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AGENDA ITEM 64

Question of South West Africa (*continued*)

1. Mr. ALARCON DE QUESADA (Cuba) (translated from Spanish): Mr. President, first of all I should like to express the satisfaction which my delegation feels at having you as President of the General Assembly at its twenty-second session. Your able and impartial guidance is an important guarantee of the successful progress of our deliberations.

2. The Assembly is once again considering the situation of South West Africa—as it has been doing for two decades. Dozens of resolutions, reports and studies dealing with this question have issued from this forum. Over the years, the General Assembly had amassed opinions, decisions and recommendations aimed at securing the rights of the people of that Territory, at abolishing the state of servitude in which they suffer and at ensuring the implementation of the principles and rules of international law in respect to them.

3. It is useless to recall the result of so many decisions which are as numerous as they are sterile. Despite the noble purposes which have inspired the proposals of many delegations—particularly the African delegations—it must be frankly admitted that during the past twenty years the United Nations has been unable to contribute in any way to the cause of South West Africa.

4. If such a lengthy and fruitless debate has been of any use, it has been to show up in a clear and dramatic way the powerlessness of this Organization to ensure that the aims proclaimed in its Charter are fulfilled and to safeguard peace and the rights of peoples. With utter contempt for the views of the international community, the racist authorities of Pretoria have ignored every one of the resolutions adopted by this Assembly. That régime maintains even in the twentieth century the odious system of apartheid against the indigenous population of South Africa. By an action reminiscent of the methods of the slave traders of old, it has seized the Territory of South West Africa and has extended its original policy of segregation and racial oppression to that Territory also.

5. Moreover, the South African Government has never deceived anyone. It has not concealed in the past, nor does it conceal today, its intention to ignore completely the will of the majority of this Assembly and to carry on its criminal and shameful policy in southern Africa. The fascist clique of Pretoria scorns any decision which may be taken here. Moreover, it does so with confidence, being convinced that this Organization is in no position to hinder its policy of slavery, pillage and crime.

6. Also, we are all aware of the reasons underlying the paralysis of the United Nations in the face of this problem and they are recorded in more than one document approved by the Organization. During the Fifth Extraordinary Session of the Assembly we had occasion to refer (1515th meeting) to a report prepared by the Special Committee of Twenty-Four on the consequences of the activities of imperialist monopolies in southern Africa. Since the situation there has not altered in the least, I shall take the liberty of quoting parts of that report:

"The fact that the greater part of the Territory's economic production is in the hands of foreign enterprises has serious implications not only for the Territory's economy but also in the political and social fields. With only minor exceptions, the companies which control the mining and fishing industries are either totally or largely subsidiaries of wealthier corporations whose main interests and activities are elsewhere. In the ultimate analysis it can be shown that the overwhelming majority of the mining companies belong to a complex of foreign capital which operates in many areas of Southern Africa, Northern and Southern Rhodesia, the Congo (Leopoldville) and Angola, and in reality is directed by a number of monopolistic combines controlled by financial interests in the United Kingdom, the United States of America and the Republic of South Africa. As a result of this, an overwhelming proportion of the profits obtained in the Territory goes to the above-mentioned countries and also to other countries which invest their capital in South West Africa." <sup>1/</sup>

7. The same report states further on:

"Foreign companies operating in South West Africa, motivated by high profits rather than the development of the Territory and its people, share South Africa's interest in perpetuating the existing system of administration as long as possible. It is precisely from those Member States whose nationals own companies and have financial interests in the Territory that the Republic of South Africa derives

<sup>1/</sup> Official Records of the General Assembly's Nineteenth Session, Annex No. 15, paras. 172 and 173, Document A/5840.

its main support which encourages its continued non-compliance with the Charter and the numerous resolutions of the United Nations concerning the question of South West Africa."<sup>2/</sup>

8. It is obvious, therefore, that it is the imperialist interests—principally those of the United States—that are the main obstacle to any effort to solve this problem. It is the imperialist Powers, headed by the United States, that have been and still are responsible for preventing this Organization from discharging its responsibilities towards the people of South West Africa.

9. My delegation has stated the position of the revolutionary Government of Cuba on this question with the utmost clarity. Since 1959, we have not wavered in our defence of the inalienable right of the African people of Namibia to immediate and unconditional independence. We have maintained that it is the duty of the United Nations to support the rights of this people, particularly the right to the full exercise of its sovereignty and self-determination. We have condemned the shameful policy of apartheid and the brutal, repressive practices carried on against the peoples of southern Africa. We have denounced the voracious exploitation—a fundamental pillar of the racist system—in which the imperialist monopolies are engaged in that region. We have pledged our total and unconditional support to the popular movements that are waging a resolute struggle to expel the foreign oppressors and gain their national independence. We have condemned this Organization's powerlessness to support the people of the Territory and have urged all progressive States to give their firmest support to the African fighters directly engaged in the struggle against their exploiters.

10. This unequivocal attitude of my Government has been expressed by voting in favour of the many resolutions of the General Assembly which were inspired by the desire to contribute towards the independence of South West Africa. It was in that spirit that we voted in favour of resolution 2145 (XXI) which terminated South Africa's Mandate over South West Africa and reaffirmed the latter's right to full independence. Nevertheless, my delegation has subsequently expressed its doubts regarding the effectiveness that these decisions of the Assembly could have.

