

2107th meeting

Thursday, 7 November 1974, at 10.45 a.m.

Chairman: Mr. Buyantyn DASHTSEREN (Mongolia).

A/C.4/SR.2107

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/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. GICHERO (Kenya) said that no human society should be subjugated by another. For almost three decades the United Nations had adopted resolutions on the question of Namibia that had not been implemented, mainly because certain countries had chosen to flout them. A week earlier, at the 1808th meeting of the Security Council, Members had vividly witnessed the stand of the three strongest supporters of the South African régime. It was evident that the régime in South Africa was exploiting Namibia and oppressing Namibians in defiance of the United Nations resolutions in the assurance of receiving support from certain major Powers and their multinational corporations. According to a South African publication, the mining concerns that were exploiting more than 24 known mineral resources in South West Africa were owned by Anglo-American and South African firms. To illustrate that fact, it was sufficient to cite a few multinational corporations based in certain major Western capitals that were actively plundering the wealth of Namibia with the collusion of South Africa. In copper mining, the Government-controlled Industrial Development Corporation of South Africa was among the leading companies. Working hand in hand with it were the Kennecott Copper Corporation and the Navarro Exploration Company, both owned by the United States. South West Africa Lithium Mines (Pty.) Ltd. was controlled by Klöckner, of the Federal Republic of Germany, in the same way that Tidal Diamonds SWA (Pty.) Ltd. was controlled by the Getty Oil Company, of the United States. Similarly, the Anglo American Corporation of South Africa Ltd. was controlled by its principals in the United Kingdom and the United States.

2. The leadership of the South West Africa People's Organization (SWAPO) was fully aware of the joint plot to impoverish Namibia systematically. All patriotic Namibians were aware of it, as evidenced by the regular and continued local opposition to the South African Government's policies through labour strikes, although South Africa concealed that from the outside world. In that connexion, his delegation paid tribute to Mr. Jackson of Guyana for his statement in the Committee in his capacity as President of the United Nations Council for Namibia (2100th meeting). It also expressed its appreciation to the members of the Council, the United Nations Commissioner for Namibia, the Special Committee on *Apartheid* and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

3. Mr. OSMAN (Egypt) said that Namibia was a unique case in contemporary international relations because the States Members of the United Nations, in General Assembly resolution 2145 (XXI), and the International Court of Justice, in its advisory opinion of 21 June 1971,¹ had affirmed that the

United Nations had sole jurisdiction over Namibia, but South Africa refused to acknowledge that fact. It recognized only its right to impose *apartheid*; it admitted only that there were white men who had the right to colonize and exploit, and black men whose only right was to suffer exploitation.

4. At the domestic level, the Government of South Africa was occupying the Territory of Namibia and destroying its territorial integrity through the application of its policy of Bantustanization. *The Times* of London had reported on 14 October 1974 that the plan for partitioning Namibia was sponsored by the Commissioner-General for the Indigenous Peoples of South West Africa appointed by the South African Government and that South Africa planned to create a state of Ovamboland, composed of part of the territory of Namibia and part of Angola, thus forming a separate state, which would be detached from South Africa.

5. In 1974 mass arrests had been carried out under the Terrorism Act, including the arrest of 30 SWAPO leaders. Torture had been escalated, and the deportation of Namibians was continuing.

6. South Africa continued to exploit the resources of Namibia with the help of foreign capital investments, in the belief that it could thus perpetuate its presence in the Territory of Namibia. The foreign companies were exploiting not only the resources of Namibia but also its workers, who had to work under inhuman conditions. It was essential to put an end to the illegal presence of South Africa in Namibia.

7. Namibians were asking that the United Nations resolutions should be implemented. The same feeling was evident in Ovamboland. The people were organized in groups to resist the oppressor, they had boycotted the so-called elections to the Ovamboland Legislative Council and there was a movement to make South Africa withdraw from Namibia by means of meetings, strikes and other measures.

8. During the current year the United Nations Council for Namibia had adopted some important measures on behalf of Namibia. Results had been achieved in two basic spheres: first, direct assistance to Namibians and, secondly, the challenge to South Africa's presence in Namibia.

