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President: Mr. Corneliu MANESCU (Romania).

Address by His Majesty King Olav V of Norway

1. The PRESIDENT (translated from French): It gives me great pleasure to welcome His Majesty King Olav V of Norway, and to invite him to address the General Assembly.

2. His Majesty King OLAV V: Mr. President, I wish to thank you for your kind words of welcome and to assure you that I am deeply conscious of the privilege of addressing the General Assembly of the United Nations which, under your wise leadership, is discharging the heavy responsibilities placed on it by the Charter. I also take this opportunity to express the warm feeling of appreciation of my countrymen for the sustained efforts of your Secretary-General for peace in our troubled world.

3. My country, as a founding Member of the Organization, took part in the formulation of the basic principles and purposes of the United Nations. The work of the Organization has always held the close attention of the Norwegian people, and our participation in world affairs has naturally been centred on the United Nations, not in order to use it as a vehicle of national policy but from the conviction that the development of the United Nations holds out hope for a better organization of the world community.

4. The United Nations has indeed played a crucial role in the world community over the more than twenty-two years since the Organization was established. Post-war history may not have proved to be as peaceful as we had hoped in 1945, but the United Nations has been in a position to take an important part in the settlement of conflicts, to relieve international tension and to quell the outbreak of conflicts which might threaten world peace.

5. Another main sphere of activity where the Organization has channelled and concentrated world efforts has been in the development of international economic and social co-operation. The aim has been to lay a solid foundation for a new and better world based on justice and equity. For the same great purpose, the United Nations has been actively engaged in humanitarian and cultural matters and in the field of law,

6. I should like to mention especially the tremendous task of refugee relief through the efforts of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees. The Universal Declaration of Human Rights has been a great source of inspiration, and we sincerely hope that the work of the International Conference on Human Rights convened in Teheran will bear fruit.

7. Since 1945, we have witnessed a major historical development in the emancipation of a great number of former colonial Territories. Many nations have gained independence and have come forward to find their rightful place as full members of the community of States. The United Nations has played an important part in this evolution, and contributed to the reinforcement of the aspirations to freedom and self-government of all peoples.

8. It has become increasingly clear that the United Nations, in the years to come, will have to deal decisively with the problems that arise out of the differences between the highly industrialized countries and those countries whose industrial and technical development has started only recently. There is a gap between the industrialized countries and the developing countries, and it will be necessary to bridge that gap. This task may well be the supreme challenge of our time. This challenge places heavy responsibilities on the industrialized countries. It will form an important part of the future work of the United Nations. Norway is ready to contribute its share to this work.

9. Much of man's efforts to come to terms with his physical environment is directed towards the oceans that cover the greater part of the surface of our globe. The United Nations is engaged actively in charting the resources of the oceans, and examining the feasibility of exploiting the resources of the sea-bed and the ocean floor and its subsoil under the high seas, in the interests of mankind. We earnestly hope that the results of this work will help, both to increase the range of foodstuffs available to a hungry world and to make possible an even greater United Nations participation in economic development.

10. Let us turn again to some of the fundamental aspects of the United Nations Charter. The main functions of the Organization during its first two decades may be summed up as peace-keeping in the widest sense of these words. In the future, the United Nations must also turn to peace-making. We must not only halt the use of armed force, but also find solutions for those basic faults of world society which lead men to arms in desperation over their own position.

11. Such solutions must not be limited to political and material progress alone. Deep-rooted feelings also form a motive for man's actions. 1968 is the International Year for Human Rights. We are all aware of the importance of racial antagonism throughout the world, and of the fact that positions are steadily becoming more embittered. For the United Nations it becomes a task of utmost urgency to seek a peaceful solution for the problems of racial discrimination.

12. The twenty-second session of the General Assembly of the United Nations deals with two issues which embody, in separate ways, those political and social factors which form so many problems for the world community and for this Organization today.

13. One issue touches directly on the struggle for human rights and for mutual respect between people of different races. The other concerns the grave danger that man's inventiveness and technical development, acting with terrible momentum, might lead to self-destruction. Humanity must be liberated from the fear of new and more destructive wars. Then it might be easier to find answers to other pressing problems, and to provide for every man liberty, dignity and security.

14. Those are the tasks. I wish the Assembly success in its endeavours.

15. The PRESIDENT (translated from French): On behalf of the General Assembly, I thank His Majesty the King of Norway for his important statement.

AGENDA ITEM 64

Question of South West Africa (continued)

16. Mr. PIÑERA (Chile) (translated from Spanish): My delegation feels genuine misgiving in taking part today in this very important debate. The reason is that we have before us the much-quoted resolution 2145 (XXI) of 27 October 1966, adopted almost unanimously by this Assembly with only two negative votes. This statement by the international community, expressed perhaps in the most decisive manner in its largest forum, is therefore uppermost in our minds as we intervene in this debate, in which relatively few speakers have yet taken part.

17. We have heard Africa speak through twelve representatives and we have heard the views of countries with "centrally-planned" economies. Today Chile will be the second Latin-American country to make its very modest contribution to this debate. Hence our delegation's misgiving, for on the problem of South West Africa we expected, with the modest outlook we try to maintain, to hear many more speakers before we ourselves took part. Nevertheless, because the General Assembly has entrusted a certain responsibility to the United Nations Council for South West Africa, of which we have the honour to be a member, we wish to make some observations and comments as members of that Council, and naturally, as the representative body of Chile.