11. We have repeatedly stated our opinion in regard to the role which the United Nations, as presently constituted, can play—given the current international situation. An objective analysis of the situation prevailing in this Organization does not allow one to harbour any hope that the United Nations can act as a useful instrument in the defence of the interests of small peoples.

12. Within this Organization, imperialist, colonialist and racist forces continue to have a power which cannot be concealed; directed by the Washington Government, they stubbornly oppose the aspirations of peoples to independence and peace. United States imperialism exerts all its influence on this Organization in order to use it to its own advantage and to convert it into an instrument of its global policy of

aggression and world domination. An important part of this purpose is the strengthening of the bastions of colonialism and racism in southern Africa in order to oppose the growing liberation movements of the peoples of the Third World. In such circumstances, it would be ingenuous—to say the least—to expect this Organization to be in a position to frustrate the imperialist machinations in that region.

13. Examples abound of the harmful consequences for small countries which have resulted from every intervention by the United Nations. Never, in any part of the world, has this Organization acted in defence of any small people threatened or attacked by imperialism.

14. Neither the General Assembly nor the Security Council nor any other United Nations body, subject as they all are to the pernicious influence of the United States Government, is in a position to safeguard the interests of the weaker countries. These are the reasons why my delegation did not associate itself with General Assembly resolution 2248 (S-V) establishing the United Nations Council for South West Africa. We maintained at the time that such a body would be unable to carry out any effective action. Subsequent events have served to confirm that our reservations were justified.

15. Cuba ranges itself alongside the African movements fighting for national liberation and the States struggling to preserve their sovereignty and independence.

16. The people of South West Africa have a right to independence which they will obtain by redoubling their struggle and, if necessary, by taking up arms against their racist oppressors and the imperialist forces which sustain them. In this struggle they will always be able to count on the solidarity of the Revolutionary Government and people of Cuba.

17. U SOE TIN (Burma): Mr. President, I should like first of all to associate the delegation of Burma with the good wishes which have been extended to you on your resuming the Presidency at this latter part of this twenty-second regular session of the General Assembly.

18. It is a matter of great regret to my delegation that the question of South West Africa, which has occupied the attention of the General Assembly since 1946 and has remained as one of the most contentious issues between the United Nations and one of its Members, is once again before the Assembly for its consideration. The Assembly may well consider what new element now invests this old, if smouldering, question with an urgency which makes fresh substantive consideration necessary.

19. The Government of South Africa continues, as in past years, to flout, with open and contemptuous defiance, world opinion and the will of the United Nations as expressed in various resolutions of the General Assembly and the Security Council. It has continued its policy of expansion and repression in South West Africa and, refusing to recognize the international status of the Territory of South West Africa, it has taken steps intended to incorporate the Territory into South Africa. It plans, moreover, to

<sup>2/</sup> Ibid., para. 175.

implement and to enforce with all the temerity at its command the recommendation of the Odendaal Commission<sup>3/</sup> for establishing the so-called separate homelands in South West Africa, thereby not merely destroying the unity and territorial integrity of the country, but also depriving the inhabitants of the tenure of their own land. It has, in defiance of General Assembly and Security Council resolutions, placed on trial and sentenced South West African patriots under the most repressive South African laws.

20. That does not exhaust the list of illegal actions that the Government of South Africa has carried out in the Territory of South West Africa against the Namibian people. We are particularly concerned, however, that South African defiance, expressed on the most recent occasion when the United Nations Council for South West Africa planned to enter into and take over the administration of the Territory, has been calculated to frustrate all attempts at implementing General Assembly resolution 2248 (S-V), adopted in pursuance of the policy laid down in resolution 2145 (XXI) which, with the support of almost the entire membership of the United Nations, terminated South Africa's Mandate over the Territory of South West Africa.

21. That frustration of the direct action of the United Nations cannot but create an atmosphere of desperation and the danger of a racial conflagration in southern Africa, as the Assembly has been informed by a number of African delegations that have spoken before us. The United Nations Council for South West Africa, to which my delegation would like to express its appreciation for the efforts made to carry out the mandate entrusted to it by the General Assembly in the most difficult circumstances, states explicitly in its report to the General Assembly that the designs of the Government of South Africa "to consolidate its illegal and increasingly repressive" control of South West Africa, and "the persistent refusal . . . to comply with the decisions of the United Nations on South West Africa will inevitably lead to the outbreak of violence and racial war", and that "this situation constitutes the gravest threat to international peace and security in the area" [A/7088 and Corr.1, para. 62].

22. The delegation of Burma is certain that no one in this Assembly would wish to see the innocent people of South West Africa condemned to languish in perpetuity under any foreign colonial yoke, even less so under the racist South African régime, nor would we wish to see the situation now prevailing in South West Africa erupting into violent racial conflict. Words alone will not, however, bring about this change, nor will accusations and condemnations save the situation. The delegation of Burma is convinced that only timely, effective and practicable action of the Security Council, in accordance with the provisions of Chapter VII of the United Nations Charter, will be able to avert this threat to international peace and security.

