assembly resolutions 38/36 A to E of 1 December 1983; the Paris Declaration and Programme of Action on Namibia adopted by the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris in April 1983; a/ the fortieth ordinary session of the Council of Ministers of the Organization of African Unity, held at Addis Ababa from 27 February to 7 March 1984; the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983; b/ the Communiqué issued at the conclusion of the Commonwealth Heads of Government Meeting, held at New Delhi in November 1983; and the Final Communiqué of the Summit Meeting of the Front-line States, held at Arusha, United Republic of Tanzania, on 29 April 1984. c/ The aforementioned documents, inter alia, reaffirmed the commitment of the vast majority of the international community to the early and peaceful attainment of independence by Namibia in accordance with Security Council resolution 435 (1978).

9. The Council further noted with satisfaction the conclusions and recommendations adopted at the Regional Symposium in Support of the Namibian Cause in Latin America, held at San José, Costa Rica, from 16 to 19 August 1983, d/ the Regional Symposium on South Africa's Illegal Occupation of Namibia - The Threat to International Peace and Security, held at Arusha, United Republic of Tanzania, from 2 to 5 April 1984 e/ and the Seminar on the Activities of Foreign Economic Interests Exploiting Namibia's Natural and Human Resources, held at Ljubljana, Yugoslavia, from 16 to 20 April 1984. f/

10. Immediately prior to its extraordinary plenary meetings, the Council sent a high-level mission to the Chairperson of the Movement of Non-Aligned Countries at New Delhi, which met from 16 to 18 May 1984. This mission was sent with the purpose of acquainting the Chairperson of the Non-Aligned Movement with the latest developments pertaining to Namibia and discussing the role that the Movement has played and could play, in co-operation with the Council, to mobilize greater support for the Namibian cause and assist in the early achievement of independence by Namibia.

11. Earlier, the Council also sent missions of consultation to Western Europe, Latin America and the Asia-Pacific region, covering the following countries and

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organizations: Netherlands, Belgium, Luxembourg, the European Parliament and the Commission of the European Communities, from 16 to 31 January 1984. The mission met in Japan, New Zealand and Australia, from 12 to 24 March 1984; and Argentina and Trinidad and Tobago, from 7 to 13 April 1984. The purpose of these missions was to undertake consultations with a view to promoting the implementation of United Nations resolutions on Namibia and mobilizing greater international support for the speedy independence of Namibia.

12. A mission of consultation was also sent to France, the Netherlands, the Federal Republic of Germany and the United Kingdom of Great Britain and Northern Ireland to seek legal advice from lawyers on the possibilities of instituting legal proceedings in the domestic courts to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia. g/ The mission also held consultations with non-governmental organizations in the above-mentioned countries with a view to seeking their opinion on this matter and exploring the role they could play in order to enhance the efforts of the Council, should it decide to start such legal proceedings.

13. The Council reiterates the direct responsibility for Namibia assumed by the United Nations pursuant to General Assembly resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967. As the legal Administering Authority for Namibia until independence, the Council has been guided, since its establishment, by the principles of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, and resolutions adopted by the Assembly on the question of Namibia. Through international political mobilization, the Council has striven to obtain the immediate and unconditional withdrawal of the illegal South African administration and forces of occupation from the Territory and to bring to fruition the aspirations of the Namibian people in their legitimate struggle for self-determination, freedom and national independence under the leadership of SWAPO, their sole and authentic representative. The Council has taken measures to counter the nefarious policies of South Africa against the Namibian people and has denounced and rejected the persistent manoeuvres through which the South African régime has attempted to perpetuate its illegal occupation of Namibia. In the fulfilment of its mandate, the Council has benefited from the extensive support of the international community, including Governments, intergovernmental and non-governmental organizations, of which the Council is sincerely appreciative.

14. The Council reaffirms once again the inalienable right of the people of Namibia to self-determination and independence in a united Namibia. It further reaffirms that South Africa's illegal occupation of Namibia constitutes an act of aggression against the Namibian people in terms of the definition of aggression contained in General Assembly resolution 3341 (XXIX) of 14 December 1974 and that the Namibian people, in the exercise of their inherent right of self-defence, are entitled to avail themselves of all means at their disposal, including armed struggle, to repel South Africa's aggression and to achieve their freedom and national independence.

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15. The Council reaffirms its solidarity with, and support for, SWAPO, the sole and authentic representative of the Namibian people. It pays tribute to SWAPO for the sacrifices made in the field of battle and also for the spirit of statesmanship, co-operation and farsightedness displayed by it in the political and diplomatic arena in spite of the most extreme provocations on the part of the racist Pretoria régime.

