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CONTENTS

	<i>Page</i>
<i>Agenda item 64:</i>	
<i>Question of South West Africa (continued) . . .</i>	<i>1</i>

President: Mr. Corneliu MANESCU (Romania).

AGENDA ITEM 64

Question of South West Africa (continued)

1. Mr. DIACONESCU (Romania) (translated from French): Over the past eighteen months the General Assembly has been called upon to consider the question of South West Africa four times. The nearly continuous appearance of that item on the General Assembly's agenda, and on the agendas of other United Nations bodies, only serves to emphasize the very special importance that the majority of Member States attach to the active support of the inevitable progress towards the total and complete liquidations of that outdated régime known as the colonial system. That fact reflects one of the salient aspects of our era: the ever more vigorous affirmation on the part of the people of their desire to lead a free existence, and to exercise their inalienable right to independence and sovereignty.

2. In fact, the question of South West Africa cannot be considered out of the general context of decolonization. It is within the irreversible historical process of national liberation that we, for our part, place this question. The continuing emergence of new, free and independent nations on the world political scene is a concrete illustration of the course taken by the national liberation struggle.

3. Today, the efforts arrived at bringing about the liberation of South West Africa are at the heart of the struggle against the last strongholds of colonialism and racism on the African continent. We are of the opinion that it is the duty of the General Assembly to act with all necessary firmness to ensure the implementation of the principles set forth in its resolution 2145 (XXI) of 27 October 1966, not only because it has assumed the responsibility for the people of that Territory, but also because it is aware that South West African independence would be a signal contribution to the eradication of the policy of racial discrimination being practised in South Africa and Southern Rhodesia, and to the cause of the liberation of the peoples still subject to Portuguese domination.

4. Romania, whose entire foreign policy is based on scrupulous respect for the principles of national independence and sovereignty, non-interference in the

domestic affairs of States, equality of States' rights and mutual advantage, and which takes an active interest in the protection of every people's vested right to decide its own future, is wholeheartedly on the side of the young States in their struggle against colonialism and neo-colonialism and supports the national liberation movements in Africa and in other parts of the world.

5. That position was very recently reaffirmed during the visit made to Romania by the President of the Republic of Somalia. The joint Romanian-Somali communiqué, published on 22 April 1968, emphasized that:

"The two parties have vigorously condemned the policy of racial discrimination being carried out by the régimes of the Republic of South Africa and Southern Rhodesia, and also the policy of colonial oppression in Angola and Mozambique, while reaffirming their entire support for the legitimate struggle of the still dependent peoples for the attainment of national independence and sovereignty."

6. At the twenty-first session of the General Assembly, the Romanian delegation, expressing the position of its Government, voted for resolution 2145 (XXI). Faced with the categorical refusal of the Government of the Republic of South Africa to implement the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples with regard to the Territory of South West Africa and its people and to recognise that people's inalienable right to freedom and independence, faced also with the steps being taken by the South African authorities to appropriate the Territory in question and annex it to South Africa, 114 States, including Romania, stated on 27 October 1966:

"that South Africa has failed to fulfil its obligations in respect of the administration of the Mandated Territory and to ensure the moral and material well-being and security of the indigenous inhabitants of South West Africa and has, in fact, disavowed the Mandate" [resolution 2145 (XXI), para. 3].

7. The logical consequence of that statement could only be a decision to terminate the Mandate exercised by the Government of South Africa on behalf of the United Kingdom; this decision established:

"that South Africa has no other right to administer the Territory and that henceforth South West Africa comes under the direct responsibility of the United Nations" [*ibid.*, para. 4].

8. In assuming that responsibility, the General Assembly undertook a solemn commitment to act, in conformity with the principles of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples, in such a way as to set

aside the régime of colonial domination being imposed on South West Africa by the South African authorities and, in so doing, to contribute to the establishment of the necessary conditions that would enable the people of the Territory to exercise its sacred right to independence and sovereignty in complete freedom.

9. The adoption of General Assembly resolution 2145 (XXI) very clearly defined two elements whose translation into reality would lead to the solution of the entire question: first, the withdrawal of South Africa's administrative and policy machinery from the Territory concerned and, secondly, the proclamation of South West Africa's independence. Under the resolution adopted by the General Assembly at its fifth special session [resolution 2248 (S-V)], the independence of the people of South West Africa was to become an accomplished fact no later than June 1968.