18. It has been said repeatedly that the resolution of 27 October 1966 before this Assembly, to which I have referred, is a major one. My delegation will not refrain from further and even more forceful repetition of that fact. What did that resolution say—not

only in its text, which was very clear; not only in its wording, which was precise; but also in its spirit? It said that the situation in South West Africa could not continue as it was for another instant, and that the Mandate for South West Africa was terminated.

19. When the international community, through this Assembly, makes almost unanimously such a categorical and firm statement, it immediately assumes a special responsibility. Nearly two years have passed since that resolution was adopted. What did resolution 2145 (XXI) state? That South Africa no longer had any right, and that the people of South West Africa had the right to achieve independence as soon as possible.

20. A date was even set—June 1968, just a few weeks from now—for the implementation of this resolution, which was adopted not by successive votes or, like many others, by an overwhelming majority, but may be described as the unanimous expression of the will of the international community. The date set by a wide majority of the General Assembly in full awareness of its responsibility—June 1968—is only a few weeks away.

21. If I may, I should like to come back to the essence of resolution 2145 (XXI). In my remarks today, which I hope will be brief, why am I emphasizing this resolution and not other important ones? I can also recall resolution 2248 (S-V) of the special session in April and May 1967, and resolution 2325 (XXII) adopted a few months ago with nearly 100 positive votes.

22. Why does my delegation wish openly and freely to stress the importance of resolution 2145 (XXI)? Because we feel that it is the birth certificate, the Magna Carta which the General Assembly has itself established as a standard to be followed in dealing with the problem of South West Africa. Moreover, it reaffirmed that South West Africa was a Territory having international status until it achieved independence. Why? All countries desire independence as rapidly as possible. Because it was felt that international status would enable the Territory to gain independence in a short time on better terms.

23. What did resolution 2145 (XXI) decide? That the South African Government's Mandate had been terminated and that it therefore had no right—I repeat, no right—to administer the Territory. The resolution went further, in language both eloquent and nobly restrained. I cannot resist quoting it here: "The General Assembly ... Resolves that in these circumstances the United Nations must discharge those responsibilities with respect to South West Africa." It added in one of its last operative paragraphs, perhaps with considerable foresight: "Calls the attention of the Security Council to the present resolution."

24. When the international community almost unanimously calls the attention of the Security Council to a matter, I am not so much concerned with the procedure—not because we do not respect it, for Chile is one country which has always shown respect not only for the Charter but also for the procedures and rules of the United Nations, and we shall not alter our position. However, we are not concerned here with procedure, but with the fact that the international

community has overridden the rules and respectfully called for the attention of the Security Council.

25. In recent days several delegations have made statements which have contributed positively towards a solution of the problem. I should like to note today that my delegation has discerned in them all certain positive elements which will enable resolution 2145 (XXI) to descend from the lofty realm of principles and become feasible. I know that the task is difficult. I know that the General Assembly always finds it very hard to come down from principles to practice. The task is difficult because it challenges interests which I need not specify, and to challenge interests hinders and sometimes prevents the application of principles.

26. The reason, if not the justification, for this in many other cases is that, as we know, the international community is composed of States and countries which must put the defence of their supreme national interests first. We also know that, when principles are being defended which affect the very essence of the human condition, no reasons, however temporarily expedient, can prevent the international community from applying them.

27. That I am not speaking in a vacuum was proved a few weeks ago in the Security Council. This principal organ of the United Nations, responsible for the maintenance and defence of peace in its broadest meaning, after laborious negotiations—for such is the course of human effort—adopted resolution 246 (1968). This resolution censured the Government of South Africa for its blatant defiance of resolution 245 (1968), which had been adopted unanimously in the wake of the arbitrary, unjust and inhumane conviction of some forty citizens of South West Africa. Moreover, the Security Council, on which the great Powers and therefore their broad interests are represented, decided that it would meet immediately if the Government of South Africa failed to comply with the resolution. South Africa did not comply.

28. I cite this example because it has a twofold meaning for my delegation. First, it was a unanimous resolution of the Security Council; and secondly, although it was not addressed to the general problem of the illegal occupation by South Africa of the Territory of South West Africa, it referred to some forty citizens who had been denied their most fundamental human rights. And while it is true—as I have more than once heard members of the Council correctly affirm—that the broad problem is that of the half-million citizens of South West Africa, yet the humanity of each of these forty citizens as an individual has the same value as that of each of the half-million. On that issue, however, which assailed the conscience of the whole civilized world, there was unanimous agreement. It was reached with difficulty, I repeat—like most of the tasks facing the international community—but a positive result emerged: there was unanimous agreement.

29. I said just now that all the contributions made during the debate, which began nearly three weeks ago, have been helpful; and I should now like to refer to the views expressed by some of the speakers. We listened the other day with great attention to Ambassador Makonnen, the representative of Ethiopia,

who stated in simple terms that his delegation felt that at this resumed session the General Assembly should adopt a clear and strong resolution recommending that the Security Council should take the appropriate steps envisaged in the Charter in order to ensure the prompt implementation of the decisions that the General Assembly has taken with the backing of the overwhelming majority of its membership. He added:

"This is the urgent duty which the resumed session is called upon to fulfil as the organ of the United Nations that has rightly assumed direct responsibility for the future of this international Territory and the well-being of its people" [1645th meeting, para. 51].