16. The Council commends SWAPO for the continuing intensification of the struggle on all fronts, including the armed struggle, and its commitment to embrace all Namibian patriots in an effort to further strengthen national unity so as to ensure the territorial integrity and sovereignty of a united Namibia.

17. In the context of Pretoria's continued intransigence and refusal to implement relevant resolutions of the United Nations, its continued illegal occupation of Namibia and the brutal, racist repression it has unleashed for decades on the Namibian people by force of arms, the Council reiterates its conviction that the armed liberation struggle of the Namibian people continues to be an important and decisive factor in their efforts to achieve self-determination, freedom and national independence in a united Namibia.

18. The Council solemnly reaffirms that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the offshore islands. It further reaffirms the resolutions of the General Assembly to the effect that Walvis Bay and the offshore islands are an integral part of Namibia and that any action by South Africa to separate them from the territory is illegal, null and void.

19. The Council strongly condemns the South African régime for its continued illegal occupation of Namibia in defiance of the resolutions of the United Nations relating to Namibia and demands its immediate and unconditional withdrawal from the Territory.

20. The Council further condemns the South African régime for its ruthless repression of the Namibian people, its policy and practice of apartheid and other gross violations of human rights perpetrated against the people of Namibia, and demands that an immediate end be put to those policies. It strongly denounces the detention and imprisonment of SWAPO freedom fighters and demands the immediate and unconditional release of all Namibian political prisoners.

21. The Council reaffirms that the liberation struggle in Namibia is a conflict of international character in terms of article 1, paragraph 4, of Additional Protocol I h/ to the Geneva Conventions of 12 August 1949 i/ and, in this regard, demands the application by South Africa of the Conventions and Additional Protocol I. In particular, it demands that all captured freedom fighters be accorded prisoner-of-war status as called for by the Geneva Convention Relative to the Treatment of Prisoners of War; j/ and Additional Protocol thereto.

22. The Council denounces the South African illegal occupation régime for its ever-increasing and large-scale military build-up in Namibia, its introduction of compulsory military service for Namibians, its forced recruitment and training of

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Namibians for tribal armies and its recruitment of mercenaries and other foreign agents in order to carry out its policies of internal repression and external aggression. It calls upon all States to co-operate in taking effective measures to prevent the recruitment, training and transit of mercenaries for service in Namibia.

23. The Council considers that the acquisition of a nuclear weapons capability by the racist régime of South Africa, with its infamous record of violence and aggression, adds yet another dangerous dimension to an already grave situation, since this development can only help South Africa to further seek to intimidate independent States in the region into submission, while posing a threat to all mankind. The Council condemns the collusion by the Governments of certain Western and other States, particularly those of the United States and Israel, with the racist régime of South Africa in the nuclear field. Such collaboration is in contravention of innumerable General Assembly resolutions and encourages the Pretoria régime in its defiance of the international community and obstructs efforts to eliminate apartheid and bring South Africa's illegal occupation of Namibia to an end. The Council calls upon all States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium or other nuclear materials, reactors or military equipment.

24. In this context, the Council also views with the gravest concern and condemns the continuing military collaboration, including traffic in armaments, of certain Western States and Israel with South Africa. It is concerned, moreover, at the possible existence of military and security agreements between South Africa and certain countries in other regions. It considers that any such links or arrangements would constitute a breach of the arms embargo imposed by the Security Council in its resolution 418 (1977) of 4 November 1977 and a hostile act against the United Nations and the struggling people of South Africa and Namibia, and would greatly aggravate the already tense situation in southern Africa and pose a threat to the security of Africa as a whole. It calls for urgent action on the part of the international community to expose any military collaboration with South Africa.

25. The Council condemns the use of the territory of Namibia by the racist régime of South Africa as a staging ground from which to launch armed aggression against neighbouring African States, in order to intimidate them and, inter alia, to prevent them from supporting the legitimate struggle of the Namibian and South African peoples for freedom and independence.

26. Analysing the recent developments in southern Africa, the Council takes note of and welcomes the Final Communiqué of the Summit Meeting of the Front-line States, held at Arusha, United Republic of Tanzania, on 29 April 1984, c/ in which, inter alia:

"The Heads of State and Government and leaders of the liberation movements present reaffirmed their total and unqualified commitment to the liberation struggles of the people of Namibia against colonialism and the people of South Africa against apartheid. The political and armed struggles being waged by the peoples of Namibia and South Africa, led by SWAPO and ANC, respectively, are taking place in these two countries. The struggle is between the people of Namibia and the occupying Power, and between the people of South Africa and the apartheid régime.