10. In view of the South African Government's defiance of earlier United Nations recommendations and resolutions dealing with South West Africa, it was to be expected that once again that Government would attempt to evade the obligations it had assumed under the Charter as a Member of the United Nations.

11. Nevertheless, there was reason to believe that if the 114 Member States that had voted in favour of the historic General Assembly resolution of 27 October 1966 were to work together to apply that resolution, the South African authorities could not but bow before the collective will of the United Nations.

12. In adopting that resolution, the United Nations in fact did nothing more than exercise a right granted it under the Charter, namely, the right of ensuring that the obligations arising out of the United Nations International Trusteeship System were fulfilled. Having been granted an international mandate over South West Africa, a mandate which was temporary by definition and which entailed certain obligations, South West Africa, according to article 2 of the Mandate, agreed to promote "by all the means in its power, the material and moral well-being, as well as the social advancement, of its inhabitants" ^{1/}. On finding that the obligations arising under the Mandate granted to South Africa were not being fulfilled, the General Assembly decided to revoke it. That is why, in my delegation's opinion, resolution 2145 (XXI) is justified by express provisions of the Charter, and its implementation therefore entails special obligations.

13. We are nonetheless obliged to note that the South African Government has not only refused to carry out General Assembly resolutions, but it has intensified its activities whose true purpose is to violate South West Africa's territorial integrity and to make it a part of South Africa.

14. A bill concerning the constitution of South West Africa and another on the self-government for the Territory's indigenous national groups were submitted to the South African parliament early this year. Those bills provide for the establishment of ten regions in one half of the Territory for the annexation of the other half by South Africa. The South African authorities have already taken the first steps to implement

these measures, in that they have sent troops into the Territory which are to enforce the South African policy at an early date.

15. We believe that the adoption in South Africa of laws governing a territory that has never belonged to that country and that belongs to it to an even lesser degree at the present time is fundamentally illegal and contrary to all the standards and rules of international law. The Territory of South West Africa was and still is a clearly defined territorial unit whose borders were established three hundred years ago when the first settlers came. The Mandate over the Territory that was entrusted to South Africa never entailed any right of the Mandatory Power to annex the territory; on the contrary, it imposed on the Mandatory Power the duty to take the necessary measures to ensure the independence and self-determination of South West Africa. The partition and annexation being planned by the Government of South Africa therefore constitute not only a violation of the duties incumbent on it with regard to South West Africa, but also a flagrant violation of generally recognized international rules.

16. Furthermore, the South African authorities have intensified their apartheid policy in the Territory of South West Africa. The so-called "Terrorism Act" of 1967, under which thirty-three South West African nationals were recently convicted, is only one of the many aspects of the apartheid policy, a policy that has been firmly and continuously denounced by the United Nations and by the international community.

17. My delegation considers that the illegal action of the South African authorities is a threefold offence, legally speaking. First of all, the South West African nationals in question were arrested in a territory which is, in law, no longer under the authority of the South African Government, and that action therefore constitutes a clear violation of General Assembly resolution 2145 (XXI). Secondly, those citizens were arrested and tried under a law which had been adopted elsewhere by a foreign authority and whose applicability, ex post facto, was illegally extended to South West Africa. From that point of view, the action of the South African authorities is a violation of international legality, of the basic rules of international law and of the principles set forth in the Charter. Thirdly, the law under which the South West African nationals were arrested and tried, being in essence profoundly inhuman, is completely contrary to the Universal Declaration of Human Rights.

18. The Romanian delegation has already had occasion to denounce the arbitrary measures taken by the South African authorities against the indigenous population of South West Africa. It was among the sponsors of resolution 2324 (XXII) of 16 December 1967, in which the General Assembly condemned the illegal arrest, deportation and trial of South West African nationals at Pretoria and called for a halt to that illegal trial and for the release and repatriation of the persons concerned. In the reply my Government sent to the Secretary-General of the United Nations on 3 April 1968, we read:

"Sharing the general anxiety towards South Africa's permanent refusal of not taking into account the resolutions of the General Assembly and of the Se-

^{1/} Official Records of the General Assembly, Sixth Session, Annexes, agenda item 38, document A/1901, Annex I.

curity Council, the Romanian Government has been condemning the measures and acts of racial segregation directed against the South West African population as well as the apartheid policy promoted by the South African Government." 2/

19. As stated in the second report of the United Nations Council for South West Africa:

"... the actions of South Africa to consolidate its illegal and increasingly repressive presence in South West Africa demonstrates its determination to continue the foreign occupation of the Territory" [A/7088, para. 62].

