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FOURTEEN HUNDRED AND NINETY-FIFTH MEETING

Held in New York on Friday, 8 August 1969, at 10.30 a.m.

President: Mr. J. DE PINIES (Spain).

Present: The representatives of the following States: Algeria, China, Colombia, Finland, France, Hungary, Nepal, Pakistan, Paraguay, Senegal, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia.

Provisional agenda (S/Agenda/1495)

1. Adoption of the agenda.

2. The situation in Namibia:

Letter dated 24 July 1969 from the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, the United Arab Republic, Turkey, Yugoslavia and Zambia addressed to the President of the Security Council (S/9359).

Adoption of the agenda

The agenda was adopted.

The situation in Namibia

Letter dated 24 July 1969 from the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, the United Arab Republic, Turkey, Yugoslavia and Zambia addressed to the President of the Security Council (S/9359)

1. The PRESIDENT (*translated from Spanish*): In accordance with the earlier decision of the Council, I now invite the representatives of Chile and India to take places at the Council table.

At the invitation of the President, Mr. Piñera (Chile) and Mr. Sen (India) took places at the Council table.

2. The PRESIDENT (*translated from Spanish*): The Council will now continue its consideration of the question of Namibia.

3. The first speaker on my list is the representative of Hungary, on whom I now call.

4. Mr. TARDOS (Hungary): Mr. President, first of all I should like to extend to you my delegation's congratulations on your assumption of the Presidency of the Security Council for this month. I assure you that the Hungarian delegation will fully co-operate with you.

5. At the same time, I should like to pay a tribute to Ambassador Boye of Senegal for the excellent manner in which he presided over our deliberations here, as well as our informal consultations, last month.

6. Once again the Security Council has to discuss a serious matter: the situation in Namibia. Only four months ago this body examined this question and adopted a resolution [264 (1969)] calling upon the Government of South Africa to withdraw its administration from Namibia and to desist from the creation and the establishment of Bantustans.

7. In answer to the resolution of the Security Council the Government of South Africa has taken fresh measures with a view to establishing the so-called "homeland" system and has put another eight Namibians on trial under South Africa's Terrorism and Suppression of Communism Acts.

8. As we all know, more than two years ago the General Assembly terminated the Mandate of South Africa over the Territory of South West Africa, as it was called at that time. Since the adoption of General Assembly resolution 2145 (XXI), the General Assembly and the Security Council have several times been compelled to face the deteriorating situation in Namibia. Ignoring the clear-cut decision of the world Organization, and disregarding world public opinion, the Government of South Africa has been intensifying its suppressive acts and its full-fledged policy of colonial arbitrariness, *apartheid* and racial discrimination against the people of Namibia. The Pretoria authorities have been going on with the forced implementation of their inhuman plans aimed at dividing that country, contrary to the interest and the will of the Namibian people.

9. The latest events in Namibia—the open violation of Security Council resolution 264 (1969)—show how far the South African colonizers dare go. Not only has the Government of South Africa failed to meet its international obligation under the Charter of the United Nations, but by its tenacious attitude and its stubborn refusal to abide by the resolutions of the world Organization, the Pretoria régime has declared political war on the United Nations.

10. Alone, South Africa could not be successful in pursuing a colonial war against the people of Africa and defying all the resolutions of the United Nations. The facts and experiences of the recent debates on Namibia, Southern Rhodesia, and the Portuguese aggression against Zambia have proved that in the southern part of Africa a military and political triangle has been set up by South Africa, Southern Rhodesia and Portugal. The members of that alliance carry out co-ordinated punitive operations

against the African peoples. The substantial financial and military assistance provided to South Africa by some major Powers against the clearly expressed wish of the United Nations shows convincingly the tragic line-up of forces against the people of Africa.

11. The Government of South Africa must bear full responsibility for the grave situation in Namibia, but all those countries which have provided direct or indirect support to Pretoria, helping its policy in contravention of international law and the United Nations Charter, have to share the grave responsibility for the deteriorating situation in that Territory.

12. It is the clear policy of my Government to use every available means to promote the total and definitive elimination of the colonial system. The representatives of Hungary in all international organizations of which my country is a member are always mindful of the letter and the spirit of General Assembly resolution 1514 (XV) and strive for its implementation. My delegation here is ready to vote for a resolution which would force—I emphasize the word “force”—the Pretoria Government to implement the United Nations resolution on Namibia.

