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AGENDA ITEM 65

Question of South West Africa: 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 (continued)*

1. The PRESIDENT: I intend to ask the Assembly to vote on the draft resolutions submitted under this item. One of these [A/L.483 and Add.1-3] is sponsored by fifty-four Members. The other two draft resolutions [A/L.486 and A/L.487] have been submitted by the delegation of Saudi Arabia. In addition, we have amendments submitted by twenty-one Members [A/L.488].

2. Before I call on the representatives who wish to explain their votes, I should like to invite the attention of Members to the report of the Fourth Committee [A/6458], on the requests for hearings concerning the question of South West Africa. As Members will recall, the Assembly requested the Fourth Committee to submit a report on such hearings to the plenary before the plenary concluded its consideration of the question. Unless I hear any objection, I shall consider that the Assembly takes note of this report of the Fourth Committee.

It was so decided.

3. The PRESIDENT: Before we proceed to vote on the draft resolution sponsored by fifty-four delegations and the amendments thereto, I should like to call on the speakers who wish to explain their vote before the vote. In this connexion, all representatives are no doubt aware of rule 90 of the rules of procedure.

4. Mr. JACOBSON (Finland): The vote which we are about to take on the proposals related to the question of South West Africa has been described by many speakers as being of historic significance, first of

all, of course, for the people of South West Africa, but also for the United Nations itself as a test of the authority and effectiveness of our Organization.

5. Since there is general agreement, as has been shown by the debate, that South West Africa is a Territory having international status, and that the Republic of South Africa, by disavowing the Mandate and by introducing into the Territory the system of apartheid has lost the right to administer the Territory, then it follows that the United Nations must assume responsibility for South West Africa and its people.

6. How are we to discharge that responsibility? This crucial question has been the main subject of the intensive negotiations which have preceded the vote of today and in which the delegation of Finland, as a member of the Nordic group, has participated. The five Nordic delegations put forward in these negotiations some proposals and ideas designed to promote a practical approach to the problems that the United Nations will face in assuming responsibility for South West Africa. We can, of course, claim no copyright for those ideas. In fact, similar ideas have been put forward from several sides more or less at the same time. The draft amendments introduced by the Latin American countries [A/L.488] correspond in all essential respects to the views of the Nordic group, and my delegation is of course happy to support those amendments.

7. The adoption of those draft amendments, in our view, will improve the original draft resolution sponsored by the Afro-Asian group in two important respects. One is that the draft resolution will have a better chance of standing the test of practical application. The other equally important improvement is that the draft resolution, if amended as suggested, will command much greater support in the General Assembly. Thus the negotiations of the past weeks have not been in vain. All the parties involved in them have made a genuine effort to find a solution that can be accepted by an overwhelming majority and carry correspondingly greater weight. Let us hope that that majority will also include the permanent members of the Security Council, for they have the power and the authority to ensure the ultimate success of the undertaking upon which the United Nations is now about to embark.

8. The purpose of that undertaking can be stated in simple terms: it is to put an end to the system of apartheid in South West Africa and to make it possible for the people of the Territory to shape their own future in freedom and in dignity. For that purpose the Finnish delegation will not hesitate to cast its vote today.

*Resumed from the 1449th meeting.

9. Mr. TSURUOKA (Japan) (translated from French): In the statement I made on 27 September last [1419th meeting], the Japanese delegation stated its position on the problem before us and suggested what it thought would be the most effective and practical means of reaching a final solution of the problem of South West Africa. We said, *inter alia*, that to a large extent the solution of this problem would mean restoring the rule of law, due account being taken of the moral and political requirements of the modern world. This approach still remains dear to the Japanese Government.

10. That being so, the explanation of my vote can be very brief. It concerns mainly the draft resolution sponsored by the Afro-Asian Powers [A/L.483 and Add.1-3].

11. The Japanese delegation is happy to be able to vote in favour of the draft resolution as a whole. It considers, along with several other delegations present here, that for many years South Africa has continuously failed to meet its obligations as set forth in the provisions of the Mandate Agreement, some of which are essential for the attainment of the purpose and goal of the Agreement.

12. The Japanese delegation considers that the General Assembly, which has thus been compelled to consider seriously this violation by South Africa of its obligations, is right to proclaim the objective set forth in paragraph 4 of the Afro-Asian draft resolution. It is in this sense that the Japanese delegation understands and shares the idea expressed in the first four paragraphs of the draft, which are the key paragraphs. Therefore, Japan will vote in favour of the draft resolution as a whole.