23. It may not be irrelevant here to recall that the Security Council in its resolution 246 (1968) took

cognizance of its special responsibility towards the people of the Territory of South West Africa. Burma has been amongst those delegations that have been anxious, since this issue was under consideration at the fifth special session of the General Assembly, that it should receive the early consideration by the Security Council necessary to pave the way towards effective and practicable action, to frustrate South Africa's racist and colonialist ambitions vis-à-vis the Territory of South West Africa and to enable the people of Namibia to exercise its inalienable right to self-determination, freedom and independence in—and to us these are of the utmost importance—conditions of peace and harmony.

24. The delegation of Burma has always felt, moreover, that condemnations and denunciations against the actions of certain States which, owing to their economic and other interests in southern Africa, have not as yet complied fully with the several resolutions of the United Nations which have a bearing on the issue of South West Africa, tend to dilute the strength provided by the near unanimous support for the policy and principles embodied in resolution 2145 (XXI). Burma, which has always complied fully with the applicable resolutions of the United Nations and has severed all connexions with the Government of South Africa, holds no brief for those States which have not done so. It would be in the interest, however, of the suffering people of South West Africa and of the peace and security of the world, and in the interest of the United Nations itself, if the Assembly would, at this stage of developments concerning South West Africa, seek the co-operation of those other States—particularly the ones that are in a position to influence decisions—rather than their condemnation.

25. I should like to add that the question of South West Africa is essentially a challenge by the Government of South Africa to the international community. It has been observed from this rostrum, that the real strength in this encounter lies not with South Africa but with the international community represented by the United Nations. While this thought should not lull the Assembly into inertia, it should serve as a reminder that the strength of the international community is collective strength and that anything less than collective action is a dissipation of that strength.

26. Mr. BOUATTOURA (Algeria) (translated from French): The General Assembly's repeated consideration of the problem of South West Africa serves to emphasize the fact that that question is one of those chronic ills with which the Organization is dealing in a manner at once disillusioned, unsuitable and ineffective.

27. Chronic ills are of several kinds. The question of South West Africa belongs to that category of colonial problems that is generally included under the heading of colonialism by settlement.

28. If those problems have become chronic, that is due in the first place to the fact that instead of dealing with them from the appropriate point of view—that is, from the political point of view—in other words, within the framework of a perspective bringing into play the concept of self-determination, they have most often been envisaged from the humanitarian or social viewpoint.

<sup>3/</sup> Republic of South Africa, Report of the Commission of Inquiry into South West Africa Affairs, 1962-1963 (Pretoria, Government Printer, 1964).

29. It is also owing to the fact that those problems have been considered within the framework of a relationship of forces, in which the forces representing the principal interests that carry on their activities in South West Africa retained and continue to retain, although to a lesser extent, a determining influence.

30. Indeed, installed by the colonial Powers as the guardians of their economic interests and of their strategic position in the countries of the Third World, the foreign minorities that exercise power in those settler colonies, and particularly in South West Africa, are only able to do so by virtue of their profound conviction that those protecting Powers will not tolerate that their enterprises of exploitation and domination should be brought to an end.

31. Thus, where preventing South Africa from imposing its law on and taking over a foreign Territory under United Nations trusteeship is concerned, it might have been thought that after the General Assembly's almost unanimous adoption of resolution 2145 (XXI) of 27 October 1966, the Great Powers that had voted in favour of it would resolutely take steps towards implementing it, that is, actually towards bringing about the cessation of South Africa's military, administrative and political occupation of that international Territory. That was not the case, however, and the acceptance by certain Powers of the principle of the termination of the Mandate did not entail any implementation. The suggestion made by those Powers at the General Assembly to enter into a dialogue, which Pretoria has rejected for twenty years, could lead only to an impasse and to the perpetuation of the de facto occupation of South West Africa.

32. Today, the gravity of the problem of South West Africa is such that not only do we appear to be incapable of turning our own decisions into reality, but, above all, we are authorizing the extension of that very settler colonialism to a Territory that was not originally subject to it.

33. Seen from that angle, the nature of the measures that have been taken to resolve the question of South West Africa once and for all can be assessed in its true light.

34. First of all, the General Assembly, during its fifth special session, adopted resolution 2248 (S-V) of 19 May 1967, which established the United Nations Council for South West Africa. That body found itself entrusted with certain powers and functions which it was supposed to fulfil in that Territory, under the direct responsibility of the United Nations, and it was to do so with the ultimate aim of leading the Territory to national independence in June 1968 at the latest.

35. It was noted at the time that the great Powers that had voted for the principle of the termination of the Mandate a few months previously, abstained on this occasion in the vote on the resolution establishing the United Nations Council for South West Africa, thus depriving the Council of their support at the outset; thereby the Council was doomed to a kind of paralysis, and the Pretoria authorities lost no time in interpreting that attitude as an assurance and an encouragement for strengthening the status quo.

36. Consequently, the first report of 10 November 1967 [A/6897] and even the report of 4 May 1968 [A/7088 and Corr.1] submitted to the General Assembly by the United Nations Council for South West Africa could only confirm that body's impotence in the face of Pretoria's flat refusal to co-operate in implementing United Nations resolutions.