In this connexion,

"The Council fears that the persistent refusal on the part of South Africa to comply with the decisions of the United Nations on South West Africa will inevitably lead to the outbreak of violence and racial war. The Council is convinced that this situation constitutes the gravest threat to international peace and security in the area" [*ibid.*].

20. In the light of that danger, the Romanian delegation fully shares the view expressed by many African delegations concerning the importance of the question of South West Africa and the pressing need to adopt effective measures that would put an end to the policy being pursued by the South African authorities with regard to South West Africa and ensure the implementation of United Nations resolutions concerning that Territory.

21. In view of the defiant stand taken by the South African Government towards General Assembly and Security Council resolutions, we are entitled to wonder what material and moral strength makes it possible for that Government to brave as it does the judgement and the collective will of the international community. The Romanian delegation shares the view that certain Powers are actively supporting the racist Pretoria régime. The South African Government's policy of racial discrimination and its attitude towards the United Nations and the latter's resolutions are merely a consequence of the direct support that is faithfully being lent that régime by certain western States. As has been emphasized on many occasions from this General Assembly rostrum, the economic, military, political and other support of certain western Powers is a basic obstacle to the application to South West Africa of the provisions contained in the Declaration on the Granting of Independence to Colonial Countries and Peoples.

22. Resolutions and decisions of various United Nations bodies invite all States to break off their economic and other relations with South Africa. Thus the General Assembly, in paragraph 6 of resolution 2325 (XXII) of 16 December 1967:

"Urgently appeals to all Member States, particularly the main trading partners of South Africa and those which have economic and other interests in South Africa and South West Africa, to take effective economic and other measures designed to ensure the immediate withdrawal of the South African adminis-

tration from the Territory of South West Africa, thereby clearing the way for the implementation of General Assembly resolutions 2145 (XXI) and 2248 (S-V)".

23. During the current discussions, many representatives have drawn attention to the negative effects on our cause of the activities which some monopolies belonging to certain western Powers pursue in South Africa and South West Africa. Although they voted for resolution 2145 (XXI), which establishes United Nations responsibilities with regard to the people of South West Africa, some States are nevertheless continuing to expand their economic and trade relations with South Africa, thus in fact helping to impede the application of the resolution for which they voted. In the case of South West Africa, the United Nations is once again faced with a clear discrepancy between the statements and the deeds of certain Member States, a situation that cannot but weaken the Organization's effectiveness and prestige.

24. The Romanian delegation believes that so long as South Africa continues to enjoy the economic, political and military support of certain Member States, the United Nations will find it extremely difficult to isolate South Africa and thereby to compel it to withdraw from South West Africa.

25. For that reason, it is in our opinion vital for the General Assembly to call decisively upon all Member States to put an immediate end to all assistance being lent by them to the South African régime and actively support United Nations actions aimed at bringing South West Africa to independence.

26. Inasmuch as the Government of South Africa intends to continue to exercise its power in a Territory over which it has lost all jurisdiction, the General Assembly is in our opinion fully competent to declare that the maintenance by force of the colonial domination régime in South West Africa constitutes a serious and dangerous violation of the basic rules of law and, therefore, to request the Security Council to take the measures provided for such circumstances in the Charter and to compel the South African Government to respect international law and morality.

27. The Romanian delegation is prepared to continue its contribution towards achievement of those aims. No people can be held forever under colonial domination, no matter how ruthless. Sooner or later, history will render its verdict, condemning the oppressors and crowning the victory of the peoples fighting for their freedom. The United Nations is in duty bound to assist in the advancement of that hour of liberation for the people of South West Africa as well, a people that will very soon, and despite all difficulties, accede to independence, which is the first step towards a free, happy and increasingly prosperous life.

28. Mr. FAKHREDDINE (Sudan): In addressing the Assembly at its resumed session for the first time, I should like to renew to you, Mr. President, the pledge of support and co-operation of my delegation and to reiterate the expression of our confidence and esteem.

