



Security Council

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Burkina Faso, Egypt, India, Madagascar, Peru and
Trinidad and Tobago: draft resolution

The Security Council,

Having considered the reports of the Secretary-General (S/16237 and S/17242),

Having heard the statement by the Acting President of the United Nations Council for Namibia,

Having considered the statement by Dr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO),

Commending the South West Africa People's Organization for its preparedness to co-operate fully with the United Nations Secretary-General and his Special Representative, including its expressed readiness to sign and observe a cease-fire agreement with South Africa, in the implementation of the United Nations plan for Namibia as embodied in Security Council resolution 435 (1978),

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 2145 (XXI) of 27 October 1966,

Recalling and reaffirming its resolutions 269 (1969), 276 (1970), 301 (1971), 385 (1976), 431 (1978), 432 (1978), 435 (1978), 439 (1978), 532 (1983) and 539 (1983),

Recalling the statement of the President of the Security Council (S/17151) of 3 May 1985, on behalf of the Council, which, inter alia, declared the establishment of the so-called interim government in Namibia to be null and void,

Gravely concerned at the tension and instability created by the hostile policies of the apartheid régime throughout southern Africa and the mounting threat to the security of the region and its wider implications for international peace and security resulting from that régime's continued utilization of Namibia as a springboard for military attacks against and destabilization of African States in the region,

Reaffirming the legal responsibility of the United Nations over Namibia and the primary responsibility of the Security Council for ensuring the implementation

of its resolutions, in particular resolutions 385 (1976) and 435 (1978) which contain the United Nations plan for Namibian independence,

Noting that 1985 marks the fortieth anniversary of the founding of the United Nations, as well as the twenty-fifth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and expressing grave concern that the question of Namibia has been with the Organization since its inception and still remains unresolved,

Welcoming the emerging and intensified world-wide campaign of people from all spheres of life against racist South Africa in a concerted effort to bring about an end to the illegal occupation of Namibia and of apartheid,

1. Condemns South Africa for its continued illegal occupation of Namibia in flagrant defiance of resolutions of the General Assembly and decisions of the Security Council of the United Nations;
2. Reaffirms the legitimacy of the struggle of the Namibian people against the illegal occupation of racist South Africa and calls upon all States to increase their moral and material assistance to them;
3. Further condemns racist South Africa for its decision to install a so-called interim government in Windhoek and declares that this decision constitutes a clear defiance of the resolutions of the Security Council, particularly its resolutions 435 (1978) and 439 (1978);
4. Declares that decision to be illegal and null and void and states that no recognition will be accorded either by the United Nations or any Member State to any representative or organ established by that process;
5. Demands that racist South Africa immediately abrogate the aforementioned illegal and unilateral decision;
6. Further condemns South Africa for its obstruction of the implementation of Security Council resolution 435 (1978) by insisting on conditions contrary to the provisions of the United Nations plan for the independence of Namibia;
7. Rejects once again South Africa's insistence on linking the independence of Namibia to irrelevant and extraneous issues as incompatible with resolution 435 (1978), other decisions of the Security Council and the resolutions of the General Assembly on Namibia, including General Assembly resolution 1514 (XV) of 14 December 1960;
8. Declares once again that the independence of Namibia cannot be held hostage to the resolution of issues that are alien to Security Council resolution 435 (1978);
9. Reiterates that Security Council resolution 435 (1978), embodying the United Nations plan for the independence of Namibia, is the only internationally accepted basis for a peaceful settlement of the Namibian problem and demands its immediate and unconditional implementation;

10. Affirms that the consultations undertaken by the Secretary-General pursuant to paragraph 5 of resolution 532 (1983) have confirmed that all the outstanding issues relevant to Security Council resolution 435 (1978) have been resolved, except for the choice by South Africa of the electoral system;

11. Decides to mandate the Secretary-General to initiate contact with South Africa with a view to finalizing the choice by South Africa of the electoral system to be used for the elections, under United Nations supervision and control, for the Constituent Assembly, in terms of resolution 435 (1978), in order to pave the way for the adoption by the Security Council of the enabling resolution for the implementation of the United Nations independence plan for Namibia;

12. Demands that racist South Africa co-operate fully with the Security Council and the Secretary-General in the implementation of the present resolution;

13. Strongly warns South Africa that failure to do so would compel the Security Council to meet forthwith to impose comprehensive and mandatory sanctions against it under Chapter VII of the United Nations Charter as necessary additional pressure to ensure South Africa's compliance with the aforementioned resolutions;

14. Urges that pending the imposition of mandatory sanctions against South Africa under Chapter VII of the United Nations Charter Member States of the United Nations that have not done so take voluntary measures to sever all links and dealings with South Africa, including:

(a) Severance of diplomatic relations;

(b) The observance of an oil embargo;

(c) Disinvestment of existing interests, prohibition of new investments and application of disincentives to this end;

(d) The withholding of overflight and landing facilities to aircraft and docking rights to ocean vessels;

(e) The prohibition of the sale of krugerrands and all other coins minted in South Africa;

(f) The strict observance of the sports and cultural boycott of South Africa; and

(g) The ratification and implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid;

15. Requests the Secretary-General to report on the implementation of the present resolution not later than the first week of September 1985;

16. Decides to remain seized of the matter and to meet immediately upon receipt of the Secretary-General's report for the purpose of reviewing progress in the implementation of resolution 435 (1978) and, in the event of continued obstruction by South Africa, to invoke paragraph 13 above.

