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1959<sup>th</sup> MEETING: 5 OCTOBER 1976

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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.

## 1959th MEETING

Held in New York, on Tuesday, 5 October 1976, at 3 p.m.

*President:* Mr. Iqbal A. AKHUND (Pakistan).

*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, United States of America.

### Provisional agenda (S/Agenda/1959)

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

*The meeting was called to order at 3.50 p.m.*

### Adoption of the agenda

*The agenda was adopted.*

### The situation in Namibia

1. The PRESIDENT: In accordance with decisions previously taken [1954th and 1956th to 1958th meetings], I shall now invite the President and other members of the United Nations Council for Namibia, and the representatives of Algeria, Cuba, Democratic Kampuchea, Egypt, Ghana, Guinea, Kenya, Madagascar, Malawi, Mauritius, Morocco, Mozambique, Nigeria, Saudi Arabia, Sierra Leone, Yemen, Yugoslavia and Zambia to participate in the Council's discussion without the right to vote.

*At the invitation of the President, Mr. Kamana (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table and Mr. Rahal (Algeria), Mr. Alarcón (Cuba), Mr. Keat Chhon (Democratic Kampuchea), Mr. Abdel Meguid (Egypt), Mr. Felli (Ghana), Mr. Cissoko (Guinea), Mr. Maina (Kenya), Mr. Rabetafika (Madagascar), Mr. Muwamba (Malawi), Mr. Ramphul (Mauritius), Mr. Bengelloun (Morocco), Mr. Chissano (Mozambique), Mr. Garba (Nigeria), Mr. Baroodi (Saudi Arabia), Mr. Minah (Sierra Leone), Mr. Sallam (Yemen), Mr. Minić (Yugoslavia) and Mr. Mwale (Zambia) took the places reserved for them at the side of the Council chamber.*

2. The PRESIDENT: In addition, I have just received letters from the representatives of Ethiopia,

Niger and Somalia, in which they request also to be invited to participate in the debate. I therefore propose that the Council agree, in accordance with the provisions of Article 31 of the Charter and rule 37 of the provisional rules of procedure, to invite those representatives to participate in the discussion without the right to vote.

3. I shall invite those representatives to take the places reserved for them at the side of the Council chamber, on the understanding that they will be invited to take a place at the Council table when it is their turn to speak.

*At the invitation of the President, Mr. Wodajo (Ethiopia), Mr. Djermaoye (Niger) and Mr. Hussen (Somalia) took the places reserved for them at the side of the Council chamber.*

4. The PRESIDENT: The first speaker is the Vice-President of the Federal Executive Council and Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia. I welcome him and invite him to take a place at the Council table and make his statement.

5. Mr. MINIĆ (Yugoslavia)\*: Mr. President, may I express my great pleasure at having this opportunity to address the Council at a time when you, the representative of friendly Pakistan, are presiding over its work.

6. Yugoslavia's active interest in the question of the decolonization of Namibia derives from our constant support for the struggle of the peoples of Africa for the final eradication of colonialism, racism and *apartheid*. My country has always lent full support and all-round assistance to the liberation movements of colonial and oppressed countries and peoples. Our interest in the rapid decolonization and liberation of Namibia stems also from our conviction that the crisis in southern Africa, created by racist régimes, threatens peace and security in Africa and more widely. For that reason we believe that the current series of meetings of the Security Council is of exceptional importance both for Namibia and for peace and security in Africa and for the final decolonization of that continent.

\* Mr. Minić spoke in Serbo-Croat. The English version of his statement was supplied by the delegation.

7. Yugoslavia has been actively involved in all United Nations actions for the liberation of Namibia from the illegal occupation by South Africa. We have been lending full support to the struggle of the people of Namibia for freedom and independence. We have recognized the South-West Africa People's Organization (SWAPO) as the sole authentic representative of Namibia. We have been taking part in the work of the United Nations Council for Namibia since its establishment. Together with other Member States, my country strongly has insisted that the United Nations should take over the administration of Namibia with a view to transferring power over that Territory as rapidly as possible to the people of Namibia, which is the only legitimate bearer of sovereignty over Namibia.

8. The Council has met once again to consider the question of the liberation of Namibia from occupation by South Africa, which continues to flout the decisions of the United Nations. This time the Council should determine more precisely the measures that the United Nations will take against South Africa, which has failed to comply with the provisions of resolution 385 (1976), concerning the obligation to hold by 31 August 1976 free elections in Namibia under the supervision and control of the United Nations.

9. In spite of the clear demand of the Council for the urgent withdrawal of South Africa from Namibia, contained in Council resolutions 264 (1969), 269 (1969), 366 (1974) and, most recently, 385 (1976), South Africa continues its occupation of the Territory, which is under the mandate of the United Nations. South Africa has thereby also violated the provisions of numerous General Assembly resolutions demanding its withdrawal from Namibia.

10. It has also ignored the advisory opinion of the International Court of Justice of 21 June 1971,<sup>1</sup> which declared that South Africa was under the obligation to withdraw from the Territory without delay.

11. Despite all the decisions of the Council, South Africa is building up its military and police forces in Namibia and transforming that country into a military camp and battlefield for waging a ruthless war against the people of Namibia and its liberation movement, SWAPO. The military operations of the armed forces and the actions of the police of South Africa are a fact of everyday life in Namibia. Namibian settlements are bombed by the South African air force. The whole of northern Namibia has been placed under martial law. The border with Angola has been sealed off and declared a "free fire zone", where fire is opened at everything living and moving. South Africa is threatening all Africa with recourse to the "right of hot pursuit" against members of nationalist movements in the whole region of the African continent south of the equator. It is endeavouring to set up a puppet government in Namibia and to exploit ruthlessly the natural resources of that country. Such acts inexorably

lead to a further aggravation and extension of the armed conflict in southern Africa.

12. It is well known that the Security Council has condemned in clear terms the militarization of Namibia and the utilization of that Territory by South Africa for attacks against neighbouring African States. Nevertheless, the Council has twice been faced in the course of this year with the deliberate aggression of the armed forces of South Africa against Angola and Zambia. Namibia's territory was utilized in both cases. Consequently, the Council condemned South Africa for threatening the independence and territorial integrity of neighbouring African countries.

13. In contravention of the decisions of the Security Council and the General Assembly, South Africa is ruthlessly pursuing its policy of the bantustanization of Namibia, endeavouring to disguise that policy under the new cloak of so-called constitutionality.

14. The Council has demanded, by its decisions, that South Africa should abolish the application of all racially repressive laws and practices against the people of Namibia, that it should release all political prisoners and allow all Namibians who have been compelled to leave their country to return freely to Namibia. South Africa has neither accepted nor complied with these decisions of the Council. Instead, South Africa has intensified its reign of terror and violence. Members of SWAPO—active political workers as well as ordinary inhabitants of Namibia yearning for freedom—are the target of attacks, torture and physical liquidation.

15. Finally, in its resolution 385 (1976), the Council clearly demanded that South Africa should hold free elections for the whole of Namibia as one political entity, under the supervision and control of the United Nations. In accordance with this resolution, South Africa was to make a solemn declaration accepting the provisions of the resolution and the obligation to hold free elections, undertaking to comply with the decisions and resolutions of the Council and the General Assembly and recognizing the territorial integrity and unity of Namibia as a nation. South Africa has, however, turned a deaf ear to these demands.

16. In order to evade the decision of the Council, South Africa convened a so-called constitutional conference to which it brought a group of its hirelings who do not represent either the people or the interests of Namibia. This so-called constitutional conference was unanimously rejected by the people of Namibia, by SWAPO, which is recognized by the United Nations as the only legitimate representative of the people of Namibia, by the Organization of African Unity and by the United Nations Council for Namibia as a manoeuvre by South Africa aimed at perpetuating its occupation of Namibia and breaking up the latter's national unity and territorial integrity.

17. The Conference of Heads of State or Government of Non-Aligned Countries held in Colombo in August this year lent unanimous support to the struggle of the people of Namibia for independence under the leadership of SWAPO, and called upon the Security Council to take effective measures, in accordance with its resolution 385 (1976) for the transfer of power, under the auspices of the United Nations, to SWAPO, in its capacity as sole representative of the people of Namibia [see S/12188, annex].

18. The Council is to take a decision on the course of United Nations action for the liberation of Namibia.

19. The Council must be aware that the people of Namibia has taken matters into its own hands and is imbued with the desire to obtain its freedom. Until now it has had no other option but to take up arms after many years of futile efforts to convince South Africa to withdraw from Namibia peacefully. However, even at this late hour, the people of Namibia is endeavouring to achieve its independence peacefully, through negotiations, and thus make a positive contribution to the solution of the crisis in southern Africa which constitutes at present a threat to peace. Precisely here in the Council, and with this purpose in mind, the President of SWAPO, Mr. Sam Nujoma, proposed direct negotiations between SWAPO, as the only legitimate representative of the people of Namibia, and the representatives of South Africa, as the occupying Power in Namibia. The purpose of such negotiations is the transfer of power over Namibia to the people of Namibia, under the leadership of SWAPO. These negotiations should be conducted under the auspices of the United Nations, a procedure which is, we believe, in the general interest. SWAPO has demanded that South Africa should, as a gesture of good will, release beforehand all Namibian political prisoners and pledge itself in advance to withdraw all its armed forces from Namibia.

20. Yugoslavia supports the negotiations proposed by SWAPO as a constructive and realistic step towards a genuine solution of the problem. We feel that every people should itself take the decisions concerning solutions involving its fate. The liberation of Namibia will be achieved by the Namibian people itself, under the leadership of SWAPO.

21. We hope that those Western countries which exert great influence on the South African régime and lend economic and other assistance to it will also undertake new steps and initiatives to compel the South African régime to comply with the decisions of the United Nations, to vacate Namibia, and to hand over power to its people.

22. If South Africa continues on the road of violence and occupation of Namibia and attempts to drag out its occupation of the Territory, the United Nations should support the liberation struggle of the Namibian people by every means in its power.

23. As regards my country, it will continue to give full support and assistance to the liberation movement of Namibia. In our view, it is imperative that the Council should act resolutely and take such measures against South Africa, including mandatory sanctions under the Charter, as will make it possible to fulfil the mandate with which the United Nations has been entrusted, with a view to achieving the independence of Namibia.

24. The PRESIDENT: The next speaker is the Minister for Foreign Affairs and Co-operation of Niger. I welcome him and invite him to take a place at the Council table and make his statement.

25. Mr. DJERMAKOYE (Niger) (*interpretation from French*): The Namibian file has constituted for a decade the most flagrant and abject injustice tolerated by our international community. How then can peace- and freedom-loving voices remain silent on this painful problem that our brothers in southern Africa are living? It is to join the voice of my country to all those which, for 10 years, have unceasingly demanded the independence of the Territory that I have sought a hearing from the Security Council, the highest body in our Organization, which is entrusted with ensuring peace and security in a free world to peoples and nations. How can our Organization have tolerated for so long one of the most execrable systems the world has ever known?

26. More than 100 resolutions relating to the Namibian people have been adopted by the General Assembly since it began debating questions concerning southern Africa. The Security Council, for its part, has adopted 16 resolutions to this question. The International Court of Justice has handed down one judgement and four advisory opinions. The Namibian problem, one of the clearest and simplest ones, has become one of the most difficult and most painful with which the Council has had to deal over the last 10 years.

27. Is it admissible that this problem should still be on the Council's agenda after the adoption of General Assembly resolution 2145 (XXI) of 27 October 1966, which terminated South Africa's Mandate over the Territory of Namibia? How is it possible that this problem should still be there after the adoption of resolution 2248 (S-V) of 19 May 1967 establishing the United Nations Council for Namibia, to which the Assembly entrusted the administration of Namibia until its accession to international sovereignty? What has happened to resolution 385 (1976), whereby the Council called upon South Africa to organize free elections in Namibia under the effective control of the United Nations, release all political prisoners, abolish all discriminatory laws, abandon immediately its policy of bantustans and ensure the accession of the Namibian people to independence by 31 August 1976 at the latest?

28. We are all aware of the contempt shown by the racist Vorster Government for the provisions of all these resolutions. Far from bowing to the opinion of the international community, the white South African minority racist régime organized at Windhoek a so-called constitutional conference to set 31 December 1978 as the date for Namibia's accession to independence, thus unjustifiably prolonging its illegal occupation. What is the aim of these initiatives except to sow discord and disunity within a people which has always lived in harmony?

29. We are aware of what the international community as a whole, and the United Nations Council for Namibia in particular, think of the conclusions of this conference. These conclusions have unmasked Vorster's sinister designs—the sordid manoeuvres aimed at excluding SWAPO, the only authentic representative of the Namibian people, in order to leave the country without a leader or hand it over to the lackeys of Pretoria.

30. Since its entry into the international arena in 1960, Niger has always scrupulously respected the principles enshrined in the United Nations Charter and has never failed to comply with any of its international commitments. That is why it can in no way conceive why the Security Council should not hasten to take the only measures that can be effective, namely, resolute measures to ensure its decisions are respected by one of the most unworthy Members of our international community. This is why we believe that, confronted with the repeated disregard by South Africa of all its decisions, the Council has the imperative duty to contemplate very seriously today the application of measures under Chapter VII of the Charter which can alone enable our Organization fully to assume its responsibilities over this Territory, whose too long oppressed populations aspire to recover their dignity, their freedom and their full sovereignty.

31. The Council cannot continue indefinitely to sidestep its responsibilities to future generations. Will it allow the systematic balkanization of Namibia and the proliferation of South African military bases in the Territory to go on for ever? Will it allow the massive imprisonments, the murders of innocent women and children, and, finally, the daily tortures and massacres of all those who oppose the South African terror régime to continue any longer?

32. Africa, for its part, has too long tolerated these actions, which equal in their horror only those of Hitler's time. Africa—let us shout it aloud—can no longer watch on the sidelines while its sons are being massacred. Let me repeat once again that Africa will not tolerate another Soweto. Now, before any more innocent blood is shed in Southern Africa, Niger would like to draw the attention of the Council to the statement made on 24 September 1976 by the South African Minister of Information and the Interior, according to which any future black demonstrations

in South Africa will be repressed not by the police but by the army. Thus Vorster is not going to let go. On the contrary, he is hanging on and preparing sombre days for the blacks of South Africa.

33. The question today, therefore, is whether the Council will finally agree to put an end to the South African defiance or will continue to tolerate the perpetuation of this genocide. The time has now come when equivocation can no longer be allowed. The Council as a whole and each and every country must face their responsibilities and commitments in accordance with the Charter.

34. For our part, we have faith in the United Nations and in the Council. That is why we expect this body to take, without delay, the firmest and most resolute measures against the shameful and anachronistic Pretoria régime.

35. Mr. President, your task is a difficult one, and you have a historic responsibility. We are aware of your commitment to the liberation of peoples. May the 15 States gathered here support your actions so that justice and peace may triumph in that part of our continent.

36. Mr. MACOVESCU (Romania) (*interpretation from French*): Mr. President, I am very pleased to be speaking in the Council under your distinguished presidency, since you represent a friendly country with which Romania has the best relations. While expressing to you my warm congratulations on this occasion, I also wish you success in your difficult mission in the next few weeks.

37. I should like also to pay a tribute to Ambassador Kikhia, the representative of the Libyan Arab Republic, who preceded you in presiding over the Council and who carried out most effectively the complex and delicate tasks entrusted to him.

38. The Council is again considering a question which has received the attention of the United Nations since the Organization was established. The debates which have taken place in the course of three decades have inevitably led to the conclusion that the Namibian people, like all other peoples on the earth, has the inalienable and infeasible right to decide its own destiny for itself. That right would now be unanimously recognized, were it not for the single exception of the Government of South Africa.

39. The United Nations, through the General Assembly, the Security Council and the United Nations Council for Namibia, has been extremely active in supporting the struggle of the Namibian people for the liberation of its homeland and for an independent and sovereign existence. In this regard I must mention the actions undertaken to the same end by the Secretary-General. Recommendations have been made and measures have been adopted which provide

a legal and political framework to enable the Namibian people to attain independence. Deadlines have been set more than once for ending South Africa's occupation of Namibia. Efforts have been made in the Organization and elsewhere to abolish the colonial régime in Namibia through political and peaceful means. A similar effort undertaken within the framework of the Security Council led to the adoption last January of resolution 385 (1976), which, in the general view of this body, allowed the United Nations to discharge its responsibilities towards the Namibian people and opened up the possibility of reaching a just solution to the problem of Namibia.

40. Unfortunately, that resolution, like many of the other resolutions adopted so far, has not been respected by the Government of South Africa. The response and the attitude of the Pretoria Government to all those efforts have not been such as to allow us to believe that it has truly understood the meaning of the profound changes that have taken place and are continuing to take place in the world. The times of colonialism and of relations based on dependence and exploitation among nations are gone and cannot be recalled. Has the South African Government not drawn any conclusions or learned any lessons from post-war history? What has been the result of the colonial wars waged against the national liberation movements of oppressed peoples, and what has happened to attempts made by colonialist Powers to perpetuate, whether by old or new methods, their domination over other peoples?

41. It is high time the entire world, including the South African Government, fully realized that the progress of mankind demands the final eradication of colonialism in the shortest possible time, wherever it exists and in whatever form. It is the duty of our Organization to multiply its efforts, as long as relationships of subordination and exploitation of one nation by another exist any where in the world, to wipe out, once and for all and in the near future, that blot on the page of history.

42. We believe that in the present circumstances there is a great need to intensify actions to support the realization of the vital aspirations of the Namibian people to live freely in its country. It is with great interest that we welcome the statement made on 28 September by the President of SWAPO, Sam Nujoma [1956th meeting]. He reaffirmed the determination of the liberation movement which he heads to continue the struggle for the liberation of Namibia until victory is achieved. At the same time, he presented SWAPO's position relating to the solution of the Namibian problem by political means. For our part, we believe that the proposals and requirements formulated by SWAPO constitute a sound, realistic and constructive basis for a solution in keeping with the interests and the inalienable rights of the Namibian people and with the interests of peace. That is why Romania fully supports those proposals.

43. The political settlement of the problem of Namibia necessarily presupposes that the Government of Pretoria clearly commits itself to show, very soon, through specific acts that it respects the sacred right of the Namibian people to determine its own destiny and freely to select the way to its economic and social development. So long as South Africa does not clearly commit itself in that direction, the United Nations will have only two lines to follow: intensify political action and measures against the South African régime, provided for in the Charter, and support in every way the legitimate struggle for liberation of the Namibian people.

44. We therefore believe that the Council must act with all the firmness required to ensure the implementation of its own resolutions with regard to Namibia. For that purpose, it must resort to all the means provided by the Charter, including the application of sanctions against the Government of South Africa, as suggested in Council resolution 385 (1976), which was unanimously adopted. At the same time, the Council must give maximum support on the political and diplomatic planes to SWAPO, which has been recognized at the international level as the legitimate and authentic representative of the Namibian people and, most particularly, its demands relating to a peaceful solution of the Namibian problem under the aegis of the United Nations. Finally, we believe that the Council must, through its actions, help to bring about the necessary conditions for the United Nations Council for Namibia to discharge its obligations to the Namibian people, under the mandate entrusted to it by the General Assembly.

45. The Romanian delegation is ready to co-operate with the delegations of the other members of the Council in the preparation of a resolution which would fully respond to those conditions. We are convinced that the Council would thus be able to contribute effectively to a just solution of the problem of Namibia in order to ensure the development of that country as an independent and unitary State.

46. For its part, faithful to its consistent attitude of militant solidarity with all peoples fighting for freedom and independence, Romania is giving the Namibian people and its national liberation movement its permanent and multifaceted support.

47. The bonds of solidarity between the Romanian people and the people of Namibia have found eloquent expression in the joint communiqué adopted in Bucharest in August 1973 after the talks between the President of the Socialist Republic of Romania, Nicolae Ceauşescu, and the President of SWAPO, Sam Nujoma. That document embodies the decision of socialist Romania resolutely to support, through various ways and means, the legitimate struggle of the Namibian people for the definitive abolition of foreign domination and for the independent development of its country. In reiterating that position today,

we wish to recall here the opinion recently expressed by President Ceaușescu in his message to the Summit Conference of the non-aligned countries held in Colombo:

"It is now necessary for all peoples and all States to act as vigorously as possible to assist the subjugated peoples and to eliminate completely the policy of colonialism, neo-colonialism, racial discrimination and *apartheid*."

48. It is in that spirit that we should also encourage the efforts being made by other means to achieve a just and lasting solution to the problem of Namibia—efforts which must be known to the General Assembly and the Security Council provided that they are not intended to be palliatives or equivocations, which would only prolong the sufferings of the Namibian people, but measures aimed at effectively bringing about the national independence of Namibia.

49. It is in the light of those considerations that the delegation of Romania is ready to lend its active co-operation to ensure that the present debate in the Council will lead to the concerted adoption of actions and measures, with appropriate guarantees for implementation, which, while truly responding to the hopes of the Namibian people, would also increase the prestige of the United Nations in the world.

50. The PRESIDENT: The next speaker is the Minister for External Affairs of Guinea. I welcome him and invite him to take a place at the Council table and to make his statement.

51. Mr. CISSOKO (Guinea) (*interpretation from French*): The delegation of the Party-State of Guinea has the honour to offer you, Mr. President, its sincere congratulations on the occasion of your accession to the presidency of the Council. Your vast experience and wise diplomacy will prove to be a valuable contribution in the analysis of the situation in Namibia. I should also like to take this opportunity to thank our brother of the Libyan Arab Republic, Ambassador Kikhia, who presided with so brilliantly over the first part of this debate.

52. We are especially pleased at the presence among us of the leaders of SWAPO, a fighting organization with which the Party-State of Guinea feels militant sympathy and deep admiration, because that organization embodies the legitimate aspirations of the Namibian people.

53. With perhaps excessive zeal for clarity we have always placed the centuries-old fascism of South Africa in its historical context by frequent reference to key dates. Please excuse us, then, if we repeat ourselves.

54. During the debate in the General Assembly in 1946, the racist régime of South Africa, which had

already been assigned by peoples and States, proposed a memorandum on South West Africa, in which it vainly attempted to legitimize its annexation of Namibia. Despite the rejection of that document, South Africa has refused since then to abide by the decisions of the United Nations. The verbatim records of the General Assembly in 1946, 1947, 1948 and 1949 confirm the total absence of a spirit of co-operation on the part of the South African authorities. It is not idle to recall that at the first session of the General Assembly in January 1946, the representative of South Africa declared that consultations with the people of Namibia had been undertaken regarding the form which their future government should take. The same representative, however reserved the position of his Government concerning the future of the mandate over what is now Namibia.<sup>3</sup>

55. While the last bastions of colonialism are collapsing, South Africa, despite the numerous resolutions of the United Nations, is obstinately upholding a Mandate which was abrogated a decade ago. That attitude of stubborn arrogance and of sovereign disdain for all existing international rules has never surprised the legitimate representatives of the peoples or simple observers of good faith, for back in 1940 Pretoria declared, according to the *Bericht* of 26 September 1940:

"In considering the future of relationships between blacks and whites in South Africa we should, nationalists as we are, greatly appreciate a new division of Africa, if Germany were to rule over a territory in central Africa from the Atlantic Ocean to the Indian Ocean. We should consider the German territory as being a welcome barrier to other concepts of racial policy."

Hence there is nothing surprising in the attitude of the racists of Pretoria, one of whose eminent representatives, Mr. Van Rensburg, also declared at the time:

"If I had to describe myself, I would define myself as being a racially aware Afrikaaner with tendencies which many people today would call Fascist."

56. It was to men with such ideas that the League of Nations entrusted the destiny of Namibia! However, the League of Nations and those who were victorious over Germany were far from ignorant of the racist and ostensibly fascist nature of the South African régime. And it is those men whom the United Nations wishes at all costs to bring to reason. Our peoples, for their part, have never been fooled by that farce and do not expect anything from the régime of South Africa or from its main ally, imperialism.

57. To those who may be tempted today to believe in a radical transformation of the mentality of the racists of South Africa, to those who may be tempted



to expect something from any dialogue that may be held, to those who ignore the fact that the sole intention of imperialism is to subdue our vigilance through alleged agreements, we simply offer the lessons of colonial history in the Americas, in Africa, in Asia and elsewhere. The Revolutionary War here in the United States ended in 1776 without delay or compromise with the total independence of the English colonies in America. In Korea, Viet Nam, Cambodia, Mozambique and Angola imperialism hung on to the very last minute by means of a pretence at round-table talks aimed only at recruiting and installing puppet governments ready to betray the victory of the national liberation movements and thereafter to sell out their economies for the sole benefit of monopolistic imperialism. The racist colonialism of South Africa, then, is far from wishing to come to terms; it simply wishes to gain time, counselled to that end by international imperialism and by its racist bridgehead, Israel.

58. An analysis of the current international scene leads us to note that the situation in southern Africa has remained unchanged despite the wide-ranging travels and goodwill efforts of all kinds on the part of those who to date have been indifferent to the suffering of the peoples of that region, where the freedom and dignity of the black man have still to be recovered. In fact, through delaying tactics in the form of mediation and constitutional conferences, efforts have been made to establish in Namibia and in Rhodesia buffer States for *apartheid*, or at least to grant a fictitious sovereignty for the purpose of continuing the odious South African régime. The Government of the Party-State of Guinea has declared many times that it is less responsive to intentions than to the reality and meaning of actions, bearing in mind the specific interests of peoples.

59. We must admit that to date the action undertaken by Vorster and his racist allies tends more to discredit the resolutions of the United Nations than to bring about the end of an obsolete mandate condemned by all. It is unfortunate that imperialist doctrine, which of necessity narrows down the notion of humanism and makes it the privilege of certain peoples, continues to prevail not only in South Africa but in many countries which pretend to be free from racism.

60. For the Republic of Guinea, the situation can no longer be misunderstood. The aggression against Angola launched from Namibia in 1975 and more recently the Sialola massacres in Zambia prove that South Africa remains the same. It has taken no notice of resolution 385 (1976) or of the many resolutions of the United Nations which it continues to disregard, with the complicity of certain Powers. The South African problem is a problem of colonial domination. The *apartheid* régime, which is just an offshoot of fascist violence, will no longer be tolerated. Our peoples are resolved to crush it and destroy it without mercy.

61. The delegation of the Republic of Guinea reaffirms that: first, any talks about the problem of Namibia must first be held with SWAPO, which continues to be the only authentic representative of the Namibian people; secondly, in accordance with SWAPO's wishes, the United Nations must be a party to any talks on the subject; thirdly, all Namibians held in Vorster's gaols must be immediately and unconditionally released; fourthly, the political refugees must be allowed to return with full guarantees; fifthly, the date of independence must not be delayed at all.

62. No amount of confusion must divert us from those objectives in our efforts to find a way out of the impasse in southern Africa. Only one solution is possible: the final interment of *apartheid* through armed struggle.

63. Mr. KADUMA (United Republic of Tanzania): Mr. President, may I begin by congratulating you on assuming the presidency of the Council for this month. I am confident that you will ably guide the Council to a successful outcome in this important matter of which it is seized. I wish also to pay a tribute to your predecessor, Ambassador Kikhia of the Libyan Arab Republic, for the skilful manner in which he presided over the Council during the month of September.

64. This is the fifth time this year alone that the Council has met to consider a question involving South Africa as an aggressor. In January, the Council dealt with the issue of the continued illegal occupation of Namibia by South Africa. In March, it condemned South Africa's aggression against Angola. In June, it condemned the Soweto massacres. In July, it condemned South Africa's aggression against Zambia. On a percentage basis, this constitutes over a quarter of the issues that the Council has dealt with so far this year. And in each of these debates, South Africa has been the accused. To put it mildly, this is not a record worthy of any State Member of the United Nations, for it is in complete violation of the Charter, which South Africa is supposed to have accepted. It is therefore a matter of grave concern that the Council should be holding a second series of meetings this year to consider the issue of Namibia.

65. As in the past, the South African régime has ignored a decision of the Council, this time the decision that was unanimously adopted in January in resolution 385 (1976). This resolution, which condemned the continued illegal occupation of the Territory of Namibia by South Africa and called on South Africa to hold elections under United Nations supervision and control, was a reiteration of the Council's decisions contained in resolution 366 (1974). Members of the Council will recall that South Africa refused to implement that resolution too. I shall not dwell on each aspect of South Africa's systematic and scornful refusal to implement the Council's resolu-

tions. Suffice it to say that South Africa has, by this refusal to implement the Council's decisions, violated Article 25 of the Charter, under which the Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the Charter. Thus, the logical question the Council should ask itself is whether this repeated and contemptuous flouting of the Charter does not warrant a reconsideration of South Africa's continued membership in the Organization.

66. I believe that the time has come when we must seriously review the relationship of the United Nations vis-à-vis South Africa, because, when the highest body of the United Nations collectively expresses its stand and that stand is arrogantly and persistently challenged by a Member, it then becomes necessary for that body to live up to the challenge if it is to retain some credibility in the eyes of the world. The Council cannot lie prostrate while its will is defied.

67. Furthermore, this defiance has been going on for too long. The first and foremost defiant act is that of not withdrawing from Namibia, in contravention of resolution 264 (1969) by which the Council recognized that General Assembly terminated of South Africa's Mandate over Namibia and assumed direct responsibility for the Territory until its independence. Further, the Council considered South Africa's presence there illegal and contrary to the principles of the Charter. It also declared the actions of South Africa, designed to destroy the national unity and territorial integrity of Namibia through the establishment of bantustans, to be contrary to the provisions of the Charter. In addition to the Council's call on South Africa to withdraw immediately from Namibia, the International Court of Justice, in its advisory opinion of 21 June 1971<sup>1</sup>, stated that South Africa was under the obligation to withdraw its presence from Namibia.

68. Another aspect of South Africa's defiance of the United Nations is the repression of Namibian patriots in a most inhuman manner. South Africa has applied the so-called terrorism legislation to stifle opposition to its brutal rule in Namibia. Also in contravention of the resolutions which I have cited, it has introduced *apartheid* and the bantustanization policies into Namibia, thereby aiming to consolidating its hold on this international Territory. Worse still, it has illegally sentenced to death opponents of this criminal system. Furthermore, it has continued the militarization of Namibia in such a manner as to use the Territory as a springboard from which to attack neighbouring African countries. All these manoeuvres by South Africa have been possible because the United Nations has so far failed to act decisively and thereby, by default, encouraged South Africa to entrench itself further in Namibia.

69. Under the circumstances, members of the Council have the right to ask themselves why this

defiance of the United Nations position has succeeded to date. In my view, it is because of the economic, political and moral support which South Africa receives from certain Western Powers. Some of those Powers have massive economic investments there which are propping up the economy of the *apartheid* régime. Our appeals that those investments in South Africa should be terminated have not been heeded. On the contrary, some Powers have continued to arm South Africa; others have even made their nuclear technology available to South Africa without considering the grave danger of their actions. Consequently, South Africa has used this military arsenal to suppress the Namibians. That is why, knowing that in the last resort some Powers will support it,—at least by vetoing Council resolutions, it can afford to cling to Namibia. Moreover, this support encourages South Africa to entrench itself further in Namibia, ignoring all relevant United Nations resolutions.

70. What, then, should the Council do, in view of the challenge posed by South Africa? I suggest that it is now time to arrest the serious deterioration of this situation by taking decisive and concrete steps against South Africa. It will not do to adopt only a condemnatory resolution which concludes by stating that the Council remains seized of the matter and that, in the event of non-compliance by South Africa, the former will meet to consider appropriate measures under the Charter. It is now very clear that South Africa no longer takes the Council's resolutions seriously and the expression "appropriate measures" has been repeated in so many resolutions that international public opinion will not forgive us this time if we do not specify those measures.

71. And what are those measures? They are those specified in Chapter VII of the Charter. These measures are necessary because a threat to international peace and security already exists in Namibia through the militarization of that Territory and its utilization as a springboard for constant aggression against the People's Republic of Angola and the Republic of Zambia. The Council should therefore impose both a mandatory arms embargo against South Africa and economic sanctions. We believe that these would be the initial serious moves to bring South Africa to heel. We feel that these are definitely called for and appropriate in order to end South Africa's defiance of the United Nations. Those who have opposed us in the past should not act in such a manner as would imply that they are on the side of the oppressors of Namibians. South Africa is an international outlaw and should be treated as such. I trust that this time positive action will not be frustrated as it was in June 1975 by a triple veto.

72. We should not fail to act in this regard, for this may be the last chance we have to achieve the independence of Namibia without the escalation of war. If some of us frustrate this less violent effort, the only

alternative will be an intensification of the armed struggle. In this regard, Tanzania will continue to support the legitimate representatives of Namibia—namely, SWAPO—until victory is achieved.

73. Alternatively, if South Africa wants to avoid the aforementioned dire consequences, it can make a choice. That choice would be to face reality by talking to SWAPO about the modalities for the transfer of power to the Namibians. South Africa should recognize SWAPO as the authentic representative of the Namibians and hold direct negotiations with this vanguard movement of the people. It is ridiculous for South Africa to pretend that SWAPO does not exist. Such a delusion can only prolong the suffering of the people of southern Africa.

74. Here I wish to emphasize my country's total support for the conditions set forth by SWAPO under which such talks can take place, and in particular the following. In the first place, the talks should be between South Africa as a colonizer, on one side, and SWAPO as the representative of the people, on the other. Secondly, the talks should be held under United Nations auspices. Thirdly, all SWAPO members held in gaol by South Africa as political prisoners should be released. Fourthly, no negotiations can succeed if they do not aim at keeping or preserving the independence and territorial integrity of Namibia under majority rule. Fifthly, in order to avoid pressures, such talks should be held on neutral ground.

75. Those would be the barest minimum conditions to ensure the success of the talks. But the most important is that South Africa, as a colonial Power, should have direct talks with SWAPO, the organization recognized by the United Nations and the Organization of African Unity. South Africa cannot have it both ways. As a *de facto* colonial Power it cannot purport to say it is ready to transfer power while at the same time refusing to have any dealings with SWAPO.

76. Should South Africa try to deceive the world with any other bogus manoeuvres, it will be held accountable for whatever happens. That is why my Government condemns and rejects the so-called constitutional conference the results of which were announced on 18 August [S/12/80]. This charade between tribal and racial representatives hand-picked by South Africa shows the racists' perfidy, for these talks are aimed at hoodwinking the world into believing that at last South Africa is ready to hand over Namibia to its people. In reality, the Turnhalle talks were a mere farce. A reading of the statement of the so-called constitutional committee proves how naive South Africa can be. After vaguely referring to an independence date "with reasonable certainty" and the "adequate protection of minority groups", the document alleges in a foot-note that the port and settlement of Walvis Bay is a part of South Africa. Were these talks really about self-determination or

about the mortgaging of Namibia? Needless to say, these talks have been rejected by SWAPO, the Organization of African Unity and the non-aligned countries.

77. It has been suggested in some quarters that in efforts to achieve majority rule in southern Africa, South Africa can be regarded as an ally. That assertion is as untrue as it is dangerous. It is untrue because South Africa has not co-operated to bring peace and justice to the area. It is dangerous because it gives respectability to South Africa and denies credit to those who deserve it.

78. In this respect, South Africa's position regarding Rhodesia must be viewed in the context of the internal developments in Rhodesia itself. For it is the pressure of the freedom-fighters that is influencing events. Any other effort is not an initiative but a reaction. It should therefore be clear that the tune in southern Africa is being called by the freedom-fighters. In any event, if South Africa is serious and well-meaning, let it put its house in order first before purporting to venture elsewhere.

79. Nor, indeed, can the current efforts in Rhodesia and Namibia mean that South Africa is going to be given breathing space in respect of its *apartheid* and racial policies within its boundaries. The struggle will continue unabated until colonialism and racism are eradicated from the whole of southern Africa, for South Africa's inhuman internal policies are being extended towards the outside world in order to create buffer zones in such places as Namibia. So the battle has to be carried to the source.

80. In this struggle Africa hopes that it will receive support from those who treasure freedom and human dignity. This support can take any form—diplomatic, political, moral or material. I hope this support will be shown in the Council by a unanimous vote for action against South Africa for impudently challenging the United Nations by illegally continuing to occupy Namibia. The decision we take here may change history. It may mean the end of agony for the Namibians or the conflagration of war in Namibia. I trust that the Council in its collective wisdom will make the right decision.

81. The PRESIDENT: The next speaker is the Minister for Foreign Affairs of Ethiopia. I welcome him and invite him to take a place at the Council table and to make his statement.

82. Mr. WODAJO (Ethiopia): Sir, I would like first of all to thank you and the members of the Council for allowing me to take part in this debate on Namibia. It gives me particular pleasure to do so under your presidency. With your considerable experience in the United Nations, the Council could not have been in better hands when it is considering the decolonization of Namibia.

83. The Council is once more this year considering the fate of Namibia after it has become clear that South Africa does not have any intention of co-operating in the implementation of the terms and conditions laid down in resolution 385 (1976). It will be recalled that, in that resolution, the Council condemned once more the continued illegal occupation of the Territory of Namibia by South Africa, as well as the application of its racially discriminatory and repressive laws and practices in Namibia. It also called on South Africa to terminate its illegal occupation of the Territory and to hand the powers of government to the authentic representatives of the people through free elections to be held under United Nations supervision and control. Finally, the Council demanded a forthright response from South Africa by 31 August, in the light of which it proposed to examine the Namibian question.

84. The Council has now received the response of the Government of South Africa in the form of a statement issued by the so-called constitutional committee of the South West African Constitutional Conference [*ibid.*]. And it is now for the Council to see this reply for what it is.

85. There is no doubt that this latest response of the Government of South Africa represents yet another attempt to confuse the issue, to buy time and, it hopes, create around it a ring of non-viable bantustan States to impede the southward march of independence and to ensure South Africa's control and plunder of the resources of Namibia. The implications of this latest manoeuvre cannot be lost on those who have followed the evolution of the Namibian issue.

86. First and foremost, after summoning to a meeting some tribal chiefs and elements—from which the authentic representatives of the people, SWAPO, had been excluded—, South Africa wants the Council to believe that this declaration represents the views of the people of Namibia. How can South Africa be serious when it offers to advance Namibia to independence without the participation of SWAPO, the one organization whose representativity of the people of Namibia has been consolidated by the political and armed struggle it has carried on for over two decades, and whose legitimacy has been accepted by the United Nations and the Organization of African Unity?

87. Secondly, the so-called declaration does not speak in affirmative terms of Namibia's territorial integrity and the unity of its people: it only incorporates a vague reference to a desire to maintain South West Africa "as a unity". This particular phraseology is sufficiently emotive to suggest that South Africa is indeed seeing eye to eye with the United Nations as far as the need to preserve Namibia's territorial integrity is concerned, while at the same time it is so imprecise and broad as to allow South Africa to continue to pursue its policy of dividing Namibia into so many unviable, anomalous units.

88. Thirdly, the declaration does not make any reference to United Nations responsibility for the administration of Namibia, or to the Security Council's demand for free elections to be held under United Nations supervision and control. The absence of such a reference is a continuation of South Africa's persistent refusal to acknowledge any United Nations responsibility for the independence of Namibia.

89. Finally, the declaration does not contain any mention of the fate of the Namibian freedom fighters who are languishing in South African gaols. There cannot be any serious talk of a constitutional conference for Namibia's independence when the mere asking for independence is considered a criminal offence.

90. It is thus clear that, without stating it explicitly, South Africa has rejected the terms of the Council's last resolution. I would even say that the response of South Africa to the demands of the Council goes beyond mere rejection: it reaffirms, in no uncertain terms, South Africa's determination to continue implementing the policy of bantustanization of Namibia.

91. In the judgement of my delegation, the question that the Council should ask at this point is not whether South Africa's response has measured up to the terms of its last resolution, but how to give effect to the specific decisions of the General Assembly and the Council, reaffirmed several times in the last few years.

92. There might be a disposition by some well-intentioned people to regard the latest manoeuvre by South Africa as something that is more than what it is—as something that the United Nations can seize upon to ask for more. If one were to go by the record of the duplicity that South Africa had in the past engaged in, that is precisely what it wants the United Nations to believe now. Nothing will distort the issue more than for the United Nations to welcome the declaration of this farcical constitutional conference as an encouraging development, albeit falling short of the requirements of the last Council resolution, and as providing a positive point of departure for any political process leading to independence.

93. My delegation implores the Council to abandon any such hopes and to adopt instead a realistic position recognizing that the latest shenanigan is but one last dilatory effort aimed at buying further time for South Africa to implement its policy of bantustanization under its perverse concept of self-determination.

94. We should all remember that this latest manoeuvre by South Africa cannot be separated from past attempts to create new issues at the expense of distracting attention from the real issue of transferring the powers of government from the colonial administration to the authentic representatives of the people of Namibia.

95. Thirty years ago, the Government of South Africa approached the first session of the General Assembly with a proposal that it be permitted to incorporate Namibia into its territory—which was then, as it is now, a ward of the international community. That request was rejected outright by the Assembly, on the ground that the African people of Namibia could not, in the circumstances prevailing at that time, express an opinion on a choice of that nature. Ever since that time, the United Nations has never ceased to try by all available means to reach a settlement with the Government of South Africa which would enable the people of Namibia to exercise their right to self-determination and independence. To that end, every available procedure for the peaceful settlement of disputes under the Charter, every available innovation in the arsenal of United Nations diplomacy, have been tried repeatedly, but to no avail, and to the great disappointment of all those who have expressed great faith in the principles of the Charter.

96. It may appropriately be asked at this stage what the Council can do in the face of South Africa's challenge. My delegation believes that the first requirement is to accept the only conclusion that one can reasonably arrive at under the circumstances for what it is with full awareness of the consequences. The Council should, in particular, reject all attempts to make this only possible and inevitable conclusion palatable by suggesting that somehow there is some room for negotiation and for optimism. Once that is done, the second requirement, in the view of my delegation, is to go beyond condemnation and to act in a way that could avert untold consequences. In this respect, some could help more than others; and it should be clear that the assistance required of all should be commensurate with their ability to help and their responsibility.

97. Now that every conceivable avenue for the settlement of this dispute has been tried, and now that South Africa's refusal to co-operate in the implementation of United Nations resolutions has been given the form of a definitive and final reply, the only way left to the Council is to take all necessary effective action to secure South Africa's compliance. First of all, the Council should enable the United Nations Council for Namibia to exercise fully the functions entrusted to it by the Assembly. That would, of course, mean that the Security Council would, in the final analysis, have to secure the withdrawal of the South African authorities from Namibia.

98. In the view of my delegation, the Security Council has special responsibilities and obligations under the Charter to do precisely that. Already, by its resolution 246 (1968), the Council has taken cognizance of its special responsibility towards the people of Namibia. It now remains for it to accept the full implications of the recognition of that responsibility. Above and beyond that—and this must be made quite

obvious—the Council has the obligation under the Charter to act in this situation. There is a clear threat to international peace arising out of South Africa's persistent denial of independence to the people of Namibia. Already, fighting is occurring between the occupying South African forces and the Namibian nationalists. As violence is bound to generate more resistance, the tempo and frequency of the fighting are inevitably bound to increase, with far-reaching implications for peace in Africa.

99. An even more compelling reason for the Council to act is the fact that the continued presence of South Africa in Namibia could not be said to be anything but a presence imposed and sustained by military force. It is a clear case of the military occupation of one country by an alien force of another country. It cannot be anything else but aggression. In this context, it is relevant to recall that South Africa's contention expressed at the United Nations, that its right to administer the Territory is not derived from the Mandate of the League of Nations but from military conquest, continues unchanged. Surely the Council has a clear obligation to act immediately, both to remove the threat to international peace posed by South Africa's action and to punish the aggressor who can only say to us contemptuously, in this day and age, that its right is based on military conquest. Under the circumstances, there is no alternative for the Council but to take effective action under Chapter VII of the Charter.

100. The PRESIDENT: The next speaker is the representative of Morocco, and, accordingly, I invite him to take a seat at the Council table and to make his statement.

101. Mr. BENGELLOUN (Morocco) (*interpretation from French*): Mr. President, may I first of all fulfil a pleasant duty by conveying to you the congratulations of my delegation on the occasion of your accession to the presidency of the Council. I am convinced that under your guidance the deliberations of the Council have the best chance of arriving at concrete and positive results. I am particularly convinced of this because you belong to a great country, Pakistan, whose sacrifices for the cause of peace, the long struggle it has waged for independence and the brave and militant positions it has taken in favour of other countries—including my own—when they were still under foreign domination have enabled it to instil in its sons a passion for justice and a love of mankind. I should also like to pay a tribute to the wisdom with which your predecessor guided the debate of the Council during the past month. Finally, I should like to express the gratitude of my delegation to you and to the other members of the Security Council for having kindly permitted us to participate in this debate, which we hope will be a turning point for Namibia.

102. Once again, the Council is confronted with a problem which should long ago have found its normal

and definitive solution. The Council has, indeed, been called upon repeatedly to deal with this grave question and to assume its lofty responsibilities under the United Nations Charter.

103. The racist and minority Government of South Africa, the last vestige of a retrograde colonialism and of abject racism on the African continent, has, on many occasions, been condemned for its criminal acts and called upon to comply with the decisions of this high international body. But so far this Government has systematically turned a deaf ear to the decisions of our Organization, and persisted in its provocation, the geopolitical realities of our time notwithstanding.

104. Thus, neither the General Assembly resolution in 1966 putting an end to the Mandate of South Africa over Namibia [*resolution 2145 (XXI)*], nor the creation of the United Nations Council for Namibia in 1967, nor the advisory opinion of the International Court of Justice in 1971<sup>1</sup> proclaiming the illegality of South Africa's presence in the Territory, nor, ultimately, the considerable political changes in the region as a result of the crumbling of the Portuguese empire, none of these has convinced South Africa of the need to how to the opinion of the international community and make the essential changes. Moreover, the Vorster régime, concerned first and foremost with perpetuating its racist philosophy and its colonial domination, cunningly resorted to a policy of seizing the bull by the horns and trying to give the impression it was in favour of political changes in the region.

105. Pretoria's recent activities are manifestly hypocritical and are aimed at hoodwinking the international community. The so-called measures that have been adopted are an unprecedented attempt at distortion as Machiavellian the determination of its authors not to be ruled by the principles of international morality.

106. What about the decision to hold a constitutional conference? Pretoria decides to hold one in Windhoek, but it designates participants who, subservient to their masters, adopt a declaration stressing what its authors call the interdependence of the various population groups and the adequate protection of minorities, and casting doubt on Namibia's sovereignty over certain port facilities, a sovereignty which had never been questioned before. Of course, such a declaration could not fail to refer to the authentic representatives of the people; thus, it refers to them only in an attempt to discredit them.

107. For 30 years the situation has steadily deteriorated in Namibia; it became alarming and ended by being tragic. The sad fate reserved for the courageous people of Namibia, the provocations against it, the humiliation and the oppression to which it is subjected daily and the terror that has become its lot have long been repugnant to the international community.

108. The Security Council has unceasingly, through its many resolutions, expressed its concern to safeguard the territorial integrity of Namibia, to protect the political unity of the country and to oppose any extension to that territory of the policy of *apartheid* which Pretoria has made a rule of life in South Africa. This concern has, nevertheless, not prevented the South African usurpers from persevering in their negative attitude, maintaining in Namibia a presence as illegal as it is unjust, and pursuing the implementation of a policy which has merited the condemnation of the international community. How much longer shall we have to tolerate this defiance of our Organization and this affront to the universal conscience?

109. On behalf of the Government of His Majesty King Hassan II of Morocco I should like to reiterate our full and unconditional support for the people of Namibia and to pay a tribute to SWAPO.

110. We believe that the time has come for first the Security Council and then the United Nations Council for Namibia and the United Nations Commissioner for Namibia to play the decisive role that devolves upon them, in the framework of the present developments, to exercise their prerogatives and fulfil their obligations as vigilant guardians and legal defenders of the rights of the Namibian people.

111. All efforts should be concerted to put an end to the tragic situation of our brothers in Namibia and to impose a real solution for their painful problem. Such a genuine solution would have to include a solemn recognition of SWAPO as authentic representatives of the aspirations of the Namibian people.

112. The United Nations, which, through the United Nations Council for Namibia, has legally assumed the role of guarantor of the rights of the Namibian people, should play the principal role in the final settlement.

113. The South African Government should proceed immediately to the genuine decolonization of the Territory. It should begin by releasing the political prisoners and then undertake the necessary talks to prepare for the transfer of power. This is the process that should have been followed by the Pretoria Government long ago if it had truly wanted to prove its good faith. The racist minority Government, however, has shown itself incapable, by its very nature, of proving its good faith to the international community.

114. As I have already recalled, the Council has been led to make many decisions which are unequivocal. It has clearly intimated to the Pretoria Government that it must evacuate without delay the international Territory of Namibia. It has set deadlines for such evacuation. It has repeatedly given the racist Government the chance to review its policies. It has warned that Government several times that it would be obliged to take measures against South Africa under the Charter. The latest of these resolutions,

which was adopted unanimously, is resolution 385 (1976). This demanded that South Africa urgently make a solemn declaration accepting the holding of free elections in Namibia under United Nations supervision and control of the United Nations and undertaking to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice. None of these demands has been met by South Africa.

115. We are entitled to wonder whether it is still conceivable for the Council to postpone the implementation of the measures that are required. We for our part are convinced that without the implementation of these measures the Pretoria Government will resort to other manoeuvres to evade its responsibilities and to postpone a deadline, which has already been too long postponed because the Council has been shockingly over indulgent according to some. The brave people of Namibia, Africa and the rest of the world have their eyes on the Council and are expecting it fully to assume its responsibilities and to safeguard peace and security in the Territory. We should like to believe that the Council will act effectively this time. Justice, peace and security in southern Africa are at stake.

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

117. Mr. RAMPHUL (Mauritius): Mr. President, while I miss my beloved African brother, Ambassador Kikhia of Libya, in the Chair, I warmly welcome your assumption of the presidency of the Council for this crucial month. Our respective countries enjoy very close diplomatic, political, economic, social and cultural ties. You will, I feel sure, learn with pleasure that Islam is flourishing more than ever in Mauritius. Your distinguished personal qualities, your talents as a skilful diplomat and your perfect understanding of current southern African problems will certainly go a long way towards ensuring the success of our deliberations in the cause of truth and justice.

118. So much has been said about the so-called Turnhalle declaration of 18 August [S/12180, annex] particularly by the United States Secretary of State, Mr. Kissinger, who called it a step forward, and by the press, which has hailed it as a promise of independence—that it seems important to analyse it to see what it is and what it is not.

119. First of all, it is neither a promise nor an agreement to grant independence to Namibia by 31 December 1978, or by any other date. Since the so-called Turnhalle Conference has no powers of any kind, this declaration merely expresses the belief of the members of a committee that Namibia may attain its independence by that date. It is not a declaration of the Conference, which apparently neither approved

nor adopted it. It is not a promise or an agreement of any sort on the part of the South African Government, which is not bound by it.

120. The committee's declaration makes it clear that the following must precede "independence": agreement on constitutional principles, creation of an interim Government, successful negotiations with South Africa on a vast number of difficult issues—including who gets and who pays for various services; South African rights in the Territory, the status of Walvis Bay, etc.; agreement on a constitution for Namibia and selection of the members of the Government to be established under it. None of these premisses has yet been established.

121. Furthermore, there is no promise or agreement that Namibia will be a "unitary State". The Committee members who issued the statement merely announced their desire to maintain Namibia as a unity. Since it is now divided into bantustans—two new "self-governing Territories" were created by Parliament in Namibia while the Turnhalle Conference was in session—it is difficult to how it can be maintained as a unity.

122. Since it is clear that the declaration is not what it has been claimed to be, what is it? What it really is a formula for producing an apparently new order in Namibia which will have a few black faces visible in high places, a new national anthem and a flag. It is also a formula for continuing South African domination of the Territory from behind the scenes, continuing white domination over blacks, continuing the creation of bantustans and increasing rapacious foreign exploitation of Namibia's mineral resources without any benefit to the black population in general.

123. The evidence supporting those conclusions comes from news stories, conference statements and documents, and the candid testimony of Chief Kapuuo's American attorneys in a Congressional hearing on 31 August last.

124. I shall comment on those four points one by one.

125. I shall start with the perpetuation of South African domination. Although the South African Government is ostensibly not involved in the Turnhalle Conference, it makes its influence felt indirectly. It supplies and indirectly pays the legal advisers of all the black groups, except NUDO [National Unity Democratic Organization]. Moreover, the lawyers it supplies are South Africans, many of whom represented the South African Government in the International Court of Justice litigation relating to Namibia. Those lawyers have already apparently given their clients poor advice, undermining Namibian rights or bargaining positions, as to Walvis Bay and Namibia's economic dependence on the Republic. Additional pressure is brought to bear on conference delegates



by statements such as that of the South African Foreign Minister to the effect that Namibia was unlikely to sever its economic, transport, monetary and other links with South Africa.

126. Outside the Conference, South Africa keeps police, military and paramilitary forces in Namibia estimated to number between 15,000 and 50,000—using a median figure, one soldier for every 35 inhabitants of the Territory. They have imposed martial law on the northern part of the Territory, arresting, detaining and torturing opponents and suspected opponents of the régime. Moreover, it was decided that while a few international “observers” may watch any elections to be held under the Turnhalle formula, United Nations supervision and control will not be allowed. South African police and military will provide the necessary protection.

127. It had been contemplated that the South African military would remain in Namibia after so-called independence—at the “invitation” of the Government whose election they would have assured. Now, however, it appears from the press that the United States Secretary of State, Mr. Kissinger, has suggested sending mostly black American military advisers, experts and instructors to create and indoctrinate a black Namibian army and to “protect” Namibia until that indigenous army is ready. I find it difficult to believe that such reports can be true—because, if they were true, then Africans would start losing faith in mankind.

128. I turn next to the perpetuation of white domination. Inside the convention, whites were able to exercise an effective veto over proposals for change by persuading the Conference to act by consensus only. One consequence is that the Conference was not able to agree on integrated education—thus ensuring the educational inferiority of succeeding generations of blacks. Moreover, the Conference made no decisions on the hated contract labour system—and, over the protests of many black participants, the government authorities decided to continue it because it is too efficient to be given up. Even when the Conference did decide on a territorial minimum wage, the white farmers’ organization announced that its members had no intention of raising their black workers’ pay to the set minimum.

129. The first draft constitution proposed by the so-called conference on 9 March, on which it appears that the sketchy plan for a Namibian Government announced on 16 September is based, ensures white domination of that Government. While a black—namely, Chief Kapuuo—is being touted for the presidency of the Government it proposes, the presidency is a mere figurehead position—mentioned only once in the 17-page draft of 9 March. The Prime Minister under the proposed plan will be a white—Dirk Mudge, Chairman of the Constitutional Committee—and will control the Government and the

administration. In view of the utter inadequacy of education for blacks, there are few who will be able to qualify for positions of any importance. Those who receive portfolios will undoubtedly operate as the homeland ministers do now, with a white adviser at their side controlling every move.

130. The 16 September announcement appears by implication to ratify the existing division of land among whites, coloureds and Africans. Thus the white 10 per cent of the population will continue to hold over 60 per cent of the land, including all the diamond and most of the other mineral deposits, most of the best farming land and all the urban and industrial centres.

131. I shall now speak of the question of the bantustans. The proposed 16 September plan provides for a three-tiered government structure. The top level, which will deal with “national” problems only, is to be based on the bantustans, with probably equal representation of each ethnic group. The second level consists of the governments of the bantustans, which handle all “homeland” affairs. The bottom level comprises elected town, village or *kraal* officials.

132. Despite the talk of a unitary State, the only reference to human rights in the Turnhalle statement is to the protection of “minority groups”, not to the protection of individuals.

133. I now have a few words to say about the continuation of foreign exploitation. Chief Kapuuo and his party, NUDO, whose lawyers claim that they alone do not receive direct or indirect South African subsidies, are supported by private contributions. If it is correct that they receive no funding from the South African Government, it is rational to suppose that the contributors are various investors or would-be investors in Namibia. Those contributors are putting their chosen future Head of State in their debt at the estimated rate of \$4,000 to \$10,000 per week for lawyers’ fees and expenses; plus the travel costs of the Chief and his entourage—he is a virtual commuter to the United States and the United Kingdom—plus the fees and costs of his American public relations firm, Psycomm, which has mounted a great drive to “sell” him to American businessmen, and to the media and the Congress.

134. According to Chief Kapuuo’s lawyers, a major object of the Turnhalle Conference is to get a government that can grow and expand and attract investment from all over the world. This is well understood by the potential investors, who are reported to be flocking to Windhoek to await the all-clear signal. Since black workers do not profit from this sudden inflow of investment, the Turnhalle formula means an ever increasing exploitation of their national wealth without economic gain, political advance or national unity for them.



135. That is my analysis of the so-called Turnhalle Conference.

136. I shall now speak of the escalating crisis in Namibia today. The paramount fact that must be considered in the present situation is that there is a colonial war being waged in Namibia. It is no longer simply a question of South Africa occupying the Territory illegally. Since 1974 the people of Namibia, under the leadership of SWAPO, have expanded their armed struggle to liberate the Territory. South Africa's response has been to send up to 50,000 troops and police to subdue the people of Namibia. They are now waging a classic and brutal so-called counter-insurgency war against the whole population of the Territory.

137. This new situation is extremely dangerous. For the war is taking place on the border of South Africa at a time when there is an increasing tendency on the part of some States to see the liberation struggle as a "communist plot". Incidentally, which African State is communist? I do not know of any. Perhaps the representatives of some States could name a single one to me. If not, they should be realistic and face facts, rather than hawk the well-known cheap propaganda of the racist régime of Pretoria. At this stage of its development, Africa is not concerned with East or West European ideologies. We are thinking only of liberating our people by all the means at our disposal and with whatever support we can muster.

138. Instead of helping the liberation struggle, those States to which I have referred have tended actively to oppose it. That opposition has increased the capacity of the white régimes to resist, and therefore has prolonged and intensified the struggle. Thus, South Africa and its supporters are resisting the struggle of the Namibian people in order to ensure so-called stability in the area. As they see it, "stability" will ensure the protection of the considerable foreign and South African interests in southern Africa. But as this means the "stability" of *apartheid* and colonialism, there is an inherent instability in the kind of stability they seek.

139. There can be no doubt that there is now quite extensive tacit external support for the South African policy of consolidation which is at issue here. The United States intervened in Angola precisely in order to prevent a domino effect in that part of the world. I do not know whether I should be saying this, but the United States Deputy Secretary of Defense is reported to have said so.

140. What makes the war dangerous for the international community is the fact that South Africa is caught in an impossible dilemma. It is losing the war, but it cannot afford to do so strategically and politically. That is why it is calling upon its external supporters for diplomatic and other kinds of help.

141. The crisis is therefore at a crucial point—for Namibia, for the United Nations and for the international community. We are now confronted with two possibilities. One is that the United Nations will succeed in asserting its authority. With the backing of the international community, it will force South Africa to leave Namibia, hold free elections under its own supervision and control and start Namibia on the way to genuine independence. The other is that South Africa, trying even at the eleventh hour to remain in control of Namibia, driven by paranoid and racist fears and encouraged by those who support it, will attempt to establish a client State, under Chief Kapuuo, and call it the advent of "independence".

142. There are many signs that South Africa is working hard, and pressing, to do this. The Turnhalle statement of 18 August announced a "new way" to Namibian independence. The Turnhalle statement of 16 September announced a "constitutional foundation" for an "independent" Namibia. And great efforts are being made to promote Chief Kapuuo as the next President of Namibia, although he has almost no support in the country. There appears to be considerable Western European support for the South African move. The announcement, barring United Nations action soon, of an interim government, is expected within the next four to five months, possibly sooner.

143. Such a government, of course, would be designed to maintain things more or less as they are. The faces at some levels of government would change, but *apartheid* would remain in place, along with South African or South African-supported security forces. The situation of the masses of the people would not change very much. And the people, under the leadership of SWAPO, would be bound to continue the struggle which has already carried them half way to freedom—as they have said they will.

144. South Africa's manoeuvre is a classic technique for dealing with colonies. If there is war, get some of them to fight with you; pay them well and pay *à tout prix*. In some military circles, it is called "mercenarization".

145. A Kapuuo government would be an attempt to reconcile the growing pressure of nationalism with the strategic needs of South Africa and its allies. But such a compromise would be highly unstable, since the war would then expand further. The expanded and continuing opposition of the large mass of the population to a client State would be dangerous because South Africa could not again possibly control the situation by itself. It would ultimately have to ask for outside help. Indeed, it is already receiving some. The following pieces of major military equipment are widely used by South African forces in the field: Unimog trucks, Mercedes Benz from West Germany; Willy jeeps from the United States; Puma, Alouette III and Super Frelon helicopters from France;

Bosbok liaison aircraft from Italy; C-130 Hercules air transports from the United States, and so on. Therefore, certain countries are actually helping South Africa's military efforts in Namibia quite directly, or perhaps unwittingly, and are thus helping to frustrate United Nations efforts to lead Namibia to independence and to undermine United Nations authority. Thus the rumours of outside help, which are confirmed by certain noises in Washington, are logical; and they are probably accurate as well.

146. There is only one solution in the present situation. The diplomatic initiatives of certain countries are now designed to buy time for South Africa so that it may proceed with the installation of a client régime, thus "safeguarding" South African and Western interests and, in particular, ending that armed struggle to which Secretary Kissinger recently referred, in a press conference on 11 September, as the danger which might radicalize Africa. But is it "radicalization" that is feared or is it "liberation"? The solution is to reassert United Nations authority vigorously in order to prevent the creation of a dangerously unstable "stability". That means a United Nations conference in which the South African Government negotiates with SWAPO directly and fixes the modalities of its departure. We must also bear in mind that there are only three parties to the conflict: South Africa as the illegal colonial Power; the United Nations as the legal administrator; and SWAPO as the sole authentic representative of the people of Namibia, which alone can decide who else to bring to any conference table. That would be less dangerous than anything else, even though it would require change. But, after all, it is change for which the Namibian people are struggling.

147. Secretary Kissinger summed up the essence of the matter in his conversation with Sam Nujoma the other day. He urged SWAPO to co-operate with him and to move towards South African terms. "We know you will win in the end if you resist", he is reported to have said, "but think of the bloodshed." That is precisely it. South Africa and its supporters believe that they can install their Ngo Dinh Diem safely in Namibia if they can bluff and push enough to mobilize enough money to buy off a few people who will act as sergeant majors while others exploit the Namibian people. And they are willing to intervene militarily to do it, if necessary, even though they may be aware that in the long run they cannot win. It is this kind of gambling with tens of thousands of lives and this contempt for human beings and liberty that the United Nations can and must stop in this situation, in which it has a unique possibility to act.

148. Before concluding, I should like to refer to some preliminary questions which I raised at the beginning of this debate. As the Council is aware, I have received the replies of the United States delegation in the form of a letter, which has been officially circulated at the request of the United States and is

therefore now an official document of the Security Council [S/12206]. I have some comments to make on these replies, and I shall be making them in the form of a letter to Mr. Scranton, the representative of the United States. I propose to enclose some materials which, I hope, will convince him of the justification for my fears. As a matter of courtesy and co-operation, I shall leave the decision as to whether or not my comments should be circulated as an official document of the Council entirely to the United States delegation. I personally would have no objection to whatever it decides.

149. The following is another point which I should like to make—and I do so for the benefit of Mr. Scranton and Ambassador Ivor Richard. The term "front-line States" with reference to southern Africa is a journalistic term designed to divide. The Presidents of the neighbouring countries where the conflict is concentrated are mandated by the Organization of African Unity because of their proximity to the area, and the current Chairman of the Organization of African Unity is Sir Seewoosagur Ramgoolam, Prime Minister of Mauritius. My Prime Minister is constantly in touch with the leaders of the so-called front-line States. As the representative of my country and of the Organization of African Unity I am personally in constant touch with my Prime Minister, the current Chairman of that organization. All of Africa is committed to the resolutions adopted by the Council of Ministers of the Organization of African Unity and to the decisions of the Summit Meeting of that organization held last July in Mauritius. It is the sacred and proud duty of all African representatives at the United Nations to implement these resolutions and decisions to the best of their ability. Therefore, I take the view that any deliberate confusion created at the United Nations by anybody in this context can be interpreted only as an attempt to divide Africa. Such attempts will be exposed and resolutely resisted.

150. African representatives here receive their instructions from their respective capitals and, through their respective Governments, they are mandated by the Organization of African Unity. So far as I know, they do not entertain instructions from the representatives of super-Powers or of past colonial Powers. And let no one ever question my credentials when I speak here on behalf of my Government or on behalf of the Organization of African Unity, thus discharging my official and noble duties with pride and conviction, with sincerity of purpose and to the best of my ability.

151. Africa welcomes any genuine efforts aimed at a peaceful negotiated settlement and at genuine independence for the Namibian people with majority rule. In the mean time, Africa will remain as united as ever under the banner of the Organization of African unity. We will not be divided. *A luta continua*—the struggle continues.

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

153. Mr. ALARCÓN (Cuba) (*interpretation from Spanish*): I wish first to thank you, Mr. President, and the members of the Council for allowing me to participate in this debate. It is a pleasure for me to express my satisfaction at seeing you presiding over the work of the Council for the month of October. Your talents, recognized by everyone, will be extremely useful to this organ in discharging its lofty responsibilities in the best possible manner. We wish you success in your task.

154. It was a good augury that the consideration of this important question began last month under the presidency of Ambassador Kikhia, the representative of the Libyan Arab Republic, where a revolutionary process is under way that gives encouragement to the entire African continent.

155. I do not need to speak at length to express again the firm support of the Revolutionary Government of Cuba for the struggle of the people of Namibia. At this moment when I am speaking to you Comrade Sam Nujoma, President of SWAPO; is in Cuba on an official visit that will help to strengthen the bonds of solidarity between our peoples.

156. The people of Namibia has waged a long struggle for independence and freedom. Subjected to the most brutal forms of colonialism and racism, it has had to wage a hard and perilous fight for several decades, ever since its lands were trampled upon for the first time by the European intruder. The heroism and resistance of the sons of Namibia are indelibly inscribed in the pages of history. They have courageously faced inhuman killings, the plunder of their lands and property, first by the German settlers and then by the South African racists. Thousands of Namibians have given their lives in defence of their basic rights. The people of Namibia have suffered from the cruellest suffering, the darkest oppression, the most ruthless exploitation.

157. Speaking in 1904 before the German Parliamentary Commission on the Colonial Budget, Mr. Schelettwein explained the principles of his Government's policy towards the people of Namibia in the following words:

"They have to be forced to work, and to work with no compensation except food. Years of forced labour are only a just punishment. At the same time, it is the best way to train them. The Christian and philanthropic sentiments on which the missionaries base their work must be vigorously repudiated."

158. Thus, it can be no surprise to anyone that the inhabitants of the Territory tenaciously resisted the European oppressor from the very outset. That

resistance took the form of many uprisings, which culminated in the general rebellion of 1905. The Namibian people was repressed with unparalleled ferocity and its aspirations to freedom were drowned in a torrent of blood and fire. A missionary, Mr. Schowalter, wrote the following in 1907:

"The last war has reduced the number of inhabitants to one fourth. After the battles of Waterberg the rebels disappeared in the sandy desert, and there lie the whitening bones of 12,000 to 15,000 men who fell victims to hunger and thirst."

159. Since then, since the first days of foreign occupation, Namibia has been an example of the brutality which the European was capable of inflicting on the African continent. To the initial oppression of the predecessors of the Nazis, the Pretoria yoke was added during the past half century. The old slavery, manifested now through the imposition of the iniquitous system of *apartheid*, has maintained the people of Namibia under exploitation, living in miserable conditions, squeezed dry by the large Western companies that have expropriated the wealth of the Territory.

160. Through its protracted struggle the Namibian people has been forging its own combat instrument, SWAPO, which, reflecting the spirit of rebellion of all the generations of Namibians, represents the struggle and suffering of Namibia's best sons, channels the national aspirations to freedom and independence, and is today the guarantee that the struggle will continue until final victory and that nothing and no one will be able to stop the complete liberation of the Territory.

161. The struggle for the total liberation of the peoples that are still being oppressed in Africa and especially in the territories controlled by the racist régimes of southern Africa has gained momentum, heralding approaching victory. The collapse of Portuguese colonialism the establishment of new sovereign States in the territories that had been usurped by Portugal, and the upsurge of the struggle of the liberation movements have led to the creation of a drastically different situation in the area. The victory of the Angolan people over racist-mercenary aggression dealt a decisive blow to those who are attempting to maintain exploitation and racism in Africa. The courageous decision of the Government of Mozambique fully to implement the sanctions against the illegal régime in Rhodesia has been an important contribution to the Zimbabwe people's efforts towards liberation. The vigorous resistance and the heroic rebelliousness of the South African masses have clearly demonstrated the internal weakness of the system of *apartheid*.

162. It is under those conditions that we should analyse the situation in Namibia. In that analysis it is relevant to recall the special obligation which the

United Nations bears in regard to a territory which has been placed under its direct responsibility and on which the Organization has focused its attention for so long. I take this opportunity to express once again our appreciation to those who have devoted their best efforts in the United Nations towards promoting the national rights of the Namibian people. Above all, I wish to express our appreciation to Mr. MacBride, the United Nations Commissioner for Namibia, for his indefatigable efforts; he has placed at the service of this noble cause all his talents and experience as an unflinching defender of freedom. We salute also the work done by the United Nations Council for Namibia, led so efficiently and with such devotion by Ambassador Kamana, of Zambia.

163. The Council is meeting now in conformity with resolution 385 (1976). It is meeting in the light of what may have been the last opportunity offered by the Council to the Pretoria clique to comply with the universal demand for its withdrawal from the usurped Territory. Obviously, South Africa has not heeded the terms of this resolution. It has not withdrawn from Namibia, nor declared its intention to do so. It has not terminated its illegal occupation of the Territory nor has it desisted from its consistent repression the Namibian people. It has continued to use the Territory as a base for aggression and provocation against the People's Republic of Angola and Zambia. Finally, it has continued to defy the international community and to mock the Council and the United Nations.

164. I do not know whether any of the friends of the Pretoria Government that are members of Council would be so bold as to evaluate the conduct of the South African régime otherwise, but, in any event, I am convinced that the opinion of almost all United Nations Members is that Pretoria has completely ignored resolution 385 (1976) and that, consequently, it is up to Council, here and now, to adopt the necessary measures to compel the racists to respect the will of the international community.

165. Speaking before the Council recently [1956th meeting], Comrade Nujoma, told us, as the spokesman of SWAPO, the only authentic and legitimate representative of the Namibian people, in simple and direct language what must be done—the only thing that must be done, and what the whole world expects

the Council to do: to take measures under Chapter VII of the Charter, and to impose now, without further delay, effective, binding and strict sanctions against the South African régime. My delegation decidedly supports that demand.

166. If the Council fails to do that, if it follows another course, it will not be fulfilling its responsibilities. Those who may be tempted, in their desire to preserve racist domination in the area, to block the adoption of that inescapable decision ought to realize that it may already be too late to come to the defence of their partners and allies. The struggle of the African peoples has reached a stage of development where it would not be easy for anyone to throttle or divert it. The tide of liberation is flowing strongly enough to cause the designs of the imperialists, colonialists and racists to founder. It is somewhat late to rediscover Africa or try to link the liberation cause with the intrigues of illustrious but belated missionaries. Those who are still trying to deal with Africa with the mentality of those who divided it up to suit imperialist voracity would do well to open their eyes to reality. We are not living in 1884, and in Berlin the victorious banners of the proletariat have been waving for three decades now. Furthermore, no one has yet invented a veto capable of halting the march of peoples determined to exercise their rights.

167. The decision adopted by the Council will be important, above all for the future of this organ and its reputation. The ultimate decision, the only decision which will be final, the one which no one will be able to oppose, will be taken by the people of Namibia, organized and led by SWAPO. The destiny of a resolute and indomitable Africa is in the hands of its revolutionary fighters. They are conquering it by struggle and sacrifice on the battlefield of freedom, and it is they who will have the last word.

*The meeting rose at 6.25 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.*

<sup>2</sup> *Official Records of the General Assembly, Second part of first session, Fourth Committee, Part I, annex 13.*

<sup>3</sup> *Ibid., First part of first session, Plenary Meetings, 12th meeting.*