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**12th
PLENARY MEETING**

Monday, 14 September 1981,
at 11.05 a.m.

NEW YORK

President: Mr. Rüdiger von WECHMAR
(Federal Republic of Germany).

AGENDA ITEM 5

Question of Namibia: (concluded)

1. The PRESIDENT: As members are aware, the general debate on the item under consideration was concluded at the 11th plenary meeting of the General Assembly on Friday, 11 September.
2. I shall now call on those representatives who wish to speak in explanation of vote before the vote. May I remind representatives, in view of the fact that we have 18 delegations that wish to explain their votes, that they are limited to 10-minute statements, to be made from the delegations' seats.
3. Mr. BARBOSA de MEDINA (Portugal) (*interpretation from French*): Portugal shares the concern of the international community regarding the situation in Namibia and is aware of the imperative need to combine our efforts to create conditions which would enable the people of Namibia freely to decide its future. Indeed, the harmonious development of southern Africa depends on the solution of the problem of Namibia, a solution, however, that must take into consideration the just and legitimate political aspirations of the people of Namibia as well as the special geopolitical conditions prevailing in that region. That alone will enable us to reach a lasting solution, under United Nations auspices, while respecting the inalienable rights of peoples to freedom and independence.
4. My Government hopes that, in striving for that goal, the parties involved and concerned will take the necessary political decisions to bring about a just solution, based on Security Council resolution 435 (1978). The people of Namibia must be able to determine its future through free elections, held under the auspices and control of the United Nations, in accordance with the plan that has been established.
5. In this context, my delegation would like to reaffirm the value it attaches to the efforts made by the Secretary-General, by the five Western countries of the contact group and by the front-line countries.
6. A particular tribute is due to the Government of Angola for the initiatives taken by the late President Agostinho Neto and those subsequently advocated by President Eduardo dos Santos, because nobody harbours any illusions about the possibility of resolving the problem through violence and repression.
7. The Government of Portugal and Portuguese opinion have condemned and deplored the attacks perpetrated against countries neighbouring Namibia as well as the resultant loss of life and destruction. My delegation has had several opportunities clearly to state Portugal's position in this regard, in particular in the Security Council, and recently, following the serious situation created by the Government of the Republic of South Africa, my authorities spoke officially of the vehement reaction of Portuguese opinion to that attack. It is essential that all parties concerned refrain from recourse to aggression and violence.
8. But at this crucial stage in the long process that will lead to Namibian independence we must be careful not to hamper efforts that are under way in that respect.
9. The peoples of southern Africa have a right to peace and justice, but that peace and that justice can be attained only through an internationally accepted solution. Portugal has not recognized the validity of the unilateral elections held in Namibia in December 1978; nor can it accept a plan that does not take due account of the international significance of the problem regarding the Territory's independence.
10. The Portuguese vote on the draft resolution to be voted on must be seen within that context. My delegation regrets that it must state that it cannot accept the paragraphs of the draft resolution that refer in discriminatory terms to certain countries or those that request a decision which falls within the purview of the Security Council. Nor can it give its agreement to wording that interprets the Charter of the United Nations in a way with which my country cannot agree.
11. Sir Anthony PARSONS (United Kingdom): On behalf of the 10 States members of the European Community, I should like to address certain basic propositions of principle in the draft resolution. In our common statement in the general debate [4th meeting], I stated on behalf of the 10 delegations our conviction that the people of Namibia must be permitted urgently to exercise their right to self-determination and independence without further delay by means of free and fair elections in accordance with Security Council resolution 435 (1978).
12. Our Governments have repeatedly condemned the resort to force as a means of resolving the problems of the area, and we strongly deplore the recent large-scale incursions by South African forces into southern Angola. It is the responsibility of the United Nations in accordance with its Charter to seek peaceful solutions. We must therefore dissociate ourselves also from explicit or implicit endorsement of armed struggle.
13. The commitment of the 10 delegations to the Charter and its division of competences between the

Security Council and the General Assembly remains unchanged.

14. In keeping with our support for the right of the people of Namibia to choose their own Government through free and fair elections, we remain firmly of the view that none of the participants in those elections should be designated in advance as the sole and authentic representative of the people. We reject all arbitrary and unjustified attacks on Member States.

15. Mr. NTLHOKI (Lesotho): Without prejudice to the well-known support that Lesotho gives to the international community in its efforts to ensure that Namibia attains genuine independence in accordance with Security Council resolution 435 (1978), my delegation wishes to state that Lesotho reserves its position on the question of sanctions, in particular operative paragraphs 12, 13 and 14 of the draft resolution as revised, given the geopolitical situation of Lesotho vis-à-vis South Africa. In other words, while Lesotho will vote affirmatively on the draft resolution, it is in the light of the preceding explanation and reservation on sanctions that its vote should be understood.

