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Number of votes obtained:

Indonesia	72
Ceylon	42

3. The PRESIDENT (*translated from Spanish*): As neither of the two countries has obtained the required two-thirds majority, the General Assembly will now proceed to the second restricted ballot.

4. I give the floor to the representative of Ceylon on a point of order.

5. Mr. AMERASINGHE (Ceylon): The delegation of Ceylon has asked to speak in order to make an announcement that will relieve this Assembly of the agony of a second ballot. We wish to thank all those countries that gave us their support, and we should also like to take the opportunity of congratulating Indonesia on obtaining a majority of the votes. The delegation of Ceylon withdraws its candidature.

6. The PRESIDENT (*translated from Spanish*): I thank the representative of Ceylon for his co-operation and his generosity. In accordance with the rules of procedure, we shall proceed to the second restricted ballot, taking into account the withdrawal of the candidature of Ceylon.

At the invitation of the President, Mr. King (Barbados) and Mr. Pirson (Belgium) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	119
Invalid ballots:	3
Number of valid ballots:	116
Abstentions:	9
Number of members voting:	107
Required majority:	72

Number of votes obtained:

Indonesia	99
Ceylon	8

Having obtained the required two-thirds majority, Indonesia was elected a member of the Economic and Social Council.

7. The PRESIDENT (*translated from Spanish*): I should like to congratulate Indonesia and the other countries elected members of the Economic and Social Council. I should also like to thank the tellers for their assistance.

8. This concludes our consideration of agenda item 17.

President: Mr. Emilio ARENALES (Guatemala).

AGENDA ITEM 17

Election of nine members of the Economic and Social Council (*concluded*)*

1. The PRESIDENT (*translated from Spanish*): The Assembly will continue its consideration of agenda item 17. It will be recalled that at the 1723rd plenary meeting the Assembly elected only eight of the nine members of the Economic and Social Council for a three-year period from 1 January 1969. Since one seat remains to be filled, we shall now proceed, in accordance with rule 96 of the rules of procedure, to a first ballot restricted to two candidates, Indonesia and Ceylon, which, of the countries not elected, obtained the greatest number of votes.

2. Representatives are requested to write the name of the country for which they wish to vote on the ballot papers which will be distributed. Ballot papers bearing the names of States other than Indonesia or Ceylon, and ballot papers bearing more than one name, will be declared invalid.

At the invitation of the President, Mr. King (Barbados) and Mr. Pirson (Belgium) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	115
Invalid ballots:	1
Number of valid ballots:	114
Abstentions:	0
Number of members voting:	114
Required majority:	76

* Resumed from the 1723rd meeting.

AGENDA ITEM 64

Question of Namibia:

- (a) 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;
- (b) Report of the United Nations Council for Namibia;
- (c) Appointment of the United Nations Commissioner for Namibia

REPORT OF THE FOURTH COMMITTEE ON THE HEARING OF PETITIONERS (A/7347)

9. Mr. GHAUS (Afghanistan) (Rapporteur 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): As Rapporteur 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, I have the honour to present to the General Assembly the report of the Special Committee covering its work in 1968 concerning the question of Namibia [A/7200/Rev.1, chap. VII].

10. The report, which relates to item 64 of the agenda, is submitted pursuant to operative paragraph 12 of General Assembly resolution 2326 (XXII) of 16 December 1967 by which the General Assembly requested the Special Committee:

“to continue to perform its task and to seek suitable means for the immediate and full implementation of the Declaration in all Territories which have not yet attained independence”.

Mr. Åström (Sweden), Vice-President, took the Chair.

In operative paragraph 16 of the same resolution, the General Assembly requested the Special Committee

“to examine the compliance of Member States with the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions on the question of decolonization, particularly those relating to the Territories under Portuguese domination, Southern Rhodesia and South West Africa, and to report thereon to the General Assembly at its twenty-third session”.

11. In continuing to perform the above-mentioned tasks within the context of the implementation of the Declaration, the Special Committee took into consideration the provisions of General Assembly resolution 2189 (XXI) of 13 December 1966, as well as resolutions 1805 (XVII) of 14 December 1962, and 1899 (XVIII) of 13 November 1963 by which, *inter alia*, the General Assembly assigned to the Special Committee certain specific tasks relating to the Territory.

