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**1823<sup>rd</sup>** MEETING: 30 MAY 1975 UN/SA COLLECTION

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### NOTE

Symbols of United Nations **documents** are composed of capital letters combined with **figures**. Mention of such a symbol indicates a reference to a United Nations document.

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

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

## 1823rd MEETING

Held in New York on Friday, 30 May 1975, at 3.30 p.m.

**President: Mr. Shridath S. RAMPHAL** (Guyana).

**Present:** The representatives of the following States: Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania and United States of America.

### Provisional agenda (S/Agenda/1823)

1. Adoption of the agenda
2. The situation in Namibia

*The meeting was called to order at 4.20 p.m.*

#### Adoption of the agenda

*The agenda was adopted.*

#### The situation in Namibia

1. The PRESIDENT: I have received from the representatives of Burundi, Ghana, India, Liberia, Nigeria, Senegal, Somalia and Zambia letters containing requests that their respective delegations be invited, in accordance with the relevant provisions of the Charter and rule 37 of the Security Council's provisional rules of procedure, to participate in the debate. Accordingly I propose, in conformity with the usual practice and with the consent of the Council, to invite the aforementioned representatives to participate in our discussion without the right to vote.

2. In view of the very limited number of seats available around the Council table, I am obliged regretfully to resort to the usual practice followed on such occasions, and request the representatives of the aforementioned delegations kindly to take the places reserved for them at the side of the Council chamber. It is understood, naturally, that I shall invite them to take places at the Council table when they wish to address the Council.

*At the invitation of the President, Mr. Ndabaniwe (Burundi), Mr. Boaten (Ghana), Mr. Jaipal (India), Mr. Dennis (Liberia), Mr. Ogbu (Nigeria), Mr. Fall (Senegal), Mr. Hussein (Somalia) and Mr. Mwaanga (Zambia) took the places reserved for them at the side of the Council chamber.*

3. The PRESIDENT: I have also received a letter, dated 29 May 1975, from the President of the United Nations Council for Namibia. It reads as follows:

"Taking into account its special responsibilities for the international Territory of Namibia as **set forth** in General Assembly-resolutions; the United Nations Council for Namibia wishes to participate in the forthcoming meeting of the Security Council on the question of **Namibia**. The Council will be represented by- the following delegation: **Mr. Banda** (Zambia), President of the United Nations Council for Namibia; Mr. S. A. Karim (Bangladesh); Mr. **Petrić** (Yugoslavia); Mr. Fonseca Martinez (Colombia), and Mr. Talvitie (Finland)."

4. It may be recalled that on previous occasions when it was considering the situation in Namibia, the Council extended invitations to representatives of the United Nations Council for Namibia, in particular at its 1811th meeting on 17 December 1974, at its 1756th meeting on 10 December 1973 and at its 1656th meeting on 31 July 1972. Accordingly I propose that the Council extend **an invitation**, pursuant to rule 39 of its rules of procedure, to the President and the members of the delegation of the United Nations Council for Namibia. As there is no objection, I take it that the Council agrees with my proposal. I therefore invite **the President** and the members of the delegation of the United Nations Council for Namibia to take **places** at the Council table.

*At the invitation of the President, Mr. Banda (President of the United Nations Council for Namibia) and the members of the delegation took places at the Council table.*

5. The PRESIDENT: I also wish to inform members of the Council that I have received a letter, dated 30 May 1975, from the representatives of Mauritania, the United Republic of Cameroon and the United Republic of Tanzania [S/11705], which contains a request that the Security Council extend an invitation under rule 39 of the provisional rules to Mr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO), and his delegation. If I hear no objection, I shall take it that the Council is agreeable to extending **the invitation** under rule 39 of the rules, as requested.

*It was so decided.*

6. The PRESIDENT: I shall invite Mr. Nujoma at the appropriate moment to address the Council.

7. The PRESIDENT: It will be recalled that when the Security Council last considered the situation in Namibia [1811th meeting], in December 1974, it adopted resolution 366 (1974) by which it decided, among other things, to meet on or before 30 May 1975 for the purpose of reviewing South Africa's compliance with the terms of that resolution. The text of resolution 366 (1974) was transmitted by the Secretary-General to the Minister of Foreign Affairs of South Africa immediately upon its adoption by the Security Council. In reply the Minister of Foreign Affairs of South Africa addressed a letter &td 27 May 1975 [see S/11701] to the Secretary-General. This communication was transmitted to me by the Secretary-General.

8. The first speaker is the President of the United Nations Council for Namibia, on whom I now call.

9. Mr. **BANDA** (President of the United Nations Council for Namibia): First of all, on behalf of the delegation of the United Nations Council for Namibia, I wish to express our great pleasure at seeing you, Mr. President, preside over this meeting of the Security Council. We are pleased that you are doing so for two reasons. First, you represent Guyana, a member of the Council for Namibia and a country which has in every practical way possible demonstrated its strong commitment to the cause of the Namibian people. In fact, Guyana has taken this cause and that of the total liberation of southern Africa as its own. Secondly, you personally, Mr. President, are very familiar with the question of Namibia and have long been identified as a friend and active supporter of the struggling masses of that country. In this regard we recall with particular satisfaction your distinguished presidency of the Council for Namibia during 1974, a year of great accomplishments.

10. We realize that this is your last day as President of the Security Council. That would be reason for sadness on our part if it were not for the fact that we believe strongly that the end result of this debate will be influenced not only by the conduct of this particular meeting but also by the thorough and protracted preparations you made for it.

11. With your kind permission I should also like to thank the members of the Security Council for the courtesy they have done the Council for Namibia in allowing my delegation to be the first to speak. This is a fitting recognition by the Security Council of the special responsibility of the Council for Namibia.