16. The PRESIDENT: We shall now vote on draft resolution A/ES-8/L.1/Rev.2 and Corr.1. A recorded vote has been requested.

A recorded vote was taken.

In favour: Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Chile, Denmark, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Swaziland,¹ Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 117 votes, to none, with 25 abstentions (resolution ES-8/2).¹

17. The PRESIDENT: I shall now call upon those representatives who wish to explain their votes.

18. Mr. ÅLGÅRD (Norway): I have the honour to speak on behalf of the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden.

19. The Nordic countries have consistently supported and striven to promote Namibia's right to independence and self-determination. In the communiqué from the Ministers for Foreign Affairs of the Nordic Countries, prepared at their meeting held at Copenhagen only last week, the Ministers affirmed once again their firm conviction that the people of Namibia must be permitted as soon as possible to determine its own future through free and fair elections under the supervision and control of the United Nations in accordance with Security Council resolution 435 (1978). The endeavours to bring South Africa's illegal occupation of Namibia to an end should, in the opinion of the Nordic Foreign Ministers, be given the highest priority and the delaying tactics of South Africa must be terminated. The Ministers also stressed that the Nordic countries remain prepared to make their contribution to a solution within the framework of the United Nations as well as to the construction and development of a free Namibia.

20. The Nordic countries concurred with the request of the African nations to have this emergency special session convened. We share the anger and frustration of Africa. We therefore regret that the Nordic countries were unable to support the draft resolution before us, as we have reservations concerning some of its paragraphs for reasons that the Nordic countries have stated on several occasions. It is furthermore the view of the Nordic countries that, under the Charter of the United Nations, only the Security Council has the authority to impose mandatory sanctions on Member States.

21. The Nordic countries urge all parties which have been constructively involved in the negotiating process to continue their efforts to find an internationally acceptable solution to the question of Namibia, in accordance with Council resolution 435 (1978).

22. Mr. NISIBORI (Japan): I should like briefly to explain my delegation's vote on the draft resolution which has just been adopted.

23. My delegation abstained because we have difficulty in accepting the second preambular paragraph and operative paragraphs 3, 6, 7, 12, 13 and 14 of the draft resolution.

24. Mr. KLESTIL (Austria): The week of general debate in this eighth emergency special session has established one phenomenon clearly: that there exists the broadest international consensus that Namibia must become independent and that its independence will have to be achieved on the basis of the United Nations plan laid down in Security Council resolution 435 (1978). Austria regrets that this international consensus has not found adequate reflection in the draft resolution which was just put to the vote and that several controversial elements in the preambular as well as in the operative part have been included. We wish to take this opportunity to reiterate Austria's

conviction that a negotiated settlement of the question of Namibia can be found only on the basis of Council resolution 435 (1978) and through the combined efforts of the Western contact group, the Secretary-General, the South West Africa People's Organization [SWAPO] and the front-line States.

25. We renew our appeal for a speedy resumption and completion of the negotiating process and express our hope for speedy positive results. In view of that negotiating process, Austria decided to abstain in the vote.

26. Mr. BOLE (Fiji): My delegation voted in favour of the draft resolution on the question of Namibia which has just been adopted by the Assembly. Our positive vote resulted from much in the text with which we fully agree, including the key point in the draft resolution that Namibia should speedily proceed to independence on the basis of Security Council resolution 435 (1978). My delegation, however, has reservations concerning the references to armed struggle, particularly in operative paragraph 3 of the draft resolution, since Council resolution 435 (1978), which reflects the international consensus, provides for a negotiated settlement. Consequently, we also condemn South Africa's militarization of the Territory, as well as its military incursions into neighbouring States, particularly since this seriously undermines the ongoing search for a peaceful solution. We also have difficulties with the wording of operative paragraph 10, in view of the commitment that has been expressed for an internationally acceptable solution on the basis of Council resolution 435 (1978).

27. The PRESIDENT: I now call on the representative of Canada, who will speak on behalf of the Western contact group of five countries.

28. Mr. MORDEN (Canada): The Governments of Canada, France, the Federal Republic of Germany, the United Kingdom and the United States today abstained on the draft resolution placed before this emergency special session on the question of Namibia. In explanation of vote, I wish to make it completely clear that our collective abstention neither reflects nor implies any judgement on the merits of the recommendations contained in the draft resolution. Our Governments have not, therefore, taken a substantive position on this draft resolution, nor do we consider that it in any way affects the course of the negotiations in which we are engaged.

