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1947th

MEETING: 30 JULY 1976

NEW YORK

CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/1947)	1
Adoption of the agenda	1
Complaint by Zambia against South Africa: Letter dated 19 July 1976 from the Chargé d'affaires, a.i., of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council (S/12147)	1

NOTE

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Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

1947th MEETING

Held in New York on Friday, 30 July 1976, at 10.30 a.m.

President: Mr. Piero VINCI (Italy).

Present: The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1947)

1. Adoption of the agenda
2. Complaint by Zambia against South Africa:
Letter dated 19 July 1976 from the Chargé d'affaires, a.i., of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council (S/12147)

The meeting was called to order at 11.35 a.m.

Adoption of the agenda

The agenda was adopted.

Complaint by Zambia against South Africa:

Letter dated 19 July 1976 from the Chargé d'affaires, a.i., of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council (S/12147)

1. The PRESIDENT: In accordance with the decisions taken at previous meetings [1944th to 1946th meetings], I shall now, with the consent of the Council, invite the representatives of Zambia, South Africa, Botswana, Cuba, Egypt, Ethiopia, Liberia, Madagascar, Mauritania, Mozambique, Qatar, Sierra Leone, Uganda, Yugoslavia and Zaire to participate in the Council's discussion, without the right to vote, in accordance with the provisions of Article 31 of the Charter and rule 37 of the provisional rules of procedure.
2. In accordance with the Council's further decision, I shall also renew the Council's invitation, under rule 39 of the provisional rules of procedure, to the Acting President and the other members of the delegation of the United Nations Council for Namibia.

At the invitation of the President, Mr. Mwale (Zambia) and Mr. Jaipal (Acting President of the United Nations Council for Namibia), and the other members

of the delegation of that Council took places at the Security Council table, and Mr. Botha (South Africa), Mr. Mogami (Botswana), Mr. Acosta (Cuba), Mr. Ahmed (Egypt), Mr. Ibrahim (Ethiopia), Mrs. Brooks-Randolph (Liberia), Mr. Rasolondraibe (Madagascar), Mr. El Hassen (Mauritania), Mr. Chisano (Mozambique), Mr. Al-Obaidly (Qatar), Mr. Blyden (Sierra Leone), Mr. Mwangaguhunga (Uganda), Mr. Mujezinović (Yugoslavia) and Mr. Umba di Lutete (Zaire) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT: In addition, I have received a letter from the representative of Guinea, in which he also requests to be invited to participate in the debate. I therefore propose, if there are no objections and in accordance with the usual practice, to invite him to participate in the discussion, without the right to vote.

4. I invite the representative of Guinea to take the place reserved for him at the side of the Council chamber, on the usual understanding that he will be invited to take a place at the Council table when it is his turn to address the Council.

At the invitation of the President, Mr. Camara (Guinea) took the place reserved for him at the side of the Council chamber.

5. The PRESIDENT: The first speaker is the representative of Sierra Leone, whom I invite to take a place at the Council table and to make his statement.

6. Mr. BLYDEN (Sierra Leone): Permit me first of all, Mr. President, to express my delegation's appreciation to you and to the members of the Security Council for once again inviting us to participate in the debate, the subject-matter of which continues to arouse grave and serious concern not only to the Republic of Zambia as the aggrieved party, but indeed to the entire continent of Africa.

7. I must also congratulate you on your assumption of the high office of President of the Council for the month of July. You have already, during this month, demonstrated your skill and experience which I am sure will enable you to guide our deliberations to a successful conclusion.

8. Let me assure you, Mr. President, that on this occasion my delegation in particular has no intention of giving you a pedagogic lecture such as those you

listened to during the last debates in the Council involving the question of aggression, from learned jurists who thought it was about time we, the newer States and younger nations, as we are called, got some discipline in the rules of international law from Brierly, Oppenheim, Lauterpacht, and others. I avail myself of this opportunity, therefore, to commiserate with you, Mr. President, on the infliction upon you of those exercises that were so bizarre as not to warrant our attention. We are not here to peddle or parade our intellectualism when we come, and if sometimes we keep quiet—we from the so-called third world, backward and underprivileged countries—it is not because of any lack of familiarity with the rules or the norms of international law which have been allowed to be flouted in the Organization throughout its history, but because of good sense and a desire on our part to uphold the principles of the Charter, that is, to promote harmony, conciliation, peaceful co-operation among States, and not the castigation of Member States.

9. Let me also take this opportunity to convey our sincere condolences to the Government and people of the People's Republic of China for the disaster and the untold sufferings of its people as the result of two recent powerful earthquakes which have struck north-eastern China. We extend our heartfelt sympathy to you, my dear colleague, the representative of China, and we hope you will convey this to your Government, for the grievous loss in life and property you have been called upon to bear.

10. As always, my delegation has listened with keen interest to the very detailed and lucid explanation by the Foreign Minister of Zambia, Mr. Mwale [1944th meeting], of South Africa's most recent aggression, this time against Zambia, his own State. According to the representative of Zambia, on 11 July 1976, a South African military aircraft violated the territorial airspace and the territorial integrity of Zambia and dropped armed men who planted landmines around a camp. The South African soldiers then attacked the camp and killed 24 persons, seriously wounding 45 others. This is obviously an example of blatant and arrogant disregard for the territorial integrity and sovereignty of a Member State of the Organization; indeed it would be the same for any State in the world community.

11. My delegation notes with regret that, repeatedly and almost *ad nauseam*, certain permanent members of the Council, regrettably most of them with vested interests in South Africa's political, economic and social policies, have, by the use of the veto, continued to frustrate the aims and purposes of the Charter of the United Nations, thus permitting the recalcitrance of one Member State, namely South Africa, to go unchallenged and unpunished, today as it has been for 30 years. How true it is that international law, in the language of that great jurist Hans Kelsen, is every day becoming nothing more than "primitive law", "jungle law", a law incapable of providing aggrieved parties

with any redress. Notwithstanding the lip-service incessantly paid to the principles of international law upon which, it is widely but erroneously believed, the United Nations was founded, we have become regular witnesses to the prostitution even of those meagre tenets of international law which may be invoked on occasion for purposes of restoring calm to a troubled world community.