12. Conscious of our special responsibility, we take this debate of the Security Council very seriously. We know that the Security Council, more than any other organ of the United Nations, has the power to assist us to assume fully all the duties entrusted

to us by the General Assembly. The Charter of the United Nations confers upon this august body special powers which no other organ of the United Nations enjoys.

13. We are assembled here today to consider whether or not the South African Government has complied with the terms of Security Council resolution 366 (1974), and particularly with paragraphs 3 and 4. Paragraph 3 calls for a solemn declaration by South Africa that it will comply with United Nations resolutions, particularly with regard to respect for the territorial integrity of Namibia. Paragraph 4 calls upon South Africa to take steps to withdraw from Namibia.

14. No doubt all the members of the Security Council have seen and studied the letter from the South African Minister of Foreign Affairs, addressed to the Secretary-General [ibid.]. This is South Africa's formal reply to resolution 366 (1974). The members of the Security Council will have seen the reproduction of part of the statement made by the Prime Minister of South Africa in Windhoek, Namibia, on 20 May 1975.

15. We in the Council for Namibia have carefully studied both the letter of the Minister of Foreign Affairs of South Africa and the extracts from the statement of his Prime Minister. It is of course for the Council to draw appropriate conclusions from its own careful study of the two texts which, I must hasten to add, are in the same vein. But we in the Council for Namibia were anxious not to misinterpret the message from South Africa. Since it seemed to us that the relevant part of the statement of the Prime Minister of South Africa delivered in Windhoek was couched in ambiguous terms—and this is true also of the letter from the Minister of Foreign Affairs—we immediately sought clarification on two cardinal points at a press conference I gave 23 May 1975; first, on the meaning of the term "territorial integrity" of Namibia, with which South Africa says it agrees, and, secondly, on whether the pronouncement that South Africa does not claim an inch of Namibian territory means it is willing to withdraw. The necessity of our asking those questions would not have arisen if the South African authorities had been categorical and unequivocal in declaring their position. Indeed, that is what was expected of them.

16. On 27 May the South African Minister of Foreign Affairs referred to my press conference in New York and issued a press release in Cape Town, in which he attempted to give some clarification. He stated, with regard to territorial integrity, that that was just one of the options open to the Namibian people. With regard to withdrawal, he stated that it would be highly irresponsible of his Government to withdraw without considering the wishes of the peoples concerned—'peoples', the plural form of the world, I must add.

17. I have given the Council the foregoing brief account of the attempts of the Council for Namibia

to seek clarification from South Africa on its position with regard to Namibia in the hope that this additional information will facilitate your own reading of the position of that country regarding Namibia. As I said earlier, the Security Council will, of course, draw its own conclusions. We in the Council for Namibia have concluded, after a patient analysis of the statements from South Africa—including attempts to seek clarification—that South Africa has in fact rejected paragraphs 3 and 4 of Security Council resolution 366 (1974).

18. It is to us strange logic indeed that South Africa should reject any special role for SWAPO, yet at the same time express a willingness to hold discussions with the Secretary-General, with the President of the Council for Namibia-whom, in characteristic *apartheid* fashion, they call “African Chairman”, as if there were a European Chairman of the same **Council**—and with the Special Committee on Namibia of the Organization of African Unity (OAU).

19. In other words, South Africa is willing to deal with the United Nations and the OAU over Namibia. But it is a fact—and South Africa knows this—that both the United Nations and the OAU recognize SWAPO as the authentic and only representative of the people of Namibia. In view of the identity of views between SWAPO and the two organizations, one fails to see how its exclusion from any contacts with South Africa over Namibia by the United Nations and the OAU would make any difference in regard to the questions that have to be settled. The substantive question, therefore, remains whether or not South Africa is ready and willing to accept the position of the United Nations over Namibia, which is also **SWAPO’s**, and to enter into meaningful discussions for peaceful change.

20. By trying to discriminate against SWAPO, South Africa is conveniently avoiding the basic issues, which are the self-determination, independence and territorial integrity of Namibia; and by so doing, it is strengthening the position of the so-called true leaders, who in fact *agree* with it on the policy of *apartheid* and Bantustans. Indeed, we note with amusement that, in expressing its willingness to discuss with the United Nations and the OAU, South Africa stresses that, in the event of any discussions taking place, it would wish to invite the so-called “true leaders” of Namibia to participate. These so-called “true leaders” are what we in the United Nations have always regarded as stooges and puppets of the South African *apartheid* machinery. We maintain that they do not at all represent the true aspirations of the people of Namibia. Quite obviously there is a dispute between us and South Africa as to who the true leaders of the people of Namibia are. So, if South Africa would prefer SWAPO to be excluded from the discussions, what justification has it for suggesting that we should talk to the so-called “true leaders” of the Namibian people whom we do not recognize as such?

21. South Africa also claims to be fostering better understanding among “all the peoples” of Namibia. In this connexion it cites the adoption of a motion by the so-called Legislative Assembly in Windhoek on 21 March 1975, supporting endeavours by its “Executive Committee” to promote good human relations, peaceful coexistence and human dignity among all the inhabitants of the Territory and requesting it—that is, the Executive Committee—to give attention to measures and practices standing in the way of the advancement of good relations between black and white. Cited also in this regard is the repeal on 9 April 1975 of “various proclamations” long in force in the Territory on grounds that either they were obsolete or that they embodied restrictive or discriminatory aspects.

22. First, the very use of the word “peoples” is not compatible with any genuine spirit or endeavour in this connexion, in our opinion, for this very term is divisive and smacks of a refusal to recognize and treat human beings purely as such, without regard to their race or colour. Secondly, we in the Council for Namibia know that the so-called attempts being made are nothing more than window dressing. They relate only to what is called petty *apartheid*. But the issues involved are more fundamental than allowing blacks and whites to sit on the same benches in parks or to go to the same hotels. The black people of Namibia are not asking for favours from the whites. They are demanding their birthright. Such *manœuvres* by South Africa only demonstrate a lack of seriousness on its part to find a peaceful solution to the problem of Namibia. It is also a false and dangerous illusion, for the problem cannot be resolved in this manner.

