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Letter dated 14 September 1976 from the Acting President of the United Nations Council for Namibia to the Secretary-General

I have the honour to transmit to you the texts of the Joint Communiqués issued on the consultations held between the Mission of the United Nations Council for Namibia and the Governments of Botswana (annex I), Zambia (annex II), and Angola (annex III).

In the light of the forthcoming debates on the question of Namibia in the Security Council and in the General Assembly, I would like to request that these Joint Communiqués be circulated as a document of the General Assembly, under item 85 of the provisional agenda, and of the Security Council.

(Signed) Roberto de ROSENZWEIG-DIAZ
Acting President
United Nations Council for Namibia
20 August 1976

Sir,

I have the honour to transmit to you the enclosed text of the statement of the United Nations Council for Namibia regarding the so-called proposals of South Africa on the future of Namibia, contained in document S/12180.


Accept, Sir, the assurances of my highest consideration.

Roberto de Rosenzweig-Díaz
Acting President
United Nations Council for Namibia

His Excellency
Mr. Kurt Waldheim
Secretary-General of the United Nations
New York, N.Y. 10017
STATEMENT OF THE UNITED NATIONS COUNCIL
FOR NAMIBIA ON THE SO-CALLED PROPOSALS OF
SOUTH AFRICA ON THE FUTURE OF NAMIBIA

1. The United Nations Council for Namibia has learned with profound concern and serious misgivings of the document which the South African Government has addressed to the Secretary-General of the United Nations containing the views of the so-called constitutional conference of representatives hand-picked by the illegal South African administration in Windhoek. This document attempts to mislead the Namibian people and world public opinion regarding the future political status of Namibia.

2. The United Nations Council for Namibia recalls its earlier statement issued on 29 August 1975 with reference to the so-called constitutional conference in Namibia in which the South African sponsored tribal elements and National Party supporters of apartheid intended to speak for the Namibian people, totally excluding the authentic representatives of those people i.e., the South West Africa People's Organization (SWAPO). The Council for Namibia condemned on that occasion the so-called constitutional talks and demanded the immediate and unconditional withdrawal of South African administration and its military personnel from Namibia, in accordance with the often repeated decisions of the United Nations.

3. The United Nations Council for Namibia further recalls its statement of 13 March 1976 by which it strongly condemned the death sentences passed by the illegal South African administration in Namibia against Namibian patriots. These actions were clearly intended to establish among other things, an atmosphere of intimidation and terror to impose upon the Namibian people a bogus constitutional solution aimed at subverting the territorial integrity and unity of Namibia and perpetuating a ruthless
policy of racial segregation.

4. The United Nations Council for Namibia reaffirms in the strongest possible terms its condemnation of these persistent treacherous attempts to perpetuate South African colonial exploitation of the people and resources of Namibia, by misrepresenting the genuine aspirations of the Namibian people. The continuous police violence and acts of intimidation by the security forces of the illegal administration bear witness to this misrepresentation.

5. The United Nations Council for Namibia reiterates its full support of the legitimate struggle of the Namibian people under the leadership of its liberation movement, SWAPO, to achieve self-determination and national independence for Namibia. The legitimacy of the struggle has been solemnly proclaimed by resolutions of the United Nations General Assembly and the Security Council. In particular, the General Assembly reaffirmed in resolution 3399 (XXX) of 26 November 1975 the inalienable and imprescriptible rights of the Namibian people to self-determination and independence in accordance with General Assembly resolution 1514 (XV) and urged the United Nations Council for Namibia to take all necessary measures for the implementation of its mandate under General Assembly resolution 2248 (S-V) of 10 May 1967. By its resolution 261 (1969) of 20 March 1969, the Security Council recognized that the United Nations General Assembly terminated the mandate of South Africa over Namibia and assumed direct responsibility for the Territory until its independence. It termed the continuing presence of South Africa in Namibia as illegal and contrary to the principles of the Charter and previous decisions of the United Nations and detrimental to the interests of the population of the territory and those of the international community. The same resolution declared in addition, that the actions of the government of South Africa designed to destroy the national unity and territorial integrity of Namibia through the establishment of homelands (bantustans) were contrary to the provisions of
the Charter of the United Nations and called upon the Government of South Africa to immediately withdraw its administration from the Territory. In its resolution 385 (1976) of 30 January 1976, the Security Council condemned once again the continued illegal occupation of the Territory of Namibia by South Africa as well as the arbitrary application of racially discriminatory and repressive laws and practices in Namibia. It also demanded that South Africa urgently make a solemn declaration accepting the provisions of the resolution for the holding of free elections in Namibia under United Nations supervision and control and that South Africa undertake to comply with the resolutions and decisions of the United Nations as well as with the Advisory Opinion of the International Court of Justice of 21 June 1971 in regard to Namibia.

6. The United Nations Council for Namibia strongly condemns the latest ill-advised stratagem of the South African administration in Windhoek as totally lacking in legitimacy, ambiguous and equivocal. The proposals of the so-called constitutional conference do not even approach any of the requirements for genuine self-determination and independence laid down by the United Nations. These proposals make no mention of the elimination of apartheid legislation. They merely seek to perpetuate the homelands (bantustan) policies with all the latter's deleterious effects on the integrity and unity of the Namibian people. They are also silent about free elections under United Nations supervision and control. They totally ignore SWAPO, which has been recognized by the OAU and the United Nations as the authentic representative of the Namibian people. There is no undertaking to release political prisoners or to allow the return of political exiles. The date suggested, i.e. 31 December 1978 constitutes an unjustifiable prolongation of the illegal South African occupation. The reference to "unity" is couched in ambiguous terms without specifically recognizing the territorial integrity
of Namibia as a unitary state. The references to the rejection of any attempt to solve the problems of Namibia by force are, to say the least, paradoxical in the light of the institutionalized brutality under the Repression of Terrorism Act and other rules and regulations which give a free reign to the most blatant and ruthless violation of all principles of human rights and freedoms as proclaimed by the Charter of the United Nations and the Universal Declaration of Human Rights.

7. The United Nations Council for Namibia is firmly convinced that South Africa has failed to comply with the terms of Security Council resolution 385 (1976) and therefore requests the members of the Security Council to consider appropriate measures to be taken under the Charter.

