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NOTE

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1880th MEETING

Held in New York on Tuesday, 27 January 1976, at 10.30 a.m.

President: Mr. Salim A. SALIM
(United Republic of Tanzania).

Present: The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1880)

1. Adoption of the agenda
2. The situation in Namibia:
Letter dated 16 December 1975 from the Secretary-General addressed to the President of the Security Council (S/11918)

The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:

Letter dated 16 December 1975 from the Secretary-General addressed to the President of the Security Council (S/11918)

1. The PRESIDENT: I have received letters from the representatives of Algeria, Egypt, Guinea, Indonesia, Jamaica, Nigeria and Yugoslavia, containing requests that they be invited in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure to participate in the discussion of the question now before the Council. Accordingly, if there is no objection, I propose, in conformity with the usual practice and with the consent of the Council, to invite the representatives I have just mentioned to participate in our discussion without the right to vote.

It was so decided.

2. The PRESIDENT: I invite those representatives to take the places reserved for them at the side of the Council chamber, on the usual understanding that they will be invited to take a place at the Council table when they address the Council.

At the invitation of the President, Mr. Rahal (Algeria), Mr. Abdel Meguid (Egypt), Mr. Camara (Guinea),

Mr. Marpaung (Indonesia), Mr. Hall (Jamaica), Mr. Harriman (Nigeria) and Mr. Petrić (Yugoslavia) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT: I have also received a letter dated 23 January 1976 from the President of the United Nations Council for Namibia, which reads as follows:

“With regard to the forthcoming meeting of the Security Council on the question of Namibia, the United Nations Council for Namibia, at its 228th meeting held on 21 January 1976, decided that its delegation to the Security Council would consist of the following:

Mr. Dunstan W. Kamana, President of the United Nations Council for Namibia;

Mr. H. Talvitie (Finland);

Mr. H. Abduldjalil (Indonesia);

Mr. Z. Niciński (Poland);

Mr. V. Montemayor Cantú (Mexico)”.

4. It may be recalled that on previous occasions when it was considering the situation in Namibia the Security Council extended invitations to representatives of the United Nations Council for Namibia, most recently at its 1823rd meeting on 30 May last year. Accordingly, if there is no objection, I propose that the Council extend an invitation, pursuant to rule 39 of its provisional rules of procedure, to the President and the aforementioned members of the United Nations Council for Namibia.

It was so decided.

5. The PRESIDENT: Since the Council agrees to my proposal, I invite the President of the United Nations Council for Namibia and his delegation to take places at the Council table.

At the invitation of the President, Mr. Kamana (President of the United Nations Council for Namibia) and the members of the delegation—Mr. Talvitie (Finland), Mr. Abduldjalil (Indonesia), Mr. Niciński (Poland) and Mr. Montemayor Cantú (Mexico)—took places at the Security Council table.

6. The PRESIDENT: I wish to inform members of the Council also that I have received a letter dated 26 January 1976 from the representatives of Benin, the Libyan Arab Republic and the United Republic of Tanzania [S/11943]. That letter contains a request that the Security Council extend an invitation under rule 39 to Mr. Moses M. Garoeb, Administrative Secretary of the South West Africa People's Organization (SWAPO) of Namibia, and his delegation. If I hear no objection, I shall take it that the Council is agreeable to extending the invitation under rule 39, as requested.

It was so decided.

7. The PRESIDENT: I shall invite Mr. Garoeb at the appropriate moment to make his statement.

8. The Security Council will now proceed with its consideration of the item on the agenda. As the item indicates, this meeting has been convened in response to the terms of resolution 3399 (XXX) adopted last November by the General Assembly and brought to the Council's attention by the Secretary-General in his letter of 16 December 1975 contained in document S/11918.

9. The first speaker is the President of the United Nations Council for Namibia, Mr. Kamana, to whom I give the floor.

10. Mr. KAMANA (President of the United Nations Council for Namibia): I wish, first of all, to express the sincere pleasure and satisfaction of the delegation of the United Nations Council for Namibia at seeing you, Mr. Salim Ahmed Salim, distinguished representative of the United Republic of Tanzania, preside over the Security Council as it once again takes up the question of Namibia. It is indeed a happy coincidence that you should be the President of the Council at this particular point in time, for your own personal commitment to the cause of the Namibian people, your dynamism, your extraordinary talents and your diplomatic skill will certainly be invaluable in the deliberations on this all-important African problem. Moreover, you represent the United Republic of Tanzania, a country which is in the forefront of the struggle against all attempts to deprive colonial countries and peoples of their right to self-determination and independence.

11. I would also like to thank the members of the Security Council for this opportunity afforded the United Nations Council for Namibia to participate in the deliberations concerning Namibia and indeed to be the first speaker this morning. This is a fitting recognition of the United Nations Council for Namibia, the organ established by the General Assembly with the mandate to administer Namibia until the Namibian people achieve their independence. Indeed the mandate established by General Assembly resolution 2248 (S-V) of 19 May 1967, which has been reaffirmed at all subsequent sessions, was endorsed

and its goals supported by the Security Council in its resolution 245 (1968).

12. The question of Namibia is now, without doubt, one of the perennial issues on the agenda of the Security Council. It was last considered in this very chamber as recently as June 1975 [see 1829th meeting]. What happened then is a matter of public record: negative votes by three permanent members of the Security Council prevented the adoption of a broadly supported draft resolution. As far as the Security Council is concerned, matters have since stood at that. But that has not been the case with South Africa. The stalemate in the Council was apparently interpreted by the authorities in Pretoria as an encouragement for them to consolidate South Africa's illegal occupation of Namibia. Alarming and most disquieting events have since taken place in the Territory.