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"The Heads of State and Government and the leaders of the liberation movements declared that the immediate objective for Namibia is and must be the immediate implementation of United Nations Security Council resolution 435 (1978), in order that Namibia may obtain full and internationally recognized independence on the basis of self-determination by all people of that country. They reiterated the continuing role of the Security Council and the Secretary-General in the implementation of resolution 435 (1978). The leaders of the front-line States reaffirmed their support for SWAPO as the sole and authentic representative of the Namibian people.

"The Heads of State and Government and the leaders of the liberation movements repeated their rejection of the attempt to link the freedom of Namibia with any Angolan Government decisions relating to its security requirements and its internal political structure.

"The Heads of State and Government of the front-line States and the leaders of the liberation movements condemned without reservation the open and covert aggressive actions of South Africa directed at the destabilization of African States, and those aimed against refugees from Namibia and apartheid South Africa.

"In particular, the leaders of the front-line States and liberation movements appeal for political, moral, material and diplomatic support to be given to the liberation movements. They appeal for concrete support to be given to the efforts of the front-line States aimed at the consolidation of their independence and their fragile economies, as these are of direct relevance to their ability to play a constructive role in the search for peace and freedom in Southern Africa."

27. Reaffirming once again its strong solidarity with and support for SWAPO, the Council believes that, at the current critical stage in the struggle of the Namibian people for independence, all around support to SWAPO must be intensified as a matter of urgency. The Council urges all States, as well as the specialized agencies and other international organizations associated with the United Nations, to render sustained and increased political, moral, material, military and financial assistance to SWAPO in its struggle to deliver the Namibian people from the colonial yoke.

28. The Council expresses its conviction that the solidarity and support of the front-line States for the Namibian cause continues to be a factor of paramount importance in the efforts to bring genuine independence to the Territory. It further deems it imperative that the international community increase, as a matter of urgency, financial, material, military and political support to the front-line States so as to enable them to resolve their own economic difficulties, which are largely a consequence of Pretoria's policies of aggression and subversion, and to better defend themselves against South Africa's persistent attempts to destabilize and debilitate them.

29. The Council rejects and denounces the propaganda carried out by the racist régime and its friends in favour of a relaxation of international action against

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the apartheid régime. It is convinced that no such relaxation is possible so long as Pretoria continues the pursuit of its policy of seeking to perpetuate racist domination in South Africa and to establish its hegemony in the region. The international community cannot but be wary of the current professed willingness of the racist régime to accept non-intervention in neighbouring States, particularly in the light of its previous record of aggression, destabilization and terrorism directed against these States.

30. The Council reaffirms its full support for the Southern African Development Co-ordination Conference (SADCC) and views with indignation and grave concern South Africa's attempts to thwart the work of SADCC. It calls upon all States to render every possible assistance to SADCC in its efforts to promote regional economic co-operation and development and to reduce the economic dependence of countries of the area on racist South Africa.

31. The Council expresses its indignation and deep concern at the fact that Namibia's independence continues to be obstructed by the intransigence and persistent refusal of the South African régime to comply with all relevant resolutions of the United Nations, in particular Security Council resolution 435 (1978). It categorically states that the United Nations plan for Namibia, contained in Security Council resolution 435 (1978), remains the only basis for a peaceful settlement of the Namibian question and reaffirms the need to proceed to its immediate implementation without modification, qualification or precondition.

32. The Council denounces and rejects the attempts by South Africa and its allies to impart to the question of Namibia a dimension different from what it is, namely, an act of colonial domination in violation of the principles and objectives of the Charter of the United Nations and the resolutions and decisions of the United Nations. The question of Namibia has always been and remains a decolonization issue and must be addressed and resolved in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant United Nations resolutions. Any attempt, therefore, to portray the Namibian question as a part of an East-West confrontation, or to link it with other extraneous considerations, is in flagrant defiance of the will of the international community, as reflected in the position adopted by the United Nations, and could only have the effect of further delaying the independence of Namibia.

33. The Council firmly rejects and condemns the persistent attempts by the United States and the South African régime to establish a linkage or parallelism between the independence of Namibia and extraneous and irrelevant issues, in particular the withdrawal of Cuban forces from Angola. It recalls that both the General Assembly and the Security Council have rejected this linkage and emphasizes that the persistence of such attempts not only retards the decolonization process in Namibia but also constitutes an unwarranted and gross interference in the internal affairs of Angola. It calls upon those who draw this linkage to immediately abandon this policy, which is unacceptable and repugnant to the international community.