20 August 1976
Thirty-first session
Items 51, 84 and 85 of the preliminary list

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

QUESTION OF NAMIBIA

QUESTION OF SOUTHERN RHODESIA

Letter dated 20 July 1976 from the Permanent Representative of the
Federal Republic of Germany to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you in the enclosure two documents:

1. Statement of the Foreign Minister of the Federal Republic of
   Germany, Hans-Dietrich Genscher, on Security Council resolution
   392 (1976) of 19 June 1976 relating to South Africa,

2. Press communiqué of the Mission of the Federal Republic of Germany
   dated 1 July 1976 reiterating the position of the Federal Government
   on problems in southern Africa in the light of the recent talks with
   Prime Minister Vorster and Foreign Minister Muller in Bonn.

I should be grateful if you could have the two documents issued as an
official document of the General Assembly under items 51, 84 and 85 of the
preliminary list of items to be included in the provisional agenda of the
thirty-first session.

(Signed) Baron Rüdiger von WECHMAR
Ambassador
Permanent Representative of the
Federal Republic of Germany
to the United Nations

* A/31/50.
UNITED NATIONS
GENERAL ASSEMBLY

UNITED NATIONS COUNCIL FOR NAMIBIA

BUDGET OF THE UNITED NATIONS INSTITUTE FOR NAMIBIA

Resolution adopted by the Council at its 23rd meeting on 17 June 1976

The United Nations Council for Namibia,

Bearing in mind General Assembly resolution 2679 (XXV) of 9 December 1970, by which the Assembly decided to establish a comprehensive United Nations Fund for Namibia,

Recalling General Assembly resolution 3112 (XXVIII) of 12 December 1973, by which the Council was appointed trustee of the Fund,

Recalling further General Assembly resolution 3296 (XXIX) of 13 December 1974, by which the Assembly endorsed the decision of the Council to establish an institute for Namibia at Lusaka,

Having considered the report of the Rapporteur of the Committee on the United Nations Fund for Namibia relating to the 1976-1980 budget estimates of the United Nations Institute for Namibia, 1/

Expressing its satisfaction at the forthcoming inauguration of the Institute on 26 August 1976,


2. Further approves, subject to the availability of funds, the estimates of budgetary expenditures of the Institute for the year 1976 and, in principle, approves the estimates of budgetary expenditures for the period 1977-1980, subject to the submission of reports on the estimates of forthcoming financial contributions.

1/ A/AC.131/35.
UNUNITED NATIONS COUNCIL FOR NAMIBIA

ORGANIZATION OF WORK: ACTIVITIES OF THE COMMITTEE ON THE UNITED NATIONS FUND FOR NAMIBIA

Resolution adopted by the Council at its 230th meeting on 8 March 1976

The United Nations Council for Namibia,

Recalling General Assembly resolution 2679 (XXV) of 9 December 1970, by which it decided to establish a comprehensive United Nations Fund for Namibia,

Recalling further General Assembly resolution 3112 (XXVIII) of 12 December 1973, by which the Council was appointed trustee of the Fund, 1/

Affirming its responsibility for the effective management of the Fund, in order to give maximum assistance to the Namibian people in their struggle for self-determination and national independence,

1. Decides to increase by one member the Council's Committee on the United Nations Fund for Namibia;

2. Further decides that the Rapporteur of the Committee on the Fund will be a member of the Steering Committee of the Council;

3. Requests the Committee on the Fund to submit to the Council by 30 June 1976 a detailed annual report on the activities of the Fund, including allocations for specific items and a general plan of expenditure.

1/ See A/AC.131/L.33 and Add.1, paras. 97-102.

76-05690
The United Nations Council for Namibia,

Recalling General Assembly resolution 2248 (S-V) of 19 May 1967, by which it decided that the Council would entrust such executive and administrative tasks as it deemed necessary to a United Nations Commissioner for Namibia who, in the performance of his tasks, would be responsible to the Council,

Having examined the report submitted to the Council by the Commissioner,

1. Takes note with appreciation of the report of the United Nations Commissioner for Namibia;

2. Commends the Commissioner for his activities in carrying out the policies of the Council for the benefit of the people of Namibia;

3. Requests the Commissioner to include in his annual report to the Council to be submitted by 15 July 1976, information on the following:

(a) Activities of the regional office of the Commissioner in Lusaka, in particular the issuance of documents of the United Nations and activities related to the approved scheme for travel and identity documents, including negotiations with Governments concerning agreements on the "right-of-return" clause and their general acceptance, the issuance and renewal of such documents and negotiations with Governments concerning individual cases;

(b) Implementation of projects, as well as activities of the specialized agencies, related to assistance to Namibians;

1/ A/AC.131/L.33 and Add.1, para. 78.
(c) Utilization of the funds made available through the indicative planning figure for Namibia, approved by the Governing Council of the United Nations Development Programme; 2/

(d) Finances and activities of the United Nations Institute for Namibia in Lusaka; 3/

4. Further requests the Commissioner to submit to the Council by 1 May 1976 a detailed report on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. 4/
REPORT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA

(coversing the period 12 October 1974 to 12 September 1975)

VOLUME II

* This is an advance version of volume II of the report of the United Nations Council for Namibia, which will be issued in final form as Official Records of the General Assembly, Thirtieth Session, Supplement No. 24 (A/10024).

75-21022
LETTER DATED 11 SEPTEMBER 1975 FROM THE PRESIDENT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose for your attention the text of a statement on the so-called constitutional talks and on the repression in Namibia which was issued by the Council for Namibia on 29 August 1975.*

I should like to request you to have this statement circulated as a document of the Security Council.

(Signed) Rupiah B. BANDA
President
United Nations Council for Namibia

* Not reproduced in the present document for the text; see A/AC.131/L.31.
UNITED NATIONS COUNCIL FOR NAMIBIA

PROVISIONAL SUMMARY RECORD OF THE TWO HUNDRED AND TWENTY-THIRD MEETING

Held at Headquarters, New York,
on Tuesday, 26 August 1975 at 11 a.m.

President: Mr. DATCU Romania

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Commemoration of Namibia Day

Corrections to this record should be submitted in one of the working languages of the General Assembly, preferably in the same language as the text to which they refer. Substantive corrections should be sent in quadruplicate within three working days to the Chief of the Official Records Editing Section, Department of Conference Services, room LX-2332. Such corrections will be issued as addenda and/or corrigenda to the records.


The co-operation of participants in strictly observing this time-limit would be greatly appreciated.
LETTER DATED 25 APRIL 1975 FROM THE PRESIDENT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a copy of a statement adopted by the United Nations Council for Namibia at its 219th meeting on 25 April 1975.* I should be grateful if the statement could be brought to the attention of the members of the Security Council.