37. As for the measures to be taken, we know that since the adoption of resolution 2145 (XXI) the Assembly has been divided between those who advocated talks and those who expressed their preference for concrete and effective measures.

38. To agree to talks with South Africa is quite simply to agree to the Organization's capitulation and to the calling into question of the decisions of the Assembly, in particular the decision concerning the withdrawal of South Africa's Mandate.

39. To agree to talks means to agree that the system of apartheid be extended to South West Africa. Again, it is not surprising that those who proclaim the need for talks with South Africa are precisely those who do not rule out the possibility of a dialogue with Ian Smith, or those who insist that the future of the Palestinian people be negotiated with the Zionist authorities.

40. They are consistent with themselves; we should be consistent too. We have stated many times: there is no example of a settler colony that has witnessed the solution of its problem without violence. Such is the case in regard to Southern Rhodesia and Palestine; such was the case in regard to Algeria and Kenya. Of course, the solution is the very same one that has been passed on to us by the continent of South America, which encouraged and achieved the integration of its minorities in the vast melting pot constituted by the indigenous population.

41. In the other camp we have those who have advocated concrete and effective measures on the part of the United Nations. Those measures can be taken only by the Security Council.

42. The Assembly can have a useful influence on Security Council action, either directly or through the United Nations Council for South West Africa. Thus, apart from general requests, it can recommend to the Security Council the measures which it deems necessary. It can also entrust the United Nations Council for South West Africa with the task of reporting to the Security Council and of drawing matters to the Security Council's attention whenever it deems that to be necessary, between sessions.

43. Nevertheless, although United Nations action is useful, it would be dangerous to sustain false hopes among peoples who are still under domination by means of futile statements and quickly dispelled illusions that cannot take the place of effective instruments of liberation.

44. The struggle being waged by the peoples against the régimes imposed upon them by those racist minorities is primarily political in nature; it is a question of the political control of the State, and not of the winning of a theoretical equality of rights, which is the aim of a struggle in a different context.



45. Faced with the impasse brought about by the paralysis of the international processes due to the direct intervention of the western Powers and the obduracy of the foreign minorities, the peoples have no other way out save that of a difficult, but fruitful, struggle for their national liberation. The United Nations, having failed to forestall foreseeable conflicts, now finds itself having to face the development of an inexorable struggle in Southern Rhodesia, in South West Africa, in South Africa and in the Middle East.

46. Our Organization, and especially the countries of the Third World, must give to the legitimate and sacred struggle which the Namibian people is waging all the moral and material assistance needed for the unequal struggle forced upon it by the occupier. In the face of the open complicity between the economic Powers of the West and the Pretoria régime, an active solidarity with the armed resistance of the peoples of southern Africa, and especially of South West Africa, is an absolute necessity within the framework of a common struggle. Not only will a people thereby be reinstated in its national rights within a Territory recognized by the United Nations as belonging to it, but a breach will have finally been opened in the wall protecting the stronghold of apartheid.

47. Moreover, such an action would be in accordance with the appraisal made by the United Nations Council for South West Africa, which has stated:

"The Council is convinced that this situation constitutes the gravest threat to international peace and security in the area.

"The Council is further convinced that South Africa will not withdraw from the Territory unless forceful measures are taken for the removal of its presence from the Territory." [A/7088 and Corr.1, paras. 62 and 63].

48. This brief analysis leads us to observe that we have to tackle two categories of problems.

49. The first concerns the illegal occupation of South West Africa by South Africa, notwithstanding United Nations decisions. That occupation is based on force and repression. The General Assembly must regard that occupation with the utmost gravity, for besides the fact that it flagrantly violates the principles set forth in the Charter, it takes on the aspect of a definite aggression against the South West African people. In conformity with the provisions of the Charter, the Assembly must draw the attention of the Security Council to that state of affairs and request it to take the necessary measures. In fact we consider that South Africa's defiance must now come to an end.

50. The second category of problems with which we are faced concerns the implementation of the engagement which the General Assembly entered into by establishing the United Nations Council for South West Africa, charged with administering the Territory until its accession to independence. For the establishment of the Council must be accompanied by further measures designed to enable it to fulfil its mission effectively. One of the aspects of that mission consists in compelling South Africa to withdraw its troops and its administration from South West Africa.

51. For its part, the General Assembly must recommend to the Security Council that it envisage the form such an action should take. Then and only then will the establishment of the United Nations Council for South West Africa acquire its true significance and come within the perspectives opened up by the United Nations when it terminated South Africa's Mandate. Indeed, it would be futile to expect the Council to be able to undertake any sort of action in the Territory while South Africa is actually occupying South West Africa. It would even be dangerous to maintain the illusion that the Council's existence could be a cure-all.

52. Nevertheless, the Council could at the same time devote itself to promoting various training programmes, relating simultaneously to the economic, social, administrative and political spheres, designed to assist the Namibians themselves to take control of their country's future without further delay.

53. By undertaking effective action the General Assembly and the Security Council would facilitate the task of the United Nations Council for South West Africa and would accelerate the process of the Territory's accession to independence.