23. We have been told that South Africa continues to occupy Namibia because the people of that Territory so wish. This, too, cannot be a serious argument. We see absolutely no justification for any such claim; for the people of Namibia have never at any time been given the opportunity to choose their own **government**. As is well known, South Africa has continued to foster its policy of Bantustans in Namibia. The so-called elections which have taken place have never been on a national scale. They have been confined to Bantustans and, because of their very nature and purpose, they have been boycotted by the political parties.

24. If the South African Government would genuinely like the people of Namibia to determine their future, as it claims, it should immediately allow normal political activities to take place in the country, release all political prisoners and declare an unconditional amnesty for all political exiles to return home. It should also agree to a United Nations supervised national election in Namibia. There can **be** no valid reason for the rejection by South Africa of United Nations supervision of such an election. Fair play in the election can only be guaranteed in

this way. If South Africa has **nothing** to hide, this surely should not be a **contentious** point. South Africa **has**, therefore; yet to demonstrate its willingness to see peaceful change **in** Namibia. It **can do** this by agreeing to the foregoing.

25. We have been told that sudden South African withdrawal from Namibia would result in chaos in that country. We need not be reminded of this, for it is exactly the possibility of chaos **that** we want to prevent. The process of **decolonization** demands that there be an orderly transfer of power.. Indeed, to cite **recent** examples, this has been- the case in the ex-Portuguese Territories. Whether or not this will happen in Namibia is entirely up to South Africa itself. It could make **it** happen **by** solemnly declaring its intention to withdraw from Namibia and then agreeing to co-operate with **the** United Nations Council for Namibia to ensure a smooth withdrawal.

26. The manner in which South Africa is conducting itself in this situation can indeed- only result in chaos; for the **people of** Namibia, all peaceful efforts having failed, will fulfil 'their obligation to liberate their country through the only means left to them, that is, armed struggle. If, therefore, South Africa **persists** in its refusal to co-operate with the United Nations, we **are bound to witness** an intensified armed struggle by the people of Namibia, under the leadership of SWAPO. In **this connexion**, it should be pointed out in all candour that the map of southern Africa is no longer the time. Positive changes have taken place, and the situation cannot be reversed. The inevitable, namely the independence of Namibia, is bound to come. The only question is whether it comes through violence or through peaceful means. Recent events in **Indo-China** testify to this fact. So it should be understood by South Africa that **when** the international community encourages peaceful change, it is not doing so from a position of weakness. It is only a genuine attempt to avoid, if possible, the unnecessary loss of life. In this connexion, South Africa would be well advised to regard the Council for Namibia **as a positive factor in the situation**.

27. As I mentioned earlier, the Council for **Namibia** attaches great importance **to** this meeting of the Security Council, and we shall anxiously await its results. Our interest in the results stems mainly **from** the knowledge that the Council -adopted resolution 366 (1974) unanimously. By deciding to **consider** further measures that might be taken in the absence of South African compliance with the provisions of that resolution, the Security Council no doubt envisaged those measures within its competence which can compel South **Africa** to withdraw **from** Namibia. Since South Africa has not complied with the provisions of resolution 366 (1974), **at** least in the judgement of the Council for Namibia, the Security Council **is** under obligation to act decisively and, we hope, with the same unanimity with **which** it adopted the said resolution; for the issue at hand also

has to do with the credibility of the Security Council now and in the future.

28. For its part, the Council for Namibia **stands** ready to co-operate with the Security Council in every way possible. **We** remain available for any **consultations** that you, Mr. President, and the members **of** the Security Council may wish to hold **with** us.

29.. By way of concluding, I wish to reiterate **the** position of the Council for Namibia which I have attempted to make clear in this statement. In summary, as far as the Council for Namibia is concerned, South Africa must do the **following**: first, declare its unequivocal acceptance of selfdetermination and independence **for** Namibia; secondly, accept the territorial integrity of Namibia and prescribe a **solution** that will retain the unity of the **Territory as a whole**; thirdly, allow SWAPO total political freedom of **movement** so as to enable that organization to demonstrate that its support does not lie merely within the Ovambo tribe, as is alleged, but that it lies in the whole country; fourthly, immediately and totally abandon all aspects of the extension of **apartheid** in Namibia, including its police brutality; **fifthly**, implement with integrity and honour the decision to give independence to Namibia, **and not** grudgingly so, for this could only result in the loss of the good will of the world; **sixthly**, accept the United Nations role to ensure a fair national election in that **Territory**.

30. As far as **we** in the Council for Namibia are concerned, our willingness to resolve the question of Namibia will depend on South Africa's willingness to discuss with us on the basis **of** the foregoing statements.

31. **The PRESIDENT**: The next **speaker** is **the representative** of Somalia, whom I **invite** to take a seat at the Council table and to make his statement.

32. Mr. HUSSEIN (Somalia): Mr. President, on behalf of the current Chairman of the OAU **Major-General** Mohamed Siad Barre, **President** of the Supreme -Revolutionary Council of the Somali Democratic Republic, I am particularly **happy** to see you **holding the office** of President of the **Security Council** for the current month. Your skill and long experience in the international forums of the world make you especially suited for the leadership of these deliberations of the Council. My delegation's regard for **you** is matched by the friendship with which our two countries have developed as fellow members **of** the non-aligned group of countries.