13. It is in the light of the deteriorating situation in Namibia and the comfort South Africa appears to have taken from the non-action of the Security Council last June that the General Assembly was prompted at its just-concluded thirtieth regular session to urge the Council, in its resolution 3399 (XXX), to take up again the question of Namibia "and to act to give effect to its resolution 366 (1974) of 17 December 1974". I might add that the General Assembly resolution was adopted by an impressive majority of Member States—no doubt a reflection of the growing concern about South Africa's continued illegal occupation of Namibia and its obnoxious policies in the Territory.

14. I cannot overemphasize the significance of Security Council resolution 366 (1974). In that resolution, adopted unanimously, the Council demanded that South Africa make a solemn declaration that it would comply with the resolutions and decisions of the United Nations regarding Namibia and with the advisory opinion of the International Court of Justice of 21 June 1971¹ and that it recognize the territorial integrity and unity of Namibia as a nation. Moreover, the Security Council demanded that South Africa take the necessary steps to withdraw its illegal administration from Namibia and transfer power to the people of Namibia with United Nations assistance.

15. The reply of South Africa to resolution 366 (1974) [S/11701] was negative and is on record and indeed familiar to all members of the Council. It was the subject of critical analysis at the meetings in May and June 1975 [1823rd-1829th meetings]. I shall therefore not repeat here the well-known views of the United Nations Council for Namibia on it. Indeed, there appeared to be a consensus of opinion in the Security Council when that reply came up for consideration to the effect that it was totally unsatisfactory, both in spirit and in substance. If anything, it was an attempt by South Africa to hoodwink and confuse international public opinion regarding its designs to perpetuate the illegal occupation of Namibia.

16. What is important now is to uphold the validity of Security Council resolution 366 (1974) and for the Council to explore ways and means of giving effect to that resolution. It is the hope and expectation of the United Nations Council for Namibia that this time the Security Council will find common ground on which to act. The intervening period between the last meeting of the Security Council on the subject [1829th meeting] and now has clearly brought into focus the necessity for decisive action by the Council.

17. Since the situation in Namibia was last considered by the Security Council, the people of Namibia have continued to suffer under the illegal South African occupation. The Pretoria régime has continued to escalate its police-State measures against Namibians through killings, mass arrests, detentions, floggings and other repressive actions. Its continued illegal occupation of Namibia has been reflected in the expanding application of *apartheid* and the attempts to carry out the bantustanization of the Territory. This is indeed in keeping with a notorious and shameless State policy of establishing so-called homelands adopted in 1968 following a recommendation of the Odendaal Commission.²

18. In this regard, South Africa decided to set aside 40 per cent of the land, the least desirable and least developed parts, as separate so-called homelands for each of the non-white groups, other than those identified in their racist jargon as "Coloured". This is being done without due regard to the massive dislocation and suffering of the majority population. In South Africa's sugar-coated propaganda, those so-called homelands are promised some eventual self-governing status, a self-governing situation in which the uprooted African population will find no valuable economic resources to serve their material needs and which will have resulted in the fragmentation of their land and the destruction of their territorial unity and integrity.

19. At the same time, this repugnant scheme is intended to maintain South African control over a so-called "white area", consisting of 43 per cent of the land in which are included most mineral reserves and all urban centres, seaports and transportation facilities. Another 17 per cent of the total area of Namibia covering all unsurveyed lands and the two key diamond areas on the south-western coast would pass directly to South African control.

20. Clearly, the aim of South Africa in pursuing the so-called homelands policy is the perpetuation of its illegal occupation of Namibia and the ruthless exploitation and plunder of its resources, while at the same time it subjects the majority of the population to the most despicable forms of deprivation, oppression and repression. The so-called homelands policy is nothing but a divide and rule policy.

21. In this connexion, I need not point out that South Africa has been deliberately encouraging tribal

leadership in Namibia for no other purpose than to stifle Namibian nationalism. The most recent attempt to mislead the Namibian people and the international community is the so-called constitutional conference in which individuals subservient to the political interests of South Africa have been put forward as representatives of the Namibian people and empowered to carry out sham negotiations on the political and constitutional future of the Territory. Those hand-picked puppets and stooges of South Africa have been portrayed as the true representatives of the Namibian people. Political parties such as SWAPO have been excluded.

22. That bogus constitutional conference has adopted a Declaration of Intent [see S/11948 and Add.1] which in essence indicates that Namibia will obtain some sort of "independence" by 1978 as a loose confederation of ethnic States, with the white settlers retaining the most valuable land areas. That Declaration is blatant in its violation of the rights of the Namibian people; it does not recognize Namibia as a unitary State and makes no reference to majority rule or to the institutions of a central government. SWAPO has already decisively rejected this mystification. The United Nations Council for Namibia has also naturally condemned the so-called constitutional conference. Moreover, the United Nations Council for Namibia has reaffirmed the territorial integrity of Namibia as well as the inalienable and imprescriptible right of the Namibian people to self-determination and independence.

23. But the so-called constitutional conference and the killings, mass arrests, detentions and floggings of Namibians, to which I referred earlier, have not been the only recent acts by South Africa designed to perpetuate its illegal occupation of Namibia. The racist régime has gone further than that; it has decidedly embarked on the militarization of the Territory. In this regard, it has built in Namibia perhaps one of the most modern and sophisticated military bases in the region. This South African military build-up in Namibia has been accompanied by the forceful removal of Namibians from the northern border in order to free that area for military purposes. The upheaval, loss and privation resulting from this is simply enormous.

24. The persistent refusal of South Africa to terminate its illegal occupation of Namibia, which, as can be seen, is maintained by force of arms, has left the people of Namibia with no alternative but to struggle for their right to self-determination and independence by all means at their disposal. There is no doubt that they would have preferred a peaceful resolution of the problem of Namibia. This is amply demonstrated by the goodwill and co-operation that their national liberation movement, SWAPO, has displayed not only towards the United Nations Council for Namibia, which is an instrument for peaceful change, but also towards the United Nations as a whole. It is only

South African intransigence which has compelled SWAPO—the liberation movement recognized by both the Organization of African Unity and the United Nations as the authentic representative of the people of Namibia—to wage an armed struggle for the independence of Namibia.

