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The Security Council,

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

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

Recalling General Assembly resolution 2145 (XXI) of 27 October 1966, which terminated South Africa's mandate over the Territory of Namibia, and resolution 2248 (S-V) of 19 May 1967, which established a United Nations Council for Namibia, as well as all other subsequent resolutions on Namibia, in particular, resolution 3295 (XXIX) of 13 December 1974 and resolution 3399 (XXX) of 26 November 1975,

Recalling also Security Council resolutions 245 (1968) of 25 January and 246 (1968) of 14 March 1968, 264 (1969) of 20 March and 269 (1969) of 12 August 1969, 276 (1970) of 30 January, 282 (1970) of 23 July, 283 (1970) and 284 (1970) of 29 July 1970, 300 (1971) of 12 October and 301 (1971) of 20 October 1971, 310 (1972) of 4 February 1972, 366 (1974) of 17 December 1974 and 385 (1976) of 30 January 1976,

Recalling further the advisory opinion of the International Court of Justice of 21 June 1971 that South Africa is under obligation to withdraw its presence from the Territory,

Reaffirming the legal responsibility of the United Nations over Namibia,

Concerned at South Africa's continued illegal occupation of Namibia and its persistent refusal to comply with resolutions and decisions of the General Assembly and the Security Council, as well as with the advisory opinion of the International Court of Justice of 21 June 1971,

Gravely concerned at South Africa's efforts to destroy the national unity and territorial integrity of Namibia, at its recent intensification of repression against the Namibian people and its persistent violation of their human rights,

Gravely concerned by the colonial war which South Africa is waging against the Namibian people, its use of military force against civilian populations and by the widespread use of torture and intimidation by military forces against the people of Namibia,

Gravely concerned also at the utilization of the Territory of Namibia by South Africa to mount aggression against independent African States,

1. Condemns South Africa's failure to comply with the terms of Security Council resolution 385 (1976) of 30 January 1976;

2. Condemns all attempts by South Africa calculated to evade the clear demand of the United Nations for the holding of free elections under United Nations supervision and control in Namibia;

3. Denounces the so-called Turnhalle constitutional conference as a device for evading the clear responsibility to comply with the requirements of Security Council resolutions, and in particular resolution 385 (1976);

4. Reaffirms the legal responsibility of the United Nations over Namibia;

5. Reaffirms its support for the struggle of the people of Namibia for self-determination and independence;

6. Reiterates its demand that South Africa take immediately the necessary steps to effect the withdrawal, in accordance with resolutions 264 (1969), 269 (1969), 366 (1974) and 385 (1976), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations;

7. Also demands that South Africa put an end forthwith to its policy of Bantustans and so-called homelands aimed at violating the national unity and the territorial integrity of Namibia;

8. Reaffirms its declaration that in order that the people of Namibia be enabled to determine freely their own future, it is imperative that free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity;

9. Demands that South Africa urgently comply with the foregoing provisions for the holding of free elections in Namibia under United Nations supervision and control, undertake to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia, and recognize the territorial integrity and unity of Namibia as a nation;

10. Demands again that South Africa, pending the transfer of power provided for in the preceding paragraphs:

(a) Comply fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights;

(b) Release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;

(c) Abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and so-called homelands;

(d) Accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment;

11. Acting under Chapter VII of the United Nations Charter,

(a) Determines that the illegal occupation of Namibia and the war being waged there by South Africa constitute a threat to international peace and security;

(b) Decides that all States shall cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa and shall prohibit their nationals from engaging in any such consultation, co-operation or collaboration;

(c) Decides that all States shall take effective measures to prevent the recruitment of mercenaries, however disguised, for service in Namibia or South Africa;

(d) Decides that all States shall take steps to ensure the termination of all arms licensing agreements between themselves or their nationals and South Africa and shall prohibit the transfer to South Africa of all information relating to arms and armaments;

(e) Decides that all States shall prevent:

(i) Any supply of arms and ammunition to South Africa;

(ii) Any supply of aircraft, vehicles and military equipment for use of the armed forces and paramilitary or police organizations of South Africa;

(iii) Any supply of spare parts for arms, vehicles and military equipment used by the armed forces and paramilitary or police organizations of South Africa;

(iv) Any supply of so-called dual-use aircraft, vehicles or equipment which could be converted to military use by South Africa;

- (v) Any activities in their territories which promote or are calculated to promote the supply of arms, ammunition, military aircraft and military vehicles to South Africa and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;

12. Decides that all States shall give effect to the decisions set out in paragraph 11 of this resolution notwithstanding any contract entered into or licence granted before the date of this resolution, and that they shall notify the Secretary-General of the measures they have taken to comply with the aforementioned provision;

13. Requests the Secretary-General, for the purpose of the effective implementation of this resolution, to arrange for the collection and systematic study of all available data concerning international trade in the items which should not be supplied to South Africa under paragraph 11 above;

14. Requests the Secretary-General to follow the implementation of the resolution and to report to the Security Council on or before _____;

15. Decides to remain seized of the matter.