54. The Namibian people has confidence in the United Nations and derives some hope from its possibilities for taking action. But that hope and confidence in our Organization will depend on the effectiveness of our action. If that action remains tentative and continues to exert no real influence on the situation, then that people will be compelled to choose its own path, that of an armed struggle against oppression by Pretoria. In that hard struggle, it will certainly enjoy the full assistance of all African and Third World States, as well as the help of those who have made support for national liberation struggles one of the main elements of their political action. In that hard struggle it will enjoy all that assistance in order to regain its freedom and ineluctable independence.

55. Mr. EL KONY (United Arab Republic): Mr. President, may I express to you, Sir, our profound satisfaction at seeing you once again holding this high and responsible office and guiding our work with such wisdom, ability and distinction.

56. Twice during this current session of the General Assembly we discussed the problem of Namibia. This problem has also been discussed twice in the Security Council: first in January 1968 and, secondly in March of the same year. This shows the great concern of the United Nations over the problem of Namibia, a concern so widely shared all over the world.

57. From the debate which took place both in the General Assembly and the Security Council certain facts have emerged: Firstly, there is virtually general agreement that the United Nations has a special and direct responsibility for leading the people of Namibia to freedom and independence. The responsibility of the United Nations has been clearly enunciated in General Assembly resolution 2145 (XXI), by which it terminated the Mandate of South Africa over Namibia and brought the Territory under the direct responsibility of the United Nations. Consequently, the General Assembly established the United Nations Council for South West Africa to administer the Territory until independence, and requested it to

do all in its power, to enable the Territory to attain independence by June 1968.

58. Secondly, there is general agreement that as long as the Territory is dominated by South Africa the people of Namibia will not be able to exercise their right of self-determination and independence. The attitude of the racist régime of Pretoria towards self-determination and independence is a matter of public record, in the light of which the General Assembly has terminated the Mandate of South Africa over Namibia.

59. Thirdly, it is obvious that South Africa is not willing to withdraw from the Territory which it occupies unless forced to do so. The record of South Africa in the United Nations, as well as its recent attitude of defiance towards the United Nations Council for South West Africa and the Security Council, testifies to this fact. I know of no evidence more convincing than that which has been provided by the South African Government itself, either by the statements of its officials or by the steps it has taken to annex the Territory. The United Nations Council for South West Africa clearly stated in its report that:

"The Council is further convinced that South Africa will not withdraw from the Territory unless forceful measures are taken for the removal of its presence from the Territory." [A/7088 and Corr.1, para. 63.]

60. Fourthly, the overwhelming majority of the membership of the United Nations is of the view that the United Nations Council for South West Africa should continue its efforts to fulfil, by every available means, the mandate entrusted to it by the General Assembly. We believe that the Council should continue its attempts to establish itself in the Territory with the help and assistance of all organs of the United Nations as well as the Member States. It should exercise all possible administrative powers in order to help the people of Namibia within the restrictions imposed upon it by the fact that it has not been allowed so far to function inside the Territory. In this regard, many delegations have referred to the creation of a separate and special programme of training and education, to be operated by the Council. Others suggested that the Council should render all possible assistance to the people of Namibia in their struggle for freedom and independence, an objective to which the United Nations is committed. My delegation fully supports those proposals. We are satisfied with the decision of the Council to issue passports to the people of Namibia. It is our hope that all Member States will help the Council in this regard by recognizing the validity of these passports. I wish to lay emphasis on the fact that the Council is the legal authority as far as the administration of the Territory is concerned, until the Territory attains independence. Therefore, all dealings with the South African Government, as well as, all actions taken by it relating to the Territory of Namibia should be considered invalid.

61. Fifthly, the United Nations, having terminated the Mandate and brought the Territory under its direct responsibility, should see to it that the people of Namibia exercise their right of self-determination and independence. Neither the termination of the Mandate nor the creation of the United Nations Council

for South West Africa is our ultimate objective. Our objective is the independence of Namibia. In order to achieve this objective, the termination of the Mandate should produce its full legal effect. This it cannot do so long as South Africa occupies the Territory. Therefore, it is imperative that South Africa should be forced to withdraw its administration from the Territory. Otherwise the whole process envisaged by the United Nations to lead the Territory to independence will not take place. It is obvious that the role of the Security Council in this regard is extremely vital. The continued illegal presence of South Africa in a Territory which is under the jurisdiction of the United Nations is in fact foreign occupation.

62. This consideration is basic to our concept of the responsibility of the Security Council. The Security Council has been empowered to take legally binding decisions and possesses the power to take enforcement actions. In adopting resolutions 245 (1968) and 246 (1968), the Security Council took into account the provisions of resolution 2145 (XXI) by which the General Assembly decided that South Africa has no right to administer the Territory of Namibia and brought the Territory under its direct responsibility. The Security Council also reaffirmed the inalienable right of the people and the Territory of Namibia to freedom and independence, and took cognizance of its special responsibility towards the people and Territory of Namibia. The Security Council, having thus recognized this responsibility, is expected to take effective measures to enable the United Nations Council for South West Africa to discharge its functions. The only effective way in which that could be done is to invoke Chapter VII of the Charter. The Security Council itself has first-hand experience with South Africa. It is well aware of the intransigence of South Africa and its defiance of resolutions 245 (1968) and 246 (1968). It is significant to note, as has been stated by many delegations, that the two major Powers voted for resolution 2145 (XXI).