25. The United Nations Council for Namibia is firmly convinced that violent change in Namibia can be avoided only if South Africa reckons with the realities of Namibian nationalism. This means that the South African régime must respect the genuine aspirations of the Namibian people as expressed through their national liberation movement, SWAPO. South Africa must accord due recognition to SWAPO and accept to deal with it in any act genuinely designed to shape the destiny of Namibia, which, indeed, can only be independence through the process of self-determination of the people of the Territory. Continued encouragement of ethnic leadership can only be an act of self-deception on the part of South Africa—an act which inevitably advances the dreadful prospect of a racial conflagration and violent change in Namibia.

26. When my predecessor, the then President of the United Nations Council for Namibia, spoke before the Security Council on 30 May 1975 [see 1823rd meeting] at the start of the debate on South Africa's compliance with resolution 366 (1974), he challenged South Africa to agree to the convening of a national election in Namibia under United Nations supervision and control. I should like to repeat this challenge today. The United Nations Council for Namibia believes that there is still a chance for peaceful change in Namibia. This chance lies only in the convening of a national election in Namibia under United Nations supervision and control. Such an election, in which all the political parties of Namibia, including SWAPO, must participate on an equal footing, would constitute a genuine act of self-determination by the people of Namibia.

27. It is important that the election take place under United Nations supervision and control, for this is the only way that we can guarantee fair play. Past experience shows that South Africa cannot be trusted to create the necessary conditions for the unhindered expression of the popular will. Acts of intimidation and the manipulation of the electorate have been habitual practices of South Africa in its ill-concealed attempts to perpetuate its control over Namibia. But of even more overriding importance is the fact that the United Nations is the legal authority in Namibia and that South Africa is occupying the Territory illegally. The United Nations therefore has a duty to live up to its responsibilities over the Territory.

28. The people of Namibia have suffered for too long under the illegal South African occupation. Yet theirs is a unique case in the whole process of decolonization. In no other case has the United Nations assumed similar responsibility. Surely, we

must all feel a particular sense of obligation to act decisively in the case of Namibia. It must no longer remain one of the perennial items on the agenda of both the General Assembly and the Security Council. There certainly is an urgent imperative to resolve the question of Namibia.

29. The United Nations Council for Namibia trusts that the Security Council will seize this new opportunity to make a decisive contribution towards the resolution of the question of Namibia. In the view of the United Nations Council for Namibia, the Security Council must, at the very minimum, do the following: first, strongly condemn the continued illegal occupation of Namibia by South Africa and demand that South Africa comply with the relevant General Assembly and Security Council resolutions calling upon it to withdraw from Namibia; secondly, strongly condemn the attempts by South Africa to divide Namibia into so-called homelands and its application of racially discriminatory and repressive laws and practices in the Territory and accordingly demand an immediate end to all such abominable acts aimed at violating the national unity and territorial integrity of Namibia; thirdly, strongly condemn the South African military build-up in Namibia and the recent convening of a so-called constitutional conference in the Territory; fourthly, declare and direct that, in order that the people of Namibia may be enabled freely to determine their own future, free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity; and, fifthly, demand that South Africa urgently make a solemn declaration accepting the requirement for the holding of free elections in Namibia under United Nations supervision and control, undertaking to comply with the resolutions and decisions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia and recognizing the territorial integrity and unity of Namibia as a nation.

30. I wish to stress that, pending the holding of the national elections in Namibia under United Nations supervision and control, it will be imperative for South Africa to do the following: first, comply fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights; secondly, release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa; thirdly, abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly those relating to Bantustans and homelands; and, fourthly, accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment.

31. For all those who support the cause of the Namibian people, the Security Council is once again the focus of attention. The people of Namibia too have their eyes focused on the Council with hope and expectation. This is indeed a decisive moment in the history of Namibia, for soon it will be known whether change in Namibia will be peaceful or violent.

32. The PRESIDENT: I should like to inform members of the Council that I have just received a letter from the representative of Mauritius containing a request that he be invited in accordance with rule 37 of the provisional rules of procedure to participate in the discussion of the item on the agenda. I propose, if I hear no objection, to invite the representative of Mauritius to participate in the discussion, in conformity with the usual practice and with the relevant provisions of the Charter and the provisional rules of procedure.

It was so decided.

33. The PRESIDENT: I invite the representative of Mauritius to take the seat reserved for him at the side of the Council chamber on the usual understanding that he will be invited to take a place at the Council table when he addresses the Council.

At the invitation of the President, Mr. Ramphul (Mauritius) took the place reserved for him at the side of the Council chamber.

34. The PRESIDENT: The next speaker is the Administrative Secretary of the South West Africa People's Organization of Namibia and accordingly I invite him to take a seat at the Council table and to make his statement.

35. Mr. GAROEB: Mr. President, my delegation is gratified to extend to you personally comradely felicitations and goodwill upon your assumption of the high office of the President of the Security Council for this month. Similarly, Mr. President, for us in SWAPO, and for Namibians, it is indeed a source of great satisfaction and inspiration that the question of Namibia should be considered by the Council under your able and industrious superintendency.

36. May I also express our thanks and appreciation to the rest of the Council for the opportunity accorded my movement, once again, to testify before this august body.

37. This meeting of the Security Council takes place against the background of grave military and political developments in southern Africa which, in our view, constitute a threat to international peace and security, not only for that troubled region but for the rest of the international community. Namibia is part and parcel of the subcontinent of southern Africa. Hence it goes without saying that Namibia is inevitably caught up

in its fate. Not only is Namibia's fate linked up with the rest of southern Africa, but perhaps more importantly Namibia is the sore point because of its continued illegal occupation by South Africa. And for as long as South Africa maintains its illegal occupation of Namibia, for so long will there be strife and instability in that region.

