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FIFTEEN HUNDRED AND EIGHTY-SEVENTH MEETING

Held in New York on Thursday, 30 September 1971, at 4.30 p.m.

President: Mr. Toru NAKAGAWA (Japan).

Present: The representatives of the following States: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syrian Arab Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1587/Rev.1)

1. Adoption of the agenda.
2. The situation in Namibia:
 - (a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Upper Volta and Zambia (S/10326);
 - (b) Report of the *Ad Hoc* Sub-Committee on Namibia (S/10330).
3. Admission of new Members:

Report of the Committee on the Admission of New Members concerning the application of Oman for membership in the United Nations (S/10345).

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:

- (a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Upper Volta and Zambia (S/10326);
- (b) Report of the *Ad Hoc* Sub-Committee on Namibia (S/10330)

1. The PRESIDENT: In accordance with the Council's previous decisions I shall now, with the consent of the Council, proceed to invite those participating in the discussion to take the places reserved for them. I also invite the President of the United Nations Council for Namibia to take a place at the Council table.

At the invitation of the President, Mr. E. O. Ogbu, President of the United Nations Council for Namibia, took a place at the Council table; and Mr. T. Makonnen (Ethiopia), Mr. H. Muller (South Africa), Mr. M. Khalid (Sudan), Mr. R. Grimes (Liberia), Mr. S. S. Ramphal (Guyana), Mr. B. Hassane (Chad), and Mr. O. Arikpo (Nigeria), took the places reserved for them in the Council chamber.

2. The PRESIDENT: A letter has just been received from the representatives of Burundi, Sierra Leone and Somalia. That text has been circulated to the members of the Security Council as document S/10346. At this stage, perhaps the members of the Council would be willing to agree that at the appropriate time in our debate an invitation will be extended to Mr. Nujoma under rule 39, of the provisional rules of procedure as requested in the letter from the three members of the Council, in view of the special relationship between the United Nations and the Territory of Namibia.

3. As I hear no objection, I take it that the Council agrees.

4. I have just received a letter from the representative of Mauritius requesting an invitation to participate in the Council's discussion without the right to vote. In accordance with the usual practice, and with the consent of the Council, I propose to invite the representative of Mauritius to take a seat at the side of the Council chamber in order to take part in the discussion without the right to vote, it being understood that he will be invited to take a place at the Security Council table when it is his turn to speak.

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

5. The PRESIDENT: The Security Council will now continue its consideration of the question of Namibia.

6. The first speaker inscribed on the list is the Minister of Communications, Telecommunications and Posts of Ethiopia, His Excellency Mr. Makonnen.

7. Mr. MAKONNEN (Ethiopia): Mr. President, I wish to thank you, Sir, and through you the members of the

Security Council, for affording me the opportunity to discharge the duties entrusted to my Government by the Organization of