13. However, the Japanese delegation would have been happier if the draft resolution, before laying down specific measures to attain the objective, had first sought to invest both the form and substance of those measures with unquestionable legal force. My delegation is convinced, on the one hand, that the measures to be taken in this instance should be based on a solid legal foundation in order to have the desired effect, and, on the other hand—and I consider this important—that the General Assembly would have no difficulty in securing that foundation for measures likely to solve the problem of South West Africa in the sense indicated in paragraph 4 of the draft resolution.

14. The Japanese delegation would like to see an *ad hoc* committee set up within the General Assembly for the purpose of studying the different practical and legal aspects of the problem, in order to expedite the attainment of independence by the people of South West Africa.

15. Subject to the reservation which I have just made, I repeat that the Japanese delegation will have great pleasure in voting for the draft resolution submitted by the Afro-Asian Powers.

16. The Japanese delegation's attitude towards the Latin American amendments (A/L.488) follows from what I have already said. My delegation will also vote in favour of these amendments, subject to the same

reservation which I have just outlined, to the extent, of course, that that reservation is applicable.

17. In the same way, my delegation will abstain from voting on the Saudi Arabian draft resolutions [A/L.486 and A/L.487].

18. Mr. MULLER (South Africa): I shall speak very briefly with respect to the votes which my delegation will cast on the draft resolutions before the Assembly.

19. We are fundamentally opposed to each of the draft resolutions and we shall consequently vote against the whole of each draft resolution as well as the amendments.

20. We realize and appreciate that there were attempts at instilling a measure of moderation and responsibility into an emotionally over-loaded atmosphere. But in the final outcome the substance of all proposals, including amendments, remains in our view wholly unrealistic and without justification in fact and in law.

21. Throughout the debate my delegation has endeavoured to state its case with clarity, reason and moderation. We have appealed for a reconsideration of basic facts. We have emphasized what a large measure of agreement exists on matters of principle and objectives—agreement in fact, as opposed to misconceptions and misrepresentations—and that the real problems are concerned with method and practical application. We have appealed to Members to guard against the shutting of doors to further dialogue which is so necessary for better understanding and co-operation. We have stressed that we seek such understanding and co-operation and friendship. At the same time we have not hesitated to point out frankly the dangerous and far-reaching implications inherent in differing degrees in the various proposals and suggestions as they emerged during the debate. Yet an air of complete unreality has persisted.

22. I should have thought that with the conclusion of the South West Africa case in the International Court a new phase had been reached in which a realistic dialogue should have been possible concerning future relations. But the wave of emotionalism has proved too strong.

23. Briefly, the outcome seems to be that this Assembly itself is now to sit in judgement on the substantive issue left undecided by the Court. The Court was called in to give an impartial decision on issues of law and fact that had arisen in political organs of this Organization. Now a political organ itself is to decide those issues on sheer voting power. The issues were complicated ones. Over five years were required to thrash them out in the Court proceedings. This Assembly is now to give judgement after sporadic debating sessions stretching over about four weeks. The issues required expert and concerted study after proper informative processes. Thousands of pages of detailed evidence and argument, written and oral, were presented to the Court. This Assembly is to give judgement without even looking at that evidence on the facts and without any expert study on the law.

24. All this becomes even worse when we consider a complaint so often echoed in this Organization, namely, that South Africa is unco-operative as re-

gards furnishing information. In the Court, which is an organ of this Organization, all the oral evidence and nearly all of the written presentations of fact came from South Africa plus an offer of detailed inspection *in loco*. The facts as presented by South Africa were fully documented, and they were not disputed but eventually admitted as true by the Applicant States. Yet all the facts are ignored in the process of rushing to a condemnation by this Assembly. Or is it because the facts are favourable to South Africa that it would not be convenient to take any notice of them?

25. It is on such foundations that South Africa is to be condemned as having failed to fulfil its sacred trust obligations and as having lost or forfeited all right to administer South West Africa. True facts are to yield to mere assertions, mostly uninformed, often reckless. If any regard were paid to the body of admitted fact and uncontested testimony available for the purpose, nobody could, with honesty or even with plausibility, continue making the type of assertions that we have heard in support of these draft resolutions.