(Signed) Rupiah B. BANDA
President
United Nations Council for Namibia

* Not reproduced in the present document; for the text, see A/AC.131/L.24. That document was issued as a document of the United Nations Council for Namibia on 30 May 1975 and bears the following title: "Statement issued by the Council following its 219th meeting on 25 April".
ADMINISTRATIVE AND FINANCIAL IMPLICATIONS OF THE PROPOSALS CONSIDERED BY THE COUNCIL AT ITS 216TH MEETING ON 13 MARCH 1975

Note by the Secretary-General submitted in accordance with financial regulation 13.1

1. Financial regulation 13.1 provides that "No council, commission or other competent body shall take a decision involving expenditure unless it has before it a report from the Secretary-General on the administrative and financial implications of the proposal".

2. In accordance with the above regulation, the following information is submitted regarding the proposals considered by the United Nations Council for Namibia at its 216th meeting on 13 March 1975.

3. The proposals of the Commissioner for Namibia would involve the following additional expenditures:

   (a) One adviser (D-1) to assist in the preparation and production of the programmes of Radio Namibia (May through October 1975) .............................................................................. $20,000

   (b) Two P-2/1 staff: one P-2/1 to assist with the establishment of the Institute for Namibia; the second to assist in the Commissioner's Office in Lusaka (one to start work in April and the second to start in May through December 1975) ................................................................. 32,000

   (c) Two General Service staff to assist in the ever-increasing workload of the Commissioner's Office in Lusaka, (April through December 1975) ................................................................. 19,200

   (d) Travel .................................................................................. 5,000

   Total proposed additional expenditure for 1975 ....................................................... $76,200
4. It would be the intention of the Secretary-General, pursuant to the decision of the Council, to seek from the Advisory Committee on Administrative and Budgetary Questions authority to enter into commitments up to the total amount requested ($76,200), under the terms of General Assembly resolution 3196 (XXVIII) of 18 December 1973 relating to unforeseen and extraordinary expenditures.
UNITED NATIONS COUNCIL FOR NAMIBIA

STATEMENT ISSUED TO THE PRESS BY THE COUNCIL FOLLOWING ITS 219th MEETING,
ON 25 APRIL 1975

1. The United Nations Council for Namibia has learned with profound shock and
dismay of the unprovoked and cold-blooded murder of one Namibian and the
serious wounding of 10 others when the South African police opened fire on
defenceless and unarmed workers in the black township of Katutura (Windhoek)
on 23 April 1975.

2. This dastardly act is one more result of the persistent attempts by
South Africa to maintain its illegal occupation of Namibia by force. The true
situation in Namibia is that South Africa occupies Namibia illegally and
maintains that illegality by force of arms, intimidation, arrests, torture and
public floggings.

3. In an effort to justify their murderous action, the police of the racist
South African régime stated that 295 Africans had been arrested, "127 in
connexion with the stone-throwing and 168 for being in the township illegally". The United Nations Council for Namibia rejects this absurd claim because no
Namibian can be regarded as illegally resident in his own country. On the
contrary, it is the racist régime of South Africa which is in illegal occupation
of Namibia, as determined by the findings of the International Court of Justice
set out in its advisory opinion of 21 June 1971. 1/

4. The Council wishes to reiterate that South Africa's illegal régime must
realize that its stepped-up repression and continued presence in Namibia will
always increase the will to struggle of the people whom it is trying to repress.
The struggle of the Namibians against such a régime is just and must be carried
to its logical conclusion: complete removal of the occupying forces and their
henchmen from Namibia. The United Nations Council for Namibia condemns in
the strongest terms these cowardly acts and demands the immediate and unconditional
release of all those arrested.

1/ Legal Consequences for States of the Continued Presence of South Africa
in Namibia (South West Africa) notwithstanding Security Council Resolution
5. The United Nations Council for Namibia wishes to convey its heartfelt condolences to the members of the family of the murdered patriot and to assure them that their loss is felt and shared by the entire international community.
1. On 9 January 1975, an invitation was received by the United Nations Council for Namibia from Mr. Homateni Kaluenja, head of the South West Africa Peoples' Organization (SWAPO) Youth Directorate, Dar es Salaam, to participate in the work of the SWAPO Students' Seminar to be held in Moscow from 25 to 29 January 1975.

2. The President of the Council held consultations with members, in the course of which it was decided to accept the invitation. Mr. Petre Vlasceanu (Romania), Chairman of Standing Committee II, was appointed to participate in the work of the seminar on behalf of the Council.

3. Invitations to participate in the seminar were also sent to all SWAPO students throughout the world, the United Nations Commissioner for Namibia, and representatives of youth and student organizations from the countries where SWAPO students reside.

4. In his opening statement to the seminar, Mr. Kaluenja stated, *inter alia*, that the struggle against imperialism was gaining a greater momentum in all countries where there was oppression and that although the Portuguese colonial empire had collapsed, colonialism was not yet a thing of the past.

5. In Namibia, its people were enduring the greatest hardships in order to free themselves from the racist colonial yoke. Mr. Kaluenja described the recent political events, dwelling on the manoeuvring of South African Prime Minister Vorster's illegal occupation régime and the struggle of Namibian youth for liberation. He pointed out that the creation of "bantustans" in Ovamboland, Kavangoland and East Caprivi was to serve both as a hindrance to the development of the liberation struggle and a strengthening of the economic dependence of the area on South Africa.

Report of the President

1. On 17 December 1974 the Permanent Representative of the United Republic of Tanzania transmitted to the President of the Council for Namibia an invitation from the Minister for Foreign Affairs of the United Republic of Tanzania to attend the twenty-fourth session of the OAU Co-ordinating Committee for the Liberation of Africa, to be held at Dar es Salaam from 8 to 14 January 1975.

2. The Council considered the invitation at its 214th meeting on 2 January 1975, and decided that the President should represent it at the meeting.

3. In his opening address at the session, Mr. Julius K. Nyerere, the President of the United Republic of Tanzania, stated, inter alia, \(^{1/}\) that as a result of the decolonization of Guinea-Bissau, Mozambique and Angola, the circumstances in which the freedom struggle would now have to be waged in southern Africa had been completely transformed, and that the situation in Namibia, along with that in Southern Rhodesia, would inevitably take first place in Africa's efforts to liberate the continent.

4. The objective for Namibia was simple: independence on the basis of majority rule for the whole of Namibia. Mr. Nyerere completely rejected all plans for dividing Namibia into "bantustans", or hiving some areas off and making them part of South Africa.

5. The President also remarked that the slower pace of decolonization in Angola, compared with that of other Territories formerly under Portuguese administration, had been at least partly the responsibility of the liberation movements themselves. Their disunity until recently had made meaningful negotiations with the colonial Power impossible. At one time, the spectre of a civil war replacing the struggle for freedom had even appeared.