12. Lest our colleagues and the world community tend to forget, there are only two references in the entire Charter that even take cognizance of the expressions "international law" or "the principles of international law". Thus this lip-service that goes on without comment from some who were not parties to the Charter in 1945 is no more than sheer and blatant hypocrisy, from our point of view. This is a naïve statement, of course, coming from a representative of an underdeveloped country that was not part of the Western civilization that provided the roots of international law; but we do have norms of our own, even within the framework of backward and underdeveloped communities, that can stand, perhaps, supreme above some of the norms which we claim to practise here.

13. It was scarcely a month ago that African members of the Council and sympathizers with the African cause vehemently condemned South Africa for the brutal and cold-blooded murders of innocent school children who were engaged in peaceful demonstration in Soweto against the teaching of mathematics and other innocuous school subjects through the medium of the Afrikaans language.

14. Today, we have before us the complaint of the Republic of Zambia against the same incurable racist régime of South Africa, in which the latter is charged with a series of violations of territorial integrity, 14 such violations in all, culminating in the bizarre incident of 11 July.

15. The African nations have decided, now as always in the past, to give full support to the case of Zambia on this occasion. Perhaps for non-African members of the Council it may be advisable to state some of the reasons for our solidarity on this particular issue. It should by now have become clear beyond any shadow of doubt that African States are, without exception, irrevocably committed to the furtherance of the principle of the right of self-determination and to the goal of political independence for all of Africa, southern Africa included. African States are committed to the principle of majority rule in Rhodesia—crudely expressed as "one man, one vote"—for this is what we were taught democracy means. African States are fully committed to the pledge of the total liberation of Namibia through what we have come to recognize, my own delegation in particular—and we have said so in this hall on several occasions—as its legitimate representative, the South West Africa People's Organization (SWAPO). My delegation in the past made known our views on South Africa's

illegal occupation of Namibia, and our uncompromising stand on the subject of its eventual eviction from that Territory. We are committed with no less fervour to the pursuit of the goals of political equality, human dignity and full and unqualified participation in the total life of South Africa by the indigenous black inhabitants of that country, a people who represent, as we all know, well over 80 per cent of its population.

16. But because of Zambia's geographical and geopolitical situation, and because of its enthusiasm in the cause of the liberation of southern Africa, Zambia has had to take upon itself, on behalf of all of us, the responsibility of providing appropriate facilities, through training and other means, for the liberation movements of southern Africa to achieve the goals which they have set for themselves and which we support. Zambia has propelled itself into the forefront of the battle of the black man in southern Africa, and indeed in all of Africa, for freedom and human dignity. Zambia's activities in this respect are on behalf of the whole of Africa, not merely on its own behalf. Thus, if by furthering the cause of Africa, Zambia inevitably becomes a marked victim of acts of aggression by South Africa, or indeed from any other source, the black man throughout the continent cannot but stand up and take notice and lend every means at his disposal, both morally and materially, to stand shoulder to shoulder with Zambia, to the bitter end if need be.

17. That is my Government's position on the matter before the Council, and we here give notice of it for the benefit of all and sundry. Zambia is not alone. Zambia shall not stand alone. "Zambia must not stand alone" was the essence of a message I received—not from my Foreign Minister but from my President and head of State himself directly—to participate "fully and without equivocation in the debate affecting our sister State of Zambia". We therefore individually, as African States, and collectively, as a group comprising the Organization of African Unity (OAU), condemn this naked act of aggression, as we have those of the past, from the one source: South Africa.

18. South Africa's comical and shameless defence put before the Council by its representative, I am told, a couple of days ago could readily have been glossed over by my delegation were it not for the fact that it reeked with falsehood of the basest sort. "The South African Government," said the representative, "had no knowledge of an attack on a Zambian village at Sialola on 11 July 1976" [*ibid.*, para. 48]. Either the South African Government is by this statement engaging yet again in its characteristic indulgence in outrageous falsification and distortion of the truth—an exercise in which it is *primus*, not *primus inter pares* for it has no equals in the telling of falsehoods—or South Africa was in a fit of absent-mindedness when it announced to the Council and to the world at large that it was unfit to govern itself and the territory it has occupied for nearly two

centuries. It was announcing its incapacity for that self-government and independence it has sought to deny to others. For, certainly, not even the smallest, newest or weakest of our puny African States would have dared to stand before an audience such as this and proclaim loudly to the world that it was ignorant of the actions of the whole Government's military or police agency. Is this in itself not enough justification for disqualifying South Africa even from membership of any international organization as lacking in the capacity for self-government?

19. The illegal presence of South Africa in Namibia is, to my delegation, the root cause of the unfortunate incident which occurred in Zambia on 11 July. When I made my last statement here, some time in March, the Council had adopted 81 resolutions against South Africa and nothing had happened. In spite of the number of those resolutions and decisions already adopted not only by the General Assembly and the Security Council, culminating in Security Council resolution 385 (1976), as well as the advisory opinion of the International Court of Justice of 1971¹ on South Africa's illegal presence in Namibia, the South African Government has doggedly ignored the terms of those resolutions and has stubbornly continued to govern that Territory.

20. It has been rumoured that our inclusion of the subject of Namibia in this debate is outside our terms of reference. Where does honesty and sincerity begin and where does hypocrisy end? We have just come through a bale of speeches and lectures, as I said earlier, in commiserating with the Council, on international law, international diplomacy and terrorism, when the item on the agenda was a matter completely different and remote from such matters.

21. In our view, Namibia is being used as a springboard for attacks against Zambia and Angola. Instead of withdrawing from the Territory, South Africa has reinforced its military strength in Namibia. South Africa's troops, as we know, are now stationed at a newly created 1,000-foot-wide buffer zone along the Namibian-Angolan-Zambian border in order to prevent SWAPO, the legitimate freedom fighters, from entering Namibia from Angola and Zambia. No doubt the military helicopters, as we suspect, took off from this buffer zone and entered Zambia's territory.

22. When I addressed the Council on the question of South Africa's aggression against Angola on 30 March [1903rd meeting], I had occasion to observe that it seemed to us that the Council was meeting 30 years too late to brand South Africa an aggressor. I repeat that observation today with even greater force. In the course of that same statement, I went on to say that, by the forced imposition of its political will on Namibia, South Africa had been and still was committing an act of aggression on yet another African nation, an international entity over which it had no

jurisdiction. Those sentiments are no less appropriate on this occasion.