30. My delegation today wishes fully to support the statement made by Mr. Makonnen, the Ambassador of Ethiopia. Though previous speakers have certainly made many concrete proposals, which relate to an endeavour we support, yet because these must also be given specific form it is absolutely essential that, in the few weeks which remain of this session of the General Assembly, we should recognize that we can hold different views on the way to implement resolution 2145 (XXI) of 27 October 1966. This has already been proved true, and the Ad Hoc Committee established to study how to implement the resolution has received valuable support from all sectors: the "Western" countries, the "socialist" countries, and the Afro-Asian and Latin-American countries. While we did not reach an agreement, all the proposals were helpful because they indicated possible ways of fulfilling the sacred resolution 2145 (XXI), and because when the Ad Hoc Committee first met, with broad representation of all geographical and ideological sectors, we were still inexperienced.

31. The Assembly is now meeting nearly two years since that resolution was adopted, and has observed—I do not hesitate to say with sorrow—that South Africa has missed no chance of re-affirming its categorical refusal to comply in the slightest degree with the resolutions of this body. It has defied the General Assembly by refusing to enter into contact with the United Nations Council for South West Africa, in a gesture which the Assembly had discussed, to seek a peaceful transition of administrative authority until the Territory acceded to independence. It defied the Assembly a second time when it stated its total unawareness of its Government's duty at least to refrain from taking further measures making life harder for the people of South West Africa. What did the Government of South Africa do? Perhaps intentionally, at the same time as the Council for South West Africa was making a modest but sincere and faithful effort to carry out its mission—and by "its mission" I mean the one assigned to it by the General Assembly—the Government of South Africa sent to its Parliament a bill creating what I believe are called communities for "separate development" or "parallel development"—the name does not matter. The object of the bill—and I believe that there is a virtual consensus on this point in the Assembly—is to divide the people of South West Africa and to deny them the right to attain national unity, a right of which every country represented here is so proud. By means of a "bill" the Government of South Africa is trying to divide

the population once and for all into separate communities so that brothers shall not be joined but divided. This was the second or third reply from the Government of South Africa.

32. Not content to defy the General Assembly—which, I repeat, though imperfect, is the best forum the international community has—it also defied the Security Council, permanent and non-permanent members alike. It defied the Council publicly and directly, aware of its own strength. What kind of strength? To be sure, not moral strength; perhaps material strength.

33. I do not wish to say much more. At this stage in the debate my delegation wishes to work with the whole international community in a common effort to find the best way to implement resolution 2145 (XXI). We are taking part in this debate without any prejudice. One instrument has been used: the United Nations Council for South West Africa. Many believe, perhaps rightly, that the Council failed because it did not achieve one of its aims, that of establishing itself in the Territory and administering this until it attained independence. Others may feel that the Council has had the merit of proving incisively, conclusively and beyond discussion that a meaningful dialogue with the Government of South Africa is out of the question and that the appropriate steps provided in the Charter will have to be sought. I shall not mention them, as everyone has his own idea of which can best be applied. There can be no doubt that the Charter contains the means to ensure compliance with the will of the international community. Some may feel that this is a question of timing. I disagree, nor do I believe that it is one of temporary expediency: international morality, quite simply, is at stake.

34. Before concluding I should like to state the position of my country as clearly as possible. Chile believes that in view of the repeated refusals of the Government of South Africa we should continue to be guided by resolution 2145 (XXI), which was adopted almost unanimously and was clear, incisive and exact. It drew the attention of the Security Council to this grave problem. Just as it was adopted almost unanimously, so, too, the resolution which the United Nations will adopt in this Assembly at this session must be unanimous. We shall thus be showing our respect for the principles of the Charter. If we do not abide by them, they will not be worth much.

35. I would venture to call the Assembly's position a very simple one. The 124 countries assembled in it are confronted by their resolution 2145 (XXI), and so is the Security Council by its own resolution in a case which some have termed special but which is no less important—a flagrant violation of the human rights of forty citizens. The Security Council is confronted by resolution 246 (1968) which it adopted a few weeks ago. In that resolution the members of the Security Council undertook to meet immediately to determine upon effective steps or measures in conformity with the Charter of the United Nations. We, too, as members of the General Assembly and the international community, should decide immediately, before this session is over, upon the effective steps or measures to be taken in accordance with the Charter to implement resolution 2145 (XXI).

36. We must not start a discussion which might prove fruitless, rhetorical or partisan. What we must do is to try—and Chile is prepared to make its modest contribution—to agree on how to achieve what we solemnly promised on 27 October 1966, nearly two years ago. That was not mere lip service but a promise to half a million human beings like ourselves, and we now reiterate that promise to a handful of freedom fighters who today are being persecuted by the Government of South Africa in the cruellest imaginable way.

37. In expressing its view, admittedly in general terms, my delegation once again reaffirms that we wish to join in the efforts that are being made. We wish to contribute to the efforts of a large number of African countries to draft a resolution that will win wide support. We wish to work together with other groups in this Assembly—the Western countries, the socialist countries and the Latin-American countries—to find a solution without prejudice, not committed to one particular course of action but excluding none. A declaration of independence to take effect immediately, if it received wide support, might be one solution. To strengthen the Council for South West Africa, provided this were done realistically and the Council were given the means to discharge its functions, might be another.