\(^{1/}\) For the full text of his statement see document A/9998.
UNITED NATIONS
GENERAL ASSEMBLY

UNITED NATIONS COUNCIL FOR NAMIBIA

LIST OF REPRESENTATIVES

ALGERIA
Representatives: H.E. Mr. Abdellatif RAHAL
Mr. Ahmed OUCIF

AUSTRALIA
Representatives: H.E. Sir Laurence McIntyre, C.B.E.
Mr. A. Duncan CAMPBELL
Mr. J. B. CAMPBELL
Mr. P. C. REID

BANGLADESH
Representatives: H.E. Mr. S. A. KARIM
Mr. Fazlul KARIM

BOTSWANA
Representatives: Mr. Joachim H. HULELE
Mr. K. M. MOTSEPE

BURUNDI
Representative: Mr. Patrice MIKANAGU

CHILE
Representatives: H.E. Mr. Ismael HUERTA
Mr. Patricio CARRASCO

CHINA
Representative: Mr. WU Miao-fa
Alternate representatives:
Mr. TANG Hsing-po
Mr. CHEN Tsien

75-04936
REPORT
OF THE
UNITED NATIONS COUNCIL
FOR NAMIBIA

VOLUME II

GENERAL ASSEMBLY
OFFICIAL RECORDS: TWENTY-NINTH SESSION
SUPPLEMENT No. 24 (A/9624)

UNITED NATIONS
ORGANIZATION OF WORK: RELEVANT RESOLUTIONS AND DECISIONS OF THE GENERAL ASSEMBLY AND RECOMMENDATIONS OF THE COUNCIL

Report of the President

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ADDENDUM TO THE REPORT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA

(covering the period 17 August to 11 October 1974)

* This is an advance version of the addendum to the report of the United Nations Council for Namibia, which will be issued in final form as Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24A (A/9624/Add.1).
UNITED NATIONS COUNCIL FOR NAMIBIA

NATURAL RESOURCES OF NAMIBIA

Decree on the natural resources of Namibia adopted by the United Nations Council for Namibia at its 209th meeting on 27 September 1974

Conscious of its responsibility to protect the natural resources of the people of Namibia and of ensuring that these natural resources are not exploited to the detriment of Namibia, its people or environmental assets, the United Nations Council for Namibia enacts the following decree:

DECREE

The United Nations Council for Namibia,

Recognizing that, in the terms of General Assembly resolution 2145 (XXI) of 27 October 1966 the Territory of Namibia (formerly South West Africa) is the direct responsibility of the United Nations,

Accepting that this responsibility includes the obligation to support the right of the people of Namibia to achieve self-government and independence in accordance with General Assembly resolution 1514 (XV) of 14 December 1960,

Reaffirming that the Government of the Republic of South Africa is in illegal possession of the Territory of Namibia,

Furthering the decision of the General Assembly in resolution 1803 (XVII) of 14 December 1962 which declared the right of peoples and nations to permanent sovereignty over their natural wealth and resources,

Noting that the Government of the Republic of South Africa has usurped and interfered with these rights,

Desirous of securing for the people of Namibia adequate protection of the natural wealth and resources of the Territory which is rightfully theirs,
UNITED NATIONS COUNCIL FOR NAMIBIA

PROVISIONAL SUMMARY RECORD OF THE TWO HUNDRED AND SEVENTH MEETING

Held at Headquarters, New York,
on Monday, 26 August 1974 at 11 a.m.

President: 

Mr. JAIPAL
India

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Commemoration of Namibia Day

Corrections to this record should be submitted in one of the four working languages (English, French, Russian or Spanish), preferably in the same language as the text to which they refer. Substantive corrections should be sent in quadruplicate within three working days to the Chief of the Official Records Editing Section, Department of Conference Services, room LX-2332. Such corrections will be issued as addenda and/or corrigenda to the records.


The co-operation of participants in strictly observing this time-limit would be greatly appreciated.

74-84972
LETTER DATED 8 FEBRUARY 1974 FROM THE PRESIDENT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that the United Nations Council for Namibia considered the current situation inside the Territory of Namibia at its 19th meeting on 7 February 1974 and decided to issue a statement on the events in Namibia, a copy of which is attached herewith.

The United Nations Council for Namibia is very much concerned about and strongly condemns the intensification of mass repression, arrests, trials and other acts of intimidation by the South African régime against the Namibian people and their leaders aiming to suppress their struggle for freedom and independence.

The Council wishes you to be fully informed about what is happening in a Territory for which the United Nations has assumed responsibility, so that the appropriate measures may be taken to put an end to the illegal policies and practices of the South African authorities which deny independence, human rights and dignity to the people of Namibia.

(Signed) Rashleigh E. JACKSON
President
United Nations Council for Namibia
UNITED NATIONS COUNCIL FOR NAMIBIA

ORGANIZATION OF WORK: RELEVANT RESOLUTIONS AND DECISIONS
OF THE GENERAL ASSEMBLY AND THE UNITED NATIONS COUNCIL
FOR NAMIBIA

Note by the Secretariat

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UNITED NATIONS COUNCIL FOR NAMIBIA

REPRESENTATION AT MEETINGS OF THE ORGANIZATION OF AFRICAN UNITY, HELD IN ADDIS ABABA, IN MAY 1973

Report by the President of the Council

Addendum

Annex


73-16778
INTRODUCTION

1. In compliance with its mandate contained in General Assembly resolution 2248 (S-V) of 19 May 1967 and with paragraphs 9 (a) and 9 (b) of resolution 3031 (XXVII) of 18 December 1972, by which the General Assembly requested the United Nations Council for Namibia to "represent Namibia... at conferences and on any other occasion as may be required" and to "continue its consultations at United Nations Headquarters, in Africa or elsewhere with... the Organization of African Unity", the Council decided, at its 169th meeting, on 27 April 1973, to accept the invitation extended to it by OAU and to be represented by its President, Mr. Paul J. F. Lusaka. The President was accompanied by Mr. H. Ben Aissa, Secretary of the Council, at the meetings of OAU, held at Addis Ababa from 17 to 25 May. It should be noted that, in addition to the regular meetings of the Council of Ministers and of the Assembly of Heads of State and Government, OAU organized a special celebration in honour of its tenth anniversary, to which several guests were invited, including the President of the United Nations Council for Namibia.

TWENTY-FIRST REGULAR SESSION OF THE COUNCIL OF MINISTERS OF OAU

2. The twenty-first regular session of the Council of Ministers of OAU was opened on 17 May in Addis Ababa by His Imperial Majesty, Emperor Haile Selassie of Ethiopia, who said, among other things, that the coming decade should be considered as an era when the liberation struggle in southern Africa would be crowned with success.