9. With respect to assistance, training was offered to Namibians in friendly African countries such as Kenya, Ethiopia and the United Republic of Tanzania. The Institute for Namibia, to be established at Lusaka (see A/9624/Add.1, para. 73), would conduct research on the country's problems with a view to training Namibian administrators who could organize the Government of their country.

10. He noted with satisfaction that visas and identity documents were being issued to Namibians so that they could travel abroad with dignity. If the efforts of the United Nations Council for Namibia were to be successful, the sincere support of all Members of the United Nations was needed. South Africa could not continue to apply its policies if it was isolated, but that was not sufficient to make it change its policies. The Western Powers should co-operate fully with the Council so that it could carry out its mandate, and should implement its recommendations. Member States had two courses open to it: either to allow South Africa to disregard the Charter or to defend the authority of the United Nations and ensure that Namibia's right to self-determination and independence was restored.

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.*

11. Egypt would fully support any measure taken by the United Nations to make South Africa withdraw from Namibia.

12. Mr. ELLIOT (Canada) said that it was a source of discouragement and frustration for the twenty-ninth session of the General Assembly to have to deal once again with the question of Namibia, a subject which had been discussed every year since 1946. The fact that substantial progress was being made in decolonization elsewhere in southern Africa intensified the dismay felt at the fact that no comparable advance had been made in Namibia, although developments in the Territories under Portuguese administration did serve as a reassurance that constructive and realistic solutions to such problems could be found.

13. Following the adoption of Security Council resolution 283 (1970) and the advisory opinion of the International Court of Justice of 21 June 1971, his Government had issued a formal declaration to the Government of the Republic of South Africa to the effect that Canada did not recognize any authority of the Republic of South Africa over Namibia. Similarly, Canada maintained no diplomatic, consular or commercial representation in that Territory and the Government informed Canadian companies which proposed to invest there and Canadian citizens who planned to travel there that they did so at their own risk. His Government had prohibited the sale of arms to South Africa in order to avoid assisting that country in maintaining its military hold on the Territory of Namibia.

14. Regrettably, the appeals concerning Namibia directed to the Government of South Africa by the United Nations over a period of nearly two decades had produced no tangible result. The dialogue between the Secretary-General and the Government of South Africa during 1972 and 1973 had elicited only an acknowledgement from the latter of Namibia's international status and a declaration that Namibia would reach the state of self-determination within a period of 10 years. That time frame had been unacceptable to the United Nations, and the mandate of the Secretary-General had been terminated by the Security Council in its resolution 342 (1973). In his statement at the 1800th meeting of the Security Council on 24 October 1974, the representative of South Africa had declared that the Territory could reach independence within a much shorter, though unspecified, period. His delegation urged the Government of South Africa to demonstrate its good faith in a positive and tangible fashion and thus dispel the scepticism which was justified by the record so far.

15. One way of doing that would be to provide the United Nations with a firm time-table for the granting of independence to Namibia. To that end the Secretary-General could render the same kind of impartial assistance which he had extended to another administering Power during the previous year.

16. His delegation believed that a realistic and comprehensive solution could be worked out, but only if a positive atmosphere was established. The illegal but *de facto* administering régime would have to desist from its persecution of political opponents and declare an amnesty for refugees wishing to return and participate in consultations.

17. His Government supported programmes of assistance to the African peoples of Namibia and other parts of southern Africa. Canada's contributions to such programmes would amount to \$505,000 in the coming year. His Government had unfortunately not yet had the opportunity to consider fully the question of the establishment of the Institute for Namibia at Lusaka.

18. He congratulated particularly Mr. MacBride, United Nations Commissioner for Namibia, on having been awarded the Nobel Peace Prize, the mark of international recognition of a distinguished public career.

19. Despite the fact that there appeared to be meagre grounds for encouragement with regard to future developments in connexion with Namibia, the case of the Territories under Portuguese administration demonstrated how intractable problems could be solved, given realism and good faith.