33. I am very-grateful to you and to the members of the Council for the opportunity to take part in this debate on the question of Namibia. My Government has long been concerned about the inability of the **United Nations** to end the unjust, racist and **illegal** administration of the Territory by South Africa. Somalia's chairmanship of the OAU for 1975 gives

my Government an added sense of its responsibility to participate in the debate on this **most** crucial stage of the Namibian **question**—a question which is of great importance and concern to the OAU.

34. The Namibian problem **has** been with the United Nations for far too long, so that not only the Security Council but the whole international community **is** looking forward to a speedy and just solution. This, of course, has always depended on the attitude of the South African Government, with which the United Nations has been exceedingly patient over the years. South Africa has had every opportunity to act in accordance with its responsibilities as a Member State and to give an unequivocal response to the United Nations resolutions on Namibia. As we know, its attitude in the past has always been one of contempt for international law.

35. We have studied carefully both the communication of 27 **May** from the South African Minister of Foreign Affairs to the Secretary-General and the annexed extracts from Mr. Vorster's Windhoek speech of 20 May [ibid.], which together constitute the South African Government's reply to Security Council resolution 366 (1974). Comparing **the contents** of that document with our expectations, we cannot hide our disappointment. We must, therefore, express our serious reservations on **a number of** fundamental questions.

38. **-The South African reply** ignores the political and constitutional framework that has been solidly established by the international community to provide the best guarantee that the legitimate aspirations of the Namibian people **will** be fully, freely, and peacefully achieved. South Africa's present position cannot, in our view, be considered satisfactory **when** it denies that the United Nations has the right to exercise supervision over Namibia. If Mr. Vorster can ignore General Assembly resolution 2145 (XXI), which terminated South Africa's mandate, or the various Security Council resolutions which reinforced the assumption of responsibility for the Territory by the United Nations, the members of the **Council** certainly cannot, and should not, ignore their **existence**.

37. Mr. Vorster also continues to ignore the findings of the International Court of Justice, which stated in **paragraph** 133 of its Advisory Opinion that "the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the **Territory**".<sup>1</sup> The members of the Security Council all hold, I am sure, the highest regard and respect for the decisions of the International Court of Justice. They will recall, too, that the advisory opinion required all States, under Article 25 of the Charter, to support the United Nations in securing the withdrawal of the South African administration from Namibia.

38.. In the third paragraph **of** its letter [ibid.] in reply to resolution 366 (1974), the Government of Pretoria promises to the people of the Territory that it:

"is free **to campaign** for and propagate any **constitutional** changes it likes and to participate without hindrance in any **peaceable** political activities, including the election of representatives to the proposed conference on the constitutional future of the **Territory**, **provided** only that they do so within the requirements of law and order."

The conditional phrase "requirements of law and order" is **itself** enough to throw a shadow of doubt **since we** all know the repressive, brutal and discriminatory character of those laws under which the **people of** the Territory are required to operate.

39. It is pertinent to remind ourselves that the sole purpose of **the** decisions of the United Nations and **of** the International Court of Justice with regard to Namibia is to **help** the people of the Territory to **achieve** its independence, **since** the South African illegal administration not only failed to carry out its basic **obligations** in that regard but also imposed its uniquely inhuman form of racism on the people of that Territory.

40. In our **view**, **there has** been **no** fundamental change in this situation. Resolution **366 (1974)**, to which South Africa has now responded negatively, was framed in the context of the major decisions of the General Assembly, the Security Council and the International Court of Justice. It had the unanimous support of the Security Council, including **the** support of the five permanent members. The resolution demanded more than a **statement** offering no concrete evidence of a clear break with past and present policies. These policies, which still remain, have the effect of making Namibia a South African province; they subject the Namibian people to **apartheid**; through the monstrous Bantustan policy, which **amounts to a** fragmentation of the Territory, they inhibit the development of **the kind** of political and economic unity necessary for independent statehood, and they stifle the free expression of the political, social and economic aspirations of the people.

41. All we **have** to go on is **a** vague statement of intent without any evidence of fundamental changes in the present system which controls every aspect of the lives of the people of Namibia. The Pretoria regime has spared no effort in trying to convince the Council and the international community about the economic and social progress supposedly made in that Territory. It boasts of a **sizeable** number of nurses and other menial workers. It goes without saying that the training of **such** nurses and other menial workers was predicted on the luxurious living of the white settlers. We all know, for example, that the sole purpose behind the training of black nurses is for

them to serve white mothers as baby-sitters and nannies. The regime's own statistical &ta embodied in the document show glaringly after **50** solid years the absence of a single graduate of higher education among the indigenous inhabitants.

42. Even granting that, as claimed, there have been investments in services such as railways, roads, telephones, telegraph and radio installations, the question must be, "for whose benefits were these services created?" Definitely not for the benefit of the non-white people-at least not directly.

43. Furthermore, no programme for withdrawal has been presented or is projected. The operative phrases are such as "**as** soon as possible" or "in the near future". Most deceptive of all is the statement that "it is clearly for the people themselves to decide at what pace they wish to move"; a statement which takes no account of the effects of the neglect and oppression of the past 50 years.

44. The Government of Pretoria is attempting to disguise its real intentions in a display of ambiguities and vague statements. Many of us in this room have come from countries which have long struggled with foreign domination and we know very well the game of political chess which South Africa is now trying to play.

45. We are very much afraid that the reality beneath the statement of the Minister of Foreign Affairs consists of political manipulation by the illegal South African administration which will continue to impose a Bantustan framework on the proposed constitutional developments; which is still using its oppressive weight to slow down the pace of progress towards independence while claiming non-interference; and which is still trying to make maximum use of a minority group of carefully chosen tribal elders who depend on the illegal administration's payroll.