34. The Council deeply deplores the continued assistance rendered to the South African régime by the major Western countries and Israel in the political, economic, military and other fields and calls for an immediate end to such

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assistance. In particular, the Council condemns and rejects the policy of so-called "constructive engagement" pursued by the United States Government which has further emboldened the apartheid régime to intensify its repression of the people of South Africa and Namibia and escalate aggression against the front-line States. Such a policy has also encouraged South Africa to continue its intransigence over the independence of Namibia against the wishes and aspirations of the Namibian people and in defiance of the resolutions and decisions of the United Nations.

35. The Council denounces all fraudulent constitutional and political schemes through which South Africa has attempted or may attempt to perpetuate its colonial domination in Namibia and urges all States to refrain from according any recognition to, or undertaking any kind of co-operation with, any entity installed in Namibia in disregard of United Nations resolutions, in particular Security Council resolutions 385 (1976), 432 (1978), 435 (1978) and 439 (1978).

36. The Council condemns the latest attempts being made by South Africa to circumvent the United Nations plan for Namibia by promoting an internal settlement through the so-called Multi-Party Conference. Such attempts by the racist régime, following on the heels of the decision to establish a so-called State Council with the object of drawing up a "Constitution", once again make it clear that Pretoria has no intention of complying with the letter and spirit of the United Nations plan and seeks, instead, to consolidate its illegitimate hold on the Territory through the installation of puppet political institutions subservient to its own interests. The Council reaffirms that all such manoeuvres are fraudulent and null and void and that they must be rejected categorically by all States as called for in relevant resolutions of the General Assembly and the Security Council.

37. The Council reiterates that there are only two parties to the conflict in Namibia, namely, the people of Namibia, on the one hand, led by their sole and authentic representative - SWAPO, and the illegal occupation régime of South Africa, on the other.

38. The Council reaffirms that Security Council resolution 435 (1978) remains the only acceptable basis for a peaceful settlement of the Namibian question. It calls for the immediate and unconditional implementation of that resolution. The Council urges the Security Council to act decisively in fulfilment of the direct responsibility of the United Nations over Namibia and to take, without further delay, appropriate action to ensure that the United Nations plan, as contained in Security Council resolution 435 (1978), is not undermined or modified in any way and that it is fully respected and implemented.

39. The Council reiterates its position that all efforts must be deployed to counter any sinister manoeuvres aimed at circumventing the United Nations and undermining its primary responsibility for the decolonization of Namibia. In this regard, the Council commends the Secretary-General of the United Nations for his tireless efforts in pursuance of his mandate, in accordance with the relevant resolutions of the Security Council and the General Assembly.

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40. The Council reaffirms that the natural resources of Namibia, including its marine resources, are the inviolable heritage of the Namibian people, and in this regard, underscores the importance of the effective implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, d/ enacted by the United Nations Council for Namibia on 27 February 1974, which was approved by General Assembly resolution 3295 (XXIX) of 13 December 1974. The rapid depletion of the natural resources of the Territory, as a result of their systematic illegal plunder by South Africa and other foreign economic interests, is a grave threat to the integrity and prosperity of an independent Namibia and a matter of deep concern to the Council.

41. The Council condemns the illegal and unscrupulous exploitation of Namibia's resources and calls upon transnational and other corporations to terminate all such activities forthwith. It further calls upon all Governments to take legislative and other appropriate measures to ensure the cessation of these activities and any new investments in Namibia by corporations under their jurisdiction, as well as their compliance with the provisions of the aforementioned Decree No. 1 of the United Nations Council for Namibia. Furthermore, the Council reiterates its resolve to make every effort, including the initiation of legal proceedings in domestic courts, to ensure compliance with Decree No. 1. Finally, it reaffirms that South Africa and the other foreign economic interests which are illegally exploiting Namibia's land and marine resources are liable to pay reparations to the Government of an independent Namibia.

42. The Council strongly condemns the plunder of Namibian uranium and urges those Governments whose nationals and corporations are involved in the mining or enrichment of, or traffic in, Namibian uranium to take immediate measures to prohibit all such dealings, including uranium prospecting activities in Namibia.

43. The Council reiterates its request to the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium-enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco.

