

UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-SIXTH YEAR

1583rd MEETING: 27 SEPTEMBER 1971

NEW YORK

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FIFTEEN HUNDRED AND EIGHTY-THIRD MEETING

Held in New York on Monday, 27 September 1971, at 12 noon

President: Mr. Toru NAKAGAWA (Japan).

Present: The representatives of the following States: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syrian Arab Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1583)

1. Adoption of the agenda.
2. The situation in Namibia:
 - (a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, the Central African Republic, Chad, the Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, the Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Morocco, the Niger, Nigeria, the People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, the United Republic of Tanzania, the Upper Volta and Zambia (S/10326);
 - (b) Report of the *Ad Hoc* Sub-Committee on Namibia (S/10330).

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:

- (a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, the Central African Republic, Chad, the Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, the Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Morocco, the Niger, Nigeria, the People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, the United Republic of Tanzania, the Upper Volta and Zambia (S/10326);
- (b) Report of the *Ad Hoc* Sub-Committee on Namibia (S/10330)

1. The PRESIDENT: The Security Council has just inscribed on its agenda the item entitled "The situation in Namibia" and has done so in response to the request submitted by 35 African Member States in their letter to

me dated 17 September 1971 [S/10326]. I am informed that the representative of Swaziland has become a co-signatory of this letter.

2. The letter signed by the representatives of African Member States contains a request that the Council be convened today in order to enable His Excellency Moktar Ould Daddah, current Chairman of the Organization of African Unity, to participate personally in the debate in the Security Council. It is a pleasure for me, on behalf of the Security Council, to invite the President of the Islamic Republic of Mauritania, His Excellency Moktar Ould Daddah, to take a seat at the Council table and to address the Council on the subject before it in his capacity as the Chairman of the eighth session of the Assembly of Heads of State and Government of the Organization of African Unity.

Mr. Moktar Ould Daddah, President of the Islamic Republic of Mauritania and Chairman of the eighth session of the Assembly of Heads of State and Government of the Organization of African Unity, was escorted to the Security Council table.

3. The PRESIDENT: I call on President Moktar Ould Daddah.

4. President OULD DADDAH (*interpretation from French*): Taking the floor at this meeting of the Security Council held at the request of the Organization of African Unity—of which I have the honour to be the Acting President—on behalf of the Heads of State and Government of members of the Organization of African Unity, I should like to express my sincere thanks to this august body for the speed with which it acceded to our request.

5. As the Security Council knows, our request concerned examination of the grave situation obtaining in Namibia because of the contumacious refusal by the authorities of South Africa to implement the imperative resolutions of the General Assembly and the decisions of the Security Council to speed up the process of decolonization in that part of our continent.

6. I have been charged by the eighth session of the Conference of Heads of State and Government of the Organization of African Unity to head a delegation composed of the Foreign Ministers of Ethiopia, Liberia, Nigeria, Sudan and Chad to discuss with the Security Council the most appropriate means of implementing all the decisions of the General Assembly and the Security Council, particularly in the light of the legal obligation incumbent upon

the international community under the recent Advisory Opinion of the International Court of Justice.¹

7. I should like to say at the outset that the Organization of African Unity welcomed with satisfaction the conclusions of the International Court of Justice declaring the continued presence of South Africa in Namibia to be illegal, and according to which South Africa must immediately put an end to its administration and, consequently, to the occupation of the Territory of Namibia.

8. I should like to recall here that Namibia is one of the Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the United Nations in 1960 applies. That was why in 1966 the General Assembly, seriously concerned at the evolution of the situation in Namibia, adopted resolution 2145 (XXI) ending South Africa's Mandate over the Territory because, according to paragraph 3:

"South Africa has failed to fulfil its obligations in respect of the administration of the Mandated Territory and to ensure the moral and material well-being and security of the indigenous inhabitants of South West Africa and has, in fact, disavowed the Mandate".

9. The United Nations had then to fulfil the obligations incumbent upon it by adopting the measures necessary for the transfer of power to the indigenous population in Namibia. To that end, on 19 May 1967 the General Assembly adopted resolution 2248 (S-V), creating a United Nations Council for Namibia composed of 11 members. In the same resolution, the General Assembly requested the Council for Namibia to proceed to South West Africa with a view to taking over the administration of the Territory and ensuring the withdrawal of South African police and military forces and to legislate until a legislative assembly was established following elections conducted on the basis of universal suffrage and to undertake consultations with the people of the Territory in order to draw up a constitution and to transfer all powers to the people of Namibia upon the declaration of independence. The General Assembly further decided that Namibia should become independent on a date to be fixed in accordance with the wishes of the people. The Council for Namibia was also invited to do all in its power to ensure that Namibia acceded to independence by June 1968 and therefore to undertake measures that would permit that Council to fulfil its responsibilities.