46. One cannot help but have doubt about the good faith of the South African Government when Mr. Vorster goes so far as to claim that South Africa does not occupy that Territory but is there at the request of its peoples. This statement makes a mockery of past history and present facts. South Africa was given the mandate over what was then South West Africa at a time when colonial peoples were not consulted about such arrangements. As we know, South Africa was the only Government to refuse to hand over its mandate to the United Nations Trusteeship System under which the Namibian people would have achieved independence a long **time** ago. The majority of the Namibian people today would certainly prefer to be relieved of *apartheid* and the forced migrant labour **system** which are the most obvious fruits of South Africa's illegal administration. Furthermore, the majority of the nationalist political parties, and the largest political **party—SWAPO**, which is recognized by the OAU and the General

Assembly as the legitimate representative of the Namibian people-all have as their goal the liberation of Namibia from South African subjugation.

47. Mr. Vorster has mentioned discussions on progress towards independence which might take place between the President of the Council for Namibia and the Special **Committee** of the OAU, on the one hand, and, on the other, the so-called "real leaders" of the Territory. As I have just noted, the General Assembly has already recognized the real leaders of the people of Namibia, and they are not the traditional clients of the South African administration whom Mr. Vorster would like to put forward. With regard to the proposed discussions, it is pertinent to note that the terms of operation of the OAU Special Committee are to make contact, if need be, solely on ways and means of transferring power to the Namibian people. Mr. Vorster's new approach is still very far away from the requirements of the **interna-**tional community for that transfer of power.

48. It is easy to discern when good faith with regard to the **decolonization** process is present or absent. The Portuguese Government has recently shown great openness, a willingness to act on the basis of United Nations principles and resolutions, and to co-operate closely with the leaders of the independence movements, and the clear intent of withdrawal. Good faith was present there, as demonstrated by Portugal. There are no comparable attitudes on the part of the South African Government.

49. The purpose of describing our serious reservations on South Africa's reply to resolution 366 (1974) is not to oppose through rancour or prejudice. Our overwhelming concern is for justice and freedom for the people of Namibia. We fear that the desire to end a long drawn-out and seemingly intractable problem might lead to the belief that what is only a change in form is really a change in substance.

50. We feel it our duty to emphasize three incontrovertible facts. First, South Africa has unequivocally reaffirmed its position of non-compliance with United Nations resolutions on Namibia and with the findings of the International Court. Secondly, it remains clear that the United Nations goal of enabling **the** people of Namibia to exercise their inalienable right freely and peacefully will only be achieved by the withdrawal of South Africa from the Territory. Thirdly, the adoption of resolution 366 (1974) was considered by the international community as the culmination of the long effort of the United Nations to an equitable solution to the question of Namibia.

51. Both the interests of the people of the Territory and the authority and credibility of the United Nations will be ill-served if yet another ultimatum **to** South Africa proves **to** be as empty and as futile as others have been in the past. We maintain that the Security Council has arrived at its moment of truth with regard



to the question of Namibia 'and that it must now consider what further effective measures it should take, in accordance with the relevant chapters of the Charter, to deliver the people of that Territory from the tyranny and oppression of South Africa's illegal occupation.

52. The PRESIDENT: The next speaker is the representative of Burundi, whom I invite to take a place at the Council table and to make his statement.

53. Mr. NDABANIWE (Burundi) (*interpretation from French*): Mr. President, on behalf of the Group of African States which I represent and on behalf of the delegation of my country of which I am head, it is my pleasure to congratulate you most warmly on your accession to the presidency of the Security Council. We all know that Guyana, which you so brilliantly represent, is profoundly devoted to the noble ideals of peace, freedom and justice to which our respective countries and the international community as a whole attach great importance. Those who have had an opportunity to know you have discovered and admired in you a man of wisdom, competence, and devotion, one who is perfectly familiar with the major problems of our times. I am convinced that you will acquit yourself of your heavy responsibilities with success and dignity, to the honour of your dear country and of the Security Council, to the great satisfaction of peoples that love peace and justice and for the greater well-being of the Namibian people.

54. The Security Council is meeting once again to consider the situation which has been created in Namibia as a result of the occupation of that country by the racist regime in South Africa. The position of the United Nations and its principal organs in regard to Namibia is known and clear.

55. The General Assembly, in its resolution 2145 (XXI), proclaimed at its 21st session the inalienable right of the Namibian people to freedom, independence and self-determination. It put an **end to** South Africa's Mandate over Namibia in the same **resolution** and placed that country under the direct responsibility of the United Nations. It has always insisted on respect for the territorial integrity of the Territory of Namibia.

56. In recalling resolution 2145 (XXI), my sole purpose is to remind the Security Council of the special obligations incumbent on the United Nations with regard to the Territory of Namibia. Other **resolutions** which have been adopted since then follow exactly the same direction; At its twenty-second session, the General Assembly adopted resolution 2372 (XXII), which declares that it

Territory's established international status constitutes a grave threat to international peace and security.\*

The Security Council, in its resolution 264 (1969):

*"Considers* 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.\*

Quite recently, the Security Council adopted resolution 366 (1974), in which it invited the Government of South Africa to make a solemn declaration addressed to the Security Council that it would in future comply **with** the resolutions and decisions of the United Nations and the advisory opinion handed down by the International Court of Justice in regard to Namibia.' The resolution also called on South Africa to recognize and respect the territorial integrity and unity of Namibia.

57. Far from complying with the will of the Council, the South African regime limited itself to addressing to the Secretary-General a letter which betrayed its bad faith with regard to the question of Namibia, as well as the scorn it has always shown for the United Nations.