13. At the same time, my delegation is aware of the fact that South Africa can defy United Nations resolutions because of the assistance given to it by its Western allies. Therefore my delegation urges all members of the Security Council to harmonize their deeds outside the United Nations with their statements made within it concerning their attitude toward South Africa.

14. The PRESIDENT (*translated from Spanish*): I wish to express special thanks to the representative of Hungary for the kind words he has addressed to me.

15. Mr. SOLANO LOPEZ (Paraguay) (*translated from Spanish*): Mr. President, first of all I should like to welcome you with great pleasure as President of the Security Council. We are quite sure that, in view of the country which you represent and your outstanding personal qualities, particularly your talent, tact and diplomatic experience, we have the best guarantee that you will guide our deliberations with the greatest success and impartiality. In expressing these feelings, I wish to reiterate that, in the discharge of your difficult duties, you will receive the fullest co-operation from my delegation.

16. I should also like, through you, to ask the representative of Senegal to transmit to Ambassador Boye, our President during the month of July—a month marked by intense activity on the part of the Council—our gratitude for the work which he performed with outstanding efficiency and which was, of course, crowned by well-deserved success.

17. With regard to the resumption of duties of our respected Secretary-General, I note that since the day before yesterday he has again occupied his seat in this Council, having completely recovered from the illness which kept him away for the last few weeks. I am pleased to endorse the words which you, Mr. President, addressed to him on behalf of us all at the 1494th meeting on

6 August. We are grateful to you, Mr. President, for having eloquently expressed our own feelings about U Thant.

18. I shall now turn to the item on our agenda. The series of meetings being held by the Security Council to consider the situation in Namibia was to be expected ever since the Council adopted resolution 264 (1969) on 20 March 1969. In operative paragraph 8 of that resolution, the Council decided that, in the event of failure on the part of the Government of South Africa to comply with their provisions of that resolution, the Council would meet again immediately to determine upon necessary steps or measures in accordance with the relevant provisions of the Charter of the United Nations. Familiar with the tradition established by the Government of South Africa in its reaction to the decisions adopted by both the General Assembly and the Security Council, we knew that it would once more disregard the request addressed to it by the Council and that sooner or later—and more likely sooner than later—we should therefore have to meet again to consider what new steps should be taken to ensure that South Africa withdraws its administration from Namibia, an administration which has become illegal since the adoption of General Assembly resolution 2145 (XXI).

19. Undoubtedly, the main significance of Security Council resolution 264 (1969) is the express recognition of the fact that the General Assembly considered the Mandate exercised by South Africa over Namibia as terminated and that the Assembly had assumed direct responsibility for the Territory until its independence. All the other provisions of resolution 264 (1969) have their legal basis in that recognition.

20. Our position in this matter is well known, since it has been set forth on many occasions. I think it will be sufficient to say now that resolution 264 (1969) and the two previous resolutions adopted in 1968 had our firm support and vote. The purpose of this debate is to consider what measures the Security Council can take to bring about compliance with resolution 264 (1969). We must add, with deep and sincere concern, that in the time which has elapsed since the adoption of that resolution the Government of South Africa has not only disregarded the request addressed to it but has aggravated an already serious situation by endorsing and applying other measures designed to consolidate its illegal occupation of the territory of Namibia and to create new and greater obstacles to prevent the people of Namibia from exercising their legitimate right to self-determination.

21. The real task facing the Council is to decide on the nature and scope of the new measures to be adopted, in conformity with the spirit and letter of resolution 264 (1969), to ensure that this resolution is fully implemented. We are not unaware of political realities; nor could we disregard them even if we wished. Those political realities mean that, for the time being, the courses of action open to us are necessarily limited. We may recall, in passing, that the opinions and the influence not only of a considerable number of members of the Council but of the large majority of the States Members of the United Nations have on the whole little effect on the conduct of the Government of South Africa. On the other hand, the influence of a

small number of Powers would, if exerted fully and in accordance with the decisions of the United Nations, be really effective in the exact sense of the word.

22. Moreover, we should not forget that each new resolution adopted must add new positive elements to the previous ones and must necessarily be more forceful than those which preceded it, while preserving as far as possible the general agreement concerning Namibia which has so far existed in this Council. On this last point, however, we must admit that one cannot wait indefinitely and that the people of Namibia have been waiting a very long time to exercise their undeniable right to determine their own national destiny, free from any kind of oppression and any kind of trammels such as those imposed on them forcibly by the Government of South Africa.