3. The Council of Ministers elected Mr. Okai Aripko, Commissioner for External Affairs of Nigeria, as Chairman of its current session. The Foreign Ministers of Tunisia, Zambia and Cameroon were elected Vice-Chairmen and the Foreign Minister of Senegal was elected Rapporteur.

73-13839
LUSAKA DECLARATION ON NAMIBIA ADOPTED BY THE UNITED NATIONS COUNCIL FOR NAMIBIA AT ITS 178TH MEETING ON 14 JUNE 1973, AT LUSAKA

1. During its 1973 mission to Africa, the United Nations Council for Namibia participated in the summit conference of the Organization of African Unity (OAU) and had exhaustive consultations with the OAU Co-ordination Committee for the Liberation of Africa, the Governments of Botswana, the United Republic of Tanzania and the Republic of Zambia and the representatives of the specialized agencies and other organizations of the United Nations in the area. The Council is also scheduled to hold consultations with the Government of Zaire. The representatives of the South West Africa People's Organization (SWAPO), headed by its President, Mr. Sam Nujoma, participated actively in the sessions of the Council during this visit.

2. The United Nations Council for Namibia has assessed the existing situation concerning the struggle to liberate Namibia and has concluded that this struggle has now reached a decisive stage. It will be recalled that in 1966 the United Nations terminated the mandate of South Africa over Namibia and assumed direct responsibility for the Territory. In the following year, the United Nations Council for Namibia was established to take over the administration of Namibia until independence. In 1971, the legality of the termination of the mandate was confirmed by the International Court of Justice. Attempts by the United Nations Security Council to effect the transfer of power through contacts between the South African régime and the Secretary-General of the United Nations have failed because of the adamant refusal of the racist régime to live up to its international responsibilities. Instead, it has attempted to use the contacts as a means of delaying United Nations action while at the same time further consolidating and strengthening its hold on Namibia by hastening the implementation of its apartheid policies of "Bantustans", aimed at destroying the national unity and territorial integrity of Namibia. Those measures have been accompanied by intensification of repressive measures and enslavement of the people of Namibia.

3. The United Nations Council for Namibia reaffirms its former decision that these contacts are detrimental to the interests of the people of Namibia and must be terminated. This view was also expressed recently by the International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa, held at Oslo, and by the summit meeting of OAU. The National Executive of SWAPO has taken the same stand.
I have the honour to transmit herewith the text of a statement which the United Nations Council for Namibia adopted at its 175th meeting on 25 May 1973.

In accordance with a decision taken by the Council at the same meeting, I have the honour to request that the statement be circulated as a document of the General Assembly and the Security Council.

(Signed) A. OSMAN
Acting President
United Nations Council for Namibia

* A/9000.
GENERAL ASSEMBLY
Twenty-eighth session
Item 70 of the preliminary list
QUESTION OF NAMIBIA

Letter dated 30 May 1973 from the Acting President of the United Nations Council for Namibia addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement which the United Nations Council for Namibia adopted at its 175th meeting on 25 May 1973.

In accordance with a decision taken by the Council at the same meeting, I have the honour to request that the statement be circulated as a document of the General Assembly and the Security Council.

(Signed) A. OSMAN
Acting President
United Nations Council for Namibia

# A/9000.
UNICEF

UNITED NATIONS COUNCIL FOR NAMIBIA

REPORT OF THE DELEGATION OF THE COUNCIL FOR NAMIBIA TO THE FIFTH AFRICA-INDIAN OCEAN REGIONAL AIR NAVIGATION MEETING HELD AT ROME, 10 JANUARY-5 FEBRUARY 1973

Report by Mr. Lionel Samuels (Guyana)

Invitation to the Council

1. Upon receipt of an invitation from the Secretary-General of the International Civil Aviation Organization (ICAO) to be represented at the Fifth Africa-Indian Ocean Regional Air Navigation Meeting to be held in Rome from 10 January to 5 February 1973, and in pursuance of General Assembly resolution 2871 (XXVI) of 20 December 1971, by which it was requested to represent Namibia whenever it is required, the United Nations Council for Namibia took the decision at its 136th meeting on 9 May 1972 to be represented at the meeting.

2. The invitation of ICAO was the first extended by an international organization to the Council, and the action by ICAO to list Namibia separately in its documents was also the first such action taken by an international agency.

3. The Council decided to participate in the meeting because it offered the opportunity (a) further to establish its position as the sole body authorized by the United Nations to represent Namibia; (b) to solicit further support for the implementation of its mandate; and (c) to have a wider forum in which to outline activities undertaken by the Council in the interest of Namibians.

4. At its 162nd meeting, on 5 December 1972, the Council designated Mr. Lionel Samuels (Guyana) as its representative to the Fifth Africa-Indian Ocean Regional Air Navigation Meeting, to be accompanied by the Secretary of the Council.

Purpose of the meeting and participants

5. The meeting was essentially one of a technical nature dealing with matters such as table of aircraft operations, operational requirements and planning criteria and implementation of programming.

6. The Africa-Indian Ocean Regional Air Navigation Meeting is held every five years. The last meeting took place in 1964: at that time 33 contracting States participated. At this meeting, 49 contracting States (which included States in the area and States
The Secretary-General of the United Nations presents his compliments to the President of the United Nations Council for Namibia and has the honour to refer to resolution 6 (XXV) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, entitled "The consequences for the effectiveness of human rights of the aid which in some cases might be given to the racist and colonial régimes in southern Africa", a copy of which is attached. 1/ In paragraph 1 of the resolution the Sub-Commission requests the Secretary-General, with a view to permitting the consideration of all aspects of the question, "to prepare, in co-operation with the relevant United Nations bodies and other interested organizations, and on the basis of United Nations documents, a survey presenting factual data on political assistance and support given to the racist and colonial régimes of southern Africa, economic aid, in particular through direct and indirect investments of foreign capital, military aid, details of the labour practices of foreign-owned or controlled firms in these countries and territories, trade in arms and data on other relations which help to strengthen these régimes". 1/ In paragraph 2 the Sub-Commission requests that the said report should be submitted to it at its twenty-sixth session, which is scheduled to be held in Geneva from 3 to 21 September 1973. The relevant proceedings of the twenty-fifth session of the Sub-Commission may be found in document E/CN.4/1101, chapter III. The discussion in the Sub-Commission is summarized in documents E/CN.4/Sub.2/SR.647, 648, 649 and 659.