23. What in fact my delegation has been saying in each of the debates in which I have had the honour to participate during the first half of this year is that despite our condemnation of South Africa for committing acts of aggression and violating the territorial integrity of States—on this occasion, Zambia—we are also at the same time making it clear that South Africa's continuous presence in Namibia is detrimental to such contiguous States as Zambia which support the cause of the liberation of southern Africa. Unless desperate efforts are undertaken expeditiously by the Council to force the illegal administration of South Africa out of Namibia, the whole of southern Africa will continue to remain under the threat of South African aggression against each and every adjacent African State.

24. Yesterday in the Council we listened to a very dignified and restrained statement by the Foreign Minister of the United Republic of Tanzania [1946th meeting], in a vein characteristic of most of the speeches made here by Foreign Ministers and some representatives. An appeal was made to South Africa similar to one which my own delegation has made on two previous occasions this year—that South Africa should continue to recognize itself as an African State, because we still do, but that time is running out for it and perhaps the choice is being left to it and not to us as to the eventualities.

25. My last word is not in my text, but I shall take a lesson from the representative of the United States, who has caused a fresh wind to blow in this chamber. I was shocked and horrified at his absence from these meetings in the last two days, as I was at the absence of the representative of France. I looked in vain to see a gallery of persons from Western countries interested enough in the aggression against another African State within less than a month. It was paralytically disappointing to an African observer, but, indeed, I trust this is only a sign of the fact that we are moving into an era in which—a sentiment expressed by the Foreign Ministers or Secretaries of State of one or two of the leading permanent members of the Council—recognition of the rights of the people of southern Africa in their liberation struggle has come to be accepted as part also of the principles of belief of some of the Western States. However, I am worried at the kind of attitude which, in one breath, speaks of a commitment to the support of liberation movements and the announcement of financial aid from certain permanent members of the Council and, in the next, questions indeed whether or not those same States ought to commit themselves fully to providing the kind of support that is necessary to help those liberation movements achieve their purposes and their goals.

26. I refer in particular to an editorial which has appeared in this morning's *The Wall Street Journal*,

one of the moulders of world public opinion. Under the heading "Responsibility and Rhodesia", *The Wall Street Journal* this morning writes:

"It looks as if Mr. Kissinger's 'Lusaka Statement'—and regrettably it had to be made from Zambia—"offering US aid in toppling white-dominated Rhodesia was not just rhetoric. The Congress is now considering bills to put substance to the promises of the Secretary of State.

"Mr. Kissinger proffered American economic aid to the 'front-line' black African states to recompense them for part of their losses from boycotting Rhodesia."

And so on. It goes on to mention \$20 million for this State and \$25 million for the other State. But what disturbs me is that in the midst of this editorial, *The Wall Street Journal* continues:

"We wonder if the Administration's policy is wise, regardless of one's views of what will happen in Rhodesia. If one believes that the Rhodesian system is likely to hold and will be superior to any candidate replacement, for the inhabitants and/or for the West, then the US has no business trying to destroy it."

Meaning Rhodesia—the Smith régime. It continues:

"But if one agrees with the preponderance of informed opinion that white supremacy in Rhodesia is on the verge of overthrow, then it behoves the United States to use its good offices to ease the travail of transition and to try to promote a replacement régime friendly to US interests.

"It is difficult to see how Mr. Kissinger's policy fits into either view. The survival of the settler régime"—and this is crucial—"would hardly be affected by US policy, short of direct military intervention on either side. Barring major power intervention, the outcome will depend on the military competence and national will of the Rhodesians. What the US aid will do is lend American moral support to the effort to settle the issue by force. Thus it gives the US a certain responsibility for the outcome, without giving the US a means of influencing it.

"It is one thing, after all, to advise the white Rhodesians to try to make a deal to remain as a 'white tribe' under a black government, but it is a far different matter to give overt assistance to attempts to overturn them. No one, no matter how well advised, can have any credible scenario of what happens to Rhodesia when the Smith régime goes."

It is important for my colleagues of the third world to remember that, so I shall repeat it: "No one, no

matter how well advised, can have any credible scenario of what happens to Rhodesia when the Smith régime goes". The editorial continues:

"It could be a successful Katanga with a black government relying on white support, or another Kenya where a white community lives comfortably under a stable black government, or another Congo or Angola.

"No American pressures or promises can assure a favourable outcome. Efforts to buy our way into new nationalist governments... have rarely worked. Nor should the United States pretend to act as guarantor to a black government's assurances about the future of the white minority, since no one can be sure any given government would be around long enough to enforce such promises. The only direct American interest in Rhodesia is that we prefer to buy chromium there rather than from Russia. Whether we do or not will not affect the outcome, nor need it necessarily prevent our buying chromium from any successor régime which will want to export.

"Trying to influence the complexion of the next government may be a task appropriate for discreet work by our diplomats and intelligence services; we can offer mediation; but we should beware of assuming responsibility for the future of Rhodesia, lest we find ourselves caterers to another blood-bath."

27. I need only add, before withdrawing from this place at the Security Council table, that, although the foregoing editorial pertains to Rhodesia, I have a sneaking suspicion that this is the attitude of some of our friends, permanent members of the Council, on whom we have relied for many years, on the whole question of southern Africa. We are beginning to have doubts about the sincerity of our friends who claim to be voting with us to put an end to the kind of bestial aggression which African territories, because of military weakness, are called upon to suffer.

28. Mr. JACKSON (Guyana): Once again the peace-loving, non-aligned State of Zambia has been constrained to bring before the Security Council a complaint of acts of aggression committed against it by South Africa. It was in 1971 that Zambia last asked the Council to take appropriate action so that it could be shielded once and for all from the wrath of the racists in South Africa, perverted by consummate bigotry, sustained by internal repression, and buttressed by powerful economic and other external interests.

29. In his clear and unequivocal statement to the Council on Tuesday, 27 July [1944th meeting], the Foreign Minister of Zambia, Mr. Siteke Mwale, whose presence here testifies to the seriousness of the situation, listed a series of violations of Zambia's

sovereignty, airspace and territorial integrity by South Africa during this year. The most serious of these violations, as we know, took place on 11 July deep inside Zambian territory, causing death and injury to innocent persons and destruction to property.