10. On 16 December 1967, in its resolution 2325 (XXII), the General Assembly condemned the refusal of South Africa to comply with the terms of those resolutions and declared that the continued presence of South African authorities in South West Africa was a flagrant violation of its territorial integrity and international status. The Assembly once again urged the South African Government to withdraw from the Territory unconditionally and immediately, and invited all Member States, particularly the main

trading partners of South Africa and those having economic and other interests in Namibia, to take such measures as it felt necessary in order to put an end to the illegal administration of South Africa in the Territory. The General Assembly also requested the Security Council to take effective steps to enable the Council for Namibia to fulfil all its functions and responsibilities.

11. Previously, in its resolution 2324 (XXII), the General Assembly had condemned the South African Government for the arrest, deportation and illegal trial in Pretoria of 37 Namibians in flagrant violation of their rights, of the international status of the Territory and of resolutions of the United Nations. However, the South African Government, ignoring that resolution, tried the prisoners under the terms of the so-called Terrorism Act of 1967 and the Suppression of Communism Act of 1960.

12. In 1968 the Security Council met several times to study the consequences of the illegal trial of 37 Namibians. It was in the course of those meetings that resolutions 245 (1968) and 246 (1968) were adopted condemning the refusal of the Government of South Africa to comply with the provisions of the above-mentioned General Assembly resolutions. The Council further invited that Government immediately to stop the illegal trials, to release the prisoners and to ensure their repatriation. The Council also requested Members of the United Nations to co-operate with it in accordance with the obligations incumbent upon them under the Charter, to ensure compliance by the Government of South Africa with the provisions of the various pertinent resolutions.

13. Unfortunately, despite the resolutions of the General Assembly and the Security Council the South African authorities continued their illegal trials and condemned 33 of the prisoners to various terms of imprisonment.

14. Having studied the report of the Council for Namibia, and particularly South Africa's decision to impose *apartheid* and so-called bantustans on the Namibian people, the General Assembly declared that the continued occupation of Namibia by South Africa despite United Nations decisions was a serious threat to international peace and security. The Assembly also condemned the actions of certain Member States which by maintaining their political, military and economic co-operation with South Africa encouraged it to defy the authority of the United Nations and to hinder Namibia's accession to independence.

15. Following the promulgation by the South African Government of the South West Africa Affairs Act of 1969, which assured the *de facto* transfer of administrative, legislative and financial powers to the Government of Pretoria, thus reducing the status of the Territory to that of a simple South African province, the Security Council, on 12 August 1969, adopted its resolution 269 (1969), in which it decided that "the continued occupation of the Territory of Namibia by the South African authorities constitutes an aggressive encroachment on the authority of the United Nations". The Council therefore set the deadline of 4 October 1969 for the withdrawal of South Africa from the international Territory of Namibia.

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.*

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16. On 30 January 1970, long after the expiration of that deadline, the Security Council created a sub-committee to study, with the Secretary-General, means of implementing the Security Council resolutions on Namibia. The Sub-Committee, comprising the 15 members of the Security Council, drafted a report [S/9863] proposing possible means of action. At its meeting of 29 July 1970, the Security Council then adopted resolution 283 (1970) calling upon all States to undertake a series of measures to suspend all diplomatic and economic relations with South Africa and to address to that country a formal declaration indicating their belief that the continued presence of South Africa in the Territory of Namibia was illegal.
17. Thus far, I have endeavoured to draw the Security Council's attention to the fact that since 1960 the South African Government has constantly violated all the pertinent resolutions of both the General Assembly and the Security Council. Now that the International Court of Justice has handed down an Advisory Opinion, as requested in resolution 284 (1970), categorically stating that the continued presence of South Africa in Namibia is illegal and that it must immediately withdraw its administration and end its occupation of that Territory, the Organization of African Unity is asking the Security Council to apply the pertinent provisions of Chapter VII of the United Nations Charter against the Government of South Africa for its persistent refusal to turn the administration of Namibia over to the United Nations. In other words, the Security Council should insist upon and secure the immediate and unconditional withdrawal of South Africa's illegal administration from the international Territory of Namibia. When the Security Council has unhesitatingly and without delay resolved to take this necessary step against the Government of South Africa, then the United Nations, in consultation with the Namibian people and the Organization of African Unity, should undertake to create the conditions necessary for the declaration of Namibia's independence as a sovereign State in which the Namibians and they alone will be masters of their destiny.
18. The Organization of African Unity is asking the Security Council to go beyond mere declarations of principle, that have little influence on the facts of the situation: it wants practical action on the spot to put an end to the occupation of this international Territory by a foreign Power.
19. We are fully aware of the difficulties in implementing the terms of Chapter VII of the Charter, but South Africa's challenge today to the international community may shatter the very basis of our Charter and be a real threat to international peace and security. There should therefore be no hesitation about studying the ways and means available for putting an end to the illegal occupation of Namibia by the racist régime of Pretoria.
20. With the assistance of the Secretary-General, Thant—and I wish once again to assure him of Africa's absolute confidence in his courage, his far-sighted generosity and his exemplary devotion to the cause of the United Nations, of justice and peace in the world, as evidenced by the outstanding service he has rendered the international community over the past ten years—the Security Council should immediately take the necessary steps to create conditions allowing the Namibian people freely to exercise their right to self-determination.
21. The international community should be called upon to strictly apply whatever political, economic and military sanctions may be dictated by the circumstances given the ill will of the racists of Pretoria.
22. I could not make this contribution to your debate without stressing how greatly the general responsibility for justice and peace in the world rests especially on the great Powers, particularly the permanent members of the Security Council. For we know that if South Africa continues to defy the decisions of the international community with impunity, that if Portugal is carrying on a series of colonial wars that call for means well beyond its own potential, and that if Israel, finally, continues to mock the United Nations and world opinion, we know that this is possible only because they are all supported by the great Powers. After all, it is obvious that if the great Powers were to agree on a solution, they do possess the effective means of ensuring its full implementation. But if they are willing to agree to help us only in so far as such help does not in the end disturb what they consider to be their interests, then we shall know full well that the great and noble principles everyone is happy to affirm will long remain but vain ideals.
23. Of course, it might be said in reply that everything does not depend solely on the will of the great Powers, far from it. No question, and we are the first to concede the point. We are the first to admit that no viable and lasting settlement can be imposed from without. But we also know that the great Powers are in a far better position than anyone else to pursue the search for constructive solutions to the many difficult problems of the world. More, we feel they would have a far nobler role to play in the concert of nations if they would place their full weight on the side of justice and peace in the world.
24. And, to revert to the crucial problem which concerns us today and that we have just brought before the Security Council, we believe that the great Powers have a particular responsibility in the settlement of the question of Namibia. Not only because, when all is said and done, this falls squarely within the purview of the United Nations, but also because no one except those who cling to injustice and oppression, can urge differences in Africa as justifying any reservations whatsoever as to the objective pursued or the means appropriate to securing the restoration to the Namibian people of their inalienable rights to self-determination, independence and national sovereignty. Be that as it may, for all the reasons that I have adduced, the African peoples and their Governments, whose eyes today are turned to this meeting of the Security Council, make a pressing and anguished appeal to each member of this Council individually and to the Council as a whole, as the supreme organ of the United Nations, that it employ all necessary means of compelling the South African Government to bow to the unanimous will of the international community and immediately withdraw its administration from Namibia.
25. For the Africans and their friends all over the world, just as for all peace- and justice-loving men who respect the