23. When I express these ideas I am hopeful and my hope is that expressed by the representative of Zambia at the 1492nd meeting, to the effect that during this debate we shall be offered: "... a more attractive alternative which should inescapably and effectively be aimed at compelling South Africa to comply with the General Assembly and Security Council decisions relative to Namibia".

24. The PRESIDENT (*translated from Spanish*): I wish especially to thank the representative of Paraguay for the kind words he addressed to me at the beginning of his statement.

25. Mr. C. M. CHANG (China): Mr. President, permit me on behalf of my delegation to extend to you our warmest congratulations on your assumption of the Presidency of the Security Council for the current month.

26. I wish also to express my delegation's appreciation for the effectiveness and skill with which Ambassador Boye of Senegal guided the Council's deliberations during the eventful month of July.

27. A little less than three years ago the General Assembly took it upon itself to make a historic decision on the future of South West Africa, which has since come to be known as Namibia.

28. In a resolution [2145 (XXI)] supported by an overwhelming majority of Member States of the United Nations, the General Assembly terminated South Africa's Mandate over Namibia and brought the Territory under the direct responsibility of this Organization. My delegation voted for the resolution and expressed the hope that the Government of South Africa would find it in its own interest to co-operate with the United Nations so as to enable Namibia, the only remaining Territory of the formerly Mandated Territories of Africa, to achieve independent statehood in a peaceful and orderly way.

29. The Government of South Africa, however, has refused to recognize the validity of General Assembly resolution 2145 (XXI). The United Nations Council for Namibia, established to administer the Territory until independence, has not been able to discharge the tasks entrusted to it by General Assembly resolution 2248 (S-V) of 19 May 1967.

30. The Security Council has on three previous occasions dealt with the question of Namibia. Twice in 1968 it was called upon to intervene in the case of Namibians charged with acts of terrorism. It was not until March this year, however, that the Security Council took it upon itself to pronounce upon the basic issue involved in this question. In resolution 264 (1969) it declared that:

"... the continued presence of South Africa in Namibia is illegal and contrary to the principles of the Charter and the previous decisions of the United Nations and is detrimental to the interests of the population of the Territory and those of the international community;"

Therefore it called upon South Africa to withdraw immediately from Namibia.

31. If, as has been said, it was too much to expect the Government of South Africa to withdraw immediately from the Territory, it was certainly not too much to hope that the Government of South Africa would show some deference to world opinion and at least meet the United Nations half way. But that has not been the case. The Government of South Africa not only has refused to comply with the provisions of resolution 264 (1969) but has actually challenged the right of the Security Council to concern itself with the Namibia question at all.

32. It was in the light of South Africa's defiance and non-co-operation that the eleven members of the Council for Namibia requested an urgent meeting of the Security Council. Over fifty Afro-Asian Members of the United Nations have since associated themselves with the request for urgent action by the Security Council to deal with the dangerous situation in Namibia.

✓ 33. That the continued illegal occupation of Namibia by South Africa must be brought to an end is a matter on which there has been virtual unanimity of opinion. But there has been wide disagreement on the question of how the United Nations can best discharge its responsibilities toward Namibia. On the one hand there are those who believe that only by resolute action by the Security Council under the provisions of Chapter VII of the Charter can the Government of South Africa be forced to bow to the authority of the United Nations. On the other hand there are those who counsel caution, believing, as they do, that the United Nations should never be saddled with tasks beyond its capability or beyond what the realities will allow.

34. The Security Council is thus faced with a most difficult problem. Should economic sanctions be applied against South Africa in order to convince that Government that unless it comes to terms with the United Nations it will have no economic future? Or should this Council be content with other procedures which are less drastic but which command the greatest support?

✓ 35. The Council is, of course, aware that mandatory economic sanctions cannot be effective without the full and whole-hearted support of those Western Powers that are in a special position to make significant contributions to enforcement action. Without their co-operation no enforce-

ment action can be effective. In the present case it is all too obvious that such co-operation is not forthcoming. In such circumstances the Council, should it decide to apply mandatory economic sanctions, runs the risk of raising hopes it cannot fulfil. That is a point that, I believe, we may do well to ponder.

