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at 3 p.m.
New York

SUMMARY RECORD OF THE 31st MEETING

Chairman: Mr. VRAALSEN (Norway)

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 25: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/31/23 (Part II), A/31/23/Add.7 (Part II), A/31/23/Add.8 (Part III); A/C.4/31/L.26 and L.27) (continued)

Question of Guam (A/C.4/31/L.26)

1. The CHAIRMAN drew the Committee's attention to the draft resolution concerning Guam which appeared in document A/C.4/31/L.26.

Question of French Somaliland (A/C.4/31/L.27)

2. Mr. EL-ZOEBY (Egypt), speaking on behalf of the sponsors, introduced draft resolution A/C.4/31/L.27. In the preamble to that draft resolution, reference was made to the report 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, to the relevant resolutions adopted by the General Assembly at earlier sessions, to the resolution and political declaration adopted by the non-aligned countries on the question of so-called French Somaliland (Djibouti), and to the statements made before the Fourth Committee and the Council of Ministers of the Organization of African Unity (OAU) by the parties concerned. In the operative paragraphs, the right of the people of so-called French Somaliland (Djibouti) to self-determination and independence was reaffirmed and supported, and the administering Power was requested to implement the programme for the independence of the Territory which it had outlined to the Committee. In addition, General Assembly resolution 3480 (XXX) was reaffirmed, and support was expressed for the resolutions on the question adopted by OAU. In conclusion, he informed the Committee that the draft resolution had the support of the Group of African States and he expressed the hope that it would be adopted unanimously.

3. Mr. RIFAI (Secretary of the Committee) announced that Algeria, Congo, Democratic Yemen, Mali and Tunisia had become sponsors of draft resolution A/C.4/31/L.27.

AGENDA ITEM 85: QUESTION OF NAMIBIA (A/31/23/Add.1, A/31/23/Add.3, A/31/24 (Vol. I), A/31/45, A/31/92, A/31/155, A/31/181, A/31/190 and Corr.1, A/31/197, A/31/213, A/31/237) (continued)

4. Mr. SIKAULU (Zambia) said that the recommendations in the report of the United Nations Council for Namibia (A/31/24 (Vol. I)) and the statement made by Mr. Theo-Ben Gurirab, representative of the South West Africa People's Organization (SWAPO), at the 30th meeting must set the tone of the general debate on the question of Namibia. The Committee had in fact started its consideration of the item on a positive note by rejecting, at the 29th meeting, the request for a hearing submitted by some misguided elements now active in Namibia. South Africa and its imperialist collaborators had intensified their manoeuvres to hoodwink the

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(Mr. Sikaulu, Zambia)

international community and the Committee must be on the alert to identify the instruments of the régime and fight against them.

5. Namibia was today no nearer independence than it had been the previous year. On the contrary, developments in the Territory confirmed that South Africa was not only opposed to genuine independence for Namibia, but that it would do everything possible to impose its own solution. Thus, it had gone ahead with the Constitutional Conference in Windhoek, the sole purpose of which was to perpetuate apartheid and the bantustanization of Namibia and to continue the colonial exploitation of the Namibian people and their natural resources. In other words, South Africa, with the support of international capitalism, was seeking to install in Namibia a puppet régime subservient to Pretoria. In total disregard of the genuine aspirations of the Namibian people, Vorster, the racist Prime Minister of South Africa, had harshly attacked SWAPO and had refused to negotiate with it. SWAPO was anathema to South Africa because it commanded the support of the people of Namibia and was resolutely committed to genuine independence for Namibia as a unitary State.