58. We totally reject the contents of the letter from the South African Government, for the following reasons. First, South Africa once again refuses to withdraw from Namibia. Secondly, South Africa does not recognize that the United Nations has the right to administer the Territory of Namibia, in accordance with the relevant General Assembly resolutions. Thirdly, South Africa ignores SWAPO, which we regard as the true representative and the legitimate spokesman of the Namibian people. Fourthly, South Africa does not respect the territorial integrity of Namibia since it continues to refer to national groups inhabiting Namibian territory and has not renounced its policy of Bantustans.

59. Thus, South Africa continues to occupy a Territory which since 1966 has been under the direct responsibility of the United Nations. It has committed and continues to commit an act of aggression against Namibia and its people. Confronted by that situation, the Security Council has the duty to take all the effective measures necessary to restore peace and justice to Namibia.

60. In those circumstances, and to fulfil the expectations of the Namibian people, we ask the Security Council to take the following measures without delay: first, reject the letter, dated 27 May 1975, to the Secretary-General from the Minister for Foreign Affairs of the South African regime [*ibid.*] and regard it as null and void; secondly, state that the **con-**

*"Considers* that the continued foreign occupation of Namibia by South Africa in defiance of the relevant United Nations resolutions and of the

tinued occupation of Namibia by' South Africa is an act of aggression-as the **General** Assembly has dreadly stated-and a threat to the peace of that part of Africa., and take the appropriate measures **in** conformity with Article 39, Chapter VII, of the Charter of the United Nations; thirdly, take **all** the steps necessary **to** enable the United Nations Council **for** Namibia to discharge its responsibilities within the Territory of Namibia..

61. The **patience** of the Namibian people **has** limits. And I think that the patience of the Security Council has limits too. The eyes of the peace-loving and freedom-loving peoples **in** general, and the **people** of Namibia in particular, are iumed **towards** the Security Council 'at this decisive moment. I **trust** that it **will** not dash their legitimate hopes.

62. The PRESIDENT: Members-of the **Council** will **recall** that at the beginning of this' meeting **it was** decided, in accordance with the request made by the representatives of Mauritania, the. United Republic of Cameroon and the United Republic of Tanzania [S/11705], **to** extend an invitation under **rule** 39 of the **provisional rules** of procedure to Mr. Sam Nujoma, President of SWAPO, and his delegation. In accordance with that decision I now invite Mr. Nujoma and his delegation to take places at the Council table in order that Mr. Nujoma may address the Council.

63. Mr. NUJOMA: I wish on behalf of SWAPO and the Namibian people to express our sincere gratitude for **this** important opportunity accorded to our movement to state the opinion of the oppressed people of Namibia.

64. I should **like** first of **all** to congratulate you, Mr. President., on your assumption of the **presidency** of the Security **Council** for this month. SWAPO is **particularly** gratified **to** see you, an outstanding son of Guyana, presiding over this important meeting of the **Council**. We are gratified because we **recall** that it was Guyana which presided over' the United Nations Council **for** Namibia during a session at which the Council put the Namibian cause in the most forceful and able manner before this august body of the United Nations.

65. -We **recall** also, Mr. President, that upon a kind invitation extended to our **movement** by your **Government**, a SWAPO delegation, headed by me, visited your beautiful cooperative Republic. We **recall** also that your country **has** **always** **identified** itself with the liberation struggles of the **colonized** and oppressed peoples of southern Africa. That identification has helped to foster. a bond of **affinity** and brotherly co-operation between **the** **people** of Guyana **and** the **peoples** of Africa. Thus we are honoured **to** address this highest organ of **the** **United** Nations under your **presidency**, Sir..

66. Turning now **to** the burning problem of South Africa's occupation of our country; I wish **to** state that, true to **its** imperialistic aims, the racist minority **régime** of South Africa has once again refused to comply with the terms of Security Council resolution 366 (1974). It is quite obvious that the speech made on 20 May in Windhoek by the South African Prime Minister, John Vorster, was nothing **more** than a reiteration of South Africa's determination to go ahead with the imposition of Bantustans on the Namibian people so as **to** ensure: the domination and economic exploitation of Namibia. After a careful examination of the text of South Africa's, reply, which contains extracts of Vorster's Wmdhoek speech, we have come to the obvious conclusion that there is nothing **significantly** new in the so-called reply.

67. For instance, on the **fundamental** and salient issues of the right of the **Namibian** people to **self**-determination and independence, as **well** as the inviolability of Namibia's territorial integrity, Vorster has not in our opinion taken any. new position that we can consider positive. On the contrary, Vorster is trying to play diplomatic tricks in his Windhoek speech. For instance, in paragraph 3 of that speech' **he** **says**:

"in substance we'\*-that is, the South African Government-" are **in** agreement with. the most important aspects of the points of view which are put in the United Nations. As far **as** the **OAU**.is concerned, in principle, and bearing **in** mind what I have already said, we have no quarrel with their points of view concerning self-determination, independence and the maintenance. of the territorial integrity of the Territory." [see S/1 1701. ]

68. However, if we examine' subparagraph (f) of paragraph 2, which immediately precedes the passage I have just quoted, we find that Vorster's supposed agreement with the OAU and the United Nations concerning self-determination, independence and the maintenance of the territorial integrity of Namibia is **coupled** with a Cunning insistence on what Vdrster **calls** open options for each of the "population groups" to choose its own future..

69.. Throughout the entire speech Vorster quite consciously avoided using the word "people", except when he was citing the OAU, or the United Nations positions. He is **still** insisting on his divisive and imperialistic notions of "population. groups", "peoples" and "nations" of the Territory. In that subparagraph (f), Vorster, in reference to the position of the United Nations on Namibia, says:

"A further point which **is** **in&ted** upon is that **the** Territory should not be split up in accordance with the policy of **apartheid** and that it should become independent as one State, unless the inhabitants should freely choose otherwise." [Ibid]

Here we see a **cynical** and cunning distortion of the position of the **OAU** and the **United Nations**. Neither the United Nations nor the OAU has ever incited any of Namibia's ethnic groupings to opt for secession.

