

Namibians had been imprisoned and tortured. His delegation urged the United Nations to take more effective measures in the exercise of the responsibility which it had assumed in terminating South Africa's Mandate for Namibia. The South African Government could not invoke Article 2, paragraph 7, of the Charter, since Namibia was an international Territory illegally occupied and, consequently, did not fall within the domestic jurisdiction of the Government of South Africa. Furthermore, the colonial argument that the Namibian people had not reached the stage where they could exercise their right to self-determination and independence was unacceptable. The policy applied by South Africa in Namibia was in direct opposition to the objectives of Articles 73 and 76 of the Charter, which related to Non-Self-Governing Territories and the responsibilities of the administering Powers. Like any other people, the people of Namibia had the inalienable right to self-determination and independence; his country therefore reiterated its firm support of their legitimate struggle and welcomed the participation of the representatives of SWAPO in the deliberations of the Committee.

66. With regard to the exploitation of the natural resources of Namibia by the racist South African régime, his delegation considered that that situation constituted a serious violation of the right of the Namibian people to their natural resources and that the South African Government and the foreign companies in question would be responsible to the future Government of Namibia for compensation due as a result of such exploitation.

67. More than five years had elapsed since the Security Council, in its resolution 269 (1969), had called on the Government of South Africa to withdraw immediately from the Territory and had said that if South Africa failed to do so, the Council would decide upon the necessary steps. However, the illegal occupation of Namibia was continuing and the necessary steps had yet to be taken. Any consideration of the failure of the United Nations to put an end to the illegal occupation of Namibia must take into account the fact that the success or failure of the United Nations depended on the

amount of support which the Member States extended to the Organization and on the extent of their compliance with the principles of the Charter and the resolutions of the Organization. In the case of Namibia, the Government of South Africa was continuing to defy the decision of the United Nations and certain Member States had not faithfully observed their obligations under the Charter. It was to be hoped that those States would reconsider their position and observe their obligations under Article 2, paragraph 5, of the Charter.

68. Mr. AL-SAID (Oman) said that the situation in Namibia was clear cut and simple. A Member State that, by all standards of morality and legitimacy, had no right to be a Member of the United Nations, was illegally and immorally occupying a United Nations Trust Territory. Despite the fact that, by law and in accordance with United Nations resolutions, Namibia had been the responsibility of the United Nations for eight years, the *apartheid* régime in Pretoria was not only continuing its illegal occupation of Namibia and had so far frustrated the exercise by the United Nations of its responsibilities vis-à-vis Namibia, but had also extended its inhuman racist concepts and practices to that Territory, which was outside its legal jurisdiction.

69. It was regrettable that Western European and North American commercial interests, often with the permission or connivance of their Governments, were involved in such economic exploitation and racist practices.

70. Although the situation had continued for eight years, the world community had taken no effective concrete action to restore justice and freedom to the Namibian people. Perhaps, in view of the recent developments in Angola and Mozambique, the time had come to take those concrete measures, which could include sanctions against South Africa, legal actions against all commercial interests that defied the will of the world community, and the provision of increased financial and moral support to SWAPO. The Government of Oman would support and fully comply with any such measures.

The meeting rose at 1.05 p.m.

2108th meeting

Thursday, 7 November 1974, at 3.20 p.m.

Chairman: Mr. Buyantyn DASHTSEREN (Mongolia).

A/C.4/SR.2108

In the absence of the Chairman, Mr. Sidik (Czechoslovakia), Vice-Chairman, took the Chair.

AGENDA ITEM 65

Question of Namibia (*continued*) (A/9623/Add.3, A/9624 (vol. I), A/9624 (vol. II), A/9624/Add.1, A/9725 and Corr.1, A/9728, A/9775-S/11519, A/9786-S/11526, A/C.4/771, A/C.4/779, A/C.4/L.1066 and Corr.1)

GENERAL DEBATE (*continued*)

1. Mr. SAM (Ghana) said that when the League of Nations, in conferring the Mandate for South West Africa upon His Britannic Majesty, had specified that it was to be exercised on his behalf by the Union of South Africa, it had expected that the United Kingdom would exercise its influence over the South African régime to ensure that the "sacred trust of civilization" laid upon mandatory Powers under the Covenant of the League, was faithfully fulfilled. The fact that the United Kingdom had neither persuaded South Africa to honour its part of the bargain nor requested the League of Nations to relieve Namibia of South Africa's presence had since been used by the South African régime as a pretext for accusing the

League of accepting its policies of *apartheid* in the Territory. The Mandate had in fact stated that South Africa might apply to the Territory its own laws, many of which were known to be based on differential treatment of groups.

2. Subsequent criticism of its administration by the League's permanent Mandates Commission and, since its inception, by the United Nations, had only served to harden the racist régime's attitude. It realized that it could always rely on the support of its three faithful friends in the Security Council, the consideration for that support being the profits derived from slave labour. Despite the advisory opinion of the International Court of Justice of 21 June 1971¹ and numerous United Nations resolutions on the subject, those and other friends even supplied South Africa with arms, which it used not only to intensify its repressive measures against the indigenous population but also to threaten neighbouring countries.

¹ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

3. All Namibia's misfortunes were caused by its tremendous wealth, from which its inhabitants derived no benefit. Their miserable working conditions and the vast profits made by foreign economic interests were graphically described in the report of the United Nations Council for Namibia (see A/9624 (vol. I)). It was disturbing to learn that Namibia's major mineral resources could not be expected to last more than 15 years at the current rate of output. If the whites of Namibia and South Africa intended that that Territory, which had provided such a haven for them and their forebears, should continue to do so for their descendants, they had a duty to discourage the present indiscriminate exploitation. If, however, they did not intend their descendants to continue to regard Namibia as their home, they should leave the country as soon as possible.