38. Other proposals have been put forward and studies made to establish a clear distinction between the functions of the Council for South West Africa during the initial stage before independence and later during the transitional stage. As I said earlier, we are not committed to any particular course of action. Our commitment is to the international community and the people of South West Africa. My country and the eight million people of Chile will spare no effort to honour that commitment.

39. Mr. OGBU (Nigeria): Mr. President, I should like to take this opportunity to renew the congratulations of my delegation to you and to reassure you of our continued support and co-operation on the resumption of the twenty-second session.

40. This Assembly is once again compelled to devote its attention and preoccupation to the question of South West Africa. Again on this occasion, the problem we are discussing remains dramatically in the centre of the Assembly's consideration. It must continue to be so as long as the situation in South West Africa represents the negation of two fundamental principles of the Charter—the inalienable right to freedom from colonialism and the promotion of full universal human rights. For twenty protracted years, the tragic situation in South West Africa has evaded the solutions prescribed by the collective good sense and combined determination of the international community assembled at the United Nations.

41. This is a perplexing reality, and the natural question which comes to mind is why such a puzzling state of affairs has burdened the resources of this Organization for so long. Is it that the United Nations has lacked the will to persist in the search for the appropriate solutions that will do adequate justice to the problem of South West Africa? Is it that there has been a dearth of ideas and imagination regarding the measures which can effectively bring an end to

the racial tyranny in southern Africa with the least possible upheaval? This has not been the case. On the contrary, the records of the General Assembly are replete with a voluminous number of decisions and conclusions, solemnly enshrined in resolutions, adopted by overwhelming majorities of the Assembly. Faithfully observed and sincerely implemented, these resolutions should have given considerable impetus to the solution of the problems confronting us in South West Africa. These problems, however, have defied all attempts at solution, and the desired results have remained unattained solely because of the singular intransigence of the South African Government and its single minded defiance of the will and authority of the United Nations.

42. South Africa's aggressive challenge against the highest ideals which bind the international community together is not a recent feature of the foreign policy projections of the doctrine of apartheid. Almost from the beginning of its membership in this Organization—as one of the original Members of the United Nations—the South African Government has traditionally and relentlessly maintained itself in opposition and rejection of the fundamental principles supporting the international system constructed on the Charter of the United Nations. But hardly ever before now has South Africa's threat to the international order of the United Nations system posed itself more seriously, and more menacingly, than in the circumstances in which we debate the question of South West Africa today.

43. It will be recalled that it was by an almost unanimous verdict of the membership of this Organization, opposed only by South Africa itself, that the General Assembly by its resolution 2145 (XXI) decided that South Africa's Mandate over South West Africa was terminated. This historic decision put a proper end to twenty years of unavailing efforts to persuade or induce South Africa to fulfil the sacred obligations which it had assumed towards the Territory and people of South West Africa under the Mandate of the League of Nations. The text of the momentous resolution 2145 (XXI), as well as the debates which led to its adoption, also abundantly attest that it was South Africa itself, which had, in fact, by its own actions abrogated the Mandate. Consequently, the General Assembly had no alternative but to decide that the Mandate was terminated; that South Africa had no further right to administer South West Africa, and that from that time on South West Africa came under the direct responsibility of the United Nations. In assuming direct responsibility for South West Africa, the United Nations, at the same time, equally committed itself to taking the Territory to full and complete independence, in accordance with the principles of the Charter and the provisions of resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. It is the fulfilment of these obligations by the United Nations that South Africa has continued to obstruct and to frustrate by its stubborn actions of defiant challenge to the authority of this Organization.

44. Having assumed direct responsibility for the administration of South West Africa, the General Assembly had no further alternative but to decide on how best to fulfil its responsibility. For this purpose,

and following an exhaustive examination of alternative machineries, in particular those advanced in the report of the Ad Hoc Committee on South West Africa,^{1/} the General Assembly established the United Nations Council for South West Africa by its resolution 2248 (S-V) of 19 May 1967. The Council was specifically charged with responsibilities for the administration of the Territory until independence. The General Assembly also envisaged that the Territory would attain independence by June 1968, that is, in fact, barely three weeks from now. But to date, the efforts of the United Nations Council for South West Africa to fulfil the tasks assigned to it have been frustrated by the categorical refusal of South Africa to relinquish its illegal control over South West Africa or to enable the Council to enter the Territory. Thus, the decision of the General Assembly regarding the independence of South West Africa is today seriously put in question, solely because of the intransigent attitude of the South African Government.

45. The establishment of the United Nations Council for South West Africa, it will be recalled, was in itself an act of concession to South Africa by the General Assembly. It was designed to be a conciliatory instrument for divesting South Africa of the powers it has usurped in continuing to administer South West Africa after her Mandate for the Territory had been terminated. The General Assembly took the decision in the hope that it could succeed in turning South Africa away from the scornful and belligerent posture which the apartheid régime assumed towards the United Nations at the time, in October 1966, when the General Assembly pronounced that South Africa had lost its Mandate over South West Africa. The General Assembly sought in May 1967 to rehabilitate South Africa, which had evidently proved itself a rebellious and errant State Member of the United Nations, and in establishing the United Nations Council for South West Africa, General Assembly resolution 2248 (S-V), inter alia, instructed the Council:

"... to enter immediately into contact with the authorities of South Africa in order to lay down procedures, in accordance with General Assembly resolution 2145 (XXI) and the present resolution, for the transfer of the administration of the Territory with the least possible upheaval".