44. The Council notes with profound concern the continued assistance provided to the South African régime by certain international organizations and institutions, as exemplified by the granting of a loan of \$US 1.1 billion in November 1982 by the International Monetary Fund (IMF). Such assistance only serves to augment the military capability of the Pretoria régime, thus enabling it to continue the brutal suppression of the oppressed majority in South Africa itself, while subsidizing its illegal occupation of Namibia and, at the same time, encouraging the apartheid régime to commit blatant aggression against independent neighbouring States. The Council calls once again upon IMF to terminate all co-operation with and assistance to the apartheid régime and urges all States members of the Fund to take appropriate action towards that end. It further calls upon all other international organizations and institutions to bear in mind and to respect the position taken by the United Nations on the question of Namibia and to refrain from any form of co-operation with the Pretoria régime.

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45. The Council reiterates its conviction that South Africa's continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its acts of destabilization and aggression against independent African States and its policies of apartheid constitute a threat to international peace and security. In this context, the Council expresses its dismay at the failure to date of the Security Council to discharge effectively its responsibilities for the maintenance of international peace and security owing to the opposition of its Western permanent members. The Council considers that comprehensive, mandatory sanctions under Chapter VII of the Charter of the United Nations are the only available means to ensure South Africa's compliance with the resolutions and decisions of the United Nations.

46. The Council urges all States, pending the imposition of comprehensive mandatory sanctions by the Security Council, unilaterally and collectively, to adopt economic measures against the South African régime as called for by the relevant resolutions of the General Assembly and commends those Governments that have already taken measures towards that end.

47. The Council expresses its appreciation to all Governments and specialized agencies and international organizations which have contributed to the United Nations Fund for Namibia in order to assist the Nationhood Programme for Namibia and the United Nations Institute for Namibia in the formulation and implementation of their projects which are of great import for the economic and social development of Namibia, once sovereignty and independence are achieved. It underscores the need to continue and increase such assistance.

48. The Council emphasizes the importance of action by local authorities, trade unions, religious bodies, academic institutions, mass media, solidarity movements and other non-governmental organizations, as well as individual men and women, in mobilizing Governments and public opinion, particularly in the Western countries, in support of the liberation struggle of the Namibian people under the leadership of SWAPO and in counteracting all forms of collaboration with the occupation régime in Namibia. It commends all those who have steadfastly supported the Namibian cause for their unflagging commitment and urges them to further co-ordinate and intensify their efforts.

49. The continued bondage of the Namibian people confronts the United Nations with one of the most serious crises in its history. It is a challenge to the very credibility and effectiveness of the United Nations, which assumed direct responsibility for the Territory 17 years ago. South Africa continues to flout with impunity United Nations resolutions and decisions. The racist régime manifests no respect whatsoever for the will of the international community, and none for the dignity of the human person - as evidenced by its shameless pursuit of the abhorrent policy of apartheid in South Africa and Namibia. Not only does Pretoria obstinately persist in its illegal occupation of Namibia, but it has also repeatedly violated the sovereignty and territorial integrity of independent States through wanton acts of aggression and destabilization. Aided and encouraged by its powerful friends, it has ceaselessly pursued its goal of establishing hegemony in the region. It has shown no will to withdraw from Namibia; indeed it has deliberately subverted all efforts to make it do so.

50. The Council strongly believes that the United Nations and the international community must take more energetic and concerted action in support of the legitimate struggle of the Namibian people for self-determination, freedom and national independence, led by their sole and authentic representative, SWAPO. Failure to act now will not only prolong the agony of the Namibian people, who have suffered intolerable injustice and oppression for much too long, but it will also inevitably lead to an escalation of the present conflict and further threaten international peace and security. A special responsibility rests with the Security Council, which must act without further delay to secure the implementation of its own relevant resolutions failing which it should act to isolate South Africa through the imposition of comprehensive, mandatory sanctions in accordance with Chapter VII of the Charter of the United Nations. At the same time, Governments and intergovernmental and non-governmental organizations can and must play a more active role in bringing pressure to bear on South Africa, with a view to bringing about the early independence of Namibia, as well as the speedy elimination of the abhorrent system of apartheid.

51. The Council for Namibia, for its part, is determined to keep the question of Namibia in the forefront of international attention, with a view to bringing about the independence of the Territory without further delay. It is resolved to make use of every opportunity in every forum to remind the international community of the unimaginable plight of the Namibian people and to mobilize support for their deliverance from this ordeal without having to countenance further prevarication and duplicity on the part of the Pretoria régime.