20. Mr. TIBOK (Malaysia) said that two facts about Namibia were beyond dispute. The first was that, since the Mandate of South Africa for Namibia had been terminated by General Assembly resolution 2145 (XXI), the existing régime in that Territory was illegal. The second was that the existing régime was racist. The documentation on the question showed in no uncertain terms that the illegal régime was attempting to export its system of *apartheid* to Namibia. No nation that believed in the rule of law could support, either directly or indirectly, the illegal and racist régime.

21. His delegation paid tribute to the Namibian people for its determined resistance to brutal oppression. It had been said that efforts should be made to secure the independence of Namibia by peaceful means, but there was nothing the illegal régime had done to suggest that they were ready to take that road.

22. On the contrary, South Africa continued relentlessly to exploit the human and material resources of Namibia. The efforts of the United Nations Council for Namibia to protect the interests of the Namibian people in the international arena were commendable, and it was to be hoped that its Decree on the Natural Resources of Namibia (*ibid.*, para. 84) would be rigorously enforced. The establishment of an Institute for Namibia was also a welcome step, as was the participation of the Council in other international forums.

23. The efforts of the international community had so far been fruitless, not because the United Nations was powerless, but because its powerful members were not lending their full co-operation to those efforts. Those countries, under the pretext of promoting change in South Africa through dialogue, maintained relations with South Africa and their companies participated in the exploitation of Namibia's resources.

24. While the sudden transformation of the situation in the Portuguese Territories had been welcome, it was not enough to rejoice over that situation and take it for granted that Namibia too would one day be liberated. Malaysia would support all measures aimed at obtaining the liberation of Namibia in the shortest possible time.

25. Mr. GOBA (Sierra Leone) said that his country was committed to the independence of Namibia as a sovereign State and categorically rejected the pretensions of the South African régime, which continued to defy the international community. The Namibian issue was a test of the efficacy of the United Nations. No Member State, therefore, could treat it with indifference without betraying the principles of the Organization. The triple veto by France, the United Kingdom and the United States at the 1808th meeting of the Security Council had been regrettable, and the draft resolution calling for the expulsion of South Africa² should have been adopted unanimously. If political or economic expediency was put before such basic principles as human rights, the work of the Organization would be meaningless.

26. The United Nations Council for Namibia was the legitimate authority for the administration of the Territory. Namibia could not go on being governed by a gang of international desperadoes. His delegation condemned the support given to the Vorster régime by a number of Member States, especially certain members of the North Atlantic Treaty Organization (NATO) and its major trading partners.

² Official Records of the Security Council, Twenty-ninth Year, Supplement for October, November and December 1974, document S/11543.

27. The South African régime used the rod of *apartheid* to torture and intimidate the true South Africans and Namibians. By *apartheid* was meant the controlled, unequal, separate existence of the black majority and the white minority, the forced migration of blacks, unequal pay for the same jobs, the separation of families and the pass system. *Apartheid* was a system in which it was a crime to be in opposition to the Government. *Apartheid* defied the International Court of Justice and the United Nations. Aiding and abetting *apartheid*, whether in South Africa or in Namibia, was an act of treason against humanity.

28. His delegation recognized the national liberation movement of Namibia, SWAPO, as the authentic representative of the Namibian people. It reaffirmed its solidarity with the Namibian people and fully supported the activities of the United Nations Council for Namibia.

29. His delegation congratulated Mr. MacBride on being awarded the Nobel Peace Prize and hoped that his labours would soon receive the further reward of complete freedom for the people of Namibia.

30. Mr. ZABARAH (Yemen) said that the situation in Namibia continued to be grim. It was encouraging, however, that the representatives of SWAPO and the United Nations Council for Namibia were collaborating more closely. He found the report of the Council (A/9624 (vol. I), A/9624 (vol. II) and A/9624/Add. I) most interesting and took note of the decision of the Special Committee (see A/9623/Add.3, para. 11) and of the explanations provided by its Rapporteur at the 2100th meeting.