The report requested by the Sub-Commission will be prepared in conformity with the understanding reached in the Sub-Commission that it would be based on United Nations documents on the subjects already available, and that it would be in the nature of a survey of such documents which would give the Sub-Commission an over-all picture of the problem and make it possible to determine the characteristics and forms of aid to the racist régimes, and the effect of such aid upon respect for human rights in southern Africa.

The Secretary-General would be most grateful for any co-operation which the United Nations Council for Namibia may wish to render in the implementation of this resolution, and in particular for any supplementary information which may be used for the purpose of updating pertinent material already available.

1/ The text of the resolution is reproduced in document E/CN.4/1101.
LETTER DATED 14 FEBRUARY 1973 FROM THE PERMANENT REPRESENTATIVE OF SOMALIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE COUNCIL

I have the honour to transmit herewith for your information a report on my visit to the headquarters of the World Peace Council in Helsinki, Finland, from 6 to 8 February 1975, for consultations on behalf of the Special Committee on Apartheid and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 1/

I wish to draw your attention to the statement issued at the conclusion of my visit in which the World Peace Council has indicated its intention to intensify its actions in support of the struggles of the liberation movements in the southern African Territories under colonial and racist domination, in close co-operation with the United Nations bodies concerned, including the United Nations Council for Namibia.

The World Peace Council has requested me to convey its greetings to the United Nations Council for Namibia. It has also requested me to convey to you an invitation to attend the meeting of the Preparatory Committee of the World Peace Congress for Peace, Security and National Independence which will be held in Moscow from 16 to 18 March 1973. The World Peace Council considers that your advice and guidance would be most valuable in the preparations for the World Congress. It also expressed the hope that the three United Nations bodies would be represented by delegations at the World Congress which will be held in Moscow in October 1973.

The World Peace Council has also requested me to convey to the United Nations Council for Namibia an invitation to attend a conference on racism which is being organized in Tananarive, Madagascar, on 24 March 1973.

1/ For the text of the report, see A/AC.115/L.351.
UNITED NATIONS
GENERAL ASSEMBLY

UNITED NATIONS COUNCIL FOR NAMIBIA

REPORT OF THE AD HOC COMMITTEE ON REORGANIZATION

President: Mr. Paul LUSAKA (Zambia)

1. At its 165th meeting on 5 February 1973, the United Nations Council for Namibia established the Ad Hoc Committee on Reorganization, comprised of the following members: Chile, China, Guyana, India, Nigeria, Pakistan, Turkey, Union of Soviet Socialist Republics, Yugoslavia and Zambia, to assist the President of the Council in the preparation of recommendations regarding the reorganization of the subsidiary bodies of the Council and the allocation of work to these bodies.

2. Pursuant to its mandate, the Ad Hoc Committee held a meeting on 14 February 1973 under the chairmanship of Mr. Diaz Casanueva (Chile) to consider and make recommendations regarding the following:

   (a) The reconstitution of the Ad Hoc Committee on Travel and Identity Documents as Standing Committee III;

   (b) Balancing the three standing committees in respect of allocation of functions and membership;

   (c) Apportionment of work among the three standing committees;

   (d) The composition of the standing committees and the preparation of summary records of the meetings.

3. During its consideration of these items, the Ad Hoc Committee took into account the additional tasks assigned to the Council under paragraph 9 of General Assembly resolution 3031 (XXVII) of 18 December 1972, as well as the Council's organization of work for 1973 (see A/AC.131/L.5 and Corr.1).
QUESTION OF NAMIBIA

Appointment of the United Nations Commissioner for Namibia

Note by the Secretary-General

1. In its resolution 2871 (XXVI) of 20 December 1971, the General Assembly urged "the Secretary-General, in view of the recommendation of the United Nations Council for Namibia, to undertake the necessary consultations to nominate as soon as possible a full-time United Nations Commissioner for Namibia".

2. In pursuance of a previous decision of the General Assembly, Mr. Agha Abdul Hamid continued as Acting Commissioner for Namibia during 1972. Mr. Hamid has been functioning as full-time United Nations Commissioner for Namibia since 1 May 1972.

3. Having completed the necessary consultations in this regard, the Secretary-General wishes to propose to the General Assembly, for its approval, the extension of the appointment of Mr. Hamid as United Nations Commissioner for Namibia until 31 December 1973. He has ascertained that Mr. Hamid is willing to serve in this capacity for the extended period.
UNITED NATIONS
GENERAL ASSEMBLY

Twenty-seventh session
Agenda item 64 (c)

QUESTION OF NAMIBIA

Report of the Secretary-General

1. The General Assembly, in paragraph 16 of resolution 2871 (XXVI) of 20 December 1971, requested the Secretary-General:

"... bearing in mind the recommendation of the United Nations Council for Namibia concerning the enlargement of its membership with a view to ensuring broader representation on the Council, 1/ to hold consultations among the permanent members of the Security Council and other regional groups not represented on the United Nations Council for Namibia and to report thereon to the General Assembly".

2. In compliance with the above-mentioned resolution, consultations were held with the five permanent members of the Security Council.

3. The representative of China replied that the decision of the General Assembly to enlarge the Council was agreeable to his Government and that his Government would accept membership on an enlarged Council.

4. The representative of the Union of Soviet Socialist Republics also replied that his Government had decided to accept membership on an enlarged Council.

5. The representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America stated that, as their Governments had not voted for General Assembly resolution 2248 (S-V) of 19 May 1967, setting up the United Nations Council for Namibia, they could not, therefore, consider membership on the Council.

6. In the light of the reference to regional groups contained in paragraph 16 of resolution 2871 (XXVI), consultations were also held with the chairmen of all regional groups as they are known in the United Nations, with the following results:

7. The chairman of the African group for the month of November informed the Secretary-General that the African group had endorsed the decision of the General Assembly to enlarge the Council, and wished to have another African State (Burundi) included in the membership of the Council. Subsequently, the chairman of the African group for the month of December, in a communication to the Secretary-General, expressed the wish that Liberia should also be included in the membership of the Council.

8. The chairman of the Asian and Latin American groups stated that their groups favoured enlargement of the Council, but felt that their representation on the Council was adequate.

9. The chairman of the Eastern European group for the month of November stated that the Eastern European group was in favour of enlargement of the Council and that Poland and Romania wished to become members.

10. The chairman of the Western European group for the month of October stated that, following consultations with members of the Western European group on the question of enlargement of the Council, it was his understanding that none of its members desired membership on the Council.