26. It would, for example, not be possible to deny that South Africa is seeking to promote self-determination for all the people of South West Africa and respect for their human rights, dignity and freedom. Nor would it be possible to assert that through its policies South Africa has established a rigid system of racial domination; and so forth.

27. It is a great tragedy that there should appear to be a gulf between others and ourselves on such matters, when in truth there is nothing but a cloud of illusion. And it is an even greater tragedy that States which do know better or should know better, which must appreciate what South Africa has already done and is doing to promote the well-being and progress of the inhabitants of South West Africa, and particularly of the non-white inhabitants, should join in the cry that South Africa has forfeited the right to administer the Territory. They know at least how favourably the standards of well-being compare with those of peoples in comparable Territories in Africa and elsewhere, what immense problems are being obviated by the policy being applied, and what irreplaceable contributions are rendered by South Africa's resources, technology, experience, and so forth. Yet they imply that a better form of administration is to be substituted. Can anyone seriously suggest that something better can emerge from the proposals now before this Assembly?

28. So much for the substantive aspects of the proposed draft resolutions. I have to add a few words on the legal aspect.

29. My delegation has already stated clearly and unequivocally that the United Nations has no legal right of unilateral termination of South Africa's authority to administer South West Africa. In principle this applies also to the draft resolution of Saudi Arabia, which seeks a declaration that South Africa has forfeited its right to administer South West Africa, and calls for action by the Security Council.

30. The amendments introduced today [A/L.488] seek to rely on a new concept—that of so-called

disavowal of the Mandate. This is also invalid, and indeed misleading. I have to put the record straight on that point, even if in only a few words.

31. My Government has frequently expressed the view that as a matter of law the Mandate lapsed on dissolution of the League. On being asked to explain on what basis its right of administration would, in that event, rest, it has also explicitly stated its view in that respect. But it has never suggested that if its view of the lapse of the Mandate should be wrong it nevertheless wished to be divested of the Mandate. On the contrary, it has consistently stated its intention to continue to administer South West Africa in the spirit of the principles laid down in the Mandate. In other words, it would continue to pursue its sacred trust obligations, whether they were now to be seen as legal or moral.

32. My Government has also repeatedly made clear that its view as to absence of supervisory power on the part of the United Nations stands independently of the question whether the Mandate has lapsed or is still legally in force. There is consequently no justification for the assertion that South Africa has in fact disavowed the Mandate, in the sense which is apparently being suggested—namely, of terminating by its own action a legal institution which would otherwise still be in force. The attempt to base a resolution on that suggestion is indeed a rather significant acknowledgement—that is, an acknowledgement of at least strong sensitivity to our contention concerning the absence of a right of unilateral termination of South Africa's administration of South West Africa.

33. In conclusion, I wish to state that I am confident that the cloud of illusion to which I have referred will one day disappear. The truth will out, whatever attempts may be made to suppress it. Even in this debate there have been some hopeful signs. The large majority of speakers has at least refrained from repeating the outrageous assertions about militarization, terrorization and threats to peace. But the obstacles to real understanding are still great, and these will undoubtedly be increased by the adoption of any of the draft resolutions, to a degree depending on the exact circumstances. Fundamental matters are at stake which, apart from requiring the very serious consideration of all United Nations Members, make it necessary for me to reserve entirely the position of my Government.

34. Mr. ASTROM (Sweden): Since this is the first time that the Swedish delegation has been called on by you, personally, Mr. President, I should like to say how happy we are to see you occupying this exalted position. Your long experience, your deep knowledge of the workings and the practices of the United Nations, your wisdom and your patience are guarantees that the work of the General Assembly will proceed under the best possible auspices.

35. May I explain in a few words the position that will be taken by the Swedish delegation on the proposals now before the General Assembly.

36. The formal debate has come to an end. The General Assembly is about to take a decision. The importance of that decision is indeed extraordinary.

If it results in effective action, it will prove a milestone in the history of organized international endeavours to further the cause of freedom in the world. In the first place, it will have a decisive impact on future developments in the southern part of Africa. It will also largely determine the direction and the efficiency of United Nations activities everywhere and in all fields. We shall have recognized in action that the world has moved towards more intensive integration, founded on human solidarity, irrespective of nationality, race, sex and religion. This solidarity makes us feel concern for all victims of unequal and discriminatory treatment round the world. What causes our attention now to be directed to South Africa and to South West Africa is that we find there a continued conscious and systematic suppression of human rights as part of government policy. That is what makes solidarity, irrespective of race, the great and grave issue in those Territories.