36. My delegation, however, has consistently upheld the inalienable right of the people of Namibia to freedom and independence. We are ready to lend our support to any constructive and effective proposal best calculated to bring that about.

37. The PRESIDENT (*translated from Spanish*): I wish to thank the representative of China for the very kind words he addressed to me.

38. Mr. CHAYET (France) (*translated from French*): Mr. President, may I be allowed, first of all, to tell you how pleased my delegation is to see you, the representative of a neighbouring country, presiding over our work. You may rest assured of our fullest co-operation, especially as, for a very long time now, the Pyrenees have no longer existed between our countries.

39. I should also like to ask my colleague, the representative of Senegal, to be so good as to transmit to Ambassador Boye our warm and friendly thanks for the perfect way in which he discharged his onerous duties last month.

40. Finally, like my colleagues, I was glad to see the Secretary-General, now completely restored to health, resume his duties.

41. I now turn to the item on our agenda. The situation to which the members of the United Nations Council for Namibia have drawn the attention of the President of the Security Council is well known to all of us. It has been raised at every session of the General Assembly for over twenty years. Moreover, this Council examined it in detail barely four months ago. On that occasion [*1464th meeting*], the French delegation stated its position at length.

42. My delegation has always considered that it is the duty of South Africa to ensure the material and moral welfare of the people entrusted to it by the League of Nations and to promote the evolution which will lead them towards the exercise of their right to self-determination. Consequently, we have on many occasions expressed our disapproval of the extension to a territory with international status of a discriminatory and repressive policy which is contrary to the spirit of the Mandate and towards which France has always been ill-disposed. My delegation has been equally clear in expressing its opposition to any initiative by the Pretoria Government aimed at dividing the Territory, against the will of its inhabitants, or incorporating it in the Republic of South Africa. Aware of the responsibility which rests with the United Nations in this matter, my delegation has, as stated in the General Assembly on 7 October 1968 by the French Minister for Foreign Affairs, always been: "... ready to take part in the search for any solution likely to restore the rights and dignity of the peoples who have for too long been denied them."¹

¹ See *Official Records of the General Assembly, Twenty-third Session, Plenary Meetings*, 1683rd meeting.

43. We have, however, been obliged to express doubts about certain initiatives of the General Assembly. However generous the feelings which motivated the Assembly, my delegation could not, in particular, conceal its reservations about resolution 2145 (XXI), which in our view is legally unsound and could clearly not be implemented. In March 1969, when the Council was asked to deal with a problem whose solution still seemed as far away as ever, my delegation expressed the hope that this body, having learnt from experience and being well aware of the limits of its possible action, would refrain from embarking in its turn upon a course which would obviously lead nowhere.

44. In these circumstances, France had to abstain in the vote on resolution 264 (1969) of 20 March 1969. It may be worth mentioning in this connexion that this resolution was not adopted unanimously. Perhaps it may also be in order to stress that, although a majority supported this resolution, even at the time of the vote it appeared that somewhat differing views had been expressed about the practical measures which could be taken for its implementation in the likely event that the Pretoria Government refused to comply.

45. Since then, the situation has hardly developed as the international community could wish. While renewing their offer to receive a representative of the Secretary-General—on their own terms, it is true—the South African authorities have, in their letter of 30 April 1969, maintained the position which they had already stated on 27 March 1968.

46. Moreover, the present trial at Windhoek of eight inhabitants of the Territory, charged under the highly questionable Terrorism Act, is a sad echo of the Pretoria trial which, a year ago, led the Council to adopt unanimously resolutions 245 and 246 (1968).

47. Furthermore, there are consistent reports that the initiatives of our Organization are arousing growing scepticism in Africa among the most politically involved elements of the population.

48. My delegation does not think such scepticism is justified. We consider that the United Nations can and must contribute effectively to the solution of the problem which is once again before us. It would be advisable, however, for the United Nations to take a realistic view of the situation and suit its actions to its possibilities. Our present debate would be fruitful if it could guide our steps towards this modest but reasonable course.

49. These considerations will determine my delegation's position on any texts to be submitted to the Council.

50. The PRESIDENT (*translated from Spanish*): I thank the representative of France for the kind words he has spoken about me in his statement.

51. Following consultations with the members of the Council and if no other representative wishes to speak, I shall adjourn the meeting. The next meeting of the Council will be held on Monday, 11 August, at 3 p.m.

The meeting rose at 12.40 p.m.