11. Further developments regarding the question of the enlargement of the United Nations Council for Namibia will immediately be brought to the attention of Member States.
INTRODUCTION

1. At its 132nd meeting on 18 April 1972, the Council for Namibia was informed of the Organizational Meeting of the International Commission on Southeast Atlantic Fisheries which was to be held at the headquarters of the Food and Agriculture Organization (FAO) in Rome, from 24 to 29 April 1972.

2. At its 133rd meeting on 19 April 1972, the Council, in accordance with resolution 2871 (XXVI) of 20 December 1971 and the advisory opinion of the International Court of Justice of 1971 concerning Namibia, reached the following conclusions:

   (a) South Africa had no right to act on behalf of Namibia in respect of International Conventions.

   (b) South Africa's rights to do so should be challenged by the Council.

   (c) The Council should act on behalf of Namibia.

3. In view of the foregoing conclusions, the Council decided at its 134th meeting on 21 April 1972 on the following:

   (a) To cable its demand to represent Namibia at the Organizational Meeting of the International Commission on Southeast Atlantic Fisheries to the Director-General of FAO, the Executive Secretary of the Organizational Meeting and States which had ratified the Commission's Convention and would participate in the Organizational Meeting.

   (b) To circulate its cables to all Member States of the United Nations as an official document.

72-15594 /...
1. The United Nations Council for Namibia has learned with great concern that the South African Government has imposed a banning order on the Vice-President of the South West African People's Organization (SWAPO), Mr. Nathaniel Gottlieb Maxuilili. The order confines Mr. Maxuilili to the magisterial district of Walvis Bay for a period of five years, forbids him from expressing himself on political affairs, from attending meetings and even visiting the harbour, any native hostel compound or factories except the factory where he works.

2. This action by the South African Government is yet another example of the utter contempt for the United Nations, which is currently responsible for the international Territory of Namibia. It is another manifestation of the South African policy of brutal repression, illegal arrests and torture, denying the people of Namibia the exercise of human rights.

3. The Council for Namibia condemns this action of the South African Government as illegal, demands the immediate withdrawal of the order and affirms its solidarity with Mr. Maxuilili and other Namibian victims of the inhuman régime imposed on their country by the Government of South Africa.

4. The United Nations Council for Namibia once again draws the attention of the United Nations, particularly the Security Council, and the international community to the urgent need for the removal of the illegal régime of South Africa from the international Territory of Namibia.
UNITED NATIONS COUNCIL FOR NAMIBIA

STATEMENT ISSUED BY THE UNITED NATIONS COUNCIL FOR NAMIBIA ON 12 JULY 1972 CONCERNING DEVELOPMENTS RELATING TO OVAMBOLAND

The United Nations Council for Namibia is gravely concerned at the political developments in Namibia, especially the recent announcement that the South African Government has decided to "grant self-rule" to Ovamboland and proposes to impose self-government on the Damara people. Important Damara leaders have issued a joint statement of their refusal to discuss the proposals until they are allowed to hold talks with Prime Minister John Vorster on "profound policy problems".

The application of the "homeland" policy by the Government of South Africa to the international Territory of Namibia dates back to October 1968. At that time, the Council rejected any policy which would inevitably lead to the fragmentation of Namibia, and has since maintained that position.

The Council considers that the latest actions of the South African Government are calculated to accelerate the process of destroying the unity of the people and fragmenting the territorial integrity of Namibia in violation of the advisory opinion of the International Court of Justice; General Assembly resolutions, in particular paragraph 7 of resolution 2145 (XXI), section I of resolution 2248 (S-V), paragraph 4 of resolution 2325 (XXII), paragraph 7 of resolution 2372 (XXII); and Security Council resolutions, in particular paragraphs 5 and 6 of resolution 264 (1969) of 20 March 1969, paragraph 2 of resolution 301 (1971) of 20 October 1971 and also resolutions 309 (1972) and 310 (1972) of 1 February 1972.

The Council for Namibia, having considered the recent political developments at its 141st meeting on 12 July 1972, reiterates the position it has consistently held on the question of Bantustans and expresses its serious concern and great alarm at the persistent efforts by the Government of South Africa to dismember the Territory of Namibia in defiance of the direct responsibility of the United Nations for the Territory.

The Council for Namibia draws the attention of the Secretary-General and the President of the Security Council to the grave events which are taking place in Namibia.

It strongly calls on the Government of South Africa to rescind all measures detrimental to the integrity of Namibia and to refrain in the future from taking any such action with regard to the Territory, which does not belong to it.
UNITED NATIONS COUNCIL FOR NAMIBIA

FINANCIAL IMPLICATIONS OF THE DECISION BY THE COUNCIL TO ATTEND THE NAMIBIA INTERNATIONAL CONFERENCE IN BRUSSELS, BELGIUM, AND TO VISIT AFRICA IN 1972

Note by the Secretary-General

1. In accordance with the terms of regulation 13.1 of the Financial Regulations and Rules of the United Nations, the Secretary-General is required to submit to the United Nations Council for Namibia a report on the administrative and financial implications of a decision, made in principle by the Council at its 128th meeting on 17 March 1972, that the Council would send a mission to attend the Namibia International Conference, to be held in Brussels, Belgium from 26 to 29 May, and to visit Africa in pursuance of General Assembly resolution 2871 (XXVI) of 20 December 1971.

2. In paragraph 13 (b) of that resolution, the General Assembly requested the Council "to continue its consultations, at United Nations Headquarters, in Africa or elsewhere, with the representatives of the Namibian people and the Organization of African Unity".

3. The activities and itinerary of the visit to Africa were discussed at several meetings of the Council. It was agreed that the Council should send a group of six members to Brussels in order to attend the Namibia International Conference. It was further agreed that the group would visit Zambia, Kenya and Libya and attend the ministerial and summit meetings of the Organization of African Unity (OAU) to be held in Rabat during June. The group will also visit Turkey on the invitation of the Government of Turkey. The minimum cost involved is estimated at $39,000 under the following headings.

   Travel and subsistence of six representatives $17,000

   Travel and subsistence of the Acting United Nations Commissioner and of six supporting staff (one principal secretary, two substantive officers, one administrative officer and two secretaries) $18,500
General expenses (including cables, local transportation, freight, rental of conference and office space and miscellaneous supplies) $ 3,500

4. The above expenses can be met from within the appropriations approved by the General Assembly at its twenty-sixth session, namely the sum of $44,400, should the Council decide to implement the provisions of paragraph 13 (b) of resolution 2971 (XXVI).

Recognizing the international status of Namibia and the importance and necessity for Namibians to verify their identity and to be able to travel about while abroad,

Agree as follows:

Article 1

The Government of Nigeria recognizes and accepts as valid the travel and identity documents issued to Namibians by the Council.