6. The leaders of SWAPO had displayed statesmanship and had co-operated with the United Nations in all the peace initiatives it had taken regarding Namibia. SWAPO had gone along with Security Council resolution 366 (1974), which had demanded that South Africa make a solemn declaration that it would comply with the resolutions and decisions of the United Nations in regard to Namibia and take the necessary steps to effect the withdrawal of its illegal administration maintained in Namibia and to transfer power to the people with the assistance of the United Nations. It had also gone along with Security Council resolution 385 (1976), which had called for the holding of national elections in Namibia under the supervision and control of the United Nations. SWAPO had seen that as an opportunity to prove that it was the authentic representative of the Namibian people. South Africa, on the other hand, had refused to comply with the aforementioned resolutions. SWAPO was nevertheless still prepared to negotiate with South Africa, but on the following conditions: the only issue open to discussion was that of the modalities for the transfer of power from South Africa to the people of Namibia; any talks on the matter must be directly between SWAPO, as the authentic representative of the people of Namibia, and South Africa, as the colonial occupier of the Territory; prior to the commencement of such talks, South Africa must unconditionally release all Namibian political prisoners and detainees. Unfortunately, South Africa was adamant in its refusal to negotiate with SWAPO on the basis of the foregoing.

7. Recently, some had sought to give the impression that progress had been made on the question of Namibia. In view of the current circumstances, it could be stated that nothing was further from the truth: South Africa continued to reject the numerous resolutions adopted by the United Nations concerning Namibia. The situation could not be allowed to continue and it behoved everyone to explore effective ways and means of resolving it. Thus, at the level of the Security Council, an attempt had been made to impose a mandatory arms embargo against South Africa under Chapter VII of the Charter, since its illegal occupation of Namibia

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(Mr. Sikaulu, Zambia)

undoubtedly constituted a serious threat to international peace and security. South Africa had increased its military power with equipment supplied by its foreign collaborators and was not only fighting the Namibian liberation movement but also committing aggression against Angola and Zambia. Some Member States argued, however, that South Africa's illegal occupation of Namibia did not constitute a threat to international peace and security. On that pretext, the three Western countries which were permanent members of the Security Council, the United States, France and the United Kingdom, had, through their abuse of the right of veto, prevented the Council from taking appropriate action against South Africa. The most recent instance had occurred the previous month when those countries had prevented the Security Council from adopting a draft resolution the purpose of which was to impose a mandatory arms embargo against South Africa. What was particularly disquieting was the deception implicit in the action of the three countries he had mentioned, since they proclaimed themselves in favour of a voluntary arms embargo against South Africa, which was in fact already in effect, but refused to make it mandatory. On the basis of their actions, his delegation could only conclude that there was acquiescence, if not complicity, on the part of those countries in the continued illegal occupation of Namibia by South Africa and in the racist régime's designs for the Territory. It might be expedient for some to be concerned only about their strategic interests and the economic benefits derived from the exploitation of Namibia's resources. It should be borne in mind, however, that the oppressed population of southern Africa had two basic rights, namely, the right to fight against domination and the right to choose their own destiny. Africa was not concerned with the preoccupation of some countries with the notion of spheres of influence.

8. His delegation was confident that the General Assembly would continue to give the necessary leadership regarding the role of the international community in the liberation struggle taking place in southern Africa. In the General Assembly, no nation could, for selfish reasons, prevent the adoption of a resolution supported by the majority. His delegation therefore called upon the Committee to adopt a resolution which, inter alia, would urge Member States to act in the very spirit of the draft resolution concerning Namibia recently vetoed in the Security Council, particularly with reference to its provisions concerning military collaboration with South Africa. The General Assembly could not remain silent when such collaboration not only grew but was also extended to the nuclear field. His delegation strongly condemned, and regarded as irresponsible, the nuclear collaboration between certain Western countries which were Members of the United Nations and South Africa. It also expressed grave concern over the exploitation of uranium and other natural resources in Namibia and, accordingly, urged all States to comply with the Decree on the Natural Resources of Namibia adopted by the United Nations Council for Namibia.