37. It would be a catastrophe of more than regional impact and consequence if the racial frontiers became frontiers of open warfare. We must do our utmost to oppose the drift to catastrophe.

38. All this, in our view, makes it imperative for the General Assembly to approach the problem with the utmost seriousness and try to arrive at solutions that can be implemented. The means at the disposal of the United Nations have to be carefully assessed. The measures to be taken should be chosen in the light of the over-all objective and at the same time with due account of the requirements of the case and the capacity of the United Nations for effective action.

39. The Swedish Government shares the feelings of disappointment caused by the judgement of the International Court, but it seems to us that, however regrettable the result of the appeal to the Court has been, it would be wrong to turn our backs on the Court. We must not diminish our faith in the rule of law and in the ultimate desirability of a peaceful world order based on the regular application of legal principles. I may say in passing that the Swedish delegation would like, on another occasion, to revert to the question of what practical steps could be taken to strengthen the judicial means at the disposal of the international community.

40. The judgement of the Court does not mean that the Government of South Africa has received a blank cheque or an authorization in any form to carry out the policy of apartheid in South West Africa. In our view, the judgement has placed upon the United Nations a duty to fulfil the sacred trust of civilization with regard to South West Africa, which has been betrayed by South Africa. The problem before us is how this responsibility is to be discharged.

41. As far as the Swedish Government is concerned, our starting point has been that South Africa is in continued breach of its obligations under the Mandate and that it has forfeited by its deeds every right to continue to administer the Territory. This situation should be formally and solemnly recognized and stated by the General Assembly. We feel that the General Assembly could and should go further and decide that the Mandate, as a consequence, is terminated—a Mandate which South Africa itself has

disavowed—and that the United Nations has specific responsibilities for transitory administrative arrangements pending the exercise by the inhabitants of their right to self-determination. Finally, we believe that the many problems that arise concerning the practical steps to be taken by the United Nations with a view to setting up the necessary administrative machinery should be carefully considered by an ad hoc committee. The Security Council should be asked to give attention to the resolution.

42. That was our starting point, as I have said. That has also been the content and the purpose of the proposals which we, together with the other Nordic countries, put forward during the consultations. We hoped that it would be possible on the basis of these proposals to bring about in the General Assembly a resolution that would be realistic and generally acceptable. I stress both aspects—realistic and generally acceptable. We all know that the measure of support will decide the extent to which the resolution will be translated into practical measures.

43. I note with satisfaction that the ideas I mentioned have now been incorporated in the draft amendments proposed by a group of Latin American countries [A/L.488]. Therefore it is self-evident that the Swedish delegation will vote in favour of those amendments and in favour of the draft resolution as a whole.

44. Even at this very late hour it may still be possible to overcome the last remaining obstacles and to achieve a generally agreed resolution. It is our fervent hope that these last-minute attempts may succeed.

45. Let me again express the hope that a resolution of the General Assembly will be supported by an overwhelming majority, including the permanent members of the Security Council, which in this issue, as in other major world issues, have a special responsibility. It would then lead to truly effective action and allow us to go forward step by step to help the cause of freedom—national and individual freedom—and not only in South West Africa.

46. The PRESIDENT: The representatives who have indicated their wish to speak in explanation of vote before the vote have spoken. I now call on the representative of Mexico to introduce the amendments.

47. Mr. CUEVAS CANCINO (Mexico) (translated from Spanish): As spokesman for the twenty-one Latin American States sponsoring the amendments [A/L.488], my delegation would have liked to have had the occasion to submit them to the Assembly before they were referred to by various delegations while explaining their votes. We realize, however, the pressure of time under which we were working, and with the Chairman's permission we shall put them forward now. On behalf of the twenty-one Latin American sponsors, I have the honour to submit them to the Assembly for its consideration.

48. They embody a series of suggestions which we consider deeply significant for the future of South West Africa. In view of the importance of the issue, the deep interest it has aroused in this and in earlier sessions of the Assembly, and the unanimity of ideals inspiring the members of the Latin American group, I shall allow myself a few general remarks.