38. It is a fact of history that South Africa is the arch-enemy of the liberation struggle, not only in Namibia but in the entire subcontinent of southern Africa. And of late South Africa has been using Namibian territory as a spring-board to commit aggression against neighbouring African countries. Let it be known that the acts of unprovoked aggression and incursion into neighbouring territories by South Africa are not so recent as some would have us believe. It is a matter of historical record that the Security Council not very long ago debated a complaint brought by the Republic of Zambia when South Africa committed aggression against that country in 1972 [see 1687th-1694th meetings]. And even in this case that aggression was committed from Namibian territory.

39. In recent months a new aspect of South Africa's illegal occupation of Namibia has finally surfaced. Here I refer to the total and complete militarization of Namibia by the illegal South African régime. For many years now, indeed as far back as June of last year, SWAPO has been warning the world of the intensified militarization of Namibia, but again we have also warned that last year many of the troops which had been withdrawn by the racists from Rhodesia were being redeployed in Namibia. The purpose was essentially twofold: first, to counter the increasing activities of SWAPO inside Namibia and, secondly, to prepare for the extraterritorial incursions into neighbouring countries. As the Council is very well aware of developments in the subcontinent, members will know that our charges and our warnings at that time have indeed been confirmed by the very actions of South Africa.

40. The militarization of Namibia has not been limited to the reinforcement and redeployment of the racist régime's regular armed forces in Namibia. Indeed—perhaps more importantly—it also involves the establishment of new army and air bases at strategic points throughout Namibia. As has been stated here, one of the biggest army and air force bases in the whole of the African continent is to be completed sometime next month at the town of Grootfontein, which is approximately 230 kilometres south of the Namibian-Angolan border.

41. It is, of course, inevitable that this militarization of Namibia has led to increased repression and indiscriminate killing of the Namibians by the South African racist troops. During the last quarter of 1975, hundreds of Namibians—men, women and children—were killed when the racist troops decided to clear

a 250-kilometre "security zone" along the Namibian-Angolan border. Some of the villages along the border area were simply wiped out because they were allegedly harbouring SWAPO guerrillas. Even today as I am addressing the Council, Namibians continue to die as the militarization process gains momentum throughout the country. In short, the illegal régime aims at creating an elaborate military infrastructure throughout Namibia, and these acts are not indicative of a country that intends to withdraw from Namibia, as South Africa alleges.

42. This, in our view, is proof enough that South Africa, contrary to its pretentious statements to the effect that it does not want an inch of Namibia and would be glad to get rid of it, is in actual fact bent on entrenching its illegal occupation on every inch of Namibian soil for an indefinite period. We are not convinced by the statement of the racist régime of South Africa making it appear as if it were about to give in and to withdraw from Namibia, and we never shall be convinced.

43. Perhaps more disturbing than the foregoing, and bearing particularly in mind South Africa's recent extraterritorial incursions into neighbouring countries, is the ugly reality of South Africa's becoming a nuclear Power. Those who have been following the world press must be aware of the collaboration that South Africa has received from the Western Powers in this exercise of becoming a nuclear Power. So we may very well ask who can guarantee that South Africa cannot, in the not too distant future, precipitate a nuclear war in the subcontinent of southern Africa, just as it is currently involved in extraterritorial excursions into the neighbouring territories. This is food for thought for the African countries, because there is no guarantee that South Africa, if and when it does become a nuclear Power, will not commit acts of aggression against the rest of Africa.

44. The Security Council is meeting now at the request of the General Assembly, which in its resolution 3399 (XXX) urges the Council to convene urgently in order to take without delay effective measures, in accordance with the relevant chapters of the Charter of the United Nations and with resolutions of the General Assembly, to compel the illegal occupation régime of South Africa to withdraw its administration from Namibia. This meeting of the Council is expected to give full meaning and, above all, concrete expression to that solemn request of the Assembly. It is the exclusive responsibility and duty of the Council to ensure the immediate and unconditional withdrawal of South Africa from Namibia and in doing so to bring about the restoration of the inalienable right of the Namibian people to self-determination and national independence.

45. We have sought to demonstrate how far the illegal occupation régime in Namibia has gone in aggravating the political and military situation not

only in Namibia but in the whole subregion of southern Africa. The situation in Namibia has further deteriorated since the Council met in May and June last year [*1823rd-1829th meetings*]. In this context, the Security Council has an obligation to itself and indeed to the suffering people of Namibia to compel South Africa to meet the demands set forth in its resolution 366 (1974). The Council must still take action in respect of that resolution.

46. There are certain members of the Security Council who could but, unfortunately, will not adopt effective measures to reach an amicable solution to the Namibian problem. Security Council resolution 366 (1974) of December 1974 provided an opportunity and an excellent basis for such a solution. Unfortunately, South Africa, consistent with its defiance of the United Nations, not only flouted the spirit in which the Council addressed that resolution but rejected the demands expressed therein. Naturally, the logical question the Council addressed itself to was: what next?

47. The point is that we in SWAPO felt then and still feel today that the Western permanent members of the Security Council, through their traditional ties with South Africa, are in a position to bring their influence to bear on South Africa to comply with the Council's resolutions. The Western permanent members of the Council had a golden opportunity to exercise their influence on South Africa, especially in May and June 1975, to comply with the Council's resolutions. Regrettably, that opportunity was lost because the Western Powers decided to treat Africa and indeed the world to a triple veto [*see 1829th meeting*]. SWAPO of Namibia cannot help but deplore in the strongest terms the triple veto cast then by the three Western permanent members, namely, the United Kingdom, France and the United States. We do so with a very clear conscience, knowing full well that the overwhelming majority of the world agrees with us.

48. We in SWAPO, and indeed the people of Namibia, have long accepted the historical imperative that we are our own liberators. We believe very strongly that the liberation of Namibia can be brought about only by the Namibians themselves. We in SWAPO also believe that that liberation can be achieved only through armed struggle. We come to the United Nations and indeed to the Security Council because we believe that they have an obligation to help us, but, perhaps more importantly, we believe that the Council and the relevant institutions of the United Nations and ourselves are partners in the exercise of the liberation struggle, and it is this obligation, more than anything else, that the Council must live up to. The viability and effectiveness of the United Nations may be tested once and for all on the question of Namibia.