9. The people of Namibia, under the leadership of SWAPO, were continuing their struggle for independence. Since South Africa had persistently refused to engage in talks with SWAPO concerning the transfer of power, the Namibian people had the right to resort to armed struggle to achieve the liberation of their country. In that, they required the understanding and practical material support of the

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(Mr. Sikaulu, Zambia)

international community. The United Nations had a special duty to help them in their struggle. For its part, Zambia would spare no effort to assist them in their just cause.

10. Mr. KARHILO (Finland) recalled that in 1966 the General Assembly had terminated South Africa's mandate over Namibia and, one year later, had established the Council for Namibia to administer the Territory until it achieved independence, if possible in 1968. But 10 years later South Africa was continuing to occupy the Territory while the legitimate representatives of the Namibian people - SWAPO - had been harassed and detained.

11. The Council for Namibia had done all in its power but lacked the proper tools. In accordance with the Charter, the organ empowered to solve that type of problem was the Security Council. Between 20 March 1969 and 30 January 1976 the Security Council had adopted 15 resolutions on the question of Namibia. It should be noted that both in the first and in the last such resolution the Council decided that, in the event of failure by the South African Government to comply with the provisions of those resolutions, it would determine the necessary measures to be taken in accordance with the Charter. However, the Council had not yet decided what measures should be taken to end the illegal occupation of Namibia by South Africa. In October the Security Council had considered a draft resolution which, if adopted, would have placed a mandatory arms embargo on South Africa. In his Government's opinion that embargo was a necessary measure. As the Minister for Foreign Affairs of Finland had stated at the 45th meeting of the current General Assembly session, if the Security Council continuously failed to apply the sanctions in its power and thereby influenced the policies of South Africa, the credibility of the United Nations and its capacity to live up to the Charter would be seriously undermined.

12. In the mean time the situation in Namibia was continuing to deteriorate. There had been a South African military build-up in Namibia, especially in the northern parts of the Territory. Free-fire zones had been established along the border with Angola, which had led to the demolition of villages and forced resettlements of the population. Illegal detentions of SWAPO members had continued, and two of them had been sentenced to death - an illegal act which had been widely regretted and condemned by world public opinion. Evidently the purpose of the South African régime had been to create a climate of intimidation in order to silence the opponents of the so-called constitutional conference in Windhoek, aimed at establishing tribal homelands controlled by South Africa and destroying the national unity of Namibia.

13. The inhuman system of apartheid applied by South Africa also in Namibia was perpetuating the division of the economy into two sectors, a subsistence sector for the majority of the African population and an industrial sector for the white area. Industry and mines had been located in the white area, which consisted of the richer two thirds of the country. The indigenous people had been confined to native reserves and had been compelled to leave their families and accept contracts

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(Mr. Karhilo, Finland)

to work in the white area. Moreover, South Africa and certain foreign companies encouraged by Pretoria were exploiting the natural resources of the Territory. The United Nations had an obligation to guarantee the sovereignty of the Namibian people over their natural wealth; hence the importance of the Decree on the Natural Resources of Namibia, adopted by the Council for Namibia.

14. Although the Council for Namibia, for reasons beyond its control, had not been able to carry out its mandate for the administration of Namibia, it had undertaken various activities to call the attention of world public opinion to the situation in the Territory and to assist the Namibians in their struggle for self-determination and independence. One of its major efforts had been the establishment of the Institute for Namibia in Lusaka, with the generous support of the Government of Zambia and thanks to the dedication and energy of the United Nations Commissioner for Namibia.

15. The Government of Finland had consistently held the view that the responsibility of the United Nations for Namibia also called for an economic commitment and, consequently, it had sponsored resolution 2679 (XXV) establishing the United Nations Fund for Namibia, which was intended to help the Namibian people to prepare for independence.