49. The problem of South West Africa is as old as the United Nations; as early as the first session of the General Assembly, the then Prime Minister of the Union of South Africa sought the approval of the world community for the annexation of that Territory. Twenty-one years later, the basic features of the problem have not changed, for it is precisely the annexation of that Territory, with its inhabitants, its wealth and its immense potential, which constitutes the leit-motiv of South African policy. Similarly, the United Nations, impelled by its implacable opposition to this policy, has adopted one resolution after another, endeavouring by any means at its disposal to warn the Government of the Republic of South Africa that its behaviour is indefensible and its actions unacceptable in the eyes of the world.

50. We Latin American representatives have always been standard-bearers in the long and complex history of South West Africa; our peoples, who have also emerged from a blending of races and a struggle for independence, could never remain indifferent to this great issue. If you examine the history of the question, you will see many of the weightier proposals made in the Fourth Committee were put forward by Latin American representatives, and that several of our spokesmen, over the past five years, have considered as inevitable the measures now being proposed to the Assembly to resolve once and for all the question of South West Africa.

51. The Latin American representatives have approached this issue with the most sincere determination to achieve a solution acceptable to all. Like so many others, they have seen their past efforts rendered useless by the unjustified, persistent, obdurate and fallacious refusal of the South African Government to listen to what has been and still is the unanimous opinion of the world community. We have differed at times on means and on emphasis; we have had disagreements over the immediate powers of the Assembly; and we have adopted opposing views on resort to the International Court of Justice. On one point, however, there has not been the slightest difference among all the Members of our Organization. We are convinced that the inhabitants of South West Africa have the inalienable right to the exercise of self-determination and to the achievement of independence, and that the world community is duty bound to defend that right and to ensure that those entitled to it will enjoy it without the interference of conflicting and extraneous interests.

52. The Organization has persistently and repeatedly tried every means to protect the exercise of these rights with the collaboration of the Mandatory Government. It has been prepared to establish a system similar to the Mandates System and quite different from the Trusteeship System established by our Charter; it has designated various committees for study and negotiation of every kind; by political and politico-legal measures, adopted either directly or through the help of some of its Members, who assumed the special responsibility of applying to the International Court of Justice, it has succeeded in achieving the acceptance of international jurisdiction over South West Africa. These and all other efforts have been met only by persistent, repeated and, what is more,

contemptuous rebuffs. Not one of the numerous resolutions adopted on this question by the General Assembly has succeeded in changing by one iota the policy of the South African Government. At no time has South Africa recognized the competence of our Organization, the authority conferring the Mandate to keep watch over the manner in which the Mandatory Power is discharging its obligation.

53. South Africa claims to be answerable only to itself, opposes and flouts the legitimate and crucial interests of the legally constituted international community of the United Nations. It is applying, on an ever-increasing scale, policies of racial separation, which have been repeatedly condemned, with the most valid arguments, as intolerable violations of our Charter.

54. This, and this alone, has been the situation confronting our Organization in South West Africa. Since the Court was unable, in its unfortunate decision, to help solve the question of South West Africa's future, it is clear that the Assembly must take over this responsibility. We have been left with an obligation to act. Because of the long-standing nature of this problem, because of the progressive deterioration of the situation, which gives the appearance of a night without end, and because of intransigence of the Mandatory Power, we believe it is necessary to take definitive action.

55. The amendments proposed by the Latin American countries, as a whole, merely serve to clarify and reinforce the General Assembly's action. The States which compose the sponsoring group feel that, in view of the past history of this question and in the present state of the world, it is necessary to adopt not just one more resolution which would permit the former Mandatory Government to flaunt the ineffectiveness of the United Nations, but a resolution which would ineluctably change the course which has been followed up to now by that hapless Territory.

56. The sponsoring group of Latin American countries has endeavoured to carry out extensive negotiations and to assist all like-minded States in the search for a unanimous resolution which would have great moral force behind it and which would involve a commitment by the Great Powers to put an end to this deplorable situation. The Latin American Governments have always desired a clear and forceful resolution which could command unanimous support. We believe that this is the only way of initiating the final stage of this question and of ensuring that the people of South West Africa will enjoy a brighter future, in which the entire world community will guarantee their right to exercise self-determination and achieve prompt independence.

57. It is with the conviction that we are coming much nearer to unanimity that we submit the amendments which have just been circulated. We are seeking nothing less than a definitive resolution. We want to impress on one of the Member States the fact that it has crossed, in the late Judge Lauterpacht's phrase, the almost imperceptible line between the non-fulfilment of a resolution and the continued and persistent contempt shown by a Member towards the judgement of the world community, represented by the General Assembly and expressed through an unbroken series of

decisions condemning the blatant abuse of a sacred trust.