31. His country was opposed to imperialism and *apartheid*, and believed that every people should be master of its own destiny. The United Nations had helped to liberate many peoples and should support the courageous people of Namibia in their fight to cast off the yoke of oppression. His Government supported the Namibian liberation movement; it condemned the co-operation of a number of Governments and corporations with South Africa, despite the United Nations resolutions, and urged all Governments to comply faithfully with those resolutions. The continuing occupation of Namibia by South Africa was a threat to world peace. That illegal occupation, compounded by the imposition of *apartheid* on the Territory, could only encourage other despicable régimes, such as those of Israel and Southern Rhodesia, to defy the resolutions of the United Nations.

32. Defiance of the United Nations was equivalent to defiance of its Member States. The situation was serious, and the super-Powers should have ended it.

33. Yemen wished the Namibian people every success in their just struggle.

34. Mr. ABOU-ASSI (Lebanon) deplored the fact that, despite resolutions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971, the problem of Namibia had remained unsolved and the illegal occupation of the Territory continued. Regrettably, the efforts of the international community had so far been futile, and torture, imprisonment and terror were continuing.

35. The United Nations should reject the policy of breaking up Namibia which the Pretoria Government was still applying, since South Africa had no right to divide the Namibian people and deny them self-determination. Since 1952 the world community had been condemning the affront to human rights which the policy of *apartheid* represented. Lebanon rejected racism in all its forms and manifestations, particularly *apartheid*. The occupation of Namibia and the intensification of torture and other repressive practices necessitated the immediate adoption of measures to end that situation. Member States should accordingly give moral values precedence over material values. Assistance of any kind to South

Africa was contrary to the resolutions of the United Nations. Foreign companies which traded with South Africa were encouraging the régime, and foreign investments, in fact, sustained the plundering of the Territory's wealth and perpetuated injustice and oppression. Moral and material assistance should be given to the liberation movement of Namibia in order to ensure its victory and support the work of the United Nations Commissioner for Namibia in representing and defending the interests of the Territory. Lebanon supported the cause of the Namibian people since to do so was to reaffirm the principles of justice and human dignity for the whole world. His delegation would therefore vote in favour of any measures the United Nations might adopt with respect to the Territory.

36. Mr. PASIARDIS (Cyprus) said that, as in previous years, his delegation wished to express its concern at the situation in Namibia, and to reaffirm its support for the struggle being waged by the Namibian people under the leadership of SWAPO. As in the past, the principles of the Charter continued to be invoked. However, the *apartheid* régime persisted in its refusal to comply with United Nations resolutions and in its defiance of international law. As a result of that violation of United Nations resolutions, the people of Namibia continued to be exploited and humiliated by the South African régime. The dialogue and so-called contacts between the United Nations and South Africa had proved fruitless, and the South African régime, faced with the resistance of the Namibian people, had intensified its policy of repression. The time had come for all States to comply with the resolutions of the General Assembly and the Security Council, and to uphold the advisory opinion of the International Court of Justice of 21 June 1971. His Government reaffirmed that it maintained no relations whatsoever with the Pretoria régime, and did not recognize its administration of Namibia. Moreover, it avoided taking any steps which might imply indirect recognition. No Cypriot company had commercial relations with Namibia, and his Government sought to discourage tourism and emigration to the Territory. His delegation was convinced that, however powerful the interests of some great Powers, justice would prevail and *apartheid* would be eradicated in Africa.

37. Mr. N'DESSABEKA (Congo) welcomed the valuable information contained in chapter IX of the report of the Special Committee (A/9623/Add.3), which bore witness to the Special Committee's determination to liberate the people of Namibia. That information, together with the facts revealed by the representatives of SWAPO in their statements at the 2100th and 2103rd meetings, would enable the Special Committee to proceed with the task entrusted to it by the General Assembly.

38. His delegation wished to join the many others which had expressed their indignation at the results of the vote that had taken place a few days earlier, at the 1808th meeting of the Security Council. Once again the members of NATO had demonstrated their arrogance by supporting the racist régime in Pretoria. The same attitude was reflected in the difficulties they had raised with respect to the work of the United Nations Council for Namibia.