29. The initiative which our Governments have undertaken and are firmly committed to pursuing in order to bring about an internationally recognized independence for Namibia, is once again at a crucial stage and we did not wish to have it complicated by our taking a position on the substance of the resolution before us. Consequently, on purely procedural grounds, and notwithstanding our well-known positions on the substance, our five delegations abstained. Our objective remains to secure a peaceful internationally recognized settlement in Namibia. We do not believe that the resolution before us will contribute to that objective and we again urge all concerned to look for positive ways forward.

30. We wish, however, to take this opportunity to reaffirm our unabated attachment to the provisions of the Charter of the United Nations, in particular, those

related to the respective powers and functions of the Security Council and the General Assembly. The authority of the General Assembly is commendatory in character; moreover, the General Assembly cannot arrogate to itself powers it does not have by using language appropriate only to the Security Council. Nothing in this text, therefore, gives rise to legal obligation. Furthermore, we wish to point out that the role of the five in seeking a negotiated settlement to this problem necessitates our being able to negotiate with all parties concerned.

31. Mr. AZAR GÓMEZ (Uruguay) (*interpretation from Spanish*): At this stage in the General Assembly's consideration of what is known as the question of Namibia, the Uruguayan delegation will speak briefly to explain its vote on the draft resolution which we have just adopted.

32. Uruguay, a zealous defender of the principle of the self-determination of peoples, has voted in favour of the draft resolution. This traditional position on the part of my country is based on defence of the right of any people to establish an independent State, so that it can unreservedly exercise its sovereign right to choose its own Government. As our delegation has stated in various occasions, we reaffirm that the occupation of Namibia is illegal and that it must come to an end, and that the United Nations has the responsibility to exercise the effective administration of that Territory on a provisional basis until the people of Namibia, in exercise of its full right to self-determination, can, in a climate of peace and independence, decide upon the political system that best suits it and proceed to elect its authorities by the vote of its citizens.

33. Uruguay, faithful to a consistent policy, agrees with the spirit in which the draft resolution was prepared, as well as its basic objective, which is the achievement of an independent Namibia. Nevertheless, we do not share some of the views and solutions contained in that resolution regarding the successful attainment of an independent Namibia.

34. In connection with operative paragraphs 3 and 6 my delegation reiterates, first, that it is up to the people of Namibia, when it achieves its independence, to elect its authentic and legitimate representatives, to determine its own sovereign and independent destiny under the political system that it also freely decides upon, and to establish its relations with other peoples, without any pressure whatsoever, and for the benefit of its own people.

35. Secondly, Uruguay is sincerely committed to the Charter of the United Nations and has established in article 6 of its own Constitution that "in international treaties concluded by the Republic shall be proposed the clause that any differences that arise among contracting parties shall be decided upon by arbitration and other peaceful means." I repeat that Uruguay cannot accept, in accordance with the above, the institutionalization of armed struggle.

36. The inclusion of a reference to this matter is a distressing acknowledgement of weakness, which we cannot accept in the United Nations because it implicitly acknowledges that a peaceful settlement in accordance with the Preamble, principles and purposes of the Charter has not been possible. A blind recourse

to violence would in the future render impossible the peaceful and harmonious coexistence of different communities.

37. In connection with operative paragraph 12, we believe that the sanctions requested in accordance with Chapter VII of the Charter must be analysed seriously and unemotionally. Such a wide-ranging measure goes beyond punishment of a State or a group in power and directly affects an entire people without distinction of race or class.

38. We are concerned and also have reservations about operative paragraph 13 for the same reasons we have put forward in connection with operative paragraph 12. Moreover, it is our understanding that it is for the Security Council alone to implement such measures and that, prior to their adoption, it would have to undertake a study of the possible negative consequences of such measures.

39. In connection with operative paragraphs 14 and 15, we should like to express reservations, because it is our understanding that sovereign States cannot have limitations or monitoring imposed on them in the conduct of their international relations. Uruguay has relations with countries with the most diverse political systems and, therefore, these relations cannot and must not be interpreted as support for their national or international policies.

40. We cannot fail to express reservations on some aspects of the terminology used in this draft resolution and the selective character of some of its paragraphs.

41. Lastly, we should like to express the hope that in the future we shall be using the minute of meditation traditionally at our disposal during our sessions to reflect on why, at this time when so many peoples are calling for peace, so many Governments are urging war. The answer can be found only here at the United Nations; the solution is within us. Therein, we feel, resides our hope, although we are by no means optimistic.

42. Mr. BUENO (Brazil): Brazil supports the main thrust of the draft resolution and voted in favour of it.

43. However, some of the provisions of the draft resolution may give rise to technical inconsistencies and, in our view, deserved a more in-depth examination and a more detailed explanation.