4. The South African régime had totally ignored the "sacred trust" which it had accepted under Articles 73 and 74 of the Charter. If, after 54 years of its administration, the inhabitants of the Territory were still not considered qualified for independent status, then its incompetence as an administering Power needed no further proof. The Odendaal Commission appointed by the South African régime in 1962 to inquire into the Territory's affairs had recommended that 40 per cent of the Territory should be set aside as "homelands" for the non-whites, who made up 80 per cent of the population, while 43 per cent was to be reserved for whites of whatever ethnic origin, who accounted for only 20 per cent of the population; the remaining 17 per cent, including the diamond-mining zone, was to come under the direct control of the South African racist régime.² Since the Africans were unable to support themselves in the areas reserved for them, they were forced to become contract labourers without any right to permanent residence near their work. African schoolchildren received less than 9 per cent of the facilities offered to white children. His delegation had listened with horror and dismay to the testimony of petitioners (2092nd, 2101st and 2103rd meetings), which showed further deterioration in the situation in Namibia. However, it was encouraging to find that the determination of the people, led by the South West Africa People's Organization (SWAPO), to continue the struggle until independence was achieved remained as strong as ever.

5. The Government of Ghana would continue to give the people of Namibia every possible assistance. It strongly supported the consensus 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, contained in chapter IX of its report (see A/9623/Add.3, para. 11) and in particular the conclusions and recommendations of the United Nations Council for Namibia contained in volume I of its report (see A/9624 (vol. I), paras. 267 and 268). It hoped that each State Member of the United Nations would implement the relevant United Nations resolutions faithfully and it would strongly support any measures that would culminate not only in comprehensive sanctions against the racist occupation régime but also in the strictest application of the terms of the Decree on the Natural Resources of Namibia (see A/9624/Add.1, para. 84). The United Nations Council for Namibia should compile details of the crimes being committed by agents of the racist régime and ensure that those responsible for them be made to show why they should not be duly punished by any future Government of a sovereign State of Namibia.

6. Mr. LASSE (Trinidad and Tobago) noted with concern that South Africa continued to occupy Namibia in defiance of international public opinion, the advisory opinion of the International Court of Justice of 21 June 1971 and the purposes and principles of the United Nations and that no progress had

² For a summary of the recommendations of the Odendaal Commission, see *Official Records of the General Assembly, Nineteenth Session, Annexes*, annex No. 8 (part I), document A/5800/Rev.1, chap. IV, paras. 18-65.

been made towards the granting of independence to the people of Namibia since the previous session of the General Assembly.

7. The comprehensive and informative report of the United Nations Council for Namibia contained constructive proposals for positive action to liberate the people of Namibia and to restore to them their dignity and self-respect. In particular, his delegation fully supported the proposals in that report calling for vigorous support for the Namibian people through the national liberation movement, SWAPO, which was their authentic representative (see A/9624 (vol. I), part three, sect. III.B (2)), and the establishment of an Institute for Namibia (see A/9624/Add.1, para. 73). The statements of the representatives of SWAPO (2100th and 2103rd meetings) and chapter IX of the report of the Special Committee (A/9623/Add.3) showed that South Africa's response to the legitimate plea of the oppressed people of Namibia was increased repression, torture, detention and public flogging. The report of the Special Committee condemned those capitalist countries which continued to collaborate with South Africa in plundering the natural resources of Namibia. He expressed the hope that the Decree on the Natural Resources of Namibia enacted by the United Nations Council for Namibia (see A/9624/Add.1, para. 84) would serve as a protective measure to ensure that South African and other foreign interests would one day have to account for their activities to a future Government of an independent Namibia.

8. The historic changes that had taken place in the Territories under Portuguese administration had given impetus to the liberation movements in southern Africa. It was lamentable that the South African Government did not recognize that the struggle for independence and self-determination was irreversible. Its illegal occupation of Namibia was a source of tension in southern Africa and constituted a threat to peace in the area and to the independence of Angola. The international community must take effective measures to force South Africa to withdraw from Namibia immediately. In that connexion, his delegation endorsed the recommendation of the Special Committee calling on the Security Council to take immediate steps to terminate South Africa's illegal occupation of Namibia (see A/9623/Add.3, para. 11 (3)).

9. Mr. WALTER (New Zealand) said that the report of the United Nations Council for Namibia, chapter IX of the report of the Special Committee and the statements of the representatives of SWAPO at the 2100th and 2103rd meetings had provided evidence of the tragic situation in Namibia. South Africa's enforced rule in breach of international law and the Charter of the United Nations and in defiance of the fundamental principles of human rights was universally condemned and its attempts to introduce the abhorrent policy of *apartheid* into the Territory were an affront to the United Nations. South Africa appeared to have concluded that world opinion and the will of the Namibian people could be held at bay long enough to enable it to realize the bulk of its commercial and political interests in the Territory. Since it ignored the appeals and decisions of the General Assembly, the Security Council and other United Nations bodies, the courses of action open to the United Nations were becoming increasingly limited. However, if the South African authorities so wished, meaningful progress could still be made towards a peaceful solution, although that situation would not obtain indefinitely.

10. His Government fully supported the struggle of the people of Namibia for full human rights, including self-determination. It avoided any dealings with the South African Government concerning Namibia and refrained from any action which might confer a semblance of legitimacy on South Africa's illegal occupation of the Territory.

