



Sixteenth session

QUESTION OF SOUTH WEST AFRICA

Letter dated 7 July 1961 addressed to the Secretary-General by the
Acting Permanent Representative of the Union of South Africa 1/

I have the honour to convey to you the following message from the

Honourable Eric H. Louw, Minister of Foreign Affairs of the Republic of South Africa:

1. In spite of the refusal of visas and the clearly stated attitude of the Government which is known to Professor Fabregat he yesterday publicly reiterated his determination to enter South West Africa without the permission of the Government. It appears that he and fellow members of his Committee will on Saturday be on their way to the border of the Territory.
2. It is my duty on behalf of the Government of the Republic to advise you that if members of the Committee and/or other members of its party should attempt illegally to cross the South West African border with or without help of the dissident elements, which in fact constitute a small minority of the Bantu population, the Government will, however reluctantly, be obliged to prevent such attempt. Any consequences which may follow must be blamed solely on the Committee and through the Committee the responsibility will devolve on the United Nations itself. For this reason your intervention is suggested to forestall violation of the border and the probable consequences.
3. In this connexion I have to remind you that whatever differences may exist as to the juridical position which is at present the subject of proceedings in the International Court it is perfectly clear that South Africa was, in terms of the original mandate, given the right to administer the Territory as an integral part of South Africa. This existing right has always included the right to control admission to the Territory.

The text of this letter has been called to the attention of the Chairman of the Committee on South West Africa. It has also been issued under the symbol S/4857.

4. If therefore a Committee of the United Nations were to attempt to force an entry into the Territory after visas have been refused for the reasons fully set out in my letter to you of 10 May I must respectfully point out that such action would involve the United Nations in an act of aggression.
5. In view of the fact that Professor Fabregat in a message from Accra has warned you that the situation in South West Africa has become a threat to international peace I wish to state that there is peace and order and planned progress for all races in the Territory. I particularly repeat the Government's offer contained in the letter of 10 May that an independent observer of international standing be asked to investigate the Government's claim that the situation in South West Africa is not in any way a threat to world peace. Up to the present there has been no reaction to that offer.
6. Finally I would also point out that action proposed to be taken by the Fabregat Committee would gravely prejudice the contentious proceedings at present pending in the International Court.

(Signed)

K.E. PAKENDORF
Acting Permanent Representative
of the Union of South Africa