principles of human equality and dignity, the debate beginning today is a prime test of the political and moral authority of the United Nations as a whole, and the will of the great Powers in particular, in the matter of decolonization. Never before has so clear a situation, in the crucial field of decolonization, been brought before the conscience of the members of this Council; for the entire gamut of the competent organs of the United Nations, the General Assembly, the Security Council and the International Court of Justice, having unequivocally spoken, you today have the overwhelming and historic responsibility of turning to deeds and telling the world whether this Council is or is not, desirous and capable of ensuring that the principles, the objectives and the decisions of the United Nations are respected.

26. The question of Namibia, which has been on the agenda of various United Nations bodies since 1946, is today in its final phase. The international community therefore stands with its back to the wall and can withdraw no further. Any efforts to reopen the debate must be rejected. Now is the time for courageous and concrete action.

27. It is the duty of the Security Council to assume its responsibilities without the least procrastination. But it is above all the permanent members of the Security Council—the United States of America, the Soviet Union, France and the United Kingdom—on which Africa today calls to put an immediate end to the martyrdom of the Namibian people and, beyond Namibia, to find a peaceful, just and lasting solution to the explosive situation threatening not only the stability, dignity and progress of southern Africa, but international peace and security as well.

28. We hope that this special responsibility will remain uppermost in the mind of each member of the Council throughout these decisive deliberations, the conclusions of which, whatever they be, will mark a turning point in the life of the United Nations.

29. In any event, the Organization of African Unity, which intends to assume its full responsibilities in this matter, is beginning by placing its trust in the wisdom and in the spirit of justice and equity of your Council, as the supreme instrument for the safeguarding of international peace and security. It is within this context that the Foreign Ministers of Sudan, Liberia, Nigeria, Ethiopia and Chad will, on behalf of Africa, undertake this vital debate to defend—with sincerity and courtesy, to be sure, but also with the determination dictated by the justice of our cause and by our profound conviction that the time has come to act once and for all—to defend, I say, the African case for Namibia. In fulfilling the noble mission thus entrusted to them by the Organization of African Unity, they will be defending not only the sacred cause of freedom, dignity, and the higher interests of the Namibian people, but also the principles, objectives, and the political and moral authority of the United Nations. In that noble mission, may they benefit from the unanimous understanding and support of the members of the Security Council so that a new page may be turned in the process of banishing from the continent of Africa the train of humiliations, sufferings and injustices inherent in colonial occupation and racial oppression.

30. In any event, Mr. President, Mr. Secretary-General, Excellencies, it is my most fervent wish, which I address to you with trust and hope on behalf of the Heads of State and Government, members of the Organization of African Unity, that the historic debate now beginning may be crowned with total success in the single and indivisible interest of Africa and the international community, of which the United Nations, in our eyes, constitutes at one and the same time the supreme conscience and guarantee.

31. The PRESIDENT: I thank President Moktar Ould Daddah for his statement.

The meeting rose at 12.45 p.m.