49. For another thing, we maintain that all the relevant chapters of the Charter of the United Nations

have not yet been exhausted on the question of Namibia. Therefore SWAPO will continue to insist that as long as South Africa's illegal occupation continues in Namibia the United Nations must take all the necessary measures to defeat that régime's sinister designs in Namibia. In this respect, I would take this opportunity to refer the Council to the Declaration of Dakar on Namibia and Human Rights of 1976, [S/11939, annex], adopted by the Dakar International Conference on Namibia and Human Rights.

50. My delegation has requested this time for a hearing before the Security Council to make a humble and solemn submission, with the kind indulgence of the members of the Council, without prejudice to all the previous resolutions of the United Nations, that the Security Council should make a declaration that, in order that the people of Namibia may exercise their right to self-determination and independence and to express themselves freely on the constitutional processes and political development, free national elections under the supervision and control of the United Nations should be held for the whole of Namibia as a single political entity. Many times the South African Government has claimed that SWAPO does not have national support in Namibia. When we make this proposal in fact we issue a challenge to the South African Government, hoping that a peaceful solution can still be found, to conduct national elections under the supervision and control of the United Nations, so that we might prove to the world, and, perhaps more importantly, to South Africa, that SWAPO does command national support throughout Namibia. SWAPO proposes this course of action here in the face of the deteriorating situation in Namibia which now constitutes a threat to international peace and security and which is a direct result of the triple veto which was cast in this chamber.

51. Before I conclude, I should like to underscore our insistence on United Nations supervision and control of any elections that might be conducted in Namibia. We could not accept elections under South African control and supervision, because the very presence of South Africa in Namibia is illegal, and giving South Africa an opportunity to conduct any elections would mean tacit approval of South Africa's presence in Namibia.

52. Finally, we would also insist that, prior to the holding of any elections in Namibia, South Africa must withdraw its illegal administration. Then and only then can there be free elections and fair play.

53. In conclusion, Mr. President, we thank you and the other members of the Security Council for giving us this opportunity to state our case on behalf of SWAPO and the people of Namibia.

54. The PRESIDENT: The next speaker is the representative of Guinea. I invite him to take a place at the Council table and to make his statement.

55. Mr. CAMARA (Guinea) (*interpretation from French*): Mr. President, allow me first of all, on behalf of my delegation and on behalf of the Group of African States, which my country, Guinea, has the outstanding honour of representing as Chairman for January 1976, to extend our thanks for this opportunity to participate in the Council's debate and for enabling me thus to set forth the views of Africa on a problem which is of constant concern to the international community. Before I do that, however, I should like to say how proud we feel at seeing you, Mr. President, presiding over the Security Council at this very important time. I wish also to convey to you the regrets of the head of our Mission, who has been prevented from coming to New York as a result of an equally important commitment. He thus is unable to participate personally in the Council's work.

56. Having heard the brilliant statements of the President of the United Nations Council for Namibia and of the representative of SWAPO, I feel that the task entrusted to my delegation will be easy, for the question of Namibia has a long history and the position of Africa is sufficiently well known. While not wishing to dwell on the painful situation before the Security Council, I should like, however, to highlight certain events and to make certain brief comments.

57. For 30 years now the United Nations has been discussing the question of Namibia. As early as 1946 the South African régime refused to place Namibia under international trusteeship and proceeded to annex that Territory on the basis of the shameful consultations held with tribal chiefs whom it had chosen itself. In resolution 2145 (XXI) of 27 October 1966, the General Assembly decided that the Mandate of South Africa over Namibia, which at that time was known as South West Africa, was terminated and that that Territory henceforth would be the direct responsibility of the United Nations.

58. We all recall how immediately thereafter, namely, on 19 May 1967, the General Assembly decided to set up a Council which would administer that Territory until independence and which would immediately make contact with the South African authorities in order to establish procedures for the transfer of administration over the Territory. We all know what the Pretoria Government has done since that time. Throughout the years it has continued to defy the authority of the international community, which has constantly stressed that the continued occupation of Namibia by South Africa is illegal.

59. The General Assembly, like the Security Council, then endeavoured to work out principles for a solution. Thus almost 10 years ago the United Nations put an end to South Africa's Mandate and assumed direct responsibility for the Territory and for the people of Namibia. Throughout all those years the General Assembly and the Security Council adopted many resolutions which have remained dead letters.

60. In this connexion, we need refer only to Security Council resolution 366 (1974), which was unanimously adopted on 17 December 1974, and which condemns the illegal occupation of the Territory of Namibia by South Africa. Indeed that Security Council resolution is very clear: it demands that South Africa make a solemn declaration that it will comply with the resolutions and decisions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia and that it recognize the territorial integrity and unity of Namibia as a nation. That resolution also demands that South Africa take the necessary steps to effect the withdrawal, in accordance with Security Council resolutions 264 (1969) and 269 (1969), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations. It further demands that South Africa, pending the transfer of power, comply fully, in spirit and in practice, with the provisions of the Universal Declaration of Human Rights, abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly those relating to Bantustans and homelands and accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment.

61. The Vorster régime not only rejected those demands, which the Security Council unanimously considered minimal, but it also began acting in violation of the resolutions of the United Nations by viciously applying its Bantustan policy. That very same régime organized a so-called constitutional conference with its puppets and rejected the principle of national elections held under the auspices and supervision of the United Nations. However, to our deep regret, in June 1975 France, the United Kingdom and the United States of America used their right of veto to prevent the Security Council from taking a decision. Thus they opposed an embargo on the sale of arms to South Africa under the terms of Chapter VII of the Charter. The Security Council then faced a situation in which its position on Namibia was indeed very clear, but in which its authority was attenuated because of the hesitation or refusal of certain Powers to take effective action against the South African régime under the terms of the Charter. The need for such action has been proved now that South Africa, strengthened by encouragement from the West, is using Namibian territory as a base for aggression against the new State of Angola.