Article 2

Subject to other provisions of this Agreement, the Government of Nigeria agrees to grant the right of return to the following categories of Namibians who are in possession of the travel and identity documents issued by the Council:

(a) Namibians residing in Nigeria prior to the conclusion of this Agreement;
(b) Namibians enjoying asylum in Nigeria; and
(c) Such other Namibians as the Government of Nigeria may determine.
LETTER DATED 13 JULY 1972 FROM THE PRESIDENT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, for the attention of Members of the Security Council, a copy of the statement which was issued by the United Nations Council for Namibia in connexion with a recent announcement by the Government of South Africa to grant "self-rule" to Ovamboland in Namibia.

(Signed) H. DIAZ CASANUEVA
President
United Nations Council for Namibia
Statement issued by the United Nations Council for Namibia after a closed meeting of the Council on 12 July 1972

The United Nations Council for Namibia is gravely concerned at the political developments in Namibia, especially the recent announcement that the South African Government has decided to "grant self-rule" to Ovamboland and proposes to impose self-government on the Damara people. Important Damara leaders have issued a joint statement of their refusal to discuss the proposals until they are allowed to hold talks with Prime Minister John Vorster on "profound policy problems".

The application of the "homeland" policy by the Government of South African to the international Territory of Namibia dates back to October 1968. At that time, the Council rejected any policy which would inevitably lead to the fragmentation of Namibia, and has since maintained that position.

The Council considers that the latest actions of the South African Government are calculated to accelerate the process of destroying the unity of the people and fragmenting the territorial integrity of Namibia in violation of the advisory opinion of the International Court of Justice; of General Assembly resolutions, in particular paragraph 7 of resolution 2145 (XXI), section I of resolution 2248 (X-V), paragraph 4 of resolution 2325 (XXII), paragraph 7 of resolution 2372 (XXII); and of Security Council resolutions, in particular paragraphs 5 and 6 of resolution 2624 (1969), paragraph 2 of resolution 301 (1971) and also resolutions 309 (1972) and 310 (1972).

The Council for Namibia, having considered the recent political developments at its 141st meeting on 12 July 1972, reiterates the position it has consistently held on the question of Bantustans and expresses its serious and great alarm at the persistent efforts by the Government of South Africa to dismember the Territory of Namibia in defiance of the direct responsibility of the United Nations for the Territory.

The Council for Namibia draws the attention of the Secretary-General and the President of the Security Council to the grave events which are taking place in Namibia.

It strongly calls on the Government of South Africa to rescind all measures detrimental to the integrity of Namibia and to refrain in the future from taking any such action with regard to the Territory, which does not belong to it.
UNITED NATIONS
GENERAL ASSEMBLY

UNITED NATIONS COUNCIL FOR NAMIBIA

Report by Judge William Booth, Observer,
International Commission of Jurists*

1. Having been commissioned by the International Commission of Jurists to observe the trial of the 11 black and one Coloured accused at Windhoek, Namibia, I was requested also to report to the Episcopal Church in the United States of America of which I am a member, and to the National Association for the Advancement of Colored People (NAACP), of which I am a member of the National Board of Directors.

2. The 12 accused were on trial for:
   (a) Intimidating other workers to strike;
   (b) Inciting other workers to strike;
   (c) Breaking their own labour contract by striking.

3. The trial had begun on 25 January 1972 and was continued until 14 February 1972 to give 11 of the accused time to secure counsel. They secured Mr. Brian O'Linn as their advocate and I attended the trial as an observer from 14 to 18 February. After I left, the trial was expected to continue for an additional three to four weeks.

The trial

4. The courtroom procedure was most proper. The magistrate, prosecutor, and defence counsel were all diligent and fair in their various efforts. Defence Counsel were able to procure a bench for the accused and note-paper for them as well. The trial was recorded on dictaphone belts. Daily copy was made available to me. My host, Bishop Colin Winter, Anglican Bishop of Namibia, made a staff assistant available for translation. There were, however, differences in procedure that struck me as a jurist and long-time defence counsel.

5. First, the accused were wearing on their clothing large numbers making identification (by number) easy but unreliable. Second, the advocates rarely

*Distributed in accordance with a decision taken by the Council at its 127th meeting, on 10 March 1972.

72-07617
LETTER DATED 24 JANUARY 1972 FROM THE PRESIDENT OF THE UNITED NATIONS COUNCIL FOR NAMIBIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, for the information of the members of the Security Council, the text of a statement which the United Nations Council for Namibia authorized me to issue on the current labour strike in Namibia.

(Signed) A. SHAHI
President
United Nations Council for Namibia
STATEMENT BY PRESIDENT OF COUNCIL FOR NAMIBIA ON CURRENT LABOUR STRIKE

Following is the text of a statement by the President of the United Nations Council for Namibia, Agha Shahi (Pakistan), on the current labour strike in Namibia:

The United Nations Council for Namibia, the only legal authority responsible for the administration of the Territory until it accedes to independence, met on 19 January to consider the situation arising from the five-week old labour strike in Namibia.

The strike, involving more than 13,000 workers, primarily from Ovamboland, has brought the mining industry in the Territory to near complete paralysis.

In this connexion, the Council accorded a hearing to three petitioners: Mr. G.M. Hauser, Executive Director of the American Committee on Africa; Mr. T.B. Gurirab, representing South West Africa People's Organization (SWAPO); and Mr. W. Johnston, President of the Episcopal Churchmen for South Africa.

The petitioners apprised the Council of the just demands of the labourers - an immediate end to their economic exploitation and oppression under the contract labour system, under which a worker remains bound to one employer, cannot leave the employment area, is forced to live in separation from his family and is paid at a wage rate which is a small fraction of that enjoyed by a white worker. This ruthless form of organizing cheap labour has been rightly described by the International Commission of Jurists as "akin to slavery".

The strikers are demanding a system of employment which would guarantee them the right of free choice of jobs, an end to job discrimination on the basis of race and colour, increased rates of pay, the right to freedom of movement and to live with their families.

After hearing the petitioners, the Council for Namibia decided unanimously to express its complete solidarity with the strikers in their determined struggle against oppression and exploitation and support for their just demands.

The Council calls for an immediate end to the contract labour system, which is in clear violation of the provisions of the Universal Declaration of Human Rights.

The Council further calls upon all foreign corporations operating in the Territory to cease using the contract labour system forthwith.

It urges these corporations to refuse to become party to any settlement of the strike which does not take into account the just demands of the Namibian workers.