11. It contributed to the United Nations Fund for Namibia and the United Nations Educational and Training Programme for Southern Africa and had recently announced a contribu-

tion of over \$200,000 to a joint project with the United Nations Children's Fund (UNICEF) to provide humanitarian assistance through the liberation movements to displaced persons from Southern Rhodesia and Namibia currently living in Zambia. World opinion was an important force for change. He therefore noted with satisfaction that, through membership and associate membership of various United Nations agencies and through participation in international conferences, Namibia had begun to acquire an international identity. His delegation looked forward to the day when Namibia would take its place in the United Nations as an independent country; it would collaborate with other delegations to that end.

12. Mr. SHAKAR (Bahrain) commended the Special Committee and the United Nations Council for Namibia on their reports. His delegation approved of the recommendations made therein for bringing pressure to bear on South Africa to end its illegal occupation of Namibia, which would facilitate the implementation of the General Assembly and the Security Council resolutions on Namibia. In particular, his delegation endorsed the action of the Council in establishing the Institute for Namibia (see A/9624/Add.1, para. 73) and the recognition of SWAPO as the authentic representative of the Namibian people (see A/9624 (vol. 1), part three, sect. III B (2)), and it approved of the proposal to render financial aid to SWAPO to enable it to continue the struggle for the self-determination and independence of the Namibian people (see A/9624/Add.1, para. 85 (7)).

13. His delegation deplored the continued oppression and torture of the Namibian people in defiance of United Nations resolutions. The Pretoria régime gave no grounds for hope of any improvements. It persisted in its imperialist and racist policies and its unlawful occupation of Namibia in defiance of world public opinion. It was using the policy of *apartheid* and other repressive measures to destroy the unity and territorial integrity of Namibia and to consolidate its unlawful presence there. The actions of the régime were likely to provoke racial warfare that would bring with it great suffering and threaten international peace and security.

14. The United Nations must take steps to end the crisis. The international community must not remain indifferent, but must actively seek a solution. His country always tried to respect the principles of the Charter and it believed in the right to self-determination. Thus, it recognized that right in the case of the Namibian people. South Africa should abandon its present policies and seek to serve the cause of peace and security in Africa.

15. His delegation supported the advisory opinion of the International Court of Justice of 21 June 1971, which held that South Africa had no right to occupy Namibia and should immediately withdraw therefrom. It would spare no efforts in its support of the freedom fighters, many of whom had given their lives for their country. South Africa should follow Portugal's example and renounce its imperialist policy. It should agree to let the majority of the Namibian people decide their own fate. In any event, its policy was outmoded and doomed to failure. The Pretoria régime had no right to administer Namibia, especially since the General Assembly had terminated its Mandate. In flouting the advisory opinion of the International Court of Justice and the resolutions of the General Assembly and the Security Council, South Africa was also flouting its obligations under the Charter—a situation which the United Nations could not tolerate.

16. The United Nations must take action to end the mass murders, arrests and torture inflicted on the members of SWAPO and compel South Africa to discontinue its efforts to undermine the unity and territorial integrity of Namibia by means of its policies of Bantustanization and *apartheid*. His

delegation denounced the arbitrary laws that had been promulgated in Namibia and South Africa's attempts to ensure its continued presence there in defiance of world public opinion and the aspirations of the majority of the Namibian people.

17. It was comforting to know that the will of the Namibian people, embodied in SWAPO, remained unshaken and that they continued to denounce the racist manoeuvres and plots of the illegal régime. His country recognized the legality of the struggle of the Namibian people for self-determination and independence. The United Nations had a historical responsibility for the Namibian people and must protect their rights and interests until independence was attained. South Africa had no right to the natural resources of Namibia, and the United Nations must put an end to the pillaging of those resources, which should be used for the benefit of the Namibian people.

18. It would be naive to try to solve the problem of Namibia without taking account of the relationship between certain Member States and the South African Government. In accordance with Article 25 of the Charter, Member States should comply with the resolutions of the Security Council and refuse to render assistance to the South African Government. Such a refusal would help to bring the unlawful occupation of Namibia to an end. Member States must refrain from any kind of relations with South Africa as long as that country defied United Nations resolutions. It was time for the United Nations to take firm action against the Pretoria régime, and his delegation was disappointed that certain Powers had used their power of veto to prevent the Security Council from adopting the measures provided for in the Charter. As long as Member States refused to implement its resolutions, the United Nations would be unable to play an effective role in ending South Africa's domination over Namibia. His delegation called on the white minority Government of South Africa to reconsider its position: the course of history was irreversible; the policy of terror and domination was doomed to failure.

19. Mrs. NETTELBRANDT (Sweden) said that, in the process of decolonization, Namibia was the only case in which the United Nations had decided to strip a colonial Power of its right to administer a Territory and itself formally take over the direct responsibility for leading it to independence. The report of the United Nations Council for Namibia and chapter IX of the report of the Special Committee showed that, so far, the painstaking search for effective ways whereby the United Nations could deliver Namibia from the miseries of South African rule had been vain. South Africa had had the effrontery to extend its *apartheid* policy, which distorted the minds of those who practised it as it degraded the lives of those subjected to it, to Namibia, an international Territory which had never been its property and where its presence had been declared illegal.

20. The increase in repression and terror was to a considerable degree politically motivated. Although the internal wing of SWAPO and the SWAPO Youth League, which pursued a policy of strict non-violence, were not in the terms of South African legislation "banned" organizations, their political activities were being obstructed and their leaders imprisoned, often on the flimsiest of excuses. Swedish observers had been following the political trials at Windhoek.