30. The Government and people of Guyana have long admired the courage and fortitude of the Government and people of Zambia, who, at enormous sacrifice, have unflinchingly stood by the principles of freedom and justice. And Zambia knows of our full support for its efforts to work resolutely, untiringly and unsparingly for the genuine freedom of all peoples, black and white, in southern Africa.

31. We in Guyana applaud the commitment and dedication of Zambia and other front-line States in southern Africa to liquidate colonialism in Zimbabwe and Namibia and to dismantle the apparatus of *apartheid* in South Africa. So, as soon as my Government was acquainted with the latest act of aggression by South Africa against Zambia, my Prime Minister, Comrade Forbes Burnham, sent the following message to President Kaunda of Zambia:

"I am deeply distressed at the continuing and unprovoked attacks on your people and territory by armed forces of the racist régime of South Africa and particularly at the recent wanton attack on the defenceless town of Sialola in the Western Province of Zambia.

"The Government of Guyana joins with all those who raise their voices in condemnation of those attacks—attacks whose only motivation appears to be fear of your uncompromising stand against *apartheid* and racism in southern Africa. We in Guyana are equally committed in our opposition to the continuing existence of these dehumanizing evils and extend to you the assurance of our full support in bringing to the attention of the Security Council these acts of aggression by South Africa that persistently violate your territorial integrity and sovereignty".

32. These most recent manifestations of South Africa's aggressive intent must be seen as part of an unfolding strategy by the Fascist régime in Pretoria to make secure a white redoubt in southern Africa. There was a time when the defence perimeter of that redoubt was planned by South Africa on the twin bases of the continuance of Portuguese colonialism in Africa and the involvement on its side of powerful and influential countries desirous of maintaining their national interests in the area and willing to subsume the freedom of the oppressed peoples there to their own perceived economic advantage and their own perceived global military requirements. The victories of the people of Mozambique, and, more recently, of Angola, the strengthening of the forces of liberation in Zimbabwe and Namibia, the heightened political resistance of the black people of South Africa itself—all these

factors have in part upset the calculations of the Pretoria game theorists.

33. It is abundantly evident that since the collapse of Portuguese colonialism, there has been a tightening of the noose around the "laagers of white repression" remaining in Africa. An analysis of the way in which South Africa responds to the present correlation of liberating forces would, I suggest, be instructive for our debate.

34. Only a few months ago—in March to be specific—the Council had occasion to discuss the perfidy of the racists in South Africa, when by massive armed intervention they vainly sought to halt the march of history in Angola. Quite correctly, South Africa's action was condemned by the Council.

35. The collaboration of the Pretoria racists with their cousins in Salisbury is well known. The most recent evidence is the continued assistance given by South Africa to the Smith régime to violate mandatory sanctions, more particularly in the light of our decisions following the closure by Mozambique of its border with Rhodesia.

36. In Namibia, which is an international Territory occupied illegally by South Africa, we have witnessed, in defiance of the repeated decisions of the Council that South Africa should vacate the Territory, a strengthening of the apparatus of internal repression and a reinforcement of the preparations for military aggression against neighbouring African countries. While all this is being done, the illegal régime seeks to hoodwink the international community with sham constitutional talks at Windhoek, while at the same time engaging in a policy of "search and destroy" against SWAPO, the authentic representative of the people of Namibia.

37. At home, within the walls of the prison that is South Africa, the racists have recently demonstrated by their callous and ruthless action against the blacks of Soweto and other so-called townships the extent to which they are resolved to maintain white supremacy. But no one can fail to recognize the true outer limits of South Africa's aggressive intentions. For—and this is ominous—by the Defence Amendment Act assented to on 2 March 1976 by the so-called Parliament of South Africa, the rulers of that country seek to arrogate to themselves the right, nay the licence, to intervene militarily in any country south of the Sahara. That is the message that South Africa has signalled to African countries in particular, and to the international community in general, and that message has been sent at a time when South Africa is proclaiming more frequently its adherence to the illegal concept of so-called hot pursuit, and when a spokesman for the régime can assert that "in southern Africa, South Africa is a military giant".

38. Against the background which I have just briefly sketched, how is one to view the statement in the

Council by the representative of South Africa, Mr. Botha [*ibid.*], who, I notice, has been conspicuously absent from most of these debates? While acknowledging that the régime he represents is fully aware of what he called incidents on the border in the past, Mr. Botha tells us that his régime has no knowledge of the massive attack on the village of Sialola on 11 July.

39. In the first place, the border in question is with Namibia, where South African troops have no right to be. Secondly, is Mr. Botha asking us to disbelieve the considerable evidence which Zambia has placed before the world and the Council? Finally, does Mr. Botha wish us to conclude that the régime in Pretoria has no control over the activities of those of its forces which are stationed illegally in Namibia? More generally, my delegation finds highly incongruous the pious asseverations which the representative of South Africa has made in the Council from time to time of the good and honourable intentions of the régime for which he speaks. They all have a hollow and empty ring. We shall not be swayed by those who preach peace while carrying on war.

40. The deteriorating situation in southern Africa is one of the dangerous problems facing the international community today. Thus the cancer of racist domination must be quickly extirpated from the body politic of southern Africa. The foremost responsibility for rectifying the situation clearly rests with the people of Namibia, Zimbabwe and South Africa. They have often expressed a preference for a peaceful solution, but this does not deter them from resorting to legitimate armed struggle. Those oppressed people receive full support from the front-line and other States and from progressive forces throughout the world. Guyana, for its part, remains committed to their cause in word and in deed.

41. But the entire international community has a responsibility to contribute effectively to the establishment of freedom and justice in Namibia, Zimbabwe and South Africa. No State Member of the United Nations publicly defends racism and colonialism in Zimbabwe; none supports publicly the illegal occupation of Namibia by South Africa; and all publicly demand the eradication of *apartheid*. Some of these States are, as I said earlier, powerful and influential States. They have special responsibilities, all the more so since South Africa would like to count them among its allies. We call on those States to join us in fully exposing and totally isolating South Africa.