44. For those reasons, my delegation wishes to place these comments on record.

45. Mr. TRUCCO (Chile) (*interpretation from Spanish*): My delegation had to abstain in the vote on the draft resolution which the Assembly just adopted.

46. The reason for that abstention is that the Chilean delegation is convinced that the negotiating process begun by the five Western Powers and subsequently made official in Security Council resolution 435 (1978) must continue because it is, in our view, the only course still available for a peaceful solution to the colonial question of Namibia. For that purpose, it is essential that the parties involved in the negotiations should not consider themselves relieved of their legal and moral obligations to continue co-operating with the United Nations until the total independence of the international Territory of Namibia is attained.

47. In my delegation's view, the wording and content of some preambular and operative paragraphs of the draft resolution just adopted by the Assembly may possibly be invoked as an excuse to evade participation in the negotiation process, with all the serious and grave consequences that that would imply for the people of Namibia and also the peoples and States of southern Africa. The escalation of violence that we witnessed recently in Namibia and in some front-line States is a bad omen of the damaging consequences that might ensue if the United Nations plan were in the end to be abandoned.

48. For the proper implementation of the Security Council plan for the independence of Namibia, it is essential that all the parties refrain from actions that not only threaten international peace and security but also imply a grave violation of the Charter of the United Nations and of the principles on which the peaceful co-existence of States is founded.

49. The Chilean delegation joins in the universal outcry of the States Members of the Organization and makes a solemn fervent appeal to the Government of the Republic of South Africa to co-operate with the United Nations and faithfully fulfil the relevant resolutions of the General Assembly and the Security Council concerning Namibia. Only through negotiation based on good faith and with the participation and the guarantee of the United Nations will it be possible to complete the decolonization of Namibia, thus creating conditions enabling the people of that Territory themselves, in a free and sovereign manner, to choose the course that best suits their interests.

50. For all those reasons, my delegation, in spite of its traditional policy and unreserved support for the cause of the people of Namibia, was unable to support the draft resolution.

51. Mr. CARIAS ZAPATA (Honduras) (*interpretation from Spanish*): Honduras voted in favour of the draft resolution which was just adopted, in keeping with its foreign policy on Namibia and because we consider that the draft reflects the philosophy and objectives of Security Council resolution 435 (1978). The Honduran Government believes the Council resolution to be the proper framework for the solution of the question of Namibia and we urgently request its full implementation.

52. However, we do not agree with some of the language of the draft resolution; in particular, we wish to express a reservation with regard to the wording used in operative paragraph 10.

53. Moreover, we consider that references to armed struggle as well as to the use of force and wording concerning the recognized competence of the Security Council should be understood in keeping with the relevant provisions of the Charter of the United Nations.

54. Mr. STAREY (Australia): Australia abstained in the vote on the draft resolution because of its reservations on the third and fourth preambular paragraphs and operative paragraphs 3, 6, 10, 12, 13 and 14.

55. Our opposition in respect of those paragraphs is well known, and therefore we see no need to enter again into the substance of our reservations. However,

we wish to stress that our abstention should not be seen as detracting in any measure from our complete support for Security Council resolution 435 (1978), which we consider fundamental to a peaceful settlement in Namibia. We fully support the inalienable rights of the people of Namibia to self-determination and independence and maintain that Namibia is and must remain the legal responsibility of the United Nations until such time as self-determination and independence are achieved in the Territory in full compliance with the relevant resolutions of the General Assembly and the Security Council.

56. Mr. LEGWAILA (Botswana): I simply wish to register my delegation's reservations on operative paragraphs 13 and 14 of the draft resolution.

57. Mr. MARTÍNEZ (Argentina) (*interpretation from Spanish*): The Argentine Government voted in favour of the draft resolution because it wished to express its constant support for the fundamental principles that have been enunciated by the General Assembly and the Security Council for the decolonization of Namibia, principles which have the aim of a peaceful and orderly transition by Namibia to genuine independence. Nevertheless, my delegation wishes to express the following formal reservations with regard to the text adopted.

58. First, we have reservations with regard to any reference that would prejudice in a restrictive way the representation of the people of Namibia, since this matter can be established only through free elections conducted in accordance with the relevant resolutions of the General Assembly and the Security Council.

59. Secondly, we have reservations with regard to any reference to support for armed struggle as an instrument to achieve independence, freedom and self-determination for Namibia, since this is a means not envisaged in the Charter of the United Nations for the solution of international disputes. Neither can my Government approve of appeals for the provision of military assistance to any of the parties in the conflict.

60. Thirdly, critical references to the actions of certain countries such as those included in the fourth preambular paragraph cannot be supported by my delegation, because they reduce the support for the resolution and therefore its effectiveness.