21. Those repressive policies had, however, only served to strengthen the determination of the Namibians to free themselves from subjugation and humiliation. Much of the opposition was directed against the establishment of "homelands" and that attempt at fragmenting the country had clearly made the Namibians increasingly aware of the need for unity. The Prime Minister of South Africa had publicly admitted the growing effectiveness of guerrilla warfare by the external wing of SWAPO and had warned the white electorate of

ominous times ahead. The truth that man's quest for freedom and human dignity could be thwarted neither by police State methods nor by the use of military force must be brought home to the Government of South Africa by the international community, which had a particularly heavy responsibility since Namibia was the ward of the United Nations. Concerted action to implement the arms embargo was urgently needed and her delegation welcomed the recent firm assurances given by the United States and the United Kingdom that they were continuing to enforce it.

22. In the name of international solidarity, the freedom struggle in Namibia also deserved positive support. Her country contributed to the United Nations Trust Fund for South Africa, a considerable part of whose funds benefited victims of *apartheid* in Namibia, as well as to the United Nations Educational and Training Programme for Southern Africa and the United Nations Fund for Namibia. It welcomed the initiative of the United Nations Commissioner for Namibia concerning the establishment of an Institute for Namibia, to be financed through the United Nations Fund for Namibia, which would provide Namibians in exile with education and training in order that they might be able to run their country when it attained independence. Her delegation was therefore happy to learn that there had been a substantial increase in both the number of contributors to the Fund and the amounts involved during the current year. Since 1970, Sweden had also been giving direct non-military bilateral assistance to SWAPO and a delegation from the organization had recently visited her country for talks with members of its Government.

23. Another essential task to be performed by the United Nations, its Member States and non-governmental organizations was to intensify the flow of information about conditions in Namibia, the consequences of *apartheid* and the struggle of the Namibian people. The sudden reversal of Portugal's colonial policies showed that enlightened and committed international opinion constituted a powerful pressure group as an instrument for change.

24. The time was especially propitious for international pressure to become increasingly effective. The dismantling of the Portuguese colonial administration, largely brought about by the struggle of the liberation movements, must give renewed vigour and hope to Namibians both inside and outside the country and further strengthen their unity of purpose.

25. The situation in Ovamboland, the first area to be proclaimed a "self-governing homeland", illustrated the consequences of South Africa's divisive "homelands" policy. The voice of Namibians in a supposedly Namibian-ruled country was being silenced by chiefs and tribal authorities subservient to the Pretoria Government. Ovamboland had been practically sealed off from the rest of the country. Since Angola had become safe for refugees, there had been a veritable exodus from Ovamboland, after the tribal leaders had been ordered by the South African Government to start recruiting Africans for a border force.

26. The reality in that "homeland" seemed far removed from the professed purpose of the South African Government, which, as the South African Minister for Foreign Affairs had explained to the Security Council at its 1589th meeting, on 6 October 1971, was to guide each of the peoples of South West Africa along the road to self-determination according to its wishes and to bring it full self-government and eventual independence if it so desired. The words "each of the peoples of South West Africa" showed that the basis of "separate development", the well-known euphemism for racial segregation, was being applied, not only between white and non-white but also between groups within the African population. The South African Government was obviously trying to prevent the growth of national consciousness in order to forestall the emergence of a Namibian nation.

27. The United Nations had always strongly opposed the "homelands" system, which represented the very opposite of free choice. It considered that the right of self-determination could be exercised only within a national framework which would preserve the territorial integrity of Namibia.

28. During the exchange of views between the Secretary-General and the South African Government pursuant to Security Council resolution 309 (1972), the South African Minister for Foreign Affairs had stated that his Government would fully respect the wishes of the "whole population" of the Territory and that his Government did not envisage that individual population groups might suddenly become independent as separate entities.³ Those statements might be seen as a sign that South Africa was beginning to move somewhat closer to the stand of the United Nations. Yet even while the contacts with the Secretary-General had still been in progress, the "homelands" policy was being pursued both in law and in practice. Since the mandate of the Secretary-General to conduct that exchange of views had been terminated, none of the promises had been fulfilled and South Africa had moved towards even harsher repression. Despite the statement by the South African Minister for Foreign Affairs that all options, including full independence, were open to the Territory, there had been talk among members of the illegal administration in Namibia about the establishment of a number of independent or semi-independent black entities in a loose confederation with an independent white South West Africa. The Secretary-General had also been informed in a letter from the South African Minister for Foreign Affairs (A/9775-S/11519) that the Executive of the all-white National Party of South West Africa had decided to undertake discussions about the future constitutional development of the Territory with what it called "representatives of the other population groups". That plan had been rejected by SWAPO and by the United Nations Council for Namibia as a further attempt to imply that Namibia was not one country, but composed of various population groups. In his statement at the 1800th meeting of the Security Council, the Permanent Representative of South Africa to the United Nations had said that that offer of multiracial talks was fully in accord with his Government's view that it was for "the peoples" of the Territory, which were disparate in culture and development, to decide upon their own political future. He had also referred to the process of leading all the black territories within South Africa itself to independence, thus implying a parallel between the two cases. That statement seemed difficult to reconcile with the reference by the South African Minister for Foreign Affairs to the options before "the people" of the Territory. The fact that South Africa had begun to talk about a shorter period for the realization of the right to self-determination did not remove the basic uncertainty about its real intentions. The recent proceedings in the Security Council might well have been taken as the most serious warning South Africa had ever had. If it really wanted to get out of its quandary, it should obviously withdraw from Namibia and leave it to the United Nations to arrange for the population freely to determine the future of the Territory.