29. The struggle of the peoples of Africa against colonial domination and racial oppression has been

2/ Official Records of the Security Council, twenty-third year, Supplement for January, February and March 1968, document S/8357/Add.22.

long and arduous. It has, at times, lacked direction and organization. At times it has been brutally suppressed, at times wilfully misguided; often it has faltered. Yet it has never ceased.

30. The Conference of Berlin in 1885, at which the imperialist Powers sought to apportion Africa amongst themselves, succeeded only partially in lessening their intense competition for dominance. They laid their claims to vast regions of the continent, crushing all forms of resistance of the African inhabitants. The Africans were defeated in most cases because their struggle was isolated, unequal and unorganized. Yet the will that inspired that struggle has not been conquered. Africa now is no longer represented solely by the conglomeration of disunited tribes that confronted the imperialist onslaught in the nineteenth century.

31. "Many oppressed peoples are now vying with each other in the march to win back their independence", as Ho Chi Minh once declared. Let me quote his prophetic words, for those words have immense significance for the oppressed peoples of Africa. In December 1946, speaking of the struggle of the Vietnamese people for independence, Ho Chi Minh said:

"The decisive hour in the destiny of our people has struck. The oppressed peoples of the world are vying with each other in the march to win back their independence. We cannot lag behind; and soon our fatherland will be independent and our people will be free."

Ho Chi Minh was proclaiming that the most crucial factor in the liberation of a people is the proud awareness of the need for sacrifice. For often the hand that throws open the gates to freedom is stained with blood.

32. The United Nations must now be aware of the futility of exhortation and empty gestures in the face of the defiance of the Government of South Africa. The United Nations has declared that the struggle of the oppressed for liberation is worthy of its support. Let the United Nations translate that support into action. Let the United Nations now proclaim, not only that the people of South West Africa have a right to be free and independent, but also that it is willing to aid in that struggle, not only morally but materially and by every means in its power.

33. The delegation of the Sudan, during the twenty-first session of the General Assembly [1427th meeting] advocated immediate and prompt action, to which we pledged our wholehearted support. We now renew that pledge and stand by it.

34. Surely, it should now be realized that it is vain to hope that the collective opinion of mankind, as expressed in the revocation by the General Assembly of the Mandate of South Africa over South West Africa, could lead to concessions on the part of the South African Government. The Government of South Africa has continued to defy the United Nations since it served notice to the General Assembly that it considered its action in revoking the Mandate as illegal.

35. There should not be any doubt that the Government of South Africa will hesitate to undertake any action to frustrate every effort of the United Nations to give substance to its decisions. And every failure

of the United Nations in its confrontation with the Government of South Africa will retard the struggle of the Namibian people for freedom. Only two choices are open to the United Nations: either a disastrous retreat and complete abandonment of all the principles that the United Nations holds supreme, or a determination to defend those principles with all the power at its command.

36. The General Assembly, by its resolution 2248 (S-V), constituted a United Nations Council for South West Africa and directed it to proceed to the Territory with a view to taking over its administration on behalf of the United Nations. The General Assembly further requested the Security Council to take all appropriate measures to enable the Council to discharge the functions and responsibilities entrusted to it. South Africa not only refused the Council entry into the Territory, but also chose a time when the General Assembly was meeting, at its twenty-second session last year to consider the report of the Council, to demonstrate its defiance of and contempt for the United Nations by illegally arresting South West African citizens and conducting a trial in Pretoria which was a travesty of justice and a sham. Neither the authority of General Assembly resolution 2324 (XXII) nor that of the Security Council decision in its resolution 246 (1968) has had the slightest effect on South Africa's persistent attitude of defiance.

37. The United Nations Council for South West Africa has not been able to function effectively and will continue to be hampered and hamstrung as long as it remains outside South West Africa. The Council had proceeded to the Territory armed with the will and the resolutions of the General Assembly. But South Africa, moving decisively in the opposite direction, blocked its path. The Council turned back to report the failure of its mission—the failure that it had expected, the failure that we all had expected. It is therefore legitimate to ask the simple question: Where do we go from here?