46. Faithful to its mandate, the United Nations Council for South West Africa immediately entered into contact with the South African authorities, as soon as it formally got down to work in August 1967, but South Africa was too implacably committed to its position of defiance towards the United Nations to avail itself of that distinct opportunity for accommodation. The South African authorities, in their letter of 26 September 1967 [A/6897, annex II], summarily rejected the generous offer for negotiations proffered to them by the Council on behalf of the United Nations. Since then, in numerous pronouncements of South African officials, and in prolific publications and communications to the Secretary-General, South Africa has rigidly maintained its refusal to recognize the incontrovertible legality of the General Assembly resolution terminating the Mandate, or of any other resolution

^{1/} Official Records of the General Assembly, Fifth Special Session, Annexes, agenda item 7, document A/6640.

flowing from that decision. On this untenable basis, South Africa has repeatedly refused to recognize the United Nations Council for South West Africa, or to have any dealings with it. It is indeed ironic that the Council, which was conceived as an instrument for assisting South Africa to withdraw its illegal presence in South West Africa, "with the least possible upheaval", has so intolerably become the object of such blatant and unconcealed defiance on the part of South Africa.

47. It is remarkable and highly deserving of recognition that, in spite of its provocative treatment at the hands of the régime in Pretoria, the Council has remained undaunted in its efforts to discharge the mandate conferred on it by the General Assembly. This determination, on the part of the Council to fulfil the responsibilities vested in it, comes out clearly and impressively in its Second Report to the General Assembly [A/7088], which was ably presented by the President of the Council, the Ambassador of Yugoslavia, on 7 May 1968 [1649th meeting]. My delegation wishes to pay tribute to the Council for this diligent and helpful report. We cannot, however, but observe with regret that, in spite of persistent efforts, the record of the Council's activities contained in its report is substantially a testimony of its best efforts and appropriate initiatives being frustrated by the defiant and intransigent obstructions of the South African régime.

48. It will be recalled that a central provision of General Assembly resolution 2248 (S-V), which established the United Nations Council for South West Africa, is that "the Council shall be based in South West Africa" and, for this purpose, the Council was requested to proceed to the Territory. After South Africa's contemptuous rejection of the approach made by the Council to open discussions with the South African authorities towards a negotiated transfer of the Territory's administration from South Africa to the United Nations, the Council decided, in March this year, to proceed to South West Africa in order to implement the provisions of the resolutions under which the Council derives its existence. The present report of the Council is clear and comprehensive on the efforts made and arrangements undertaken in order to proceed to South West Africa. Although there are some administrative questions which, when resolved, will facilitate the Council's entry into the Territory, the evidence is also convincing that the inability of the Council, so far, to establish itself in South West Africa, is directly attributable to the obstructive and unco-operative attitude of the authorities in Pretoria.

49. The Government of South Africa must again squarely bear the responsibility for this non-implementation of a solemn decision of the General Assembly. As such, the defiant and reprehensible behaviour of the South African Government calls for the strongest reproach and censure of this Assembly. South Africa embarrasses its friends, particularly those permanent members of the Security Council which are friends of South Africa. At the same time, this Assembly now faces the duty of providing all the necessary facilities and support to enable the Council to proceed with its plan to be based in South West

Africa, as already enjoined upon it by General Assembly resolution 2248 (S-V).

50. It was not envisaged that the Council should operate as the Administering Authority for South West Africa "in exile". On the contrary, the specific and deliberate decision taken by the General Assembly, for reasons of principle as well as practical considerations, was for the Council to be based in South West Africa. In the face of difficulties which have now arisen in the implementation of this decision, the General Assembly must now also face up to the responsibility for supporting the Council to get itself fully established in the Territory. My delegation believes that, for this purpose, all the resources of the United Nations as a whole, including the capabilities of the Office of the Secretary-General, must be mustered for the maximum effect. My delegation appeals also to those friends of South Africa to urge, through diplomatic and other means, that it should comply with world opinion.

51. There are, however, other substantive questions regarding the illegal presence of South Africa in South West Africa to which the United Nations must devote its attention and provide urgent remedies. In June 1967, the Pretoria régime promulgated the notorious Terrorism Act 1967 for illegal application to the Territory of South West Africa. Simultaneously, the South African Government proceeded under this terrifying legislation with the arrest, abduction and trial of thirty-seven South West African nationals. At the time, the reaction of an outraged international conscience against this hideous persecution of South West African freedom-fighters was spontaneous and universal. The international community was unanimous in the view that the so-called Terrorism Act is, in a sense, aptly named; it is designed to terrorize innocent people, it exemplifies the range of police-state measures which the South African Government utilizes in the hope of neutralizing legitimate national political activities among the people of South West Africa. It provides ample pretexts for the South African police to detain brave, innocent people in long hours of solitary confinement, during which they are subjected to brutal and inhuman treatment. The Terrorism Act violates a basic tenet of law in its ex post facto provision which gives the law retroactive effect. And, above all, South Africa's illegal action, in applying its own Terrorism Act to South West Africa, is contrary to the international status of the Territory, to international law and to the fundamental rights of the people of South West Africa.

52. In spite of these anxious international protests, South Africa, unyielding in its evil course, proceeded with the trials. It was with a sense of deep concern and apprehension that the General Assembly, in its resolution 2324 (XXII), adopted last December by a massive majority, condemned the illegal arrest, deportation and trial at Pretoria of the thirty-seven South West Africans and called upon the South African Government to discontinue the illegal trials forthwith and to release and repatriate the persons concerned. South Africa characteristically ignored this resolution.