52. In this hundredth year of the heroic struggle of the Namibian people against colonial domination and racist oppression, the Council appeals to all States and to the international community to exert every effort in support of that struggle, so that the people of Namibia can break their colonial shackles and an independent Namibia can take its rightful place in the comity of nation States.

II. PROGRAMME OF ACTION

53. In the light of the current critical situation in and around Namibia, resulting, inter alia, from South Africa's continued illegal occupation of the Territory, its persistent defiance of relevant United Nations resolutions and decisions, its manoeuvres to subvert the United Nations plan for the independence of Namibia, the encouragement it continues to receive in its intransigence from major Western countries, its ever increasing military strength which is rendered even more dangerous by its acquisition of a nuclear weapons capability, and its wanton acts of aggression and destabilization against independent African States, the United Nations Council for Namibia is convinced that urgent, resolute and concerted international action should be pursued on various fronts to intensify support in all fields for the oppressed people of Namibia, with a view to enabling them to exercise without further delay their inalienable right to self-determination, freedom and national independence in a united Namibia. Towards this end, action must come from the United Nations, from the Council itself, as the legal Administering Authority for the Territory, until independence, as well as from all States, intergovernmental organizations and specialized agencies, non-governmental organizations and from the people at large. In this context, the Council adopts the following Programme of Action.

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54. The Council will continue to exert every effort to keep the Namibian question in the forefront of international attention, where it duly belongs. It shall intensify its efforts to mobilize international public opinion in support of the just struggle of the Namibian people for self-determination and independence in a united Namibia. It shall, at the same time, redouble its efforts to expose and denounce the prevarication and intransigence of the Pretoria régime and its systematic flouting of United Nations resolutions and decisions in continuing its illegal occupation of Namibia.

55. The Council will, in pursuance of the aforementioned objective, undertake consultations with Governments, non-governmental organizations and other support groups, with a view to intensifying pressure on South Africa as well as on those States that provide encouragement, support and assistance to Pretoria. In this regard, the Council deems it particularly important to maintain contacts, through missions of consultation or otherwise, with those member States whose position on the Namibian question is not in conformity with that of the Council, with a view to convincing them of the need to comply with United Nations resolutions and decisions, to cease all forms of collaboration with South Africa and to exert all necessary pressure on Pretoria in order to speed up the achievement of independence by Namibia.

56. The Council calls upon all States, particularly those major Western States and Israel, which have close links with South Africa, to appreciate that the continued illegal occupation of Namibia by the racist South African régime 17 years after the United Nations assumed direct responsibility for the Territory and nearly six years after the United Nations plan for Namibian independence was adopted by the Security Council, has created an intolerable situation; it is, therefore, incumbent upon all States and the entire international community to take immediate and decisive action to make South Africa comply with relevant United Nations resolutions and to put an end to this extreme case of colonialism.

57. The Council emphasizes the central role of the United Nations in respect of the Namibian question, stemming from the direct responsibility which the latter has assumed for the Territory.

58. The Council urges the Security Council to exercise decisively its authority with a view to ensuring the implementation of its resolutions 385 (1976), 435 (1978) and 539 (1983), taking strong action against the continuing dilatory manoeuvres and fraudulent schemes of the illegal South African administration in Namibia and bringing about the independence of the Territory without further delay. The Council draws the particular attention of the Security Council to the continuing attempts to bypass or undermine resolution 435 (1978), which constitutes the only basis for a peaceful settlement of the Namibian question. It is incumbent upon the Council to ensure that such attempts do not succeed.

59. The Council further strongly urges the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing comprehensive mandatory sanctions against that country, as provided for in Chapter VII of the Charter of the United Nations.

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60. The Council expresses its appreciation to the United Nations Secretary-General for his commitment to the Namibian cause and his ceaseless efforts directed at the implementation of Security Council resolution 435 (1978), in exercise of the mandate conferred upon him by the Security Council and the General Assembly. It urges him to intensify these efforts.

61. The Council calls upon all States to press for the immediate and unconditional implementation of Security Council resolution 435 (1978), which is the only basis for a peaceful settlement of the Namibian question. It further calls upon them to reject categorically and oppose resolutely the attempts by the United States of America and South Africa to link Namibian independence with issues irrelevant and extraneous to that question, such as the withdrawal of Cuban forces from Angola.

62. Viewing with grave concern the effects of the policy of so-called "constructive engagement" pursued by the United States, which has encouraged South Africa in its intransigence, the Council calls on the international community to denounce and resolutely oppose this policy.