58. The group of Latin American States, on whose behalf I have the honour of speaking, is putting forward with confidence a formula based upon the unanimous acceptance of the principles whereby the United Nations will terminate the Mandate and assumed direct responsibility for guiding the people of South West Africa towards independence. In so doing, we do not lose sight of the Assembly's moral obligation to the valiant Herero people, who fought with spear in hand against the invader in the early years of this century, when the doors were closed to their rightful aspirations for independence, and when their struggle was nothing more than a sacrifice.

59. These amendments carry with them the deep conviction that we are taking a meaningful step towards the unification of the desires and purposes of the world community and that together we are initiating what can and must be a new chapter in international relations. These are the noble motives which have always guided the States of Latin America, and it is these motives which prompt me confidently to place before the General Assembly, on behalf of the sponsoring States, the draft amendments [A/L.488]. They can be considered not merely as amendments to the original Afro-Asian draft [A/L.483 and Add.1 and 3], but as a second version of the same document, inspired by the same principles and aimed at the same goals.

60. The PRESIDENT: The representative of Mexico was quite right in saying at the beginning of his statement that it would have been much better if the amendments had been introduced at an earlier stage. I should like to inform the Members of the Assembly that the Chair has never had and does not have the intention of allowing what he referred to as the pressure of time to interfere with the work of the Assembly. The only reason the representative of Mexico did not have the opportunity of submitting the amendments at an earlier stage was that the Chair had not received any request from him before we started on the business for today and on explanations of vote. Otherwise the Chair would have been very happy to allow the representative to speak at the time he wished.

61. Mr. TABOR (Denmark): We have now heard the introduction of the amendments of the Latin American countries [A/L.488], and I should like to make a few brief remarks on the position of my country with respect to those amendments, to the contents of the draft resolution on South West Africa [A/L.483 and Add.1-3], and to the situation in which we find ourselves today in the Assembly.

62. Let me first state the main principles of the Danish Government's policy on the question of South West Africa. My Government and, I can assure Members, the people of Denmark, fully support the inalienable rights of the people of South West Africa to self-determination and independence.

63. In the second place, we are of the firm opinion that South Africa has lost every right which it had in respect to South West Africa because of the countless and flagrant violations of its sacred trust

under the Mandate. Thirdly, the responsibility of the United Nations for the future of South West Africa must be clearly defined.

64. Against this background it is evident that my delegation is in full agreement with the ideas underlying the fifty-four-Power draft resolution and that we can support it, apart from some of its provisions concerning the modalities and the procedure to be followed.

65. With this in mind, the Nordic countries, at a very early stage after the presentation of the draft resolution, made known, in private consultations, to the sponsors as well as to certain groups and countries, that we would prefer certain changes to be introduced in its operative paragraphs 5, 6 and 7. I am glad to state that we met with a great measure of understanding and a genuine will to co-operate on the part of the sponsors, with whom, as a matter of fact, we have reached an understanding on all essential points with respect to our reservations.

66. By and large, the amendments introduced today by the Latin American countries accord with our ideas as presented during our informal consultations during recent weeks and, therefore, my delegation will be able to support them.

67. I think I ought to state, for the sake of the record, that the Nordic countries did not present these amendments officially in the General Assembly only in order not to influence unfavourably the consultations which were taking place in an effort to reach a compromise solution which would have the support of the overwhelming majority of the membership. We considered those efforts to be of the greatest importance and to take priority over any other aspect of the matter at that time, since it is essential for the implementation of any resolution which may be adopted that it should be supported by an overwhelming majority—above all, by the Great Powers.

68. We had hoped, and we still hope, that it will be possible to bridge the gap between those who hold very firm views on the responsibility and involvement of the United Nations and those who wish to show some restraint in this respect. If that is possible, it will certainly add a most welcome element of reality to our decision.

69. We were very much encouraged when, during the consultations, all concerned made a number of concessions, thereby limiting the area of disagreement to a minimum. We do hope that when the vote is taken here the draft resolution will not lack the support of those Member States whose co-operation is vital for its implementation. In our opinion, if it did lack that support that would be tantamount to a failure by the General Assembly in its duty towards the people of South West Africa, towards the cause of human freedom, and towards the high principles of our Charter.