16. Furthermore, the Government of Finland, firmly believing that United Nations efforts to fulfil its special responsibility for Namibia should be intensified, had proposed that a comprehensive programme in support of the nationhood of Namibia should be carried out in three stages. First there would be a stand-by call by the General Assembly to Member States and all appropriate organizations and bodies within the United Nations system for preparedness to participate in the programme. Secondly there would be the consolidation of all measures envisaged for the programme in a comprehensive and sustained plan of action. Thirdly there would be the implementation of the programme for the transitional period and the initial years of independence. Since the United Nations Council for Namibia was already exercising the function of co-ordinating aid for Namibia from United Nations agencies and other bodies, it should be called upon to elaborate the guidelines and policies for the nationhood programme and to direct and co-ordinate its activities. To be effective in its task the Council would need adequate secretarial services.

17. The specialized agencies and other organs within the United Nations system would contribute within their respective fields of competence, and the Institute for Namibia would obviously have an important role to play. In that connexion his delegation noted the contributions made by such agencies as WHO, which had made Namibia an associate member, and UNDP, which had decided on an indicative planning figure for Namibia. All Governments were invited to participate in the nationhood programme since their support was vital. There would also be a need for economic assistance, which could be contributed to the Fund for Namibia or to the Institute. To emphasize the urgency which Finland attached to the nationhood programme, the Finnish Government had decided to increase its contribution to the Institute fourfold for the following year, so that it would amount to about \$US 100,000. His Government had also decided during the current year to make a further contribution of some \$50,000 in addition to its earlier contribution of \$25,000. Although the

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(Mr. Karhilo, Finland)

Institute as such was most important, it was evident that other offers of study and training facilities for Namibians were needed as well. That would be one field of activities to be co-ordinated within the framework of the nationhood programme. Finland had received 22 Namibian students and was considering doubling the number in the future. He wished to stress that the implementation of the nationhood programme would require close co-operation between SWAPO and the Council for Namibia. His delegation, as a member of the Council, was ready to participate fully in the elaboration and implementation of the programme, and was interested in consulting with others as to how to promote it within the context of the deliberations of the Fourth Committee.

18. Despite the distance separating Finland from Namibia, the people of Finland had special ties of sympathy with the people of the Territory and, in anticipation of their independence, the Government of Finland would decide to designate Namibia as one of the major recipients of its development aid. It was also providing humanitarian assistance to SWAPO. Moreover, various non-governmental organizations in Finland had contributed to the cause of Namibia.

19. The United Nations must intensify its efforts to make South Africa cease its illegal occupation of Namibia. The most important factor in those efforts, however, was the determination and struggle of the people of the Territory under the leadership of SWAPO. His delegation noted with appreciation SWAPO's readiness to negotiate directly with the South African régime, and it fully supported the conditions set by SWAPO for those talks, namely that they must be under the auspices of the United Nations, that all Namibian political prisoners must be released and that South Africa must commit itself to withdrawing its armed forces from the Territory.

20. A stage had been reached where the South African Government's refusal to comply with United Nations decisions constituted a challenge to the entire international community. In the view of the Nordic Foreign Ministers, as stated in their joint communiqué of 20 August, the adoption of sanctions by the Security Council constituted the best means of demonstrating solidarity with the African people in their struggle for majority rule. His Government expected that, as a first step, the mandatory arms embargo would be imposed on South Africa, so as to clearly show the determination of the world Organization to seek peaceful solutions. The international community had a duty to make it clear to the illegal régime that the only acceptable solution was genuine independence and majority rule in a united Namibia.

21. Mr. QUARLES van UFFORD (Netherlands), speaking on behalf of the nine members of the European Communities, said that in the opinion of the countries for which he was speaking, South Africa should withdraw from Namibia at an early date so as to give the people of the Territory the opportunity to exercise their right of self-determination and independence in a fully democratic process, under the supervision of the United Nations, with full respect of the territorial integrity of Namibia. All political groups in Namibia should be given full freedom to engage in political activities, and all political prisoners should be released and exiles permitted to return. In order to achieve that, South Africa should include the major political groups in Namibia, notably SWAPO, in the independence negotiations.