63. Other permanent members of the Security Council did not oppose that resolution. The logic of resolution 2145 (XXI) calls for effective action to ensure the withdrawal of South Africa from the Territory of Namibia. When the major Powers supported the termination of the Mandate, or at least did not oppose it, we thought that it was an encouraging indication of their willingness to enforce the decisions of the United Nations. However, some of these Powers, which are traditional allies and friends of South Africa and its major trading partners, refused to give their support to any effective action by the Security Council. Other Members of the United Nations which have economic and financial interests in South Africa have encouraged the South African Government to defy the authority of the United Nations by continuing their diplomatic, political and economic relations with that Government. The attitude of those States will not serve either the immediate interest of peace or their long-term interest.

64. We are convinced that unless the allies and friends of South Africa change their attitude and cease their military, financial and political support to South Africa, the racist régime of Pretoria will continue its defiance of this international Organization. The

attitude of the friends and allies of South Africa makes us believe, that the problem of Namibia is but a symptom of the general conflict between the rising forces of nationalism and the forces of the obsolete system of foreign domination seeking to maintain and extend their power, whether in the form of political, military, economic or racial domination.

65. We are no nearer to a solution today than we were before the termination of the Mandate. A way out of the present situation can be found only through the joint efforts of the organs of the United Nations as well as of its Member States. The problem cannot be successfully and effectively dealt with by mere declarations or condemnations. If we wish to see freedom and independence restored to those who have been forcibly deprived of them and to set free the people of Namibia, who are subject to the bloody tyranny of South Africa, we should act immediately. The question is not whether the United Nations Council for South West Africa offers the best method for enabling the people of Namibia to exercise their right of self-determination; the question is simply whether we shall act now, or succumb to hesitation and allow the situation to get out of our hands.

66. A choice has to be made: should we take effective measures to ensure the withdrawal of South Africa from the Territory, or should we leave the Territory under the domination of South Africa and place the people of Namibia at the mercy of such a racist régime? The United Nations Council for South West Africa warned us of the dangers of the continued illegal presence of South Africa in the Territory. Ironically, while we are engaged in a futile discussion about whether or not the creation of the Council was the best method to lead the people of Namibia to independence, South Africa is engaged in the annexation of the Territory, in breaking the resistance of the people of Namibia, and in suppressing the liberation movements. Such actions taken by South Africa serve only to emphasize further the urgency of early and effective action and further underline the need for unity of action on the part of this Organization.

67. To the surprise of my delegation, it has been suggested during our debate that we should seek contacts with South Africa for the purpose of finding a solution to the problem of Namibia.

68. No problem in the history of the United Nations has been dealt with with such patience and understanding as has the problem of Namibia. It will be recalled that all avenues had already been explored. The most recent attempt by the United Nations Council for South West Africa to contact South Africa is still fresh in our memories. That attempt by the Council was met with a rebuff from South Africa.

69. By undermining the authority of the United Nations and its power, or by transforming it into an ineffective instrument, we are in fact leading the world to chaos and disorder. The Charter of the United Nations was not meant to be a dead-letter. It was intended that Chapter VII of the Charter be invoked and applied against those delinquent States that disturb international peace or defy the authority of the United Nations.

70. In conclusion, I wish to pay tribute to the people of Namibia for their courage and sacrifice in their struggle for freedom and independence. I wish to assure them that the United Arab Republic will continue to support them in their struggle.

71. Mr. ROSSIDES (Cyprus): May I, Mr. President, express my delegation's satisfaction and pleasure in having you again guiding the work of this Assembly after having directed with wisdom, impartiality and tact its deliberations during the regular twenty-second session.

72. The position of Cyprus on the present item is well known. It is determined by its traditions, past and present, and its age-long history of struggle to retain or to regain its freedom. It is but natural that we now strongly support the cause of the peoples of Namibia struggling for their independence and human dignity. Their cause is our cause, and our hearts beat in rhythm with theirs. Our stand, therefore, on this and similar issues is guided by our dedication to the principles of the Charter: those of equal justice, unity and self-determination, which in our age are the accepted norms of social and international order.

73. We have thus whole-heartedly joined our voice in solidarity with our brothers of Africa and of all freedom-loving peoples of the world in calling for the liberation of the people of Namibia and for termination of the illegal military occupation of that country by South Africa.

74. We supported and co-sponsored all the relevant resolutions of the General Assembly. The attitude of South Africa, however, in spite of those resolutions, has regrettably been so intransigent and uncompromising, and so defiant of United Nations authority, that the situation has gone from bad to worse. We are thus faced with an increasingly critical state of affairs.

75. It is therefore necessary for the General Assembly, at this juncture, to take stock of the situation and decide upon effective measures to be taken for the implementation of its resolutions on this subject.

76. By its resolution 2145 (XXI) the General Assembly found that South Africa had flagrantly violated its obligations under the League of Nations Mandate entrusted to it over that Territory, and declared that South Africa had forfeited every right to the administration of the Territory.