12. In addition, the Special Committee in its consideration of this question took fully into account the provisions of General Assembly resolutions 2145 (XXI) of 27 October 1966, 2248 (S-V) of 19 May 1967 and 2324 (XXII) and 2325 (XXII) of 16 December 1967. Further, the Special Committee paid particular attention to Security Council resolution 245 (1968) of 25 January 1968 concerning the

detention and trial of Namibians in South Africa and resolution 246 (1968) of 14 March 1968 concerning the continued detention of Namibians in South Africa and the subsequent imposition of heavy sentences on a number of them, in defiance of the pertinent United Nations resolutions.

13. Moreover, during 1968 the Special Committee followed closely the work of the United Nations Council for Namibia in the light of the grave concern expressed by the General Assembly in resolution 2372 (XXII) of 12 June 1968 that the refusal of the Government of South Africa to withdraw its administration from the Territory of South West Africa had been obstructing the attainment of independence by the Territory in accordance with the relevant United Nations resolutions.

14. In presenting the report, I should like to draw attention in particular to the consensus adopted by the Special Committee on 15 February 1968 concerning the situation resulting from the illegal trial of a group of Namibians and the sentences imposed on them in defiance of General Assembly resolution 2324 (XXII) and Security Council resolution 245 (1968). The consensus is set out in section III, A, of the report. In that consensus the Special Committee, *inter alia*, considered that the attitude of the South African Government, as exemplified by its action in this matter, constituted a major obstacle to the transfer of power to the people of South West Africa and the attainment by that Territory of full and complete independence, in accordance with the relevant General Assembly resolutions, particularly General Assembly resolutions 1514 (XV) and 2145 (XXI). It was the view of the Special Committee that the Security Council, which, by its resolution 245 (1968) adopted unanimously on 25 January 1968, had called upon the South African Government to discontinue forthwith the illegal trial and to release and repatriate the South West Africans concerned, and in addition had decided to remain actively seized of the matter, should urgently consider effective action. Members will no doubt recall that the Security Council, subsequent to the adoption of the consensus by the Special Committee, adopted resolution 246 (1968) of 14 March 1968 on this question.

15. I would also draw attention to a statement made by the Chairman of the Special Committee, at the request of the Committee, on 30 April 1968. The statement, which the Committee decided to transmit to the General Assembly together with statements made on the question by members, is set out in section III, B, of the report. It contained an expression of the Committee's position with regard to the question of Namibia which the Committee commended for consideration by the General Assembly. In that statement the Committee expressed grave concern about the situation existing in Namibia and condemned the flagrant refusal of South Africa to co-operate in the implementation of the relevant United Nations resolutions. It was the Special Committee's view that the General Assembly and the Security Council should urgently consider taking effective action in order to enable the people of South West Africa to attain full and complete independence without further delay, in conformity with the Declaration.

16. Finally, I should like to draw attention to the draft resolution concerning petitions relating to Namibia which

the Special Committee, in its performance of the tasks assigned to it by the General Assembly in resolution 1805 (XVII) and subsequent resolutions, recommends for adoption by the General Assembly. The text of this draft resolution is reproduced in section III C of the report.

17. As will be seen from the report, the Special Committee gave serious consideration to the question of Namibia within the context of the implementation of the Declaration and paying due regard to the parallel but different functions assigned to the United Nations Council for Namibia in regard to the administration of the Territory until its accession to independence. In view of the continued and blatant repudiation by the Government of South Africa of the United Nations decisions concerning the Territory, the question undoubtedly calls for urgent and effective action by the United Nations. With that consideration in mind, I commend the report of the Special Committee to the General Assembly.

18. The PRESIDENT: The Assembly also has before it the report [A/7347] of the Fourth Committee on this item, regarding the hearing of petitioners. If there is no objection, may I take it that the Assembly takes note of that report?

It was so decided.

19. The PRESIDENT: I now call on the President of the United Nations Council for Namibia.

20. Mr. ABDULGANI (Indonesia): I have the honour, as President of the United Nations Council for Namibia for the month of November, to present the Council's third report [A/7338] dated 14 November 1968. The report relates to item 64 of our agenda and is submitted in accordance with the Council's terms of reference as set forth in General Assembly resolution 2248 (S-V).

21. It is that resolution of 19 May 1967 that established the Council and laid down the powers and functions by which it would operate until the Territory became independent. Section VI of the resolution went so far as to state that the Council should "do all in its power to enable independence to be attained by June 1968". Unfortunately, that event has not come to pass. The Council has been consistently thwarted in the steps it has taken to discharge fully its mandate, that is, to proceed to the Territory to take over its administration and to ensure the withdrawal of the South African forces and administration.