61. Fourthly, the Argentine Government wishes to recall that the Charter of the United Nations reserves competence in the application of sanctions to the Security Council, the body entrusted with the primary responsibility for the maintenance of international peace and security. Although experience has shown that in this area the Charter is not a perfect instrument, since the machinery for decision-making by the Council has prevented that body in many cases from acting immediately and with the effectiveness that would be desirable, it is, nevertheless, indubitable that as long as the structure and the distribution of powers at present existing under the Charter prevail it is desirable that they be respected, since their preservation is indispensable for the maintenance of an orderly international system with clear and precise rules. In this connection, any ambiguity or overlapping of competence between the General Assembly and the Security Council would only contribute to weakening the effectiveness of the Orga-

nization and would introduce an undesirable note of insecurity in international relations. Therefore, we cannot accept the appeals or requests for comprehensive mandatory sanctions against a Member State, since the Argentine Government does not believe that the imposition of such measures beyond the machinery strictly laid down in the Charter provides an adequate and effective means for the resolution of international conflicts, including the case of Namibia. This position coincides with the attitude of the Argentine Government in regard to other recent crises and is based on the realization that in most cases the isolation of Governments not only is ineffective but even contributes to the worsening and undue prolongation of international conflicts.

62. Fifthly, the Argentine Government likewise disagrees with the operative paragraphs in which modalities for monitoring the sanctions are envisaged, because from the legal standpoint this presupposes the application of sanctions which would be imposed without respect for the explicit and relevant provisions of the Charter of the United Nations.

63. Mr. KIRCA (Turkey): My delegation has just voted for the draft resolution, in keeping with our well-known position on the question of Namibia.

64. However, as regards references to certain countries or certain regions contained both in the preambular and in the operative paragraphs, the Turkish delegation would have preferred that these references not be included in the text. I should like also to state for the record that we accept the draft resolution within the context of our statement made before the Assembly on 10 September 1981 [8th meeting] and to the extent to which it complies with the general principles underlying our foreign policy.

65. Mr. GÁLVEZ MUCIENTES (Bolivia) (*interpretation from Spanish*): The Bolivian delegation, as another expression of its support for the legitimate cause of the people of Namibia and its opposition to *apartheid*, voted in favour of the draft resolution. Nevertheless, we should like to say that some of the ideas in that draft with regard to the sovereign decisions of States could have been omitted.

66. Mr. DORR (Ireland): Ireland is deeply committed to the independence of Namibia at the earliest possible date, as we made very clear in the Security Council in April last, both in our statements and in voting for two of the draft resolutions calling for sanctions which were then before the Council. Nevertheless, we have abstained on the present draft resolution, and I should like to explain briefly and clearly why we have done so. I should like my statement to be read in conjunction with the common explanation of vote made here on behalf of the 10 States members of the European Community.

67. As we stated in the Security Council four months ago,² Ireland wants to see Namibia free and independent within the year, on the basis, and within the framework, of Security Council resolution 435 (1978)—that is, through free and fair elections under the supervision and control of the United Nations.

68. It is our view that South Africa's illegal occupation of Namibia and the consequences which flow from it—such as the recent large-scale incursion by

South Africa into Angola—do indeed constitute a serious threat to international peace and security. For this reason we believe that the Security Council, of which Ireland is at present a member, should have adopted certain measures under Chapter VII of the Charter of the United Nations so as to increase the pressure on South Africa to implement the United Nations plan for Namibia's independence.

69. The Security Council did in fact address itself to this issue in a major debate in April last. We deeply regret that it was unable to agree and that there was a break in the united position that the Council had maintained on the issue for several years. For our part, we said at that time that we were ready to support graduated, carefully chosen and effective measures to oblige South Africa to respect the decisions of the Council and its clear obligations under international law.

70. Therefore we voted in the Council in April for the draft resolutions on sanctions, because we believed that the measures they provided would have been practicable and effective. However, we abstained on another draft resolution that would have imposed comprehensive sanctions. We believed, as we said, that comprehensive, as distinct from specific, sanctions at that time were not desirable. Our view was that the Council, having decided on certain measures, should retain for possible later decision a range of other measures which Article 41 of the Charter also permits.

71. These same considerations have guided our approach to today's draft resolution. The decision which we took to abstain was a difficult one. The draft contains many formulations which accord fully with our approach to the question as I have outlined it. However, it also contains certain elements which we cannot endorse.

72. Operative paragraph 10 contains a very clear implication of bad faith on the part of certain members of the Western contact group. That group is still endeavouring to negotiate independence for Namibia in accordance, as we believe, with Council resolution 435 (1978). We do not wish to be associated with an implication of bad faith on the part of any of its members; we want rather to encourage the group to continue and increase its efforts. We look to the meeting of Foreign Ministers of the five countries here on 24 September to give clear evidence to all of us that substantial progress is being made. We could not, therefore, endorse operative paragraph 10 of the present text.