53. Consequently, being conscious of the special responsibilities of the United Nations towards the

people and Territory of South West Africa, and in exercise of its primary responsibility under the Charter for the maintenance of international peace and security and the safeguard of the principles and purposes of the Charter the Security Council became actively seized of the situation and the grave consequences, so overwhelmingly expressed in General Assembly resolution 2324 (XXII), arising from South Africa's action in ignoring world public opinion and in that country's refusal to stop the illegal trial and to release and repatriate the South West African freedom-fighters concerned.

54. On 25 January this year the Security Council unanimously adopted resolution 245 (1968) which condemned the refusal of South Africa to comply with the provisions of a General Assembly resolution, and which once more called upon South Africa to respect the opinion and judgement of the international community with regard to the trial then nearing its outrageous conclusion in Pretoria. But not even the weight and prestige of the Security Council and the authority and sanction of a unanimous verdict by the Council could move South Africa. The Pretoria régime paid no heed to Security Council resolution 245 (1968), and soon thereafter, the South West Africans were convicted and heavy sentences were imposed, with the bleak prospect of imprisonment, ranging up to life, in South African prisons, after a trial, as one of the condemned persons accurately said, "in a foreign land, in a foreign language, by a court of a foreign Government on charges which must also be described as foreign".

55. Naturally distressed that the Government of South Africa had flagrantly defied its resolution 245 (1968), the Security Council finally, on 14 March 1968, and again unanimously, adopted resolution 246 (1968) which censured South Africa for this flagrant defiance of the authority of the United Nations, of which South Africa regrettably remains a Member. The Council in its resolution 246 (1968) also demanded that South Africa should forthwith release and repatriate the South West Africans illegally condemned and that in the event of failure on the part of the Government of South Africa to comply with this demand, the Security Council would meet immediately to determine upon effective steps or measures in conformity with the relevant provisions of the Charter.

56. The reaction of the South African Government to that decision of the Security Council is self-explanatory in the communication of the South African Foreign Minister of 27 March 1968 addressed to the Secretary-General and continued in the Secretary-General's report of 30 March 1968.^{2/} The communication does not show, nor has there been any public or private evidence since, that South Africa intends to comply with the demand made of it by the Security Council. If South Africa's attitude of non-compliance had not been conclusive from the records, it has been proved by recent reports that on 11 April 1968 the Appellate Division of the South African Supreme Court of Bloemfontein rejected an appeal by thirty-one of the condemned men and that further trials are pend-

ing. This series of flagrant violations by South Africa illustrates conclusively that South Africa has not only defied the authority of the Security Council but that the Pretoria régime is, in consequence, in reprehensible breach of Article 25 of the Charter of the United Nations.

57. My delegation cannot tolerate such wanton assaults on the principles and provisions of the Charter. We believe that Member States in this Organization must co-ordinate their efforts in solid defence of the Charter, if we are to preserve the very bed-rock of the United Nations and the system of world order constructed upon it. Membership of a club demands respect for, and adherence to, the rules and regulations of the club.

58. The international extension of the pernicious doctrine of apartheid is violently eroding the sacred foundations of international stability. In South West Africa the apartheid régime is vigorously seeking to dismember and destroy the territorial integrity of a Territory which enjoys international status and is an international responsibility. In further implementation of the notorious Odendaal Report,^{3/} the South African Government is proceeding with its policy of "divide and rule" and the progressive integration of the Territory into the apartheid system of South Africa. The introduction in the South African Parliament of the so-called "South West Africa Constitution Bill" and the "Development of Self-Government for Native Nations in South West Africa Bill" in March and April this year, is intended to pave the way for the creation of ten Bantustans in nearly half of the Territory and to accomplish the administrative and economic incorporation into South Africa of the remainder. Already, in preparation for this, the South African authorities have been forcibly moving whole population groups. They have also been applying to the Territory, South Africa's own policy of racial segregation in urban areas and preparing the ground for a system of racial tyranny.

59. Against the universal tide flowing towards unity and enlarged communities, South Africa is energetically promoting division, disintegration and chiefdoms. No one can be deluded by the so-called "Development of Self-Government for Native Nations in South West Africa Bill". It does not in any way contemplate the attainment of inalienable self-government and independence in South West Africa. Quite to the contrary, it seeks to carve up the Territory into pieces of "self-governing colonies" in violation of the principles of the United Nations Charter. The action of the South African Government in proposing these bills, in respect of a Territory over which it has lost jurisdiction by its own violations, is contrary to the international obligations of the Government of South Africa, to international law and to the fundamental rights of the inhabitants of South West Africa.

60. My delegation must condemn these proposals, and must declare that its Government will consider the eventual enactment of laws based on these untenable bills as null and void and of no effect in the Territory of South West Africa. It is our view that

^{2/} Official Records of the Security Council, Twenty-third year, Supplement for January, February and March 1968, document S/8506, annex I.

^{3/} Republic of South Africa, Report of the Commission of Inquiry into South West Africa Affairs, 1962-1963 (Pretoria, Government Printer, 1964).

this Assembly must condemn and repudiate this further serious act of South Africa's defiance and challenge to the authority of the United Nations.