62. At its twelfth ordinary session, the Assembly of Heads of State and Government of the Organization of African Unity (OAU), held at Kampala from 28 July to 1 August 1975, demanded that South Africa withdraw its illegal administration from the Territory of Namibia. It also demanded that South Africa respect the right of the Namibian people to self-determination and national independence, that South Africa respect

the territorial integrity of Namibia and that the racist régime of Pretoria should recognize SWAPO as the sole representative of the Namibian people. It demanded further the liberation of all Namibian political prisoners detained both in Namibia and in South Africa.

63. OAU also condemned the strengthening of the military establishment of South Africa in Namibia, as well as the so-called constitutional conference which the illegal administration in Namibia had imposed on the Namibian people. OAU made an appeal to all member States asking them to comply strictly with the decision of the United Nations to prevent any investment in Namibia under South African occupation.

64. At its thirtieth session, the General Assembly adopted resolution 3399 (XXX) in which it recognized that the situation in Namibia was a threat to international peace and security and proposed a number of measures to enable the United Nations fully to assume its responsibility for the Territory and for the people of Namibia. The General Assembly urged the Security Council urgently to take up again the question of Namibia and to take the necessary measures to implement its resolution 366 (1974) of 17 December 1974.

65. We should like to believe that the Security Council will assume its full responsibility by taking effective measures to maintain the territorial integrity of Namibia and the inalienable right of the Namibian people to self-determination and national independence.

66. The PRESIDENT: The next speaker is the representative of Algeria. I invite him to take a place at the Council table and to make his statement.

67. Mr. RAHAL (Algeria) (*interpretation from French*): In its resolution 3399 (XXX), the General Assembly called on the Security Council to resume consideration of the question of Namibia and to take the measures necessary to implement resolution 366 (1974).

68. In implementation of the latter resolution, the Council had already met from 30 May to 6 June 1975, but had been unable to take any decision since the only draft resolution which was then submitted to it for its approval, as we know, met with the negative votes of three permanent members.

69. The unanimity which was revealed in favour of resolution 366 (1974) had nevertheless given rise to some hope that the Council was at last in a position to assume the responsibilities assigned to it under the Charter of the United Nations. We know that there is absolutely no need for us to recall the nature and the scope of those responsibilities. Some of the principal members of the Council have already and on several occasions had an opportunity to specify them and emphasize their importance. Our disappointment was all the greater on noting the paralysis of the Council

in a situation recognized by it as being detrimental to the maintenance of peace and security in the region and its inability to define its action when it was unanimous in its assessment of the legal, political and human aspects of the situation.

70. The problem of Namibia actually has been of concern to the Organization since its establishment. There is therefore no need to proceed to a tedious repetition of its various elements. What is clear in this question is that, by a decision of the General Assembly, confirmed by the Security Council, South Africa's Mandate over Namibia has come to an end, and thus South Africa's presence in that Territory is illegal. This is what was confirmed by the International Court of Justice in its advisory opinion of 21 June 1971. Accordingly, in many of its resolutions, including of course resolution 366 (1974), the Security Council has demanded that South Africa "take the necessary steps to effect the withdrawal... of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations".

71. South Africa, by refusing to comply with this request, first of all fails to fulfil the obligations it freely entered into on becoming a Member of the Organization, in particular those arising out of Article 25 of the Charter. The fact that it persists in this negative attitude, despite unanimous and vigorous disapproval expressed throughout the entire world, ultimately reflects a feeling of scorn for the international community and of defiance with respect to the Organization.

72. Furthermore, we know that the behaviour of the Pretoria authorities with respect to the United Nations is but a projection of their stubborn resistance to all decisions intended to combat the odious régime of *apartheid*. In truth, South Africa thereby placed itself in the position of an outlaw vis-à-vis the international community at the very moment when, expressing its support for the Charter of the United Nations, it pledged to respect the spirit and the letter of the Charter and to participate in the efforts of all peoples to create a more just world in which fundamental human rights, the dignity and value of the human person and the equality of rights between men and women would be respected.

73. South Africa's occupation of Namibia is not only illegal, it is dangerous. It is dangerous first because it offers a field for developing the policy of *apartheid*, to which the population of a Territory not a part of the South African Republic is subjected. This policy of racial segregation, there as elsewhere, has as its sole purpose, as we all know, to ensure that the white population enjoys a position of supremacy in exploiting the riches of the country for its exclusive benefit.

74. But the presence of South Africa in Namibia, by enabling the Pretoria régime to extend its military

as well as strategic control over all the southern part of the African continent, is also an immediate and no less serious danger for all other African countries which are thereby threatened in their own security. The present intervention by South African armed forces in Angola is but a sample of the way in which the racist régime of Pretoria, relying on aggressive behaviour and a military power the importance of which is no secret, effectively threatens the peace and security of that region.

75. However, the problem for the Security Council is no longer one of becoming convinced of the harmful and odious character of *apartheid* policy or of the need for respect for the rights of the African population of Namibia. The numerous resolutions already adopted by the Council on the subject are sufficient to reveal that the opinion of the Council is totally in accord with that of the international community. The problem which is of concern to us, and which primarily of course is of concern to the members of the Council, is what measures should be adopted to compel South Africa to comply with the decisions which have already been adopted. The very authority of this institution and its credibility among all members of the international community are at stake.

76. After having appealed in vain to South Africa to withdraw from Namibia and to hand over to the United Nations the Mandate is received from the League of Nations, the Security Council attempted to weaken Pretoria's obstinacy by entrusting the Secretary-General with a mission of information and negotiation. Unfortunately, we know that the sole effect of that operation was to give the Council further proof of the stubbornness of South Africa in defying the resolutions of the Organization and in pursuing a policy the culmination of which would in fact be the merging of Namibia with the South African Republic.