70. May I conclude by saying that Denmark will be able to vote in favour of the amendments and of the draft resolution as a whole. But we do believe that there is still an opportunity to arrive at a compromise acceptable to virtually all Member States of this Assembly, and I should like to urge that a last effort should be made in this respect.

71. Mr. ACHKAR (Guinea) (translated from French): On behalf of virtually the entire Afro-Asian group which sponsored the draft resolution now before the Assembly [A/L.483 and Add.1-3], I have been authorized to clarify a few points. I should like to say first of all that the sponsors of the draft resolution have always affirmed that the question of South West Africa, the crisis of South West Africa, is not exclusively the concern of one or more groups of States, but is a problem facing the entire United Nations. South Africa's crime in South West Africa is not only an affront to the people of South West Africa and to the people of Africa in general, but also to the international community as a whole. The rights of our Organization and the international character of the Territory of South West Africa have been repeatedly confirmed by the International Court of Justice. That is why, in our draft resolution, we have been concerned to reiterate clearly and categorically the aims we have in mind. However, we have never maintained that this draft resolution is perfect; we have merely said that it sets forth the most appropriate conditions for a solution to the problem of this unhappy country, which has suffered under the South African colonial yoke for so many years.

72. It is with these thoughts in mind that, in seeking the best ways and means to achieve our aims, we have tirelessly persevered in consultations and contacts with all the spiritual families in our Assembly, to see if there existed a basis for common understanding which could meet the fundamental aspirations of the South West African people, as well as those of the other Africans and all freedom-loving peoples. We have seen that most of these spiritual groups—and here I wish to mention in particular the Latin American and Scandinavian States—had the same intentions as ourselves, the sponsors of the draft resolution. These States, like us, were eager to liberate the South West African people from South African colonial oppression. We have seen that there were differences of opinion concerning the most appropriate methods for reaching this solution and achieving this aim. Since, as I have already mentioned, the sponsors have never wished to dictate terms to the Assembly as a whole, we thought that it should be possible to reach an agreement. That is why we noted with profound satisfaction this morning that our Latin American friends had made the necessary effort to submit amendment [A/L.488] which, we believe, come very close to the ideas we have set forth in the draft resolution.

73. In fact, the essential principles, which we would like the General Assembly to adopt and enforce, are as follows. In my opinion, they are contained in the draft amendments of the Latin American group, so with the Assembly's permission, I shall read them out in the form in which they appear in the amended text submitted by our Latin American friends.

74. First, in the amended paragraph 3, we are asked to declare "that South Africa has failed to fulfil its obligations in respect of the administration of the Mandated Territory and to ensure the moral and material well-being and security of the indigenous inhabitants of South West Africa, and has, in fact, disavowed the Mandate". This is an

obvious truth which has been recognized by all those who have spoken in good faith from this rostrum. We are pleased to see that it has been so clearly stated. However as I have said, although our draft resolution seems to be phrased in the most exact and categorical terms, we feel that the elements contained in the amended paragraph 3 do not depart from our objectives.

75. It is plainly stated in the amended paragraph 4 that the General Assembly "decides that the Mandate conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa is therefore terminated...". This Mandate no longer exists, and this is one of the other fundamental principles to which the sponsors were very much attached, namely, that not only the Mandate terminated but "that South Africa has no other right to administer the Territory, and that henceforth South West Africa comes under the direct responsibility of the United Nations." In our opinion, these provisions are very similar to those embodied in our own draft resolution and, we are sure, will meet with the approval of an overwhelming majority, if not all, of the Member States of our Organization.

76. Finally, in the proposed paragraph 5, which is also very important, the General Assembly concludes "that in these circumstances the United Nations must discharge those responsibilities with respect to South West Africa".

77. The responsibility of the United Nations for South West Africa has never been denied by anyone, except the representatives of the apartheid Government. Since this is so, there is no reason why that responsibility should not be reaffirmed here. This is why we have also noted with the greatest satisfaction that the representatives of the Scandinavian countries who spoke here this morning, while proclaiming their support for the aims of our draft resolution, accepted the amendments proposed by the Latin American group and announced that they would vote in favour of our draft resolution in its amended form.