29. Ms. WHITE (United States of America) reminded the Committee of the statement by the United States representative at the 1808th meeting of the Security Council calling upon South Africa to make good the assurances given to the Secretary-General in April 1973. The Committee was meeting at a time when there were some signs that the South African Government might finally be moving towards a peaceful resolution of the frustrating deadlock over Namibia. The South African Government had recently affirmed that the future of Namibia would be decided by the people of the Territory

³ See *Official Records of the Security Council, Twenty-eighth Year, Supplement for April, May and June 1973*, document S/10921, paras. 13 and 14.

themselves, that all options including independence were open to them, and that the exercise of self-determination might come "considerably sooner" than the 10-year prediction made by it in 1973. She urged that Government to back up its statements with prompt, decisive actions and to provide the United Nations, which was the legally recognized authority for Namibia, with an unequivocal statement of its plans for permitting the people of Namibia to exercise their right of self-determination, including an indication of the period within which positive changes could be expected. The United States Government wanted the United Nations to play its rightful role in that process.

30. While it welcomed South Africa's recent statements, the United States Government and others were aware of South Africa's continuing rule in Namibia and its application of the reprehensible policy of *apartheid*, in violation of South Africa's responsibilities as *de facto* administrator. The United States had been deeply concerned about the blatant violation of the human rights of Namibians. On instructions from the Department of State, its Embassy at Pretoria had made persistent efforts to obtain information about 15 members of SWAPO and the SWAPO Youth League who had been arrested in January and February 1974 and detained incommunicado by the South African authorities for periods of up to six months. It had also expressed to the South African Government its concern about reports of alleged physical mistreatment of detainees and had made strong representations during the past year regarding the public flogging of political opponents by tribal authorities in northern Namibia. Since, to the best of its knowledge, no such floggings had been reported in recent months, her delegation hoped that the South African authorities had taken the necessary measures to suppress that barbaric and anachronistic form of punishment. It would like reassurances from South Africa to that effect.

31. The United States supported the termination of South Africa's Mandate for Namibia under General Assembly resolution 2145 (XXI) as well as the advisory opinion of the International Court of Justice of 21 June 1971. Since May 1970, her Government had discouraged investments by United States nationals in Namibia and had withheld Export-Import Bank facilities for trade with the Territory. One petitioner before the Committee had indicated that at least one United States company previously investing in Namibia had withdrawn. The United States Government had made it clear that it would not protect American investments in the Territory made subsequent to the adoption of General Assembly resolution 2145 (XXI) against claims of a future lawful government of Namibia. Its concern for the future of Namibia was reflected in its contribution of \$50,000 to the United Nations Fund for Namibia in 1974. It believed that the proposal of the United Nations Commissioner for Namibia for an institute for Namibia (see A/9624/Add.1, paras. 66-73) deserved careful and sympathetic study and would keep in close touch with the activities of the United Nations Council for Namibia as the resolution of the Namibian problem progressed.

32. She called upon South Africa to proceed immediately, in co-operation with the United Nations, towards permitting the people of Namibia to decide their own future, and to execute the promises made by its representative to allow as soon as possible full, free and peaceful self-determination in that Territory.

33. Mrs. MOLLAEVA (Union of Soviet Socialist Republics) said that her country's position of principle on the question of Namibia and its support of the struggle of the Namibian people for freedom and independence from the racist régime of Pretoria were inherent in the very nature of the Soviet socialist State, the fifty-seventh anniversary of which was

being celebrated that day. From its inception, the Soviet Union had pursued the Leninist foreign policy of supporting the struggle of the oppressed peoples for national and social emancipation, freedom and independence and the elimination of the remnants of colonialism and racism. That policy had been confirmed yet again at the Twenty-Fourth Congress of the Communist Party of the Soviet Union, held from 30 March to 9 April 1971. To underline her point, she quoted an extract from the statement made by the Minister for Foreign Affairs of the Soviet Union, Mr. Gromyko, the preceding day to mark the fifty-seventh anniversary of the Great October Socialist Revolution..

34. The international situation was being changed by the favourable influence of the world socialist system and all the forces of progress, democracy and national liberation. As evidence of that fact, she pointed to the reconstruction of the system of international relations on the basis of the principle of the peaceful coexistence of States with different social systems and the process of détente. Those factors created a favourable situation in the world for the further advance of the national liberation movement of the colonial peoples in Africa. They were due primarily to the implementation of the peaceful foreign policy of the USSR and the concerted action of all the countries of the socialist community.

35. In his statement to the General Assembly during the general debate at the 2240th plenary meeting, the Minister for Foreign Affairs of the Soviet Union had pointed to the recent victories in the liberation struggle, but he had stressed that the struggle was far from ended. Peace-loving States and the United Nations, he had argued, could not rest until colonialism, *apartheid* and racial discrimination had been finally eliminated.

36. The question of Namibia was closely linked with the situation in the rest of southern Africa. The struggle of the Namibian people was an integral part of the struggle of the African peoples against the racist and colonialist régimes in that part of the world. The liberation front was at present one of the most important sectors of the struggle against the remnants of colonialism. The maintenance of colonial slavery in southern Africa had a negative influence on the political situation throughout the continent and posed a threat to international peace and security. Thus, all who loved peace and freedom had an interest in the success of the struggle of the anti-imperialist, anti-colonialist and anti-racist forces.

37. The United Nations had adopted a number of resolutions designed to end South Africa's unlawful occupation of Namibia. Those resolutions confirmed the inalienable right of the Namibian people to freedom and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. Since South Africa's Mandate for Namibia had been terminated by General Assembly resolution 2145 (XXI), its continued occupation of Namibia was unlawful. The national unity of the Namibian people and the territorial integrity of the country had been recognized by the United Nations and by the Organization of African Unity (OAU). Yet the South African racists stubbornly persisted in their colonialist policy of violence and enslavement. They unlawfully promulgated racist legislation on Namibia, and imposed on that Territory the policy of *apartheid*, which had been condemned by world public opinion as a crime against humanity. The South African racists were defying the United Nations and the whole world. Vorster himself had made a statement about South Africa's plans to consolidate the annexation of Namibia, characterizing as unreasonable the proposal that South Africa should withdraw from Namibia within the next 10 years. He had insisted that the United Nations would not compel South Africa to leave Namibia, thus confirming that his Government intended to continue to disregard the demands of the United Nations and of international public opinion.