77. Upon the dissolution of the League of Nations in April 1946, the Mandate of South Africa could continue only by the consent of the successor Organization, the United Nations. The International Court of Justice has thus ruled that, "apart from the Mandate, South Africa has no right to administer the Territory".<sup>4/</sup>

78. The General Assembly, therefore, terminated that Mandate and placed the Territory under the direct responsibility of the United Nations. By its resolution 2248 (S-V), it established the United Nations Council for South West Africa for interim administration of the Territory in preparation for independence to be attained by June 1968 and with instructions to contact the South African Government for the transfer

<sup>4/</sup> International status of South West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 128.

of the administration of the Territory. The Pretoria régime, however, persistently evaded any contact with the said Council and even refused to allow it entry into the Territory—a Territory legally under the direct responsibility of the United Nations.

79. Thus the South African Government, in spite of the United Nations decisions and resolutions, continues its illegal occupation and administration of South West Africa; moreover, it is tightening its control and enforcing its inhumane legislation through police action. Worse still, it is attempting to promote a sinister plan for breaking up the unity of the country and destroying its identity and international status, and for this purpose it is proceeding to split the Territory into separate administrative units with a view to partition, as a means of annexing the Territory. This is the gravest aspect of the situation, an aspect which particularly requires urgent action, for if such a process of partition is allowed to continue, it will bring about an irreparable situation creating one more focus of perpetual war and explosive threat to peace, as have the other known cases of partition.

80. In this respect the United Nations Council for South West Africa reports that:

"a bill was" recently "introduced in the South African Parliament which, if adopted, would empower that Government to implement its policy of establishing so-called separate homelands (Bantustan) in South West Africa, in accordance with the recommendations of the Odendaal Commission" [A/7088 and Corr.1, para. 49].

81. I had occasion, when addressing the Assembly on this question last year during the fifth special session to state that:

"the South African Government tried to reactivate its partitionist policy and turned its attention to the report of the Odendaal Commission, which recommended the fragmentation and partition of South West Africa in the Bantustan pattern, thereby intending to destroy the territorial integrity and unity of the country and its international status . . . This partitionist policy of the South African régime is of long standing. When the issue, however, was brought to the United Nations in 1958 through a Good Offices Committee on South West Africa, an overwhelming majority of the General Assembly emphatically condemned any concept of partition and none of the representatives who participated in the debate showed any favour for it. It was generally felt that such a policy would be disastrous in its effects, and would mean acceptance by the General Assembly of the principle of apartheid and a 'betrayal' of the cause" [1514th meeting, para. 65].

82. We stressed in that debate the:

"need to proceed with determination for an effective United Nations presence in the Territory not only for the purpose of speeding up independence but also, and more important, to avert the growing threat of partition which is by far the major calamity as it is perpetual in its evil consequences and its threat to peace" [*Ibid.*, para. 68].

83. The so-called separate homelands system, apart from its morally and socially unacceptable nature,

runs counter to a call by the General Assembly on South Africa on 27 October 1966:

"to refrain . . . from any action . . . which will in any manner whatsoever alter or tend to alter the . . . international status of South West Africa" [resolution 2145 (XXI), para. 7].

84. As the report of the Council states "this action confirms South Africa's determination to destroy the unity and territorial integrity of the country" [A/7088 and Corr.1, para. 49] in absolute defiance of resolution 2145 (XXI) and resolution 2248 (S-V), section I.

85. The well known trials of South West African freedom-fighters constitute one more instance of the defiant attitude of the South African Government towards both the General Assembly and the Security Council resolutions. It defied this Assembly by enacting laws to be applied to a Territory over which it clearly had no jurisdiction and which came legally under the authority and jurisdiction of the United Nations. It defied the Security Council decisions which called upon it first, to desist and, subsequently, to discontinue those trials. It defied the Security Council again when it ignored the Council's later call to release the prisoners so illegally convicted. It furthermore displayed its disregard for fundamental principles of justice and of law by placing those freedom-fighters on trial for their lives, under ex post facto legislation in violation of the well-established principle of "no crime, no punishment without law".

86. This is an unprecedented record of contemptuous disregard of General Assembly and Security Council resolutions and a violation of the norms of international legality, particularly by a founding Member of the United Nations, in gross violation of the Charter to which it had solemnly subscribed.

87. The problem before us presents a number of facets calling for our earnest concern and for immediate action. They are:

First, the direct responsibility of the United Nations to obtain the prompt withdrawal of South Africa from the Territory and the effective assumption of administration by the United Nations through the effective functioning of the United Nations Council for South West Africa in carrying out the responsibilities entrusted to it;

Secondly, the duty to preserve the territorial integrity and unity of the Territory, now under imminent threat of partition.

Thirdly, the duty to ensure the speedy application of self-determination and independence to the people of South Africa;

Fourthly, the responsibility of the General Assembly and the Security Council, by proper action, to uphold the authority and sincerity of purpose of the United Nations now under serious challenge from South Africa's defiance of the Organization, and to preserve the existing norms of international legality.

88. Relevant to the foregoing are the specific problems, namely:



First, the release of the imprisoned Namibian freedom-fighters and measures for the prevention of further prosecutions;

Secondly, ways of effectively helping the South West African liberation movement and rendering assistance to the displaced nationals of that country;

Thirdly, preparing the people of the Territory to take over the administration of the country.