42. The Council bears its own special responsibility. For many States—Zambia is one of them—the United Nations in general and the Security Council in particular are institutions in which much faith has been placed. Thus it is not surprising that, ever since their first meeting in Belgrade in 1961, the non-aligned countries have always reiterated their conviction that the United Nations provides the most effective means

to maintain and promote international peace and security, strengthen freedom and harmonize relations between States. More specifically, at the Third Conference of Heads of State or Government of Non-Aligned Countries, held at Lusaka in 1970, the non-aligned countries asserted that "the United Nations has a vital role to play in safeguarding the independence and sovereignty of the non-aligned nations". Notwithstanding the lack of a decision by the Council in the recent violation of Uganda's sovereignty and territorial integrity, the non-aligned countries maintain their commitment to ensure the effectiveness and authority of the Security Council.

43. The case before us now involves the violation of the sovereignty and territorial integrity of a Member State, a non-aligned country, Zambia. Zambia is the victim on this occasion; but there may be other militarily strong countries which are even now contemplating illegal action against others. We should therefore give a clear warning, through decisive action on this issue, that the Security Council intends to shoulder its responsibilities under the Charter.

44. The substance of the Zambian complaint has already been fully dealt with by the Zambian Foreign Minister and other speakers. My delegation would therefore wish only to make a few observations. Zambia, led by its President, Mr. Kenneth Kaunda, has been a foremost advocate of just solutions to the problems of southern Africa. It is because Zambia has stood by the principles of freedom and human dignity that it has been subjected to repeated threats and attacks by the racist minority régimes in South Africa and Rhodesia. As recently as 22 April this year, no less a person than Vorster, speaking in the South African Parliament said of President Kaunda: "He should in his statements please refrain... from drawing the bow too taut. I must issue a serious warning." We have seen the follow-up to that warning. Clearly, the continuing aggression by South Africa against Zambia must be brought to a halt.

45. In this connexion, several members have been working patiently and assiduously over the last few days on a draft resolution which the Council might adopt. The draft resolution is contained in document S/12158. We have held consultations on the terms of the draft resolution with members of the Council and we believe that the draft resolution can command wide support in the Council. Indeed, its provisions are so reasonable and so minimal that it should be approved unanimously.

46. The draft resolution is straightforward. The preambular paragraphs express grave concern at the numerous hostile and unprovoked acts by South Africa violating the sovereignty, airspace and territorial integrity of Zambia and at South Africa's use of Namibia, which it occupies illegally, as a base for attacking neighbouring countries. It reaffirms the legitimacy of the struggle of the people of Namibia

for freedom and independence and expresses the conviction that the continuance in time of the deteriorating situation in southern Africa could constitute a threat to international peace and security. It recalls a previous decision of the Council when South Africa violated Zambia's sovereignty and territorial integrity in 1971, and it reminds South Africa of its obligation under the Charter to refrain from the threat or use of force in its international relations.

47. In the operative part of the draft resolution, the Council strongly condemns the recent attack by South Africa against Zambia and demands that South Africa desist from such action in the future and from using Namibia as a base for such attacks. Zambia and other frontline States are commended for their steadfast support of the people of Namibia in its just struggle.

48. The overall purpose of the draft resolution is to convey to the authorities in Pretoria that the Security Council is wise to their ways and to their intentions and that it will not stand idly by while South Africa threatens, intimidates and attacks African countries, whether from Namibia or elsewhere.

49. Naturally, it is the hope of the co-sponsors that South Africa will implement the provisions of the draft resolutions and heed the calls and demands which the provisions make on it. If South Africa chooses otherwise and, by its actions taken together with other developments in southern Africa, the situation continues to deteriorate, the Council, by invoking operative paragraph 6 of the draft resolution, will meet again to consider the adoption of effective measures in accordance with the appropriate provisions of the Charter. If that situation should arise, no doubt all the provisions of the Charter will be fully examined to determine which are appropriate to the then existing situation.

50. On behalf of the sponsors of the draft resolution—Benin, the Libyan Arab Republic, Pakistan, Panama, Romania, the United Republic of Tanzania and my own country, Guyana—I should like formally to introduce the draft resolution contained in document S/12158. I would merely wish to ask members to make two slight alterations to the draft as printed. In operative paragraph 4 the word "also" should be deleted; and in operative paragraph 6 the "s" should be taken off the word "violations". Having said that, I have great pleasure in commending the draft resolution to the members of the Council.

51. The PRESIDENT: The next speaker is the Minister for Foreign Affairs of Mozambique, Joaquim Alberto Chissano, who is honouring us with his presence and participation in our work. I invite him to take a place at the Council table and to make his statement.

52. Mr. CHISSANO (Mozambique): Mr. President, while thanking you for welcoming me to participate in

the Council's debate, may I take this opportunity to convey to the representative of the People's Republic of China the condolences and sympathy of the People's Republic of Mozambique on the loss of life in China as a result of the earthquake which occurred there this week.

53. To reaffirm faith in fundamental human rights, in the dignity and worth of the human person and of nations, this meeting of the Security Council has been called to consider once more a very grave problem caused by systematic acts of aggression against the Republic of Zambia carried out by the South African racist forces. The People's Republic of Mozambique salutes the initiative taken by the Republic of Zambia in bringing the question under consideration to the Council, for a State Member of the Organization has just committed one more aggressive act against another State Member, in overt contempt for the fundamental principles of the Charter of the United Nations.

54. Mr. President, I wish to salute you, as well as all the members of the Council, on behalf of the Government and people of Mozambique, and to convey our warmest greetings and our confidence that the members of the Council, under your wise leadership will handle the question under consideration in such manner that the breach of the spirit of the Charter will be brought to an end, and the frequent violations of Zambia's airspace, sovereignty and territorial integrity by the South African racist régime will be eliminated once and for all.

55. My delegation came here today to add its voice to those of the noble nations throughout the world which were promptly and resolutely raised against the abhorrent and indiscriminate killings of innocent people and against the premeditated constant provocations and violations of the airspace and territorial integrity of a sovereign and independent nation. In so doing, the People's Republic of Mozambique intends to remain consistent with the fundamental principles of the Charter and, on the other hand, to reaffirm unequivocally our solidarity with the Republic of Zambia and its people.