61. Since the United Nations Council for South West Africa has been prevented from fully carrying out the tasks which the General Assembly entrusted to it, we are now confronted with the regrettable fact that, despite the wishes of the Assembly, the Council has not been able to base itself in South West Africa in order to administer the Territory until independence, envisaged by June 1968. But between now and the time the Council for South West Africa is able to proceed to establish its administration in the Territory there is, in the view of my delegation, a significant range of pressing responsibilities and duties which it can legitimately undertake, as the administering authority of South West Africa, in full consultation with the representatives of the people of the Territory.

62. My delegation is gratified by the report of the Council [A/7088], which shows that it has consciously sought to focus its activities according to the wishes and aspirations of the people of South West Africa. From the conferences and consultations, in which the Council has met with representatives of the people of South West Africa, there has emerged a number of specific objectives, and a variety of projects, to which the Council must urgently direct its attention and efforts. The Council has commendably decided to grant travel documents to nationals of South West Africa. The practical implementation of this decision must be earnestly pursued, as it is clear from the records that the need of South West Africans for these documents is urgent and pressing.

63. My delegation would also like to see the Council formulate, as quickly as is practicable, adequate programmes of educational, scholarship, social and aid assistance to all South West Africans who are forced to live outside their country as refugees. In all these programmes and other projects of the Council for South West Africa, I pledge the full co-operation and participation of the Government of Nigeria to the best of its ability. We also want to be confident that all States Members of this Organization will extend their full co-operation and assistance to the Council for South West Africa in all the programmes it will undertake in fulfilment of its responsibilities to the people and Territory of South West Africa.

64. However, we must not underestimate the dimensions of the issues which confront the United Nations in discharging the responsibility it has itself assumed towards South West Africa. The objective which the United Nations has set for itself in South West Africa, and which flows naturally from its Charter, is clear and unalterable. It is to take the Territory to full and complete independence in accordance with the wishes of the people of South West Africa. It is not our view that the United Nations Council for South West Africa was designed as a substitute for this enduring objective; the General Assembly cannot subvert its own principles and commitments. It was the intention of the General Assembly to attain this imperative objective through the instrumentality and activities of the Council. Now there is before us copious and extensive evidence that the Council cannot fully play the role assigned to it because of the intransigent

obstruction of South Africa, and will not be able to do so, unless South Africa is compelled to end its foreign occupation of South West Africa.

65. The painful experience of the United Nations in dealing with the Pretoria régime in other fields—in the restoration of justice, human dignity and fundamental rights to the masses oppressed under the apartheid tyranny in South Africa; in effectively dismantling the racist minority régime illegally imposed in Southern Rhodesia against the proclaimed will and might of the Administering Authority; in bringing sanity to bear upon the grotesque Portuguese domination of Angola, Mozambique and Guinea, which is maintained on the basis of a bogus colonial theory—the experience of South Africa's persistent obstruction and subversion of United Nations effort on these burning issues cannot lead us to expect that the international commitment to South West Africa can be discharged with South Africa's willing co-operation and its conscientious observance of the disciplines of international conduct and obligations.

66. While sheltering Southern Rhodesia and Portugal from the sanctions arising from the decisions and resolutions of the United Nations, South Africa has itself evaded all penalties due for its own misconduct. Thanks to the condoning reluctance of South Africa's trading partners, it has not been possible to inaugurate a régime of universal mandatory sanctions, effectively applied and adequately supervised, which numerous General Assembly resolutions have admitted to be the only effective measures for averting the danger of an explosive racial war inevitably coming to a head in southern Africa. Even the limited measures on the prohibition of arms and military equipment to South Africa, which the Security Council felt compelled to impose nearly four years ago [resolution 191 (1964)], are at present creaking under the heavy strain of non-compliance, evasions and violations by a significant number of Member States. The arms embargo against South Africa has broken down and is nearing total collapse, because the prohibited supplies from traditional sources in the United Kingdom and the United States have been substantially replaced by supplies which South Africa receives from new, but developing, sources of sophisticated armaments in certain developed countries of Western Europe in defiance of the solemn decisions of the Security Council.

67. In all conscience, my delegation cannot but deplore these developments. It is therefore time for the Security Council to take up for urgent consideration a review of the implementation of its decisions on the South African arms embargo. Such a review will clearly demarcate the extent to which these measures have been, or will be, made effective against South Africa. Such a review will also help to clarify the extent to which the permanent members of the Security Council, in discharging their primary responsibility for the maintenance of international peace and security, are willing and prepared to enable the United Nations to discharge the responsibility and trust it has assumed on behalf of the people and Territory of South West Africa.

68. The inescapable responsibility of the Security Council for South West Africa must not become ob-

scured. The Territory, with its international status, is today under aggressive occupation by South Africa. South Africa, a Member State of the Organization, has, by actions of overwhelming defiance, challenged the United Nations and launched an attack on the fundamental principles and provisions of the Charter. In our view, the response of the Security Council to South Africa's intransigence must be resolute and uncompromising. In its resolutions 2248 (S-V) and 2325 (XXII), the General Assembly has already called upon the Security Council "to take all appropriate measures to enable the United Nations Council for South West Africa to discharge the functions and responsibilities entrusted to it by the General Assembly" in order to enable the United Nations to fulfil the obligations it has assumed with respect to South West Africa.