38. It was obvious that South Africa would not have dared to challenge the United Nations, the peoples of Africa and world public opinion if it had not had the political, economic and military support of certain Western countries, primarily certain members of the North Atlantic Treaty Organization (NATO), and their imperialist transnational monopolies. Such support of the racist régime was a violation of the resolutions of the General Assembly and the Security Council, notably Security Council resolution 283 (1970), the provisions of which were disregarded by many Western countries.

39. As to the causes of the deadlock over Namibia, she said that there was indisputable evidence that the reason for South Africa's refusal to implement the resolutions of the Security Council and the General Assembly lay in its expansionist aims and in the concern of Western countries to maintain their control over the natural wealth of Namibia and continue their exploitation of the indigenous population. She quoted extracts from chapter IX of the report of the Special Committee and the report of the United Nations Council for Namibia illustrating the pernicious role of the imperialist monopolies operating in Namibia.

40. The close links between certain Western countries and the Pretoria racists were not limited to the economic sphere but extended to military and political collaboration, too. The United Kingdom was a prime example; it had recently carried out joint naval manoeuvres with South Africa, which provided convincing proof of the United Kingdom's continued support of the Pretoria régime. A number of Western countries sold arms to South Africa in defiance of the embargo imposed by the Security Council in its resolution 282 (1970) and thus became accomplices in South Africa's military preparations for the suppression of the national liberation movements, preparations that constituted a threat to all the independent countries of Africa.

41. All that was happening at a time when the racists in South Africa had been roundly condemned in the Security Council debate on the relationship between the United Nations and South Africa. More than 55 speakers had taken part in that debate and had set forth in detail the causes of the cruel injustices to which the indigenous inhabitants of southern Africa were subjected. The Soviet Union had supported the draft resolution introduced by the African countries proposing the expulsion of South Africa from the United Nations,⁴ but at the 1808th meeting of the Council the Western permanent members had used their power of veto to reject the draft resolution.

42. The South African Government, as part of its efforts to suppress the liberation struggle of the Namibian people, had put forward a demagogic plan for the granting of "self-government" to some of the regions of the country and had begun to set up the so-called "homelands" or Bantustans. The true aim of the plan was to fragment Namibia and sow discord among the indigenous population. The Namibians had protested strongly against the plan and the establishment of the so-called Advisory Council. The boycott in August 1973 of the elections for the so-called Ovamboland Legislative Council was significant in that connexion, for only 2.5 per cent of the electorate had voted.

43. The movement against the racist oppressors was no longer confined to peaceful political action. The Namibian people, led by the SWAPO patriots, were intensifying their armed struggle and were inflicting painful blows on the racists.

44. The General Assembly, in its resolution 3111 (XXVIII), had called on South Africa to withdraw all its police, armed forces and civilian personnel from Namibia; since South Africa continued to disregard that appeal, the Committee must

⁴ *Ibid.*, Twenty-ninth Year, Supplement for October, November and December 1974, document S/11543.

recommend consideration of the question of effective measures to compel South Africa to comply with it. The Soviet Union supported all the decisions of the General Assembly and the Security Council providing for the immediate liberation of Namibia from racist domination as well as the recommendations for the implementation of effective measures for the attainment of that goal. Her country always spoke out in defence of oppressed peoples, supported their struggle for national liberation and independence and rendered them assistance.

45. It was the duty of the United Nations to promote efforts to render assistance to the Namibian people and to translate them into reality. Greater pressure should be exerted on the racist régime of South Africa in order to isolate it in international life. Her delegation would support proposals for the implementation of such effective measures as were provided for in the Charter to compel South Africa to carry out United Nations decisions. The moral and material assistance rendered to the Namibian people must be extended. Her country was taking an active part in the working out of constructive measures designed to guarantee the right of the Namibian people to freedom and independence. That was why it had become a member of the United Nations Council for Namibia. The recommendations set forth in the reports of the Special Committee and the Council would provide a basis for the adoption of a decision by the Committee. As one means of bringing pressure to bear, her country had broken off all relations with South Africa.

46. She welcomed the representatives of SWAPO, who were taking part in the Committee's work as observers and, through them, she wished the Namibian patriots success in their courageous struggle. She read out the text of a greeting addressed to the peoples that had thrown off the colonial fetters and to those that were still struggling for freedom and national independence, which had been published on the occasion of the fifty-seventh anniversary of the Great October Socialist Revolution. The Soviet Union would continue to support the struggle of the Namibian people and would take an active part in the working out of constructive measures to guarantee their right to self-determination and independence.

47. Mr. TAKASUGI (Japan) expressed his delegation's concern at South Africa's continued illegal occupation of Namibia in defiance of United Nations resolutions and the advisory opinion of the International Court of Justice of 21 June 1971, and at the deterioration in the situation in the Territory as a result of the intensification of the policies of Bantustanization and *apartheid*, which had been denounced by the people of Namibia, as had also been indicated in chapter IX of the report of the Special Committee (A/9623/Add.3) and in the report of the United Nations Council for Namibia (A/9624 (vol. I), A/9624 (vol. II) and A/9624/Add.1). He deplored South Africa's retrogressive policy of creating separate ethnic homelands with so-called "autonomous governments" and establishing an Advisory Council in Namibia, against the wishes of the Namibian people.