70. That distortion is intended to justify South Africa's imperialist design to continue with its policy, which is aimed at dividing our country under the pretext that even the United Nations and the OAU do endorse the notion of "open options" for each of the "population groups" to choose its own future, which in **plain** language means the right of each ethnic group to secede from Namibia.

71. The Bantustan type of self-determination and independence thus remains the main strategy by which the division of Namibia is to be accomplished. Vorster is still committed to this Bantustan policy. This commitment became even more clear when he referred to the **so-called** invitation to SWAPO to participate in the recent bogus election in the northern part of Namibia. He cited this insult to SWAPO as evidence of South Africa's **willingness** to allow all political groups to "participate without hindrance in the peaceful political activities in the process leading to self-determination". Thus, in Vorster's opinion, the process leading to self-determination is nothing other than the Bantustan programme. It is here that we can see the very aim of the South African Government, **namely, the** completion of the Bantustanization of the country, after which Namibia will be reduced to a hopelessly weak confederation of "ethnic nations". That is the type of Namibia South Africa is seeking to impose on us, a Namibia which racist South Africa can continue to dominate and exploit. That type of Namibia SWAPO rejects.

72. SWAPO remains unmoved and **unimpressed** by Vorster's **latest diplomatic** gimmicks. We see Vorster's speech for what it really is, namely, another attempt to play for time and to prevent the Security Council from taking any concrete measures against **the racist** minority regime's illegal occupation of our country.

73. In order to show the extent to which South Africa is; in fact, entrenching and **consolidating** its repressive rule in Namibia, I should **like** to give a list of **actions** which the occupying **régime has** taken in its campaign to prevent the Namibian people from advancing towards self-determination and genuine national independence.

74. One of these actions was the imposition of Bantustan elections in both the Ovambo and the Rehoboth Coloured "homelands". Those fraudulent elections were held in January and April of this year respectively. In both cases the bogus elections were staged with one aim in view—that is, to mislead the world into thinking that the people of Namibia are supporting Pretoria's Bantustan policy. Not surprisingly, in both cases the puppets were proclaimed

to have "won" the elections. As everyone now knows, Pretoria claimed a 55 per cent poll at the end of the five-day-long election period in northern Namibia. With respect to the Rehoboth election, the Rehoboth Volks party, which is the only group, critical of the South African Government, was "defeated". The point is that the so-called victories of the puppet groups are well contrived victories that should mislead nobody into thinking that the Namibian people really want Bantustans.

75. We need to ask this question: what **miracle** had taken place in northern Namibia, that the people who, for instance, had rejected the **Bantustan** policy by more than 97 per cent could so dramatically change their minds as to endorse that same policy by **55** per cent within a short period of only 18 months?

76. **The answer** is that Pretoria had called the election with a clear decision to conduct it under conditions of coercion and brutal repression. Well-documented evidence is now available as to how the pressure was applied to the people so that they would vote **55** per cent for the puppet Bantustan **administration**. Detailed information has come from our cadres inside Namibia and from Namibian churchmen such as Bishop Auala and Bishop Dumeni, and it is worth enumerating.

77. During the first week of January this year, the puppet administration in the northern region ordered all the civil servants, such as clerks and assistant inspectors connected with the so-called Department of Education and Culture, to be vote-takers, regardless of whether they wanted to or not. This same order was applied to the civil servants in **all** other departments of the Bantustan administration. Whoever attempted to refuse that order was immediately threatened with the loss of his or her job. Thus on the ground of pure and simple economic pressure the entire civil service was forced to help the racist oppressors and their puppets to conduct the **fraudulent** election.

78. On 10 January the leading puppet chief in the region, Filemon **Elifas**, set the tone of the repression which was to **characterize** the **entire election** period. He warned, over the **FM Radio Ovambo**, that **all** the people must go to the polls to choose "their true leaders" or else they would face painful consequences. He warned, furthermore, that "**all** agitators", that is to say, SWAPO members, would be dealt with severely. In the meantime, two of **SWAPO's** top leaders in the area, Comrades Skinny Hilundwa and Sam Shiute, were **beaten up** by the South African police and put into gaol **on** the eve of the **election** in order to undermine **the SWAPO** call to the people to resist the police-pressure and intimidation.

79. On 13 January, that is, the first day of the **election**, only a very few people bothered to go to the so-called polling booths. On 14 January the election

had still failed to produce the results which South Africa and its puppets wanted. The figures were particularly low in the southern and central regions, where some 60,000 northern-recruited contract workers are employed. The following figures for the first two days illustrate the extent to which the people had intended to stay away from the fraudulent election.

80. In Windhoek and the mines in its vicinity only 30 people voted, and all of them were civil servants. At the town of **Aus** only 2 people voted; at Bethanie only 2 people voted; at **Luderitz** Bay only one person voted; at Keetmanshoob only one person voted; at Oranjemund, with its 5,000 northern-recruited contract workers, no one voted; at Walvis Bay, with its 6,000 northern-recruited contract workers, only 27 voted, and all were civil servants; at Tsumeb, with its 5,000 northern-recruited contract workers, only 14 people voted, and the majority were civil servants. In the northern region itself 12,008 people were reported to have voted by this second day of the election. In the face of that obvious atmosphere of boycott, the South African Government and its puppets began to step up their repressive measures to force the people to go to the so-called polls to vote.