56. I should like to repeat that this is not the first time that the racist régime of South Africa has committed such barbaric acts of aggression against the Republic of Zambia, a sovereign and independent country. Several cases have been reported of South African racist forces' incursions into Zambian territory, in which they committed murder, destroyed property and laid land-mines which killed many Zambian villagers. This is not an isolated case. The racist régime of South Africa has also on several occasions violated Zambian territory in collusion with the illegal minority régime of Ian Smith of Rhodesia, and, as we have just learned, on 11 July the South African racist forces violated Zambian territorial integrity and went deep into the territory of Zambia to about 30 kilometres, killing 24 and injuring 45 people.

57. At the outset, therefore, I must resolutely put on record in the strongest possible terms my Government's condemnation of these acts of aggression, for they constitute a threat to international peace and security, particularly in southern Africa. This naked act of aggression shows how desperate the racist régime is over the struggle of the people it has trampled underfoot and degraded in that part of Africa.

58. We still have fresh in our memories that dreadful massacre of Soweto, which caused hundreds of injured and dead in a matter of hours. This massacre, as well as all the others which are being perpetuated in several parts of South Africa, was meant to frighten the people of South Africa in their struggle. But to date the people of South Africa are not deterred; they are rising all over the country to fight for their right to freedom, equality and justice. That is why the South African régime is desperate.

59. South Africa's *apartheid* régime no longer restricts itself to its own boundaries, but is expanding the crime of *apartheid* along the boundaries of independent African States. Our memories are also still fresh with regard to the South African invasion of Angola last year. Against this background, it is easy to see the phenomena: yesterday it was Angola; today it is once more the Republic of Zambia. Tomorrow, certainly, it will be another African country.

60. The question of Angola was a good example for Africa and for the world, for it indicated that the forces which fight for justice will always be successful, while the racists and the imperialist, colonialist and neo-colonialist forces are doomed to lose.

61. South Africa does not make a secret of its criminal intentions. It was not long ago that it passed a dangerous law which enables it to attack any African country as it wishes. That law deserves the attention of the Council because it is a threat to international security. South Africa has now passed from theory to practice.

62. It is not by chance that the military budget of South Africa has been doubled in the year 1975-1976, as compared to the previous year. The action of South Africa should be regarded as a well-calculated design with the aim not only of impeding freedom in its territory, but also of putting a barrier to the independence and freedom of other non-independent countries, and of causing instability in independent countries, particularly those which it regards as supporters of the cause of freedom and independence. That is why South Africa has been and still is the main supporter of the Ian Smith régime. It is with South Africa's support that Ian Smith's assassins are able to mount constant provocation and aggression against my country.

63. Mozambique would like to drive home to South Africa that neither Zambia nor my country will be

responsible for a deterioration of the situation in our area. But unless South Africa stops its provocation and acts of gangsterism, we will have no alternative but to defend ourselves, and we are sure that the African countries, and the peace-loving States Members of the United Nations will be with us. The Mozambican people wish to reiterate their pledge to stand side by side with their brother people of Zambia in safeguarding their freedom, independence and sovereignty.

64. We read with great interest and attention the account given earlier by the Minister for Foreign Affairs of Zambia on the question under consideration. I believe that no one in the Council can have failed to grasp the essence of the problem. The Republic of Zambia is a victim of the fact that it stands on the side of justice and of what all of us want: self-determination and independence for peoples still under foreign domination, in this case the Namibian people. The people of Namibia are entitled to independence and self-determination, just as is any other people under the yoke of colonialism or foreign domination. I do not believe that the use of force against Zambia will alter the right of the people of Namibia to be independent. The people of Zambia have a long tradition of struggle for national independence. The unity and courage of the Zambian people have already passed the test, and for that reason we are confident that Zambia will not withdraw its support for the liberation struggle in southern Africa.

65. I do hope that the Council will not fail to pass severe judgement against the minority régime of South Africa for its persistent refusal to comply with the pertinent resolutions of the Security Council and General Assembly, and to adopt a resolution exposing, denouncing and condemning the racist régime of South Africa for its constant acts of aggression against the Republic of Zambia. South Africa should be told not to interfere in the internal affairs of Zambia, and that any aggression against any African State will be regarded as an attack against Africa as a whole, as well as against peace-loving and democratic forces the world over.

66. The Government of the People's Republic of Mozambique supports the struggle of the people of Namibia, led by its vanguard organization SWAPO, against illegal occupation by the South African racist régime.

67. I hope that the Council will realize the urgent necessity to recognize SWAPO as the legitimate representative of the Namibian people. In so doing, the Council will be combating actively South African manoeuvres for the Bantustanization of Namibia, which are part of its tactics for prolonging its illegal occupation of that Territory. Mozambique supports the just struggle of the people of Zimbabwe, led by the African National Council, against the racist minority régime of Ian Smith. We support likewise the struggle of the

South African people, led by the African National Congress of South Africa, against the régime of *apartheid*.

68. We support the struggling people of southern Africa because we are sure that there is no solution to the problems of this region other than that already found by the United Nations. We all agree with that solution, and South Africa alone refuses to apply it. The international community should force South Africa to apply it. Only when the *apartheid* régime in South Africa, and its illegal occupation of Namibia, are brought to an end once and for all, only when there is majority rule in Zimbabwe, can peace and security be guaranteed in that part of Africa. We appeal to all Member States, to all peace-loving States, to render maximum support to the struggling peoples of Zimbabwe, Namibia and South Africa.

69. I would be failing in my duty if I did not call the attention of the Council to the fact that those countries which are helping the oppressive régime to build up its nuclear strength and increase its armaments, thus furthering its aggressive capacity, also bear responsibility for the dangerous situation prevailing in southern Africa. I would like to appeal to those countries to refrain from contributing to further bloodshed. Our country has just established diplomatic relations with those countries, but we would not like to see on the one hand a development of good relations between them and our country while on the other hand they helped in the perpetration of crimes against our people and the people of Zambia, and indeed against Africa and mankind as a whole.

70. We want peace, we want co-operation and harmony, but above all, we want freedom, equality and independence, so that there can be progress for the whole of mankind.

