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President: Mr. Corneliu MANESCU (Romania).

AGENDA ITEM 64

Question of South West Africa (continued)

1. Mr. NOAMAN (Southern Yemen): Speaking for the first time in this Assembly, I should like to express my delegation's congratulations to Mr. Manescu on his election as President of the twenty-second session of the General Assembly. It is a pleasure to see him presiding over the deliberations at this resumed session, which we hope will be crowned with success.

2. By the end of this resumed session of the General Assembly a total of eighty resolutions concerning South West Africa will have been adopted since the question was first raised at the Assembly's first session in 1946. None of the resolutions have had any effect on the despicable position of South Africa regarding South West Africa. The General Assembly has also sought the advisory opinion of the International Court of Justice. In its June 1950 statement^{1/} the Court advised that the functions of supervision over the administration of the Territory of South West Africa by South Africa should be exercised by the United Nations, to which annual reports and petitions from the inhabitants were to be submitted. The advice added that South Africa continued to have the obligation to promote to the utmost the material and moral well-being and social progress of the inhabitants of South West Africa, as a sacred trust of civilization, and that South Africa could not unilaterally modify the international status of South West Africa.

3. That was, and still is, the cornerstone of the legal presence of the United Nations in South West Africa and the inalienable right of the people of South West Africa, eventually, to live as a nation. In response to that, South Africa rejected all requests and efforts to place South West Africa under the Trusteeship System. It also persistently refused to furnish annual reports about South West Africa to the Trusteeship Council.

4. The suggestion of partition made by the Good Offices Committee in 1957 was, fortunately, rejected by the General Assembly in resolution 1243 (XIII) of 1958; it conflicted with the opinion of the Court and

with the principles of the Charter. Later in 1963, the General Assembly stated that annexing a part of South West Africa would constitute an act of aggression [resolution 1899 (XVIII)]. The entity of South West Africa was hence reaffirmed.

5. The suggested partition and annexation have actually always been, and still are, the ambitious desire of the racist Pretoria régime. That was confirmed in 1962 by the Odendaal Commission's recommendations to establish separate Bantustan tribal homelands in South West Africa.^{2/}

6. In its Judgment of July 1966 on South West Africa cases,^{3/} the International Court of Justice shocked the world community by avoiding adjudication upon the substance of the matter, namely, whether the Mandate was still in force. That question was answered by the General Assembly in adopting resolution 2145 (XXI) of October 1966, which terminated the Mandate; and the administration of South West Africa henceforth became the direct responsibility of the United Nations. For a moment, the indigenous people of South West Africa thought that their day of freedom had become a reality and that the doom of the racist Pretoria régime was on the horizon.

7. Consequently, the United Nations Council for South West Africa was established in May 1967 [resolution 2248 (S-V)]; but, as it turned out, the Council was unsuccessful in its mission, and its work was frustrated by South Africa. Perhaps I should say that the Council was unsuccessful considering the high expectations we had of its ability to penetrate into South West Africa.

8. Looking back into the records of the history of South West Africa, we note that numerous resolutions have been passed, and that all were characterized by the inherent weakness stemming from the ill-conceived notion that the United Nations would achieve its objectives merely through "diplomatic persuasion" and "good offices committees". The imperialist and colonialist Powers cannot understand this language of a peaceful approach to true independence and liberation. The Foreign Minister of the People's Republic of Southern Yemen, Saif Dhalee, in his speech to the General Assembly on 14 December 1967, said:

"Our people, just like other peace-loving peoples, put nothing above their love for peace except their love for freedom and independence. As peace-loving people, we tried for years to persuade Britain,

^{1/} International Status of South West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 128.

^{2/} Republic of South Africa, Report of the Commission of Inquiry into South West Africa Affairs, 1962-1963 (Pretoria, Government Printer, 1964).

^{3/} South West Africa, Second Phase, Judgment, I.C.J. Reports 1966, p. 6.

through peaceful means, to acknowledge our right to freedom and sovereignty over our own country. But Britain refused to listen to logic and reason, and our people had no alternative but to resort to arms in order to regain their rights and achieve their independence and, of course, to force Britain to acknowledge those rights." [1630th meeting, para. 93.]

9. It is most abhorrent that the United Nations has been playing this diplomatic game for twenty-two years at the cost of the unimaginable and untold human suffering of the people of South West Africa. The United Nations and the Afro-Asian peoples must have realized by now, that the situation in South West Africa has reached such an aggravated state that the issues involved demand a military solution and not more diplomatic persuasion. It is my delegation's view that the Security Council should regard the question of South West Africa as being no less urgent than the other questions that are now listed on its agenda. The Security Council must meet its responsibility to face squarely its obligations towards the Charter and to stop, forthwith, any further wanton assaults on the fundamental principles of the Charter by the racist régime of South Africa.

10. In my delegation's view the Security Council should re-emphasize the previous resolutions of the General Assembly on South West Africa and address itself to the urgent task of empowering the Secretary-General to implement those resolutions. It must also consider any further occupation by South Africa of South West Africa, after June of this year, as constituting an act of aggression and a great threat to international peace and security.