38. This question the United Nations Council for South West Africa answers in no uncertain terms in its report which is now before the Assembly. The report states:

"The Council is convinced that it cannot fully discharge its functions and responsibilities unless appropriate and effective action is taken. The Council is further convinced that South Africa will not withdraw from the Territory unless forceful measures are taken for the removal of its presence from the Territory. In this connexion the Council recalls resolution 2248 (S-V) and 2325 (XXII) and recommends to the General Assembly that it should reiterate its request to the Security Council, in accordance with the provisions of these resolutions, to take effective measures to ensure the immediate removal of South Africa's presence from the Territory with a view to enabling the United Nations Council for South West Africa to discharge all its functions and responsibilities effectively.

"The Council would emphasize that the General Assembly has already decided that the Council should do all in its power to enable the independence of the Territory to be attained by June 1968. It recommends that the Assembly give serious and

urgent consideration to the consequences of this situation and determine the action to be taken in preparation for the independence of the Territory in the light of the intransigent and negative attitude of South Africa." [A/7088, paras. 63 and 64.]

39. Thus the General Assembly should declare that the United Nations Council for South West Africa will proceed to the Territory and should empower the Secretary-General to make available all the necessary facilities for the Council to discharge its functions.

40. The Security Council should declare solemnly that the United Nations will not back down, and will force its way into South West Africa if it has to do so in order to protect the people whom the United Nations, by its decisions, has taken under its wing.

41. Or, alternatively, let the United Nations declare that the people of Namibia are independent and no longer wards of the United Nations, and, by so doing, free them from a guardianship that has been to them less than useless. In the opinion of my delegation this seems to be the meaning of the conclusion arrived at by the United Nations Council for South West Africa in its report, quoted above.

42. This is, it seems to the Sudan delegation, the next step forward, the inevitable step, through which the people of South West Africa will realize that they have to rely primarily on their own efforts and sacrifice—that their hour has struck and that they should not lag behind.

43. Mr. P. V. J. SOLOMON (Trinidad and Tobago): I do not propose to waste my time, or the time of this Assembly, in recounting the sordid history of the relationships between this Organization and the Republic of South Africa with regard to the Territory of South West Africa. The people of that unfortunate country have suffered too long and too deeply. Their sufferings have gone unheeded by this United Nations, which contents itself with passing resolutions which many of those who vote for them do not intend to implement, whilst South Africa goes along its merry way, thumbing its nose at the United Nations and spitefully determined to pursue its hateful policies which are condemned by all decent-minded peoples the world over.

44. For more than forty years South Africa has been responsible for the administration of South West Africa, a duty which it was supposed to discharge as a sacred trust on behalf of mankind with responsibility, first to the League of Nations, and latterly to this august body. While other dependent Territories all over the world, after shorter periods of foreign domination, have worked their way peacefully or otherwise to independence, the Namibian people continue to groan in bondage, their necks crushed under the arrogant heel of the racist psychopaths of Pretoria. In forty years of over-lordship, and more than twenty years since the Second World War and the creation of the United Nations, South Africa has failed to provide education, training, housing or social amenities for the Namibian peoples under its charge and has taken no steps whatsoever to incorporate them in the administration of the country which is theirs by divine right. The brutality and oppression which they suffered under the Germans before the First World War

are duplicated and reduplicated in various forms under the South African régime. In 1914, when His Majesty's forces from South Africa invaded South West Africa, which was then a German colony, they were assisted by large numbers of Herrero people, the Herreros who thought that they were at long last being given the opportunity to strike a blow in defence of their own freedom. It did not take them long to realize that they were exchanging one brutal master for another. South African Ministers have reported that despite external criticism peace and calm prevail among the Namibian people of South West Africa. Possibly they are referring to the sort of peace and calm which prevail in concentration camps, where the guards have all the weapons and the prisoners are half-starved and beaten regularly to make sure that they do not get any silly ideas about revolt or escape.

45. This resumed session has been called to deal with three matters, and three matters alone: South West Africa, non-proliferation of nuclear weapons, and the Middle East. At the commencement of this resumed session [1643rd meeting] it was agreed that equal priority should be given to the items, non-proliferation of nuclear weapons and to South West Africa, the former to be dealt with in the First Committee and the latter in plenary session. I have watched with growing dismay the manner in which this equality of priority has been observed. Several days have passed on which no plenary meetings have been held because no delegation had inscribed its name to speak; and throughout most of the meetings this august chamber has been half empty. Even yesterday, when the long-awaited report of the South West Africa Council [A/7088] was finally presented to this Assembly, few Heads of Missions were present and this chamber had a multitude of empty seats—and that, despite the fact, that no other meeting was scheduled for the same time.