71. Mr. ILLUECA (Panama) (*interpretation from Spanish*): The delegation of the Republic of Panama associates itself with the expressions of grief and solidarity addressed in this hall to the representative of the great Chinese nation, on the occasion of the devastating earthquake that has ravaged his country and taken a terrible toll in loss of life and damage to property.

72. My delegation also wishes to extend its greetings to the distinguished Ministers for Foreign Affairs of Mozambique, the United Republic of Tanzania and Zambia, who honour the Security Council by their presence.

73. The Council is considering the item relating to the complaint of Zambia against South Africa, appearing in the letter dated 19 July addressed to the President of the Security Council by the Chargé d'affaires a.i. of the Permanent Mission of Zambia to the United Nations. In that document, reference is made to the repeated acts of aggression committed

by South Africa against the Republic of Zambia, the last of which took place in the early morning hours of 11 July at the village of Sialola, leaving no less than 24 dead and 45 wounded.

74. The Minister for Foreign Affairs of Zambia, Mr. Siteke Mwale [*ibid.*], produced reliable evidence in support of the accusation brought by his country against South Africa, giving a detailed account of the 14 attacks carried out by South Africa against Zambia in the presence year of 1976. The grave charges made by the Foreign Minister of Zambia have found support and corroboration in the statements made before the Council by the Group of African States, through the Chairman of the Group for the month of July, Mr. El Hassen of the Islamic Republic of Mauritania [*ibid.*]; by Mr. Jaipal of India, the Acting Chairman of the United Nations Council for Namibia [*ibid.*]; by the Special Committee against *Apartheid*, a represented by its Chairman, Mr. Hussen of Somalia [*1945th meeting*]; and by the SWAPO, recognized by the United Nations as the most legitimate representative of the people of Namibia, and on behalf of which Mr. O. T. Emyula spoke as its deputy chief representative [*ibid.*].

75. The statements made by those organizations through their representatives have the concurrence of the peoples of Latin America, which have in various eloquent forms expressed their support for the resolutions on Namibia in particular General Assembly resolutions 2145 (XXI) of 27 October 1966, 2248 (S-V) of 19 May 1967 and 3399 (XXX) of 26 November 1975 and Security Council resolutions 269 (1969), 276 (1970), 283 (1970), 301 (1971) and 385 (1976) and the advisory opinion of the International Court of Justice of 21 June 1971,¹ which, *inter alia*, put an end to South Africa's Mandate for Namibia and placed the Territory under the direct responsibility of the United Nations. In establishing the United Nations Council for Namibia, the Organization determined the illegality of the presence of South Africa in the Territory and demanded its withdrawal, at the same time affirming the legitimacy of the struggle of the people of Namibia for self-determination and independence under the leadership of SWAPO.

76. This Latin American solidarity has found its most eloquent expression in the meeting held at Brasilia between the Government of Brazil and the Mission of the United Nations Council for Namibia presided over by the representative of Mexico, Mr. Roberto de Rozensweig Díaz, which culminated in the joint communiqué of 23 July—that is, five days ago.² The position expressed in the communiqué is fully shared by the Latin American countries, which from the very inception of the United Nations have been fighting for decolonization and have tangibly shown their support for the African peoples, as was stated at the series of meetings of the Security Council held at Addis Ababa in 1972 [*1627th to 1639th meetings*] by the representative of Argentina, Mr. Carlos Ortiz de

Rozas, and the then representative of Panama, Mr. Aquilino Boyd, who then occupied the place assigned to Latin America in the Council.

77. The Zambian Minister has requested of the Council concrete action which may be summed up as follows:

- (1) Total isolation of the white racist régimes of southern Africa;
- (2) Respect for the sovereignty and territorial integrity of Zambia, as well as of the other front-line States of southern Africa;
- (3) Effective support for SWAPO and other liberation movements of southern Africa;
- (4) South African compliance with its obligations in order to put an end to the illegal appropriation of Namibia;
- (5) Categorical condemnation of the unjustified aggression of South Africa against Zambia in violation of the sovereignty and territorial integrity of that country.

Minister Mwale also requested the Council to make efforts to speed up the liberation of Namibia and Zimbabwe and the elimination of the shameful policy of *apartheid* practised so implacably by the minority régime in South Africa.

78. The discriminatory colonialist policy practised by the Governments of South Africa and Southern Rhodesia poisons the social climate in Africa just as the colonial situation in the Panama Canal Zone poisons relations between the United States and the peoples of Latin America.

79. The discriminatory practices manifested in the administration of the Canal as regards employment, salaries, pensions, education and housing, and some manifestations of racial segregation, are a constant source of conflict, tension and difficulties which periodically lead to indignation among our people, just as the African peoples react indignantly, as do other humanitarian peoples, when their dignity is offended. It suffices to mention that discrimination in the field of labour can be appreciated from the levels of remuneration of North American employees of the Canal as compared to those of non-North American employees, who are mostly Panamanians. This discrimination arises from the system of "US rates" and "local rates".

80. During fiscal 1975 the labour force used in the Panama Canal Zone amounted to approximately 14,000 employees, of which, in round figures, 3,500 were North American and 10,500 non-North Americans, mostly Panamanians. Total salaries for that year amounted to \$154.5 million. The 3,500 North

Americans—that is, 25 per cent of the labour force—received salaries amounting to \$80.8 million, whereas the other 75 per cent, non-North American workers, received salaries amounting to \$73.7 million. In short, these figures show that the discriminatory criterion results in one fourth of the employees in the Panama Canal Zone receiving a total of three quarters of total salaries. Three quarters of the total salaries go to North American employees simply because of their nationality and race. That means that, on an average, the North American worker receives a salary equivalent to the salaries of three Panamanian workers. In other words, the concept of an egalitarian society of a democratic kind advocated by the politicians of the United States does not apply to the Panamanians in their own country.

81. It is therefore easy to understand that like the situation in Namibia, the question of Zimbabwe, *apartheid* and the decolonization of Africa are matters of common interest to States members of OAU, so the question of the Panama Canal is of common interest to the countries of Latin America, which unanimously support the will of the Panamanian people to put an end to this colonial situation as soon as possible.