48. His Government had welcomed the advisory opinion of the International Court of Justice and had consistently supported United Nations resolutions regarding Namibia. It did not recognize South Africa's authority over Namibia and considered its continued presence there illegal. It supported the view that the United Nations should assume direct responsibility for Namibia and for the transitional administration of that Territory until it acceded, at an early date, to full independence in accordance with the wishes of the Namibian people. South Africa should comply with the Security Council's demands for its immediate withdrawal from Namibia. The continued illegal presence of South Africa in the Territory and its denial of the right of the Namibian people to self-determination, freedom and independence had led them to resort to armed resistance. His Government sup-

ported the activities of the United Nations Council for Namibia and would continue to contribute to the United Nations Fund for Namibia. He then emphasized the declared policy of his Government that the question should be settled by peaceful means. While expressing his delegation's belief that all avenues towards an early settlement by such means had not been entirely closed, he expressed the hope that the mounting pressure exerted by the international community and the impact of concerted international action would induce South Africa to take the necessary measures to bring about a rapid settlement of the question of Namibia by peaceful means. The recent proposal in the Security Council to expel South Africa from the United Nations had obtained the support of the majority of Security Council members and was a serious warning to the South African Government. His delegation was confident that the United Nations would now embark on fresh efforts, including a renewed authorization of the use of his good offices by the Secretary-General, to explore every remaining possibility to create the necessary conditions to enable the Namibian people to exercise their inalienable right to self-determination and independence.

49. With regard to his country's economic relations with Namibia and South Africa, he emphasized the fact that Japan had no diplomatic, consular, trade or any other official representation, or any official institutions, in Namibia. It had no direct investment in the Territory and no bilateral treaty with South Africa which might acknowledge or imply recognition of South Africa's authority over Namibia. Japan, as an industrial country which almost completely lacked natural resources, had to depend on international trade to survive, but current economic transactions with Namibia were strictly limited to a small amount of trade, which his delegation hoped would in no way be construed as an attempt to collaborate in the exploitation of Namibia's natural resources or to help to consolidate the continued illegal presence of South Africa in the Territory. His Government had not adopted any measures to promote trade with Namibia. In conformity with its strong opposition to the policies of racial discrimination and *apartheid*, it had taken a number of actions, including an arms embargo, the prohibition of direct investment and the prohibition of entry into Japan of South African nationals for the purpose of cultural exchanges or sporting activities, in compliance with the recommendations contained in United Nations resolutions. Although Japan had had some reservations on certain provisions of the United Nations resolutions, in particular regarding the recommendations for economic sanctions against South Africa, it had always respected the spirit of those resolutions and had taken the necessary measures to fully implement the provisions it considered practical and which it felt it was possible to comply with. His Government would continue to do its utmost to comply with the remaining provisions of the resolutions. The growth rate of Japan's trade with the world as a whole and with other African countries was higher than that of its trade with South Africa. His delegation would give serious consideration to constructive suggestions from any source on that issue but would not accept malicious accusations, based on prejudice or misunderstanding of the facts, which attempted to undermine the credibility of the Government and people of Japan, whose loyal support of the United Nations was one of the foundations of Japanese foreign policy.

50. Mr. BYE (Norway) said that his Government would once again strongly urge the South African Government to back up its recent conciliatory overtures with action. It should reassess its policies in the light of current realities in southern Africa and submit substantive proposals to the United Nations to facilitate Namibia's early accession to independence. The documentation before the Committee contained evidence of repressive measures which were clearly part of a concerted effort to curb political opposition. His

Government had appealed directly to the South African Government to release all political prisoners and detainees unconditionally and immediately, and he now repeated that appeal.

51. His Government was concerned at South Africa's continued disregard for all warnings and admonitions concerning the fragmentation of Namibia into "homelands" modelled after the Bantustans in South Africa. A report entitled *A Survey of Race Relations in South Africa 1973*, published by the South African Institute of Race Relations at Johannesburg in January 1974, showed that the policies of removal and migrancy had become an every-day reality in Namibia and had led to unemployment, overcrowding, poverty and resettlement. Even conservative estimates indicated that at least 150,000 people were affected or threatened by those policies. World public opinion should be mobilized against cruel and anachronistic policies such as fragmentation, removal and migrancy aimed at maintaining South Africa's illegal occupation of Namibia. The labour situation in Namibia was another source of concern to his Government. Modification of the contract labour system had not eliminated widespread dissatisfaction among African workers at their extremely low wages and the separation of families.

52. The Namibian people were forging ahead with their liberation struggle in spite of arbitrary arrests, detention and torture, and the international community had a duty to provide them with moral, political and humanitarian support. Over the years, his Government had given moral and material assistance to liberation movements in southern Africa, including SWAPO, and it would continue to do so. He joined other delegates in urging the relevant United Nations agencies, in close co-operation with the United Nations for Namibia, to provide assistance to the people of the Territory.

53. The liberation movements and the international community must increase their efforts in view of South Africa's failure to carry out the undertaking given by its Minister for Foreign Affairs in 1973 concerning the future constitutional organization of Namibia and the granting of self-determination and independence to the Territory.⁵ His Government attached great importance to the initiatives of the United Nations Council for Namibia, particularly the plan to establish an Institute for Namibia, and was considering making a contribution to the Institute. It would support proposals aimed at associating the United Nations Council for Namibia with the work of international organizations in an appropriate way, and it welcomed the significant steps taken by the Council to intensify the dissemination of information on the question of Namibia.