77. Throughout the years, the Security Council, with the aim of exercising pressure on the South African Government, has adopted various measures directed in particular against its economic interests. Thus; in various resolutions the Council has called on all States to refrain from having any relations with South Africa which would indicate recognition of its authority over Namibia, to see to it that their companies or companies under their control cease all relations which they might have had with commercial or industrial companies or concessions in Namibia, to grant no loan, credit guarantee or other financial support which their citizens or companies might use to facilitate relations or trade with Namibia, to discourage their citizens or companies from making any investments in Namibia, to grant such investments in Namibia no protection against possible claims made by any future legal Government of Namibia and to discourage tourism and emigration to Namibia.

78. What can we say about all these measures save that in the end they had no effect. Not that they

were in themselves inoperative had they been scrupulously complied with by all Members of the Organization. We know that, regrettably, this was not so since it is well known that these recommendations are infringed by members of the Security Council itself whose links with South Africa are no doubt for them so important as to make them forgetful of their obligations to the rest of the world community.

79. The General Assembly, for its part, has from year to year endeavoured to express its condemnation of the policy of South Africa in Namibia as well as of its policy of *apartheid*. These reprimands had no effect, so at its twenty-ninth session the General Assembly decided not to allow the South African delegation to participate in its work. This decision, which was adopted by the vast majority of the Assembly, nevertheless has been criticized by certain countries, among them, of course, those which have so far refused to abide by the resolutions of the Council. Whatever may have been said about this attitude of the Assembly, and whatever might still be said, now this decision to place South Africa under quarantine has so far been the only concrete measure taken by the Organization in accordance with its principles and regulations which is likely to bring about real effects and to command respect for an institution which itself had begun to have doubts about its mission.

80. This measure adopted by the General Assembly is necessarily limited in scope. But the Charter makes provisions for other far more effective measures to be applied in order to ensure compliance with international law. In fact, it is incumbent upon the Security Council to resort to such measures. We can understand the hesitation of certain members of the Council to resort immediately to the extreme measures contained in the Charter. We understand them in so far as this reticence is not a cover-up for concealed complicity with the delinquent State or for selfish interests which are given primacy over the higher interests of the international community.

81. But in the case of Namibia these hesitations, this reticence seem to us to have no justification whatsoever. Condemnation of the attitude of South Africa was unanimous in the Security Council, and the terms of resolution 366 (1974), which was also adopted unanimously by the Council, set a very specific objective for the action to be undertaken. And yet, last June the permanent members opposed a draft resolution the purpose of which was precisely to reflect in concrete measures the provisions of resolution 366 (1974).

82. Are we going to find ourselves once again in the same situation? We believe that a repetition of what has already occurred would be extremely embarrassing to the very dignity of the Council and for the future of international relations. The countries which adopted resolution 366 (1974) but which used their veto against the draft resolution for implementation must no doubt

themselves propose the measures whereby, according to them, previous decisions may be implemented. We believe them when they join us in condemning *apartheid*; we believe them when they qualify the occupation of Namibia by South Africa as illegal; we believe them, too, when they join us in demanding the withdrawal by South Africa from Namibian territory. But, this being so, they cannot at the same time seek refuge in a systematically negative attitude by refusing to join in all measures which have been proposed to compel South Africa to abide by the decisions of the Security Council. Perhaps they will indicate to the Council a better course so that finally, with their co-operation, we may attain the objectives which we cherish and which they solemnly declare to be theirs as well. At any rate I can assure them that in that event, both in this forum as well as outside the Security Council, they will have an audience that is most attentive and anxious to be understanding.

83. The PRESIDENT: The next speaker is the representative of Mauritius. I invite the representative of Mauritius to take a seat at the Council table and to make his statement.

84. Mr. RAMPHUL (Mauritius): First of all, Mr. President, I would like to thank you very much indeed for allowing me to speak and, through you, the members of the Security Council. We have grave responsibilities before us as we consider the question of Namibia, which has been the lengthiest of the disputes before the international community today and is at the present time one of the most urgent. We all know the long history of the attempts by the League of Nations and the United Nations to fulfil their responsibilities to the Namibian people, first under the Mandate and then in terms of the opinions of the International Court of Justice, which in its advisory opinion of 21 June 1971 declared that the United Nations was directly responsible for the Territory.

85. It is no secret that the United Nations and the people of the world have been frustrated in their attempts to carry out these responsibilities by the obstruction and use of force on the part of South Africa. In recent months we have witnessed the biggest military build-up ever seen in Namibia, which is aimed both at crushing popular resistance to the illegal occupation régime inside Namibia and at the same time at armed intervention in the neighbouring independent and sovereign country of Angola. We may recall that the League of Nations Mandate expressly forbade the militarization of any part of Namibia. This provision has always been flouted by the stationing of South African troops at the Namibian town of Walvis Bay and at the Katima Mulilo base in the Caprivi Strip. However, this pales into relative insignificance in comparison with the massive build-up of South African armed forces, particularly in the northern part of Namibia. New bases have been created, the biggest at Grootfontein, used as launching pads and supply facilities for South African troops

and aircraft currently committing gross acts of aggression against Angola.

86. This use of the illegally occupied Territory of Namibia to carry out aggression in Angola creates a situation in the area which is a threat to international peace and security, particularly since it greatly aggravates the degree of foreign intervention on all sides in the tragic conflict within Angola. It was the intervention in November of an armoured column, which we now know to have been organized, equipped and directed by South African armed forces operating from Namibia, that suddenly upset the balance of forces established prior to independence and determined predominantly by the Angolan people themselves, a balance which had resulted in the establishment of a strong and responsible government at Luanda which my Government, along with the majority of the members of OAU, has recognized as the legitimate Government of Angola. In the view of my delegation, South Africa committed a blatantly illegal and aggressive act against an independent and sovereign country on the borders of Namibia, an act which makes extremely urgent the elimination of its illegal and forcible occupation of Namibia itself. Until that is achieved, Africa will be under a continuous threat of South African aggression.