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(Mr. Quarles van Ufford, Netherlands)

22. In January 1976, the countries of the European Communities had set forth their views to the Government of South Africa in a démarche undertaken by the Netherlands Ambassador in Pretoria, on the eve of the debate in the Security Council (S/11945). They had also brought those views to the attention of the Secretary-General in the message addressed to him by the Netherlands Minister for Foreign Affairs on 26 August 1976, on the occasion of Namibia Day.

23. In answer to that démarche, the South African Government had stated on 14 September 1976 that the situation was in a state of delicate negotiations on which it could not give any details; it had referred to the Windhoek constitutional conference and declared that the inhabitants of South West Africa themselves were to determine their constitutional future, since all options were open to them. That response from South Africa had been very unsatisfactory, since the Windhoek conference could not be regarded as a substitute for the necessary negotiations with the major political groups in the Territory.

24. The conversations between Dr. Henry Kissinger, Secretary of State of the United States of America, the Prime Minister of South Africa, and Mr. Sam Nujoma, President of SWAPO, had given rise to new hopes. Some progress had apparently been made, and it was to be hoped that the momentum of the talks would be maintained and that no time would be lost. In that connexion, the continuing efforts of the Presidents of the front-line States to find a constructive solution must be acknowledged.

25. The countries of the European Communities wished to appeal to all parties, including the Government of South Africa and SWAPO, to examine the situation carefully and explore all possibilities for reaching a solution. Early consideration must be given to the arrangements for holding a conference under United Nations auspices, with the hope that at that conference the positions of all those concerned could be brought closer together in the interests of peace and rapid progress towards independence. It would be tragic if the outstanding problems could not be solved now that independence was no longer a remote possibility.

26. The countries of the European Communities were very well aware of the risks inherent in the present developments, but they continued to believe that a peaceful solution was possible and were prepared to contribute to all efforts aimed at achieving that solution.

27. Mr. BOUZAIANE (Tunisia) said that his delegation endorsed the recommendations contained in the reports of the Council for Namibia and the Committee of 24. It had also taken note of the statement of Mr. Theo-Ben Gurirab, the representative of SWAPO, who had emphasized that he was pessimistic about arriving at a peaceful negotiated solution of the process of liberation of the Territory.

28. After reviewing the historical background of the question of Namibia, he said that despite the bloody colonial régime imposed upon it for more than a century, the Namibian people had not wavered in its determination to win freedom and independence.

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(Mr. Bouzaiane, Tunisia)

29. Today the previously latent tensions in southern Africa threatened to turn into a racial conflict constituting a threat to international peace and security. South Africa was reinforcing its military power in Namibia and creating new military bases, like the one at Grootfontein, and new training camps. The indigenous population was being subjected to a police régime of repression, terror and intimidation under which mass arrests, imprisonment, maltreatment and murder were commonplace. A systematic policy of extermination of the indigenous population was being pursued by virtue of the state of emergency proclaimed in 1972 and still in force. Moreover, the South African Government was continuing to carry out its policy of "bantustanization" in spite of the opposition of the international community and the resistance of the people of Namibia.

30. South Africa's acts of provocation against the independent States of Zambia and Angola were subjecting the population of the frontier areas to conditions of insecurity and constant exodus. Along the frontier with Angola the Namibian population had been ruthlessly evacuated to create a buffer zone in which martial law prevailed, in order to intimidate and punish the neighbouring countries at will and prevent the movement of the freedom fighters. His delegation wished to proclaim its active solidarity with the fraternal peoples of Angola and Zambia, which, despite the reprisals of the South African military forces, had been unsparing of support and assistance for the cause of the Namibian people.

31. With a view to dismembering the people of Namibia and violating its territorial integrity, the South African Government was setting up a number of false constitutional conferences, taking good care to exclude the only truly representative organization, whose legitimacy had been recognized by the Organization of African Unity and the United Nations. Thus it was trying to sow confusion and retain its control over Namibia's natural resources. At the Turnhalle conference, for example, no measure leading to even a gradual elimination of legislation relating to apartheid, nor to a cessation of the bantustanization policy, had been adopted.