63. The Council draws the attention of all States to the continuing attempts of the racist régime in Pretoria to impose puppet political institutions and an internal settlement in Namibia in violation of Security Council resolutions 435 (1978) and 439 (1978). These attempts, which are a clear manifestation of South Africa's intention of perpetuating its continued illegal occupation and colonial domination over Namibia have been condemned, rejected and declared null and void by the General Assembly and the Security Council. The Council calls on all States and the international community to maintain constant vigilance and not to recognize, or take any action implying recognition of, any such illegal arrangement imposed by Pretoria.

64. Reaffirming that Walvis Bay and the offshore islands constitute integral parts of Namibia, the Council calls upon the Security Council to take effective action, in accordance with its resolution 432 (1978), to ensure the territorial integrity and unity of Namibia and to counter any attempts by South Africa to destroy that territorial integrity through dismemberment of the Territory.

65. The Council calls upon all Governments to render sustained and increased support to SWAPO, in political, moral, material, military and financial terms, in order to enable it to intensify its struggle for the liberation of Namibia. It also calls on the specialized agencies and other international organizations and institutions associated with the United Nations to provide, within their respective spheres of competence, assistance on a priority basis to the people of Namibia through SWAPO, their sole and authentic representative.

66. The Council urges all States to give, as a matter of urgency, maximum political, moral and material support, including military assistance, to the front-line States in order to enable them to strengthen their economies and enable them better to repel the overt and covert aggressive actions of South Africa directed at the destabilization of these States. It further calls upon the specialized agencies and other international organizations to extend, within their respective spheres of activity, all possible assistance to the front-line States.

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Furthermore, the Council urges all Governments, as well as specialized agencies and international organizations, to support the Southern African Development Co-ordination Conference (SADCC), of which the front-line States are members, with a view to reducing their dependence on racist South Africa.

67. The Council calls upon the Security Council to take measures to tighten the arms embargo against South Africa imposed in Security Council resolution 418 (1977) and to ensure strict compliance with the embargo by all States. In this connection, the Council calls upon the Security Council to implement, as a matter of urgency, the recommendations contained in the report of the Security Council Committee established in pursuance of resolution 421 (1977). k/

68. Pending the imposition of comprehensive, mandatory sanctions against South Africa, the Council requests all Governments to apply sanctions unilaterally and collectively so as to comply with the boycott of South Africa called for by the General Assembly in resolutions ES-8/2 of 14 September 1981, 38/36 of 1 December 1983 and other relevant resolutions. In particular, the Council calls upon Governments to comply fully with the arms embargo against South Africa as called for by Security Council resolution 418 (1977).

69. Viewing with grave concern the increased assistance rendered by the major Western countries and Israel to South Africa in the political, economic, financial, military and nuclear fields, and expressing its conviction that such assistance constitutes a hostile act against the people of Namibia and the front-line States, the Council demands that an immediate end be put to such assistance. The Council calls upon the international community to intensify efforts for the complete and effective isolation of South Africa.

70. Gravely concerned at the serious threat to international peace and security posed by the acquisition of a nuclear weapons capability by South Africa, and recalling the Declaration on the Denuclearization of Africa, l/ the Council calls on the Security Council to prevent the acquisition by the Pretoria régime of nuclear weapons and to take necessary measures to ensure the total cessation of any collaboration or contact with South Africa in the nuclear field. It further calls upon all States, corporations, institutions or individuals to cease forthwith and refrain from any collaboration or contact with South Africa in the nuclear field.

71. In the light of the continuing plunder of Namibia's resources, the Council is determined to intensify all efforts aimed at the urgent implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, g/ including the initiation of legal action in appropriate courts, with a view to putting an end to such exploitation. In this regard, the Council calls upon all States to ensure compliance by all government agencies or corporations and individuals within their jurisdiction with the provisions of Decree No. 1.

72. In the context of Decree No. 1, the Council urges the Governments of all countries, particularly of those Western States and Israel whose corporations are involved in the mining and processing of Namibian uranium, to take all appropriate measures, including insistence on the requirement of negative certificates of origin, to prohibit and prevent State-owned and other corporations, together with their subsidiaries, from dealing in Namibian uranium and all uranium prospecting activities in Namibia.

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73. The Council calls again on the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco Uranium enriched plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco.

74. The Council will actively consider the feasibility, in the exercise of its rights under the United Nations Convention on the Law of the Sea, m/ of proclaiming an exclusive economic zone for Namibia.

75. The Council urges all Governments, specialized agencies and intergovernmental organizations, to provide increased material assistance to the thousands of Namibian refugees who have been forced by the apartheid régime's oppressive policies to flee into the neighbouring independent States.