11. We should not let this session end without concrete action to ensure the presence of the United Nations in South West Africa. The General Assembly should recommend to the Security Council, urgently to take effective measures to enable South West Africa to obtain independence in accordance with General Assembly resolutions 2145 (XXI) and 2248 (S-V), adopted in 1966 and 1967, respectively.

12. We should remember that the problem of South West Africa is no longer an African problem but the responsibility of the entire United Nations. South Africa must understand this and yield to world pressure or bear the responsibility of having to face the consequences embodied in Chapter VII of the Charter.

13. In conclusion, it should be noted that economic disparity is one of the main factors that contribute to world friction and unrest, as the Secretary-General of the United Nations said in a speech delivered recently, on 22 May 1968. It is the obligation of the "haves" to help the "have-nots". It is also the obligation of the more fortunate nations to help the less fortunate ones. That is why my Government feels that it has an obligation to make its modest resources available to help in the questions of travel documents and active assistance to the people of South West Africa, mentioned in the report of the United Nations Council for South West Africa of 4 May 1968 [A/7088 and Corr.1]. In so doing, the Government of the People's Republic of Southern Yemen would also be implementing a policy set up by the General Command of the National Liberation Front that states:

"The People's Republic of Southern Yemen is a new-born nation which emerges into the free, independent world from the world of colonialism and tyranny. Our Republic, accordingly, feels that it has a special responsibility towards the peoples and nations which are still subject to colonial rule. We believe that our freedom will be incomplete as long as there are peoples who do not enjoy their freedom and independence. Our freedom will become complete only through the freedom of those nations and our independence will become secure only through their independence."

14. My delegation hails the heroic struggles of the Viet-Nameese people and the revolutionary movements in South West Africa, Palestine, Rhodesia, Mozambique, Angola and elsewhere for freedom, justice and self-determination. Regarding our support for liberation movements, the Afro-Asian peoples may rest assured that freedom-fighters, wherever they come from, will always find a second home in the People's Republic of Southern Yemen in their struggle for freedom and justice.

15. Mr. TEKOA (Israel): Mr. President, permit me to reiterate to you on behalf of the Israel delegation, our feelings of deep respect and highest esteem. Presiding over our deliberations by the will of the community of nations, you have guided the work of the General Assembly with inspiring judiciousness and distinct dedication to the cause of peace.

16. Israel, engaged in a struggle to ensure its rights as a nation, has never ceased to give particular attention and thought to the problems of the peoples of Africa. Long and bitter experience has taught the Jewish people the tribulations that come from the denial of human rights and national freedom. We are particularly sensitive to the situation of the people of Namibia because of the community of experience which binds African and Jew, the victims of persecution and discrimination through the ages. Indeed the nazi genocide and the slave trade are kindred phenomena. Distant though they are one from the other in space and time, their affinity is ever present in Jewish and African consciousness.

17. Having come into being as part of the historic process which, in the last two decades, has brought about the re-emergence of the majority of subject peoples of the world as sovereign nations, Israel cannot but be deeply concerned about the strife of other peoples trying to find their rightful place in the international family. Addressing the twenty-first session of the General Assembly on 4 October 1966, the Minister for Foreign Affairs of Israel, Mr. Abba Eban, declared:

"If Africa is now to pursue its destiny in peace, it must be released from the torment created by the remaining expressions of colonialism. These have now become grossly anachronistic. They offend the mood of Africa and the spirit of the age. The United Nations should persist in the attitude that it has pursued for more than a decade in favour of national liberation. It should intensify its pressure upon the illegal régime in Rhodesia in order to bring about a constitutional situation in accordance with democratic principles. In the case of South

West Africa, the General Assembly should insist that a mandatory Power forfeits its mandate when it flagrantly and constantly violates the central aims for which the trust was conferred." [1428th meeting, para. 103.]

18. The General Assembly, in passing with almost complete unanimity resolution 2145 (XXI) of 27 October 1966, made its position on South West Africa abundantly clear. It has subsequently created, by resolution 2248 (S-V) of 19 May 1967, the instrument designed to bring the Territory under effective United Nations authority so as to administer South West Africa until independence. The valuable report presented by the United Nations Council for South West Africa [A/7088 and Corr.1] to this Assembly indicates that the Council has been prevented from discharging its duties. This is the crux of the matter. The United Nations is now faced with a problem of

unparalleled gravity, having taken upon itself the responsibility to advance the people of Namibia on the road to political freedom and independence. The attitude of the Government of South Africa is known. Nevertheless, certain avenues are open to us which, if pursued with perseverance, hold out hope for progress on the road the United Nations has mapped out.

19. A number of distinguished representatives who have preceded me on this rostrum have made valuable suggestions as to the course to be followed. We shall consider them favourably wherever possible, and lend them our support. African representatives have sounded sombre notes about the perils of leaving the present situation unsolved. Our endeavours must be directed toward bringing to the peoples of Namibia the happiness that they deserve and the rights which are theirs.

The meeting rose at 11.25 a.m.