46. Contrast this with the attendance at meetings of the First Committee, where the very important matter of a non-proliferation treaty is being discussed. There we have the very welcome sight of a full house on nearly every occasion, most delegations being led by the head of mission or even by a minister, thus showing the seriousness with which this matter is regarded by the entire membership of the United Nations—and quite rightly so. But how are we to interpret this difference? Does it mean that the world cares little for the fate of millions of black Africans but is anxious to avoid self-extinction by tackling the problem of non-proliferation of nuclear weapons? Or are we to assume that it is because, on the question of non-proliferation, agreement has been reached between the two super-Powers and that, therefore, some achievement, however small, however modest, is in sight? I wonder what the enslaved peoples of southern Africa would feel about this. What use to them is a non-proliferation treaty, which can only represent a hard choice between the possibility of complete and immediate extinction and the certainty of prolonged and agonizing misery as subject peoples of the white South African racists?

47. Every year we meet in this Assembly and pass resolutions condemning, deploring confirming, reaffirming, recommending. On occasions it has even been possible to get the Security Council to do like-

wise. But when action is required the result is a disconcerting zero.

48. The reason is not far to seek. Those who have the power are not prepared to exercise it. South Africa is not the largest, the richest or the most powerful country in the world; yet it arrogantly defies the entire world Assembly, which numbers among its members the two super-Powers. If it is possible for these super-Powers to arrive at an agreement with respect to non-proliferation of nuclear weapons, is it too much to expect them to arrive at an agreement to put an end, once and for all, to the worst scourge on the face of this earth?

49. The report of the United Nations Council on South West Africa indicates that what we all knew would occur has indeed occurred. Many of those who supported resolution [2248 (S-V)], calling for the creation of that Council, urged that a much more forceful resolution should be passed. We were persuaded to accept this much feeble approach in order to satisfy those who thought that all peaceful methods should first be tried, despite the fact that the history of the last twenty years has indicated quite clearly that peaceful methods have no effect on South Africa. The leaders of South Africa have declared unequivocally that they will pay no heed to, that they will not accept, any General Assembly resolution in respect of South West Africa; that they will not relinquish control of South West Africa; that they are prepared to face sanctions, if necessary. They have, in fact, notified the world that they are stockpiling essential materials and taking all other necessary steps to become self-sufficient. They have boasted that they can withstand sanctions longer than those who would impose them, and have truculently asserted that they will hold out against the United Nations itself until a third world war should take place. These criminals would rather plunge the world into another blood bath than relinquish the control they exercise over the millions of Black Africans.

50. There is only one thing that South Africa understands: the language of force. To appeal to reason or to the finer instincts of human nature is a waste of time and effort. They go along with the principle that "sticks and stones can break my bones but words can never hurt me". And yet this Assembly pursues the course of appeasing South Africa, of pleading with her, when what she really needs to bring her to her senses and to her knees is to feel on her back the same lash which she distributes so lavishly to our black brothers in southern Africa.

51. When the resolution for the setting up of the United Nations Council for South West Africa was put before this Assembly, there were some countries which considered that a United Nations presence in South West Africa meant merely the exchange of one form of colonialism for another. They asserted—and have reasserted in this resumed session—that what is necessary is an immediate declaration of independence for South West Africa. It would be very interesting to take them up on this suggestion. For if the United Nations should take the step of declaring South West Africa independent, thus providing the people with the opportunity to choose their own Government, then any continued South African presence, military or administrative, in South West Africa, thereafter, becomes an act of aggression. I wonder what assistance would be forthcoming under Article 51 of our Charter in defence of South West Africa, particularly from those who advocate immediate independence.

52. I expect that before the session terminates a concrete resolution will be put forward to deal with the report of the United Nations Council for South West Africa. It is my earnest hope that we will have learnt our lesson and have seen the necessity to pass from words to action, from pious platitudes to firm, constructive plans, and that another session of this Assembly will not arrive before the fate of the Namibian people has been firmly and finally settled in accordance with the principles of our Charter.

The meeting rose at 11.45 a.m.