39. For more than 50 years suffering and humiliation had been inflicted on the peoples of Namibia and Azania by the racist régime of South Africa. As a result of the stand taken by SWAPO, which served as spokesman for the aspirations of the people of Namibia, and which had refused to participate in the campaign of such sinister individuals as Dirk Mudge, B. J. van der Walt and Gunther Kaschik (see A/9624 (vol. I), para. 14), peace-loving and freedom-loving peoples had been able to condemn the policy of *apartheid* introduced by Pretoria. The participation of SWAPO in many international conferences was a guarantee of the victory of the people of

Namibia in their struggle for self-determination and independence.

40. His Government proposed that South Africa should be stripped of every right. The letter of 26 September addressed to the Secretary-General by the racist Minister for Foreign Affairs of South Africa (A/9775-S/11519, annex) confirmed the domination of Pretoria over Namibia, and the Congo would no longer accept such communications in the future. The United Nations Council for Namibia was the sole authority responsible for reporting on developments in the Territory. His delegation welcomed the establishment of the United Nations Fund for Namibia, and hoped that Governments would contribute to it to enable the Namibians to have access to education and vocational training.

41. With reference to the companies established in Namibia, his delegation felt that they should stop collaborating with the South African racists. The anachronistic working conditions of the Namibians and the outrageously low wages paid to them compelled the international community to bring pressure to bear on Governments whose nationals participated in the exploitation of the people of Namibia. The decision of the Organization of African Unity (OAU) to boycott all companies with interests in South Africa would certainly make wavering Governments give careful thought to their policy.

42. His delegation wished to express its unqualified support for the proposals made at the preceding meeting by the Secretary-General of the World Peace Council (WPC), and to reaffirm its solidarity with the struggle of the Namibian people.

43. Mr. ABDUL-LATEEF (United Arab Emirates) expressed his delegation's gratitude to the representatives of the liberation movement for the information they had provided on the tragic plight of Namibia. The facts were well known, since the United Nations had been dealing with the question for over 30 years. However, whenever the Organization worked out an acceptable solution, South Africa rejected or ignored it. The South African régime maintained that, owing to the dissolution of the League of Nations, it was no longer accountable for its action in Namibia. That was unacceptable. The United Nations was the successor of the League of Nations. Moreover, South Africa was contradicting itself, since at the first session of the General Assembly it had proposed that the latter should allow it to annex Namibia,³ thus recognizing the authority of the United Nations. Subsequently, it had indicated that it would continue to administer the Territory and submit reports to the United Nations, which once again implied recognition of the jurisdiction of the Organization. Nevertheless, South Africa ignored its obligations under Articles 73 and 74 of the Charter, which specified the responsibilities incumbent on each administering Power. South Africa had complied with neither of those Articles. His country wished to reiterate the statement made by his delegation before the Security Council at its 1801st meeting, on 24 October 1974, to the effect that it was not normal that the South African Government should persist in its policy of *apartheid*, or that a Member State should defy the Charter, the fundamental principles of human rights and world public opinion, and remain a Member of the Organization, and also that the policy of *apartheid* practised by the Government of South Africa represented a threat to international peace and security, particularly in Africa. Moreover, that was the position adopted by the Security Council in 1970, in its resolution 282 (1970), when it had urged all States to comply strictly with the arms embargo against South Africa. In that connexion, his country had also imposed a total embargo on the shipment of oil to South Africa. Its embargo applied likewise to Israel,

since both régimes were racist in nature and their co-operation was well known.

44. His country had considered the report on the Territory prepared by the United Nations Council for Namibia (A/9624 (vol. I), A/9624 (vol. II) and A/9624/Add.1) and the report of the Secretary-General on the United Nations Fund for Namibia (A/9725 and Corr.1) and supported the proposals in the latter report. In particular, it had decided to give financial support to the Fund.