32. His Government condemned the manoeuvres of the South African régime aimed at deceiving the international community and fully shared the opinion concerning the Windhoek conference expressed by the Secretary-General in the Introduction to his report on the work of the organization (A/31/1/Add.1, p. 7). The Secretary-General stated the following on the subject: "I feel obliged to say, however, that it is a matter of regret that these proposals fall far short of the essential conditions stipulated by the United Nations and do not, therefore, constitute an adequate response to the needs of the situation. At this late hour, it is essential that South Africa co-operate fully with the United Nations in resolving this matter to the satisfaction of the people of Namibia and of the international community."

33. Determined to continue exploiting the African population and the mineral resources of the Territory, South Africa was continuing to reject any idea of transferring power to the Namibians. While his delegation supported the initiative of the Governments of Member States to ensure the Namibian people's exercise of the right to self-determination and independence and to induce South Africa to

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(Mr. Bouzaiane, Tunisia)

follow the path of reason and co-operation, it doubted that the South African Government was truly willing to respond to the appeals of the international community; instead, it was engaging in delaying tactics to consolidate its racist policy of exploitation and domination.

34. At the present decisive moment for the destiny of Namibia, the United Nations should support the Namibian people in its struggle for self-determination and independence. To that end, it would be desirable to take immediate steps in consultation with SWAPO and under the auspices of the Council for Namibia. Above all, parallel with the support of various kinds for the freedom struggle, the training of Namibians in all spheres and disciplines essential to the normal development of an independent Namibia must be continued. That would avoid a situation of potential chaos when independence came and would ensure that trained nationals would take charge of the country's destiny.

35. His delegation proposed that the United Nations should promote the initiation of negotiations under its own auspices between South Africa and SWAPO concerning the transfer of power to the Namibian people; before those talks, the United Nations should demand the withdrawal of all South African forces from Namibia and the release of all Namibian political prisoners and should, parallel with that, take the necessary steps to enable the Council for Namibia to take charge of the Territory. If those initiatives failed, the United Nations should recommend the Security Council to take enforcement action against South Africa and to apply sanctions under Chapter VII of the Charter.

36. Mr. DOLJINTSEREN (Mongolia) said that the question of Namibia was one of the most crucial to be examined by the Committee, since the situation in the Territory continued to be grave and explosive. Since 1966, when South Africa's mandate over the Territory had been terminated, the General Assembly and the Security Council had adopted numerous resolutions calling for the freedom and independence of the Territory. Yet South Africa, disregarding the appeals of the international community, was continuing its illegal occupation of Namibia.

37. His delegation condemned the apartheid régime of the South African Government and its so-called constitutional conferences, the purpose of which was to create division among the ethnic groups and to "bantustanize" the Territory. Those constitutional conferences, which SWAPO had described as "puppet conferences", had been rejected by the Namibian people.

38. Aware that the situation in Namibia constituted a threat to international peace and security, his delegation wished to express its grave concern at the strengthening of South African military power in the Territory and condemned the mass arrests and tortures to which the Namibian people was being subjected.

39. His delegation also condemned the attitude of the Western Powers which had exercised their veto in the Security Council to prevent the imposition of a total and compulsory embargo on the sale of arms to South Africa. That attitude had also been censured by the Organization of African Unity and by the Conference of Heads of State or Government of Non-Aligned Countries.

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(Mr. Doljintseren, Mongolia)

40. The Namibian patriots, under the leadership of SWAPO, now enjoyed the support of progress-loving peoples and the socialist countries and would triumph in their legitimate struggle against the racist occupier. In that connexion, the United Nations had the duty to give assistance to SWAPO, the authentic representative of the people of Namibia.

41. His delegation supported the recommendations of the Committee of 24 and the Council for Namibia and was convinced that a resolution taking account of the aspirations of the Namibian people would be adopted.

The meeting rose at 5.10 p.m.