73. Operative paragraph 12 of the draft in effect urges the Security Council to impose immediately comprehensive mandatory sanctions under Chapter VII of the Charter.

74. Now as I have explained, Ireland favours selective sanctions against South Africa. We so voted in the Council in April and we would do so again; but we do not at this stage favour comprehensive sanctions. We continue to believe, as we did in April, that the imposition of comprehensive sanctions against South Africa is something which the Security Council should hold in reserve for use when and if measures of a more limited scope prove to be insufficient or if the process of negotiation which is still under way should completely fail.

75. Granted this approach, we have had a difficult choice to make on operative paragraph 12. The paragraph does respect the competence of the Security Council—which we think is right. It calls for sanctions, and we support sanctions. But it urges that these sanctions be immediate and comprehensive. We think this is premature because of the importance of the issue. We have felt it necessary to abstain here today as we did in the Council four months ago.

76. I turn now to operative paragraph 13 in which the Assembly itself, without on this occasion mentioning the Security Council, calls on all States to impose comprehensive sanctions. We take the same view here as we did on operative paragraph 12. But in addition there is the point that such action by the Assembly, having, as it must have, the force of a recommendation only, is unlikely to be either effective or uniformly interpreted, and we think that uncoordinated or ineffective measures could be damaging rather than helpful to the ends we seek. Accordingly, we could not endorse this operative paragraph. To avoid any misunderstanding, however, I should mention that, for its own part, Ireland does not maintain diplomatic relations with South Africa; we do not have military or cultural relations with it; our Government has actively discouraged sporting contacts with South Africa and we adhere strictly to the arms embargo.

77. We would have certain other difficulties elsewhere in the text, but our main problems relate to these three operative paragraphs—10, 12 and 13—to which I have referred. Since these are the central points of the draft resolution and despite our support for other paragraphs, we were obliged with regret to abstain on the draft resolution as a whole.

78. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): In connection with the adoption of draft resolution A/ES-8/L.1/Rev.2 and Corr.1 by an overwhelming majority, the Soviet Union delegation considers it necessary to state the following.

79. We have already taken note of the importance and timeliness of the convening of this present emergency special session. The draft resolution adopted by the General Assembly will promote the speedy attainment by the people of Namibia of genuine independence and encourage the giving of effective assistance to the national liberation movement of the Namibian people under the leadership of SWAPO in its heroic struggle. The Soviet Union supports this draft resolution. There is no doubt that in respect of South Africa, which defies the entire international community and whose actions constitute a direct threat to international peace and security, comprehensive mandatory sanctions must be imposed under Chapter VII of the Charter so as to compel the Pretoria régime to put an end to its illegal occupation of Namibia.

80. If these sanctions have not yet been adopted, it is exclusively the fault of the Western Powers, in particular the United States, whose position support of the racist régime in Pretoria is decisively condemned by us.

81. The Soviet Union, as members know, does not maintain any relations or links with South Africa, as

demand by the draft resolution just adopted today. The task is to ensure compliance with the just demands of the international community by all States Members of the United Nations.

82. The PRESIDENT: We have now heard the last speaker in explanation of vote after the vote. I now call on the representative of Zambia who wishes to address the Assembly on behalf of the United Nations Council for Namibia.

83. Mr. LUSAKA (Zambia), President of the United Nations Council for Namibia: Mr. President, at the conclusion of this important debate on the question of Namibia and speaking in my capacity as President of the United Nations Council for Namibia, I have the honour and privilege to convey to the international community as a whole an expression of our profound thanks for the solidarity expressed with the struggling people of Namibia and to convey to you, Sir, our great admiration for, and warmest congratulations on, the objectivity and competence you have so consistently displayed in the course of this emergency special session.

84. There have been several occasions in the past during which you have guided the debates of the Assembly on the question of Namibia with such sagacity as to enhance our appreciation of the manner in which you guide our work. Your personal commitment to the cause of justice and to a solution of the question of Namibia has indeed earned you the respect of your colleagues in this Assembly.

85. To the Secretary-General of the United Nations, Mr. Kurt Waldheim, we say a thank you for his tireless efforts in trying to implement the United Nations plan for Namibia.

86. This eighth emergency special session was convened as a consequence of the failure of the Security Council last April to impose comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations. That failure was due to three vetoes cast by the three Western permanent members of the Security Council.