45. Taking into account the persistent refusal of South Africa to respect United Nations resolutions and to terminate its illegal occupation of the Territory, and the fact that those refusals represented a threat to international peace and security, his delegation felt that the time had come to apply the provisions of Chapter VII of the Charter.

46. In its resolution 276 (1970), the Security Council had established an *Ad Hoc* Sub-Committee to study the implementation of its resolutions. That body included permanent members of the Security Council whose companies were operating in Namibia. It was astonishing that those Powers should be both judges of and parties in the dispute.

47. The United Nations must currently deal with the defiance of a Member State which disregarded its resolutions, flouted the Charter, violated human rights and represented a threat to international peace and security. The Organization had committed itself to the liberation of Namibia, and to achieve that goal the measures adopted by the Security Council should be applied. The problem of Namibia was a test of the effectiveness of the United Nations. If it failed to apply sanctions, it would suffer the same fate as the League of Nations, but if, on the other hand, it managed to secure the victory of law and justice, its success would be ensured.

48. Mr. RANA (Nepal) said that South Africa's defiance of General Assembly resolution 2145 (XXI), whereby the United Nations had terminated South Africa's Mandate for Namibia, and of the 1971 advisory opinion of the International Court of Justice, had made crystal clear the determination of the South African régime to trample under foot the rights of the Namibian people, which it had virtually held in chains for over half a century. The Pretoria régime had shamelessly pursued its policy of creating "homelands" with so-called "self-government", but in attempting to resist the wave of freedom sweeping over the African continent, that régime had created an explosive situation, which could trigger off a racial conflict of incalculable dimensions.

49. The racist régime of Pretoria had set up an Advisory Council in Namibia, composed largely of representatives of the "homelands" and traditional chiefs of each ethnic group. Moreover, the South African Government encouraged the "homeland" authorities to crush all political opposition.

50. In its report, the United Nations Council for Namibia had provided details of the abuses of the illegal South African régime in Namibia, which deprived the population of its basic human rights (see A/9624 (vol. I)). His delegation was concerned at the plundering of the natural resources of Namibia. According to the reports, experts estimated that the natural wealth of Namibia would be exhausted within 15 years if the current pace of exploitation were maintained. The same was true of the fishing resources of the coastal waters. His delegation therefore supported the statement of the Council that the mineral and animal wealth of the country should be explored and exploited only with the consent of the Council.

51. King Birendra of Nepal, in his speech at the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers in September 1973, had referred to the anguish and anger of millions of human beings who suffered humiliation, hatred, discrimination and domination at the hands of racist colonialist régimes in southern Africa.

³ See *Official Records of the Second Part of the First Session of the General Assembly, Fourth Committee, Part I*, annex 13, p. 199.

52. Those were the feelings of his delegation with respect to the African nationalist liberation movements, and the people and Government of Nepal were convinced that the heroic people of Namibia would ultimately throw off the chains of bondage in the near future.

53. In view of the ineffectiveness of the United Nations, on the one hand, and the arrogant tyranny and plundering of the South African *apartheid* régime, on the other, SWAPO, the only recognized representative of the people of Namibia, had no choice but to intensify its liberation struggle in order to secure the full enjoyment of the legitimate human rights of its people.

54. His delegation therefore whole-heartedly supported SWAPO and assured the heroic people of Namibia that Nepal was on their side in their legitimate struggle to attain the right of self-determination and independence. His Government would support any move made by the United Nations to put an end to the illegal occupation of Namibia by the South African régime. Although, throughout history, might had apparently prevailed over right, his delegation expressed its firm faith in the United Nations and its hope that the Organization would ultimately find a way to put an end to the illegal occupation of Namibia and to the inhuman acts of tyranny in the civilized world of the twentieth century, when mankind could boast of reaching the moon.

55. Mr. ROSS (Liberia) said that his delegation attached great importance to the question of Namibia and hoped that the United Nations would be able to evolve a concrete plan of action for the solution of that issue without further delay.