89. All these aspects converge and centre on one all-important and urgent course of action, namely, the effective implementation of the relevant resolutions of the General Assembly and of the Security Council. It is imperative that it should be attained, whether by negotiation or compulsion. It ought to be realized, that the prevention of a worsening situation and the application of peaceful means towards an obviously compelling and inevitable change is no less in the real interests of the white population in the Territory.

90. We agree, however, with the view of the United Nations Council for South West Africa that the present attitude of Pretoria does not hold out much hope for a dialogue. The Assembly must therefore immediately draw the attention of the Security Council to the consideration of prompt and effective measures, in accordance with the provisions of the Charter, for the implementation of our resolutions in a manner likely to secure the speedy attainment of independence for the people of Namibia. We underline this need, having regard to the Council's conclusion that "South Africa will not withdraw from the Territory unless forceful measures are taken for the removal of its presence" [A/7088 and Corr.1, para. 63].

91. It is the duty of this Assembly to censure South Africa for flagrant and repeated violations of its resolutions, as well as of Security Council decisions in breach of Article 25 of the Charter, and also for its contemptuous treatment of the United Nations Council for South West Africa in defiance of the authority of the United Nations.

92. Unless the United Nations perseveres and, by utilizing all the means available under the terms of the Charter, imposes respect for its authority, the very purpose of the United Nations and its sincerity of purpose will be jeopardized. The United Nations was established not only to safeguard peace and security, but also, and to that end, to promote human rights and social justice, equality and freedom for all peoples. The resolutions of the General Assembly on this item are fully in keeping with those principles of the Charter. But resolutions alone, however well drafted and broadly adopted, cannot bring the desired result. It is their implementation that matters in achieving the objectives of the Charter.

93. It is thus imperative that this Assembly meet the challenge of implementation—and this is our paramount concern. It should be by reference to the Security Council, which has the power to take appropriate action in the premise.

94. The question of assistance, by the specialized agencies to the Territory and of the establishment of a separate budget for the programmes under the consideration of the United Nations Council for South

West Africa, is a constructive line of action and has our full support. Financial arrangements should be urgently made, and welfare study and training facilities for displaced Namibians should be provided. As we see it, the programme would be under the auspices of the Council. But this takes us to the question of providing the Council with the means of carrying out its responsibility. Both budgetary and other measures should be taken to help it function in the way envisaged at its establishment. If we urge the Council to persevere we cannot shrink from providing what is required.

95. The release of South West African freedom-fighters is another issue of concern to my delegation. We believe that we should spare no effort in that direction and that South Africa should be kept under constant pressure from all Member States, from the United Nations and from the Council for such release. South Africa should also be urged to refrain from further similar prosecutions.

96. Another problem I should like to turn to is the preparation of the people of Namibia for independence. My delegation does not doubt the level of civilization or the ability of the Namibians to govern themselves, but even if this were in doubt, the historic resolution of the General Assembly [1514 (XV)] calling for the independence of colonial countries and peoples declared that "Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence".

97. At any rate, it is natural that when a people emerges from colonial rule, there are education and preparation requirements for the new era it is entering. The Council's attention should, therefore, be drawn to this fact so that it may do its utmost in this respect, perhaps within the framework of the special programme we have mentioned.

98. These problems require our urgent attention. The time limit we have set for the attainment of independence by the people of Namibia—namely, June 1968—has almost run out; yet, the progress made so far is very little, if any. The longer the United Nations allows this festering situation in South West Africa and in other parts of southern Africa to deteriorate, the more tragic will be the consequences for all concerned and the world at large. However, we must see to it that the resolution we shall adopt will be such as to ensure its implementation, but without falling short of the objectives set—namely, the preservation of the integrity and unity of the country and the early attainment of its independence.

99. We noted from the Council's report that its members have been greatly impressed by "the courage of the people of South West Africa and their determination to attain the independence of their Territory" [A/7088 and Corr.1, para. 72]. We were gratified to receive that information. With such resolute determination to carry on their legitimate struggle for their independence, and with the willingness of this Organization to assist them, we are convinced that the day will not be far off when the people of Namibia will take their rightful place among the free nations of the world community. This is our message to them, a message of solidarity and hope

to a people geographically so far from Cyprus, yet so near to our hearts, since their struggle is ours and their ideals and aspirations are our own.

100. In our view, the question of South West Africa represents the conflict between two worlds and two concepts in a trying period of transition for mankind: between the pre-United Nations world with its concept of domination through arbitrary force, and the new concept of justice and reason expressed through the United Nations. If the South African concept of illegally remaining by force in South West Africa and destroying that country by its fragmentation prevails, we shall be regressing to the rule of arbitrary force in utter negation of the United Nations and the Charter.

101. Therefore it is of paramount importance for all of us—for all those who stand for the United Nations and its authority as an instrument of peace in justice and freedom—to see to it that the resolutions of the United Nations shall not be defeated.

102. The PRESIDENT (translated from French): The Assembly has now heard all the seventy-two speakers on the list of those wishing to take part in the discussion on the question of South West Africa.

*The meeting rose at 12.15 p.m.*