78. In these circumstances, I should like to say, on behalf of virtually all of the sponsors, that we are prepared to vote in favour of the amendments submitted by the Latin American group of countries. In doing so, we should like to repeat that the sponsors have never sought to be intransigent and have never wished to refuse their co-operation. On the contrary, they have tried to emphasize their desire to find the best solution to the fundamental problem which has arisen in South West Africa and which is none other than the liberation and independence of the South West African people.

79. Whatever the status of this Territory may have been, neither South Africa nor any other country can claim before this Assembly that the population of South West Africa is not competent to exercise its right of self-determination and to attain its independence.

80. We believe that once these amendments have been incorporated in our draft resolution, they will not obscure its fundamental objective—the liberation of the South West African people. This is why, I repeat, we have never wanted to close the door to anyone.

The sponsors will welcome all sincere efforts made in good faith which will help us to attain the solution most favourable to the aspirations of the South West African people.

81. That is why I was very happy to be invited by my colleague this morning to announce that we most gratefully support the amendments submitted by the Latin American group of countries.

82. Mr. GOLDBERG (United States of America): At the outset of my brief remarks this morning, I should like to commend you, Mr. President, on the exemplary manner in which you have conducted this important debate, allowing all of us every opportunity to confer and consult and leading us very much closer to that unanimity of opinion which we are all seeking.

83. This morning's developments are very welcome to my delegation. I wish to commend the representatives of Latin America for introducing their amendments [A/L.488] which have led us closer to unanimity. We very much welcome the constructive way in which Mr. Cuevas Cancino, the representative of Mexico, presented these amendments. We wish to pay a particular tribute to Mr. Achkar, the representative of Guinea, for his prompt, flexible and constructive response on behalf of the sponsors of the original draft resolution [A/L.483 and Add.1-3]. I should also like to pay a tribute to Mr. Tabor of Denmark for the comments that he made on behalf of his Government. Everything that has happened reflects great credit on all those who have been conducting intensive consultations in the interest of agreeing on action which the General Assembly can take on this important issue, action which would be both intrinsically sound and widely supported.

84. Those of us who have been participating in these consultations pay a tribute to all concerned—to Mr. Vinci, the representative of Italy, and to all the other representatives, too numerous to mention by name, who have displayed such a constructive and responsible attitude.

85. We regret very much, Mr. President, that time did not permit consultation with you, who have indicated such a sound and great interest in this matter; we apologize for this. My delegation has made some suggestions this morning which we hope will close the very narrow gap which now exists between all those who have been concerned with this issue of transcendent importance.

86. We have been discussing these suggestions this morning with the sponsors of the draft resolution and of the amendments that have been submitted today. I would hope that we could be given some more time—a very limited amount, because my delegation

has no desire to delay the vote after there has been such prolonged and careful consideration of this question. If it meets with the approval of the Assembly, I should like to move that this meeting should be adjourned, that a limited amount of time be granted for further discussion, and that the Assembly should resume discussion of the item tomorrow morning. It is our hope that a draft resolution can be produced which will meet the views of the membership of this body, with very few exceptions.

87. The PRESIDENT: In the light of the importance of the issue before the Assembly, and also in the light of the new developments, which should be marked by the expression of the spirit of co-operation among the entire membership, if the Assembly agrees, and if there is no objection, I shall take it that the request made by the representative of the United States is approved by the Assembly. I call on the representative of the United States on a point of order.

88. Mr. GOLDBERG (United States of America): My point of order is really an apology. When one mentions names, one always forgets the most important name. Of course, I neglected—and I apologize for this—to acknowledge the very great contribution made by the Chairman of the steering committee, who has been so devoted to this cause, Ambassador Arkhurst. I apologize for that omission.

89. Mr. IDZUMBUIR (Democratic Republic of the Congo) (translated from French): Far be it from me to oppose the proposal just put forward by the United States representative; quite the contrary. I should like simply to point out that it would be much easier for us, in the discussions we must undertake between delegations, if we could have an official text of the amendments submitted to the Secretariat.

90. Mr. ACHKAR (Guinea) (translated from French): I apologize for speaking again. This is not a point of order, but I should just like to clarify one point to avoid misunderstanding. In my statement I said that we accepted the amendments on behalf of virtually all the sponsors; I did not say that we accepted them on behalf of all the sponsors. This will be seen from the verbatim record of the meeting.

91. The PRESIDENT: May I take it that the Assembly has no objection to accepting the suggestion made by the representative of the United States of America that a very limited period should be allowed before the voting?

It was so decided.

The meeting rose at 12.55 p.m.