76. The Council demands the immediate and unconditional release of all Namibian political prisoners held at Robben Island and other racist gaols and detention centres in apartheid South Africa and occupied Namibia. The Council further demands that SWAPO freedom fighters who have been charged under the repressive "Terrorism Act" by the illegal Pretoria régime, together with all other captured Namibian freedom fighters, be accorded prisoner-of-war status under the Geneva Convention of 12 August 1949 i/ and Additional Protocol I h/ thereto pending their release.

77. The Council calls upon all States to adopt legislative and other effective measures to prevent the recruitment, training and transit of mercenaries for service in Namibia.

78. The Council appeals to all Governments, specialized agencies and international organizations, to contribute or to increase their contribution to the United Nations Fund for Namibia in order to assist the Nationhood Programme for Namibia and the United Nations Institute for Namibia in the formulation and implementation of their projects in support of the Namibian people, projects which are of particular importance for the economic and social development of an independent Namibia.

79. The Council will consider ways and means to derive full benefit from Namibia's membership in various international organizations and specialized agencies, in which Namibia is represented by the United Nations Council for Namibia, by making concrete proposals within the respective spheres of competence of those bodies directed at promoting the interests of the Namibian people. Council delegations attending meetings of these international bodies should make comprehensive preparations and have available specific briefs, to the extent possible. The Council urges all international organizations and specialized agencies to extend the fullest possible co-operation to the United Nations Council for Namibia, as the legal Administering Authority for the Territory until independence, and to facilitate concrete programmes of assistance for Namibia.

80. The Council, while expressing its appreciation to all those non-governmental organizations and support groups that are actively engaged in supporting the struggle of the Namibian people, urges such organizations and groups to intensify

and broaden, in co-operation with the Council, international action in support of the liberation struggle of the Namibian people and to increase their material, political and moral support to SWAPO.

81. The Council further appeals to such organizations to widen their campaign to increase the awareness of their national communities regarding the exploitation of the resources of Namibia by foreign economic interests in complete disregard of Decree No. 1, and to insist that these foreign economic interests must withdraw from Namibia immediately.

82. Furthermore, the Council urges all non-governmental organizations and support groups to campaign in their countries in support of a comprehensive programme of sanctions in order effectively to isolate South Africa politically, economically, militarily, culturally, as well as in sports, and to monitor, in association with the Council for Namibia, the implementation of that programme.

83. Taking into account the importance of the activities of non-governmental organizations and support groups aimed at promoting the Namibian cause, the Council will take steps through direct contacts as well as through the Department of Public Information and the United Nations information centres to make its co-operation with such organizations closer and more effective.

84. The Council, fully conscious of the crucial role that trade unions could play in the campaign to isolate South Africa, urges them to take all appropriate action, including organizing an embargo on all shipments to and from South Africa, as well as transport and communication with that country.

85. The Council appeals to information media, specialized media organizations and individuals working in the field of communications and information to intensify to the maximum extent possible the dissemination of public information concerning the struggle of the Namibian people for self-determination and national independence and the imperative need to terminate the illegal occupation of Namibia by South Africa. It endorses the call made by the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris in April 1983, a/ urging writers, commentators, lecturers, film directors and other persons in the arts to conduct a major world campaign of solidarity for the Namibian cause.

86. The Council notes with appreciation the co-operation extended to date by the Department of Public Information of the United Nations Secretariat in disseminating information on the struggle for independence of Namibia. It deems it desirable, nevertheless, that dissemination programmes should be given a new technological impetus and that the number of information channels should be increased so as to reach a wider audience, particularly in countries where information is lacking or available in distorted form. The Council also invites the information departments of organizations and specialized agencies of the United Nations system, and particularly the Intergovernmental Council of the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization, to participate in this new information campaign.

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87. The Council underscores the importance of systematic follow-up action with regard to missions of consultation undertaken by it. In this regard, the Council proposes to maintain more regular and active contacts with countries visited by missions of the Council, by means of contacts through diplomatic channels in New York and otherwise.

Notes

a/ Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13).

b/ See A/38/132-S/15675 and Corr.1 and 2, annex.

c/ A/AC.131/1984/CRP.37.

d/ See Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 24 (A/38/24), part one, para. 576.

e/ A/AC.131/116.

f/ A/AC.131/117.

g/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

h/ A/32/144, annex I.

i/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

j/ Ibid., No. 972, p. 135.

k/ Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

l/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

m/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII, document A/CONF.62/122.