56. When the General Assembly had adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples it had echoed the aspirations of all peoples subjected to the indignities of alien rule. The Declaration had been the product of historical necessity. Steps must therefore be taken to achieve the immediate independence of the Territory. Furthermore, the policy of racial discrimination in that part of Africa had reached such proportions as to have become intolerable not only for the African inhabitants but for all decent people throughout the world.

57. The problem of Namibia must influence for good or ill the destiny of the United Nations. In 1960, Liberia and Ethiopia had denounced South Africa before the International Court of Justice for violation of its Mandate responsibilities for South West Africa.⁴ Liberia's concern about the problem of Namibia stemmed both from its humanitarian ideals and from its awareness that racial conflict in any part of the African continent would endanger the peace and stability of the entire continent.

58. The United Nations had terminated South Africa's Mandate for Namibia eight years previously, in General Assembly resolution 2145 (XXI). Since then, a great number of resolutions had been adopted on the subject and in 1971 the International Court of Justice had handed down an advisory opinion on the matter. In view of the special responsibility of the United Nations for Namibia, the Organization must demonstrate complete solidarity with the Namibian people by supporting their national liberation struggle to ensure that they achieved independence at the earliest possible date, by providing them with legal aid in order to prevent the violation of their rights and by assisting them in the educational, social and economic fields.

59. Some progress had been made in the past eight years. Through the tireless efforts of the United Nations Council for Namibia, consultations had continued with the people of the Territory and SWAPO was participating as an observer in the

work of the Council. In order for that collaboration to continue, it was to be hoped that the SWAPO office in New York would be enlarged with the direct support of the Organization. The Council had conducted successful consultations with Member States, specialized agencies and governmental and non-governmental organizations, all of which had made possible a better understanding of the question of Namibia. The travel and identity documents scheme for Namibians had achieved a measure of success and the United Nations Fund for Namibia, the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa were adequately fulfilling the purposes for which they had been established. It was expected that the Institute for Namibia, to be set up at Lusaka, would provide training for the future leaders of Namibia. Another success to the credit of the Organization had been the appointment of Mr. MacBride as United Nations Commissioner for Namibia. Liberia supported the recommendation put forward by the representative of SWAPO at the 211th meeting of the Council concerning the reappointment of Mr. MacBride,⁵ who had fulfilled his functions with credit and distinction.

60. Despite those partial successes, however, it was to be noted that the statements pledging solidarity with Namibia were not always coupled with practical steps for the provision of financial, material and political assistance to the people of the Territory. One example was the case of the travel documents scheme, since although all the Members of the United Nations, with the exception of South Africa, had stated their support for the cause of Namibia, only 85 had agreed to accept the validity of those documents.

61. His country considered that the General Assembly, with its entire political power and in accordance with resolution 2145 (XXI), should call on South Africa to withdraw immediately and unconditionally from the Territory of South West Africa, to release all political prisoners immediately and to comply with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

62. Liberia would support any effective measures taken to put an end to domination by the South African racists and would continue to support any activity designed to abolish colonialism and racism in Africa.

63. The granting of independence was a matter of principle and should not be limited by political, social or administrative considerations or by transitional arrangements. Every people was capable of assuming its own responsibilities and organizing its own independent State.

64. Mr. MANGAL (Afghanistan) said that for more than half a century the people of Namibia had been deprived of their human rights and their right to self-determination and independence by the Government of South Africa. That situation continued to exist despite the efforts of the United Nations which, for two decades, had unsuccessfully sought to persuade South Africa that it must recognize its legal and moral obligations towards the people of Namibia. In view of the negative attitude of South Africa, the General Assembly had decided to assume direct responsibility for the Territory until it became independent. However, the Government of South Africa was continuing its illegal occupation of the Territory. That aggression against the people of Namibia was inadmissible under the Charter of the United Nations and the principles of international law.

65. The people of Namibia, under the leadership of SWAPO, had increased their political and military struggle for liberation. In response, the racist South African Government had adopted new measures aimed at consolidating its illegal occupation of Namibia and had applied a repressive policy and discriminatory laws. As a result, thousands of

⁴ 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].

⁵ See A/AC.131/SR.211.

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.*