69. In the absence of any practical alternatives—to which my delegation would give full consideration if available—it is our view that the Security Council cannot discharge its duties effectively in this matter solely by a conservative and discriminating use of the pertinent provisions of the United Nations Charter. We remain convinced that we have long since passed the point at which the full strength of the provisions of Chapter VII of the Charter should have been deployed against South Africa. We must do so if we are not to abandon the sacred trust which the United Nations bears towards the people and Territory of South West Africa.

70. Mr. ROUAMBA (Upper Volta) (translated from French): Mr. President, allow me at the outset to express to you once again, on behalf of my delegation, our confidence in your capabilities, which you have demonstrated to us during the first part of this General Assembly session. We are convinced that your tact and competence will help us to resolve the problems that are on the agenda of the current session.

71. This is the fourth time in less than two years that the General Assembly has been called upon to consider the question of South West Africa. That is a clear indication that the majority of member States are aware of the seriousness of that problem. It must be said, however, that that is only the opinion of some member States, and that they are not the most influential members of the United Nations. Indeed, we are forced to recognize that the member States that are best equipped to assist in the solution of that question are showing a blatant lack of interest in the efforts that the United Nations is making in that area. For those Powers, this is a time for academic discussions of problems that, so they tell us, are of prime importance. Countries such as my own are asked not to acquire weapons labelled "for adults only", while what all of mankind wants is simply peace with dignity.

72. The great Powers that have the final say in all matters are eagerly diverting our Organization and world opinion from the legitimate and urgent concern that politically mature peoples feel with regard to the situation being created by the arrogant and standing challenge issued to the conscience of mankind by the Pretoria authorities. Long, long ago, apartheid was described as "odious" by the United Kingdom, "poisonous" by the United States of America, "degrading"

by Canada, "shameful" by the Soviet Union, etc. Unfortunately, those expressions of moral disapprobation quickly give way to feeble evasions as soon as the problem is stated and as soon as every country is requested to take the minimal steps required to cure mankind of that cancerous growth.

73. The United States, the United Kingdom, France and Pretoria's other trading partners, as though blinded by an insatiable greed for economic gain, are speeding mankind's race towards an inter-racial conflict, one that—it must be said—will spare neither rich nor poor, neither white nor black.

74. To our great surprise and to our deep disappointment, even the socialist countries that have in the past supported the legitimate struggle of the oppressed with great vigour are taking positions that are in many respects not fundamentally different from those of the Western Powers. The USSR representative [1648th meeting] asked us to proclaim South West Africa independent and to entrust the Organization of African Unity with the temporary management of its affairs. While understanding the USSR delegation's laudable motives, my delegation nevertheless believes that such a procedure would result in the "Africanization" of a problem which by its nature and scope concerns all peace- and freedom-loving peoples, including, as we should like to believe, the great Powers and the other States members of the United Nations.

75. My delegation read with special interest the report of the United Nations Council for South West Africa [A/7088] and it wishes to congratulate the Council on its efforts to carry out the Mandate it received from the General Assembly. We are in complete agreement with the Council's recommendations, and we feel satisfied that it will continue to persevere in its efforts and that it will receive the unanimous support of the members of the Security Council, which should now, in accordance with its resolution 246 (1968), provide the Council for South West Africa with every assistance.

76. My delegation is of the opinion that the Secretary-General should appoint the United Nations Commissioner for South West Africa as soon as possible in order to provide him with all necessary authority within an adequate administrative structure, so that the Council may creditably acquit itself of its many duties. My delegation hopes that during the current General Assembly session the United Nations Council for South West Africa will be provided with all the necessary authority so that it can, in consultation with representatives of the South West Africa People's Organization, promulgate the laws and decrees that are needed to administer the Territory. We support the Council's decision to provide South West African nationals living abroad with travel papers. My delegation believes that the United Nations Council for South West Africa must take all necessary steps, under resolution 2145 (XXI), to collect as soon as possible the various taxes and duties on all business firms operating in Namibia through their States of origin and well-known financial monopolies.

77. My delegation considers that it is now incumbent on the Security Council to shoulder its responsibilities, in conformity with operative paragraph 8 of

General Assembly resolution 2325 (XXII), by which the Security Council was invited to take all appropriate steps to enable the United Nations Council for South West Africa to fulfil the tasks entrusted to it by the Assembly.

78. My delegation considers, furthermore, that the presence of the Pretoria authorities in South West Africa after the termination of the Mandate constitutes a clearly defined act of aggression against an international territory whose full sovereignty must now be protected by the United Nations.

79. As the General Assembly has already declared on several occasions that the situation prevailing in that part of southern Africa is a threat to peace and international security, it is for the Security Council to affirm that the presence of the Pretoria authorities in South West Africa constitutes an act of aggression. The Security Council should therefore have recourse to the enforcement measures provided for in Articles 41 and 42 of the Charter to ensure the im-

mediate withdrawal of South Africa's forces of oppression.

80. My delegation sincerely hopes that the Powers to which the Charter has entrusted the primary responsibility for maintaining international peace and security will not fail to realize that this focus of tension creates a serious threat to the work our Organization has undertaken. My delegation wishes here to reiterate its firm and unswerving support for the legitimate struggle of the brave South West African fighters for their country's freedom and independence. Those fighting men must redouble their efforts on the battlefield, for history teaches us that it is only there, unfortunately, that fate is decided. We are convinced that the hour that has arrived for the proud Vietnamese people as a reward for its steadfastness will also come very soon for the people of South West Africa.

The meeting rose at 5.55 p.m.