87. I wish to bring to the attention of the Security Council the Declaration of Dakar on Namibia and Human Rights, adopted by the Dakar International Conference on Namibia and Human Rights earlier this month. I particularly wish to stress certain parts of the Declaration which underline the urgency of dealing with South Africa's occupation of Namibia. The Declaration states, for example:

"Maintenance of the occupation of Namibia by South Africa and of the system of *apartheid* is a continuing threat to peace and security in southern Africa, the whole of Africa and the world...

"The recent reinforcement of the military presence of South Africa in Namibia must be condemned as a means of consolidating the illegal occupation of that country and of repressing the legitimate resistance of the people of Namibia. What is more, the use of the Territory of Namibia as a base for intervention in the internal affairs of African countries, as is at present the case in Angola, aggravates the threat to international peace and security and must cease immediately...

"The military and economic assistance furnished to South Africa by certain States must also be openly denounced and manifestly combated by all the forces of progress. Arms sales, nuclear co-operation agreements... in South Africa or Namibia constitute acts of sheer complicity with the policies of *apartheid*." [S/1939, annex.]

88. A number of countries have serious charges to answer in relation to the supply of arms and equip-

ment, not to mention mercenaries or military personnel from their own countries, which are being used in South Africa's intervention in Angola from its bases in Namibia. My delegation wishes to challenge the countries which either are reported as being involved in this illegal occupation or have openly admitted their collaboration to explain their position. I refer in particular to one major nuclear Power, a permanent member of the Security Council, whose President referred to its widely reported involvement in his recent State of the Union message to its national Congress. I am also concerned about the open sale of arms by another permanent member of the Security Council, regardless of the fact that helicopters and aircraft from there are reported to be used by South Africans in their current adventure in Namibia and Angola. A new element is to be introduced also by the sale by yet another permanent member of the Security Council of the most modern electronic detection system to South Africa, which is clearly intended for use in Namibia and Angola. Reports have also been published of the involvement of the mercenaries, as well as the weapons, of two Western European countries in the same operation. To quote again from the Dakar Declaration:

"It is high time for the States of Africa to make it clear to the countries which are supporting South Africa in this way that they cannot continue to do so while claiming the friendship of the peoples of Africa." [*Ibid.*]

89. In the past few days there have been unconfirmed reports that South African troops would withdraw from the Angolan conflict. While we welcome such a possibility and urge that it be realized immediately, there are disquieting reservations that we have to make on this issue. The first is that a withdrawal by South African troops back to Namibia is in no sense a solution to the serious threat to peace in this area. South Africa must withdraw totally both from Angola and from the illegally occupied international Territory of Namibia.

90. However, it is likely that South African forces, if they do withdraw from the present battle zone—or non-operational area, as some call it—have no intention of withdrawing even as far as the Namibian border. Persistent reports in the South African press and elsewhere, monitored by the United Nations Secretariat, indicate that the South African Government intends to annex a large area of southern Angola, on the pretext that it has the right to occupy the area of the Cunene Dam scheme and to secure the Namibian occupation against armed resistance by SWAPO, the Namibian liberation movement. To that end, plans have been drawn up for the deportation of perhaps 60,000 people from the frontier region.

91. It is vital that the Security Council consider this apparent intention of the South African occupation régime and stand ready to condemn it if the plan is

indeed carried out. I should like to remind the Council that the Cunene Dam scheme, contrary to the blatant propaganda of the South African régime, has no relation to the welfare of the African population of Namibia. Its purpose is in fact to procure water and electrical power from sources inside Angola, in order to speed up the plunder of Namibia's natural mineral resources. It is this power which is intended for use in the massive new uranium mine at Rossing, which the companies of one permanent member of the Security Council and of an Asian country—and that Asian country, incidentally, also is currently a member of the Security Council—helped to underwrite by their massive advance purchasing contracts made in 1970, and in which the Governments of one Western member of the Security Council and of a European country are also involved.

92. The Security Council has already called on all States to refrain from investment in the occupied territory, and to discourage their companies and nationals from doing so. I need hardly add that the acceleration of mining operations to plunder the irreplaceable resources of Namibia is in direct violation of previous Security Council resolutions and also of Decree No. 1 for the Protection of the Natural Resources of Namibia adopted by the United Nations Council for Namibia in 1974.³

93. I therefore wish to stress that not only is the Cunene Dam scheme a further challenge to the authority of the United Nations and international law in Namibia, but the South African intention to occupy the area of Angola surrounding it is a blatant provocation. We must be alert to the plans of the South African régime to perpetuate such illegal occupation, and it must be clearly stated that such occupation of Angola stands condemned by the international community, just as does the illegal occupation of Namibia.

To this end, my delegation invites all members of the Security Council, and particularly the Governments of the Western European permanent members of the Security Council and their allies, to make clear their position on South Africa's occupation of Angolan territory, using Namibia as a stepping-stone.

94. I should like to conclude by assuring you of my Government's full support for the draft resolution which will be introduced shortly. In the light of the urgency of effecting South Africa's removal from Namibia as from Angola, it is imperative that the Security Council show a united front in support of the ideals of the Charter of the United Nations and the fundamental concepts of international law. We are calling for elections in Namibia, under United Nations supervision and control. This has been carried out extremely well by the United Nations in various different contexts; all that could prevent such elections in the case of Namibia is the intransigence of the South African occupation régime, using all the force at its disposal, and possibly with the collusion of other Governments. The vote on the draft resolution to be introduced, I submit, will be an acid test for the commitment of Governments to the cause of democracy throughout the world, and to freedom and self-determination in Namibia.

The meeting rose at 1.15 p.m.

Notes

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.*

² Commission of Enquiry into South West Africa Affairs, established in 1962 by the Republic of South Africa under the chairmanship of Mr. F. H. Odendaal.

³ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24 A*, para. 84.

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