87. The international community has, through its instrument—the General Assembly—expressed unequivocally the need for action against the obdurate régime of South Africa for its refusal to respect the decisions of the United Nations. However, this expressed desire of the majority of Members of the Organization has been frustrated by a lack of commensurate action by the Security Council, the organ of the United Nations which has the primary responsibility for the maintenance of international peace and security. The Security Council has on several occasions been prevented from taking action against South Africa by the negative votes of the Western permanent members.

88. It is significant that, in the debate which has just been concluded, most members emphasized the fact that South Africa's continued illegal occupation of Namibia has enabled it to launch, with increasing frequency, acts of aggression against independent African States in the region, thus creating an even greater threat to international peace and security.

89. There is no doubt that the originators of violence should be condemned. In Namibia, violence

was first unleashed by the South African régime, in an example of what we sometimes call "State terrorism". It was only as an act of self-defence that the oppressed people of Namibia took up arms against the oppressor, whose addiction to violence as a response to political opposition—both in Namibia and, I might add, in South Africa itself—shows no sign of abating.

90. No one in the Assembly prefers violence for the sake of violence. As the international community may recall, in a document which is known as the Lusaka Manifesto,³ the people of Africa addressed themselves to the question of the liberation of southern Africa. They emphatically stated that Africa's preference would be to achieve liberation in southern Africa through peaceful means. However, in the event that a negotiated settlement were not possible, then the oppressed people would have no alternative but to employ any means at their disposal, including armed struggle, to achieve self-determination and freedom.

91. In accordance with the resolution which we have just adopted, the correct road to be followed is clear: South Africa must withdraw, removing its illegal occupation administration from Namibia. Namibia must become independent, under the auspices of the United Nations; and Security Council resolution 435 (1978), endorsing the plan for free and fair elections under United Nations supervision and control, constitutes the only basis for a peaceful settlement of the Namibia question.

92. This resolution should be implemented forthwith; there is no doubt that the delays in implementation are attempts to strengthen the position of the enemies of Namibia. In this connection, it is also necessary for us to say how disappointed we are at the negative attitude of a number of members in the Assembly for not expressing their condemnation of South Africa. To abstain from condemning South Africa's illegal occupation of Namibia is to encourage it to continue to maintain its *apartheid* policy and its illegal occupation of Namibia.

93. It has been suggested by a few delegations, in explaining their votes, that in certain elements of the resolution just adopted the Assembly has acted *ultra vires*. This is not so. An emergency special session, properly convened in accordance with rule 9 of the rules of procedure, has the power to authorize Member States disposed to do so to take various actions. This is what has been done today. Indeed, the action which has been authorized—a voluntary boycott—is modest, compared to what might have been envisaged.

94. On behalf of the United Nations Council for Namibia, the legal Administering Authority for Namibia until independence, I should like to thank those Member States which called on South Africa immediately to withdraw from Namibia and which called for the prompt implementation of Security Council resolution 435 (1978). Equally, our thanks go to those who pledged to continue to give their material and diplomatic support to SWAPO in its armed struggle for national liberation. The armed struggle by SWAPO will continue to be necessary as long as South Africa refuses to comply with efforts of the United Nations to seek a peaceful and negotiated settlement of the question of Namibia.

95. The PRESIDENT: I now call on the representative of Algeria, who wishes to speak on behalf of the group of African States.

96. Mr. BEDJAOUI (Algeria) (*interpretation from French*): First of all, Mr. President, I should like to extend my thanks to you for having been good enough to call on me as Chairman of the group of African States at a time when the work of this eighth emergency special session of the General Assembly on the question of Namibia draws to a close. May I also congratulate you on the authoritative manner in which you have conducted our deliberations and for the energy you have shown during this particularly lively session.

97. Because of the gravity of the issue and the circumstances in which this session has been held, it may be said that this has been a very special phase in the mobilization of the international community for the just cause of the Namibian people. Similarly, this session, over and above reaffirming the special responsibility of the United Nations, will have made it possible to agree on concrete measures to hasten Namibia's accession to genuine independence.

98. As a matter of fact, the resolution which has mustered votes far exceeding the required majority, without, moreover, a single negative vote, serves to maintain the ever-growing momentum of our solidarity with the Namibian people's legitimate struggle for national liberation. It also encourages SWAPO and the front-line States in their admirable resistance to the infernal war machine of the Pretoria régime. It is fitting for me, as spokesman for the sponsors of this resolution, to convey their heartfelt thanks to all those who have voted in favour of it, thus expressing their support for a most noble cause.

99. By the verdict it has just rendered, the General Assembly has met the expectations of Africa, whose heads of State, calling attention to the persistent blocking in the Security Council, have pinned on our deliberations here their faith in the capacity of the United Nations to work for the triumph of justice and law.