22. Because of the Council's inability to fulfil its terms of reference, the General Assembly, at its twenty-second session in December 1967, and again in May of this year, has broadened the Council's powers and functions. By resolution 2325 (XXII) the General Assembly requested the Council to fulfil by every available means the mandate entrusted to it, and further, by resolution 2372 (XXII) it conferred on the Council additional duties which it might perform outside the Territory but in conformity with its original terms of reference set forth in resolution 2248 (S-V). I have in mind the programmes envisaged in operative paragraph 4 of that resolution.

23. In the period under review, the Council has continued to seek effective means of dealing with the repeated acts of

defiance of the Government of the Republic of South Africa and its sustained refusal to implement the decisions of this Organization concerning the Territory. The endeavours of the Council in this connexion form the first part of this report to the Assembly.

24. The limited activities which the Council has been able to undertake outside Namibia; those programmes which it has envisaged and implemented to give some relief to helpless Namibian victims—students travelling abroad, refugees, those who have chosen to resist the aggressive forces of the Government of South Africa—these are all described in the second chapter of the report. The conclusions of the Council and the urgent measures which it recommends to be taken by the Assembly form the final two chapters.

25. The following are some of the steps the Council urges the Assembly to take: first, it requests that the Security Council take effective measures, including those provided for under Chapter VII of the Charter if necessary, to secure the withdrawal of South Africa from the Territory; secondly, it calls upon all States to pursue all diplomatic, consular, commercial and other relations in regard to Namibia exclusively through the United Nations Council for Namibia; thirdly, it declares all transactions with South African authorities in regard to Namibia undertaken or maintained after the termination of the Mandate to be illegal and invalid; further, all States are called upon to co-operate fully with the Council in fulfilling these recommendations. Members are referred to the complete list of recommendations contained in the report [A/7338, chap. IV].

26. We are well aware that reference to Chapter VII of the Charter has been regarded by some as an impractical move that will not receive the support of the overwhelming majority of Members as was the case with resolution 2145 (XXI) terminating the Mandate of South Africa over Namibia. Even the establishment of the Council for Namibia has been doubted by some States as a realistic step. It has been argued that this goes beyond the clear capacity of the United Nations and that the majority of us have not chosen the best means to reach a practical, effective goal that is at the same time within our capacity to carry out.

27. On the other hand, other Powers have expressed the belief that all measures yet undertaken are not strong enough to deal with the seriousness of the problem. It seems to me that an authoritative consensus can be reached that is within our clear capacity to act upon, and that that consensus will lie along the middle road between these two views.

28. But the heart of the question is not so much whether or not a resolution is within the capacity of the United Nations, but whether or not Members are willing to enforce the resolutions they themselves adopt. At the beginning of this session, many of us reminded the Assembly that the real strength of the United Nations depends on the willingness of Member States to uphold our obligations and commitments under the Charter. I have in mind, in particular, the willingness and the ability of the Security Council.

29. In the introduction to his annual report of this year, our Secretary-General, U Thant, stressed the fact that

“meaningful progress towards the objectives . . .”—vis-à-vis Namibia—“depends essentially upon the willingness and the ability of the Security Council to bring effective pressure to bear on the South African Government to abandon its present course and abide by the relevant resolutions so as to enable the Council to perform its functions” [A/7201/Add.1, para. 150].

30. In closing, I should like to emphasize the final words of paragraph 44 of the report [A/7338].

“The Council . . . remains concerned that this situation constitutes an aggravation of the already serious threat to international peace and security in the area. The Council reiterates its view that the responsibility of the United

Nations to avert this threat must be exercised resolutely and without delay. . . . The Council reiterates its view that it is only if all necessary measures are taken for the effective removal of South Africa’s presence from the Territory that the Council can be expected to discharge its primary functions effectively.”

In the meantime, the Council remains seized of, and will continue to devote urgent attention to, the various problems which have been under its consideration.

31. The PRESIDENT: Since it seems that no representative wishes to speak on this item this morning, I shall adjourn the meeting. Before doing so, however, I should like to urge representatives who wish to take part in the debate to inscribe their names at the earliest possible time.

The meeting rose at 12.10 p.m.