54. Mr. TADESSE (Ethiopia) recalled that, in co-operation with Liberia, his country had instituted proceedings in 1960 against South Africa in the International Court of Justice,⁶ thus initiating the six-year legal battle to force the expulsion of South Africa from Namibia through a Court judgment.⁷ In the most recent of its exhaustive debates concerning the Pretoria régime, the Security Council, notwithstanding the negative outcome of the vote, had once again demonstrated that South Africa stood as the most universally condemned member of the international community because of its policies of *apartheid* and its acts of flagrant defiance of the resolutions of the United Nations relating to both Namibia and Zimbabwe.

55. The Pretoria régime's illegal occupation of Namibia and its merciless oppression of the indigenous inhabitants of the

⁵ *Ibid.*, Twenty-eighth Year, Supplement for April, May and June 1973, document S/10921, para. 53.

⁶ International Court of Justice, *South West Africa case (Ethiopia [Liberia] v. Union of South Africa)*, Application instituting proceedings, 1960, General List, No. 46 [No. 47].

⁷ For the judgment, rejecting the Ethiopian and Liberian claims, see *South West Africa, Second Phase, Judgment, I.C.J. Reports 1966*, p. 6.

Territory had for long been a source of concern to the United Nations. South Africa's betrayal of the trust given it by the international community to administer Namibia as a Mandated Territory had led to the General Assembly's decision to revoke the Mandate and place the Territory under the direct responsibility of the United Nations by adopting its resolution 2145 (XXI), subsequently endorsed by the Security Council in its resolution 276 (1970), declaring the presence of South Africa in Namibia to be illegal. The International Court of Justice, in its advisory opinion of June 1971, had declared the positions taken by both the General Assembly and the Security Council to be *intra vires*, stating specifically that, the continued presence of South Africa in Namibia being illegal, South Africa was under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory.

56. The Pretoria régime had refused to accept the decisions of the United Nations. Its external relations with its traditional friends and allies had remained largely unaffected by the international condemnation heaped upon it over the years, and its political, economic and financial interests had not suffered to the extent of inducing it to change its intransigent attitude towards the United Nations or towards the African masses that it ruthlessly oppressed. The United Nations, on the other hand, continued to suffer in prestige and moral authority as a result of its inability to enforce its decisions aimed at restoring the legitimate rights of the Namibian people. That situation must not be allowed to prevail any longer.

57. The report of the United Nations Council for Namibia and chapter IX of the report of the Special Committee demonstrated once again that the situation in Namibia was progressively worsening as a result of the increased repressive measures adopted by the South African régime against the people of Namibia. The latter had not been intimidated by the merciless escalation of all types of repressive measures, which, on the contrary, had heightened their resistance and impelled them to struggle with increased determination to secure their freedom and human dignity. The effectiveness of the resistance being waged by SWAPO and the people of Namibia had led the authorities in Pretoria to replace the paramilitary units of the South African police by units of the

regular army and to acknowledge that the armed struggle of the people of Namibia, which they called terrorism, was being waged more effectively and with better and more dangerous weapons. The collapse of the Portuguese colonial empire in Africa had heightened the sense of insecurity of the Pretoria régime. In the view of his delegation, the time was now propitious for the international community to strengthen the liberation struggle of the Namibian people in order to increase its impact on the colonial South African régime.

58. The South African régime must realize that it could not defy international public opinion indefinitely. No amount of cruelty and repression could break the will of an oppressed people to be free. For the South African authorities to continue in their racial and colonial fanaticism in the face of unambiguous examples of history and recent events in Portugal was only to confirm their tragic misconceptions of history. The United Nations had adopted many important decisions concerning the solution of the problem of Namibia, but its actions against South Africa had long been rendered ineffective by the regrettable unwillingness of the close friends of South Africa to live up to their obligations as States Members of the United Nations by implementing the various decisions of the Organization on the question. He appealed to those States to reassess their past lack of co-operation with the United Nations in the light of the tragedy imposed on the people of Namibia by a country whose philosophy of human oppression had been elevated to the level of a national creed.

Organization of work

59. The CHAIRMAN, referring to the decision taken by the Committee at its 2080th meeting regarding the time-table for its work, suggested that it should modify that time-table and consider agenda item 68, concerning the activities of foreign economic and other interests from 11 to 15 November and take up the remaining seven items—agenda items 13, 23, 64, 69 and 12, 70 and 71—on 18 November.

It was so decided.

The meeting rose at 6.10 p.m.

2109th meeting

Friday, 8 November 1974, at 3.20 p.m.

Chairman: Mr. Buyantyn DASHTSEREN (Mongolia).

A/C.4/SR.2109

AGENDA ITEM 65

Question of Namibia (continued) (A/9623/Add.3, A/9624 (vol. I), A/9624 (vol. II), A/9624/Add.1, A/9725 and Corr.1, A/9728, A/9775-S/11519, A/9786-S/11526, A/C.4/771, A/C.4/779, A/C.4/L.1066 and Corr.1)

GENERAL DEBATE (concluded)

1. Mr. ESCOBAR (Colombia) said that diverse opinions had been voiced in the Committee concerning the measures which ought to be adopted with a view to achieving the accession of the Namibian people to freedom and independence. The United Nations, whose responsibility for administering the Territory of Namibia had been confirmed by the advisory opinion of the International Court of Justice of

21 June 1971,¹ had established the United Nations Council for Namibia and had designated a United Nations Commissioner for Namibia, but both were forced to carry out their commendable activities on behalf of the people of Namibia outside the Territory, in exile as it were, because of South Africa's illegal occupation of Namibia. The Council provided material assistance to the people of Namibia and encouraged Member States to increase their collaboration with a view to achieving implementation of the decisions of the General Assembly and the Security Council. He deplored the refusal of the Government of South Africa and other countries to accept the recommendations adopted by the United Nations,

¹*Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*