81. The first obvious thing was the degree to which the army was enlarged. Many armoured vehicles and infantry reinforcements made their appearance in Ovamboiland to assist during the election. The white staff was considerably enlarged as well, with whites from all parts of Namibia and South Africa, including even hospital officials. The police were warned to be on the ready. The 116 polling booths were frequently visited by helicopters which circled around them and by the security police, the Ovamboiland tribal police and the army. All evidence of the physical power of the South African State was displayed to intimidate the people. It was **against** this background that the election took place and with the assurance of the Chief Minister of Ovamboiland, Filemon Elifas: "Nobody will be intimidated. Do not be afraid to vote, since you are under protection from the Government. Go to the polls." The radio kept hammering that assurance. Jamming of the SWAPO broadcasts from Zambia and the United Republic of **Tanzania** was even stronger than usual.

82. The labour recruitment bureau at Oiuno was approached, and approximately 2,000 to 3,000 men who sought recruitment for work in the south were told that they would never be recruited unless they voted. "Vote **and** work; otherwise starve\*", they were told. For a man whose sole source of income was the meagre wage at the farms or mines, there was really no choice. They rushed to the local labour recruiting centre, where a polling booth was erected.

83. After the voting, a special "election mark" was made on the reverse side of each man's identity

card-a card which is rejected by the people of Namibia since it is devised to suit Bantustans. Every man whose card lacked this mark was told that he would not be recruited. Those already in employment were told to make sure that their card got the election mark during the period 13 to 17 January; otherwise they would never be allowed to keep their jobs. Some reluctantly complied with this, since, as they said, no other option was left open to them. Of course, many chose to go to their homes without voting and thus cut themselves off from a livelihood.

84. Another way of forcing Namibians in the north to vote was to use pressure in the issuing of permits and other travelling documents. At the permit offices in the area people who wanted to visit central and southern Namibia were simply told that no pass would be issued unless the applicant had put a cross on the ballot **paper**. A government clerk would ask any applicant for a pass, in the following way: "Did you vote?" If he got a negative reply he would then say: "I am sorry, I cannot issue you with a pass". These clerks were of course under obligation to vote. Things got so bad that people like Eiifas Kamanya, William Lithete and Augustus Eiago, to mention but a few, were forced to resign, while Ms. **Marta** Nandjaya was dismissed for supporting or aiding SWAPO during this period.

85. Apparently that was not enough. Government officials, chiefs and headmen told the people that they would suffer a great deal if they refused to go to the polls; such people would be excluded from all medical services, and no hospital would treat them. It was also made clear that all aid to such people from the Government would be withdrawn.

86. Chiefs travelled throughout the region telling their subjects of the punishments they would impose on anyone who dared not to vote. Mention can be made here of the fact that the chiefs proclaimed that nobody would be allowed to cultivate any maize or other grain without having marked the ballot paper. This was a very serious threat, considering the fact that Ovamboiland is farming country and that the peasants depend solely on their agriculture for bread, maize and millet. People were forced out of their homes and escorted to the polls. Many people were taken from their fields, where they were busy cultivating, to go and vote.

87. It was such pressure and intimidation which were the driving forces behind the so-called election and what effected the "55 per cent success" about which we have been told. One other obvious evidence of South Africa's effort to entrench and consolidate its occupation- in Namibia is the continuing build-up of the South African armed forces in Namibia. Pretoria has been not only reinforcing its forces in Namibia but also setting up new military bases in different parts of the country. For instance, new bases have been set up at Gobabis, near the Botswana-Namibia

border; at Ommo and Ohanguerra, near the **Namibia**-Angola frontier; and at Nkongo, in the north-eastern part of Namibia. Mention must also **be** made of the recent expansion of the base at Grootfontein, in central Namibia. This expansion is intended to accommodate the new reinforcements in the country. Some of those reinforcements are coming apparently from South Africa's lost buffer zones in southern Africa.

88. To this long list of measures being taken to consolidate Pretoria's grip on Namibia must be added the sinister plan to bring together a collection of stooges **from** the Bantustans and other reactionary elements to hold so-called multiracial constitutional talks. All those measures are contrary to the resolutions of the Security Council, all of which demand the immediate and unconditional withdrawal of South Africa's illegal occupation. The cold-blooded shooting of Namibian workers by the South African police on 23 April in Windhoek is a further indication of South Africa's determination to impose its repressive laws upon the Namibian people.

89. In summary: first, **Vorster's** speech is unacceptable to us; secondly, we do not see the need for a fact-finding mission to visit Namibia on another guided tour; thirdly, Bantustans and pass laws, whether or not they are referred to as "influx control", are machinery for controlling the free movement of the people. As such, they are, for us, intact; fourthly, Bantustanization, as we have seen from the foregoing elaboration, is being pursued with unrelenting vigour; **fifthly**, the country is being **militarized** more than ever before; sixthly, there are talks about having elections in Namibia. We should like to make it absolutely clear that SWAPO, as a democratic **organization**, is not opposed to any democratic elections.

I have dealt at length with the procedures and tactics according to which elections have been conducted under the South African **régime's** supervision. And, as I have sought to show, the result was already predetermined, even before the people went to the polls.

90. We shall never accept any proposal for elections under South Africa's terroristic occupation forces. We reiterate our position firmly and categorically that the United Nations is the legal authority over Namibia and must supervise any elections in Namibia when conditions are ripe for this. Any suggestion to the contrary is unacceptable to us, and we urge the international community in general, and the United Nations in particular, to continue to insist with us in this regard.

91. Today is the deadline of the resolution of the Council [resolution 366 **(1974)**] which demanded a solemn declaration from South Africa about that régime's intention to withdraw from Namibia. In our judgement, South Africa has not complied. On the contrary, South Africa's illegal occupation is still in force. Therefore, a heavy responsibility rests upon the shoulders of the members of the Council, for it was the Council which declared that it would meet on this day, 30 May 1975, to take appropriate measures under the Charter. The world is now awaiting **firm** action from the Council.

### *The meeting rose at 6 p.m.*

#### *Notes*

<sup>1</sup> *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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