82. The considerations presented to members of the Council in the course of this debate have led the Panamanian delegation to conclude that the action requested of the Council by the Government of Zambia, with the full support of the African Group, the United Nations Special Committee against *Apartheid* and of SWAPO, and many countries, is fully justified.

83. As for the statement of the representative of South Africa [1944th meeting] concerning the situation prevailing in South West Africa and the Constitutional Conference, we believe he spoke in the wrong forum, since the United Nations Council for Namibia, the legitimate Administering Authority of the Territory, has repudiated the convening of that so-called Constitutional Conference without the participation of SWAPO, which it regards as the authentic representative of the Namibian people, and it has similarly condemned the intensification of repression by South Africa in the Territory illustrated by recent unlawful trials of Namibian nationalists as well as the increased military presence of South Africa in Namibia and the establishment of a no man's land along the border with Angola and the persistent reluctance of South Africa to leave the Territory despite the unanimous request to that effect made by several United Nations bodies.

84. Therefore, my delegation, together with the delegations of the non-aligned countries and other States, is in favour of the adoption of a draft resolution that will specifically meet the best interests of the peoples of southern Africa, as expressed by their authoritative spokesmen in this chamber.

85. Recently, some statements have been made that have given greater validity to the decision on those lines

that we hope will be adopted by the Security Council. I am referring to the Dakar Declaration on Namibia and Human Rights [S/11939, annex]. That Declaration was adopted, together with a programme of action designed to ensure the exercise of the right of self-determination by the people of Namibia, by the International Conference on Namibia and Human Rights held at Dakar from 5 to 8 January 1976, upon the invitation of the Government of Senegal and with the sponsorship of the United Nations Commissioner for Namibia, Mr. Sean MacBride. It was organized by the International Institute of Human Rights in Strasbourg, in conjunction with the International Commission of Jurists and the Association of Democratic Jurists.

86. More recently, on 21 July, the Policy and Programme Co-ordination Committee of the Economic and Social Council (ECOSOC) adopted by consensus, at its Geneva session, a draft resolution,³ sponsored by 28 delegations, on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by United Nations bodies and specialized agencies.

87. That draft resolution, which is to be considered by ECOSOC, is designed—as is stated in its preamble—to assist the national liberation movements struggling for decolonization. Under its operative part, ECOSOC would reaffirm that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the struggle by colonial peoples to exercise their right to self-determination and independence is linked to the duty of the United Nations system to render all necessary moral and material assistance to the peoples of the colonial Territories and to their national liberation movements.

88. Under that same draft resolution ECOSOC would express appreciation to those specialized agencies and organizations that have continued to co-operate with the United Nations and OAU in the implementation of the Declaration on decolonization. Those agencies and organizations would be requested to continue to take every necessary measure to withhold any financial, economic, technical or other assistance to the Government of South Africa and the illegal régime in Southern Rhodesia and to discontinue all support to those régimes until they restored to the peoples of Namibia and Zimbabwe their inalienable right to self-determination and independence.

89. The denunciation made here by Zambia, which of course deserves the most careful attention of the international community, places us before a new chapter in the matter of the liberation of Namibia and Zimbabwe, as well as the claims of the 21 million coloured South African indigenous inhabitants, subjected to the oppressive régime of the white minority now governing South Africa, to be allowed to exercise their rights.

90. We trust, therefore, that the Council will unanimously adopt the draft resolution submitted by the non-aligned and other countries [S/12158], as a contribution to the solution of the burning problems of southern Africa, having in mind the authentic and permanent interests of the indigenous peoples of that region, which are taking root in a constructive nationalism that goes far beyond any ideological confrontation. If that unanimity is achieved today, international public opinion will view the decision of the Council as an effective expression of the fact that détente has broken out of the limits of Europe and has begun to project itself towards the African continent.

91. The PRESIDENT: I call on the representative of the United States, who wishes to speak in exercise of his right of reply.

92. Mr. SCRANTON (United States of America): It had been my intention at this time to reply briefly to the remarks by the representative of Sierra Leone in which he chided me because of my absence, and to his comments about the editorial in *The Wall Street Journal*. I have decided, however, to do that in personal contacts with him.

93. I have been in Washington discussing with our State Department matters relevant to the debate here. Despite my efforts, both past and present, to minimize Washington's influence on our positions here, I must confess that I think it is a worthwhile endeavour for me to engage in deliberations with the people at the State Department, including the Secretary of State—who does, frankly, have some slight influence on where we stand on these issues.

94. With regard to *The Wall Street Journal*, I think that most people are aware that this is a country which prides itself on the guarantee of freedom of the press, and *The Wall Street Journal* editors themselves would be the first to admit that they do not necessarily take the positions of our Government.

95. There are two far more important matters to which I should like to refer, however.

96. First, we strongly welcome the presence here of the Foreign Ministers of three of the front-line countries. I had the opportunity to listen to the Foreign Minister of Zambia on Tuesday [1944th meeting] and to the Foreign Minister of Mozambique a short while ago. Unfortunately, I was not able to be here to listen to the statement of the Foreign Minister of the United Republic of Tanzania, but I have read it very carefully and found it to be an extremely forceful statement.

97. Secondly, a number of us have just received a piece of very sad news: the Prime Minister of the Republic of Madagascar was killed yesterday in a helicopter accident. I suggest that it would be in order if you, Mr. President, on behalf of the Security Council as a whole, sent a message expressing the Council's deep regrets and sorrow at this great tragedy to the Government and people of the Malagasy Republic and to the family of the late Prime Minister. I sincerely hope that the Council will unanimously agree to respond to this tragedy in at least that way, by expressing our sorrow and sympathy to the Government and people of the Malagasy Republic and to the family of their distinguished late Prime Minister.

90. The PRESIDENT: I thank the representative of the United States for having given us the news of the death of the Prime Minister of Madagascar in a helicopter accident. I am sure that all the members of the Council will agree that we should follow the suggestion made by the representative of the United States and send a message expressing our grief to the Government and people of Madagascar and to the late Prime Minister's family on their loss.

The meeting rose at 1 p.m.

Notes

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.

² *Official Records of the General Assembly, Thirty-first Session, Supplement No. 24*, vol. I, Part Three, chap. III, para. 271.

³ See Economic and Social Council resolution 2015 (LXI).

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