100. Therefore, I have some grounds for welcoming the success which has crowned our work, as well as the prospects thus opened up for the implementation of this organized international action to rebuff South Africa's repeated acts of defiance.

101. It was precisely the concern to achieve concerted action by the whole international community which guided the formulation of the draft resolution and its amendments through the broad-based consultations that we conducted. Furthermore, the final draft as adopted by the Assembly reflects less the position and aspirations of its sponsors than the sum of the concerns that everyone expressed during those consultations.

102. Thus, the well-balanced resolution that we have just adopted clearly constitutes a text completely geared towards effectiveness. Its impact will be measured by the determination we demonstrate individually and collectively to implement its provisions.

103. In this context, we have noted with regret the persistent reluctance of some delegations. But we

have also felt—and this must be emphasized because it is very important—a positive evolution in the thinking of some delegations which have the means to exercise the necessary pressure on the racist régime of Pretoria. In this respect, the next meeting of the Western contact group at the ministerial level becomes a test of sincerity. From that point of view, the resolution adopted, the main thrust of which is the implementation without change of the settlement plan endorsed in Security Council resolution 435 (1978) will be a wager on the future. It is, first, a wager on how receptive the five Western Powers will be to the staunch commitment of the international community to the settlement plan in its entirety. Next, it is a wager on their political will to make the plan which they sponsored successful and to meet the commitment into which they freely entered in respect of the United Nations and the international community. Finally, it is a wager on their ability to sense the growing impatience of the international community and to take advantage of the time allotted to them for the unconditional implementation of the United Nations plan.

104. The assurances that we have heard here, as well as the results that we have achieved, enable us to conclude this session with the hope that it will be the last of its kind before the genuine independence of Namibia.

105. The PRESIDENT: We have thus concluded our consideration of agenda item 5 on the question of Namibia.

Statement by the President

106. The PRESIDENT: We are now coming to the end of the eighth emergency special session of the General Assembly. Before closing the session, I should like to share a few thoughts with you.

107. For nearly 15 years, since direct responsibility for the Territory was assumed by the United Nations, the international community has devoted untiring efforts to the achievement of independence for Namibia. More than two years have elapsed since the Security Council unanimously adopted resolution 435 (1978), setting the basis for an internationally acceptable settlement. Yet, after prolonged and intensive consultations which seemingly resolved every possible technical difficulty, South Africa dashed our hopes at the pre-implementation meeting at Geneva by calling for further delay in the implementation of Council resolution 435 (1978). Understandably, this has provoked frustration and dismay among the whole international community.

108. At the same time, the increasing militarization of Namibia by South Africa and the spread of violence to neighbouring countries has increased the risk that the conflict in Namibia may be further internationalized. I particularly condemn the latest armed incursions into southern Angola launched by South African forces from Namibia.

109. By perpetuating instability and violence in the region, South Africa is making the search for peace and justice in Namibia difficult. However, I submit that the very gravity of the situation imposes upon the international community the obligation to redouble

its efforts to ensure that Namibia accedes peacefully to independence, as soon as possible, on the basis of Council resolution 435 (1978).

110. South Africa must understand that its continued delay in agreeing to co-operate on the implementation of a settlement plan which it had already accepted can only result in bringing upon it more international condemnation and further isolation. Such delay can at most impede the process leading to the independence of Namibia, but cannot prevent it. The debate which we have just concluded, in which 110 speakers have participated, and the resolution adopted have given ample proof—if any were needed—that the international community will not rest until independence is achieved.

111. Your President was privileged to be a member of the Security Council in 1977 and 1978. I was personally involved in the negotiations which led to the adoption of Council resolution 435 (1978). I believe therefore that I can speak with some authority when I reiterate here today what I have stated on several occasions in New York and in Africa. First, Council resolution 435 (1978)—the result of intensive, serious and long negotiations—provides the solid basis for a peaceful solution of the Namibia problem. Secondly, it reflects an international consensus, joined at that time also by South Africa. Thirdly, all parties concerned, but in particular South Africa, are called upon to honour their obligations entered into in 1978 and

begin the implementation of that unanimous decisions by the Council without any further delay.

AGENDA ITEM 2

Minute of silent prayer or meditation

112. The PRESIDENT: I invite representatives to stand and observe one minute of silent prayer or meditation.

The representatives stood in silence.

Closure of the session

113. The PRESIDENT: I now declare closed the eighth emergency special session of the General Assembly.

The meeting rose at 12.20 p.m.

NOTES

1. The delegations of Afghanistan, Colombia, Mauritius and Swaziland subsequently informed the Secretariat that they had intended to vote in favour of the draft resolution.
2. See *Official Records of the Security Council, Thirty-sixth Year, 2267th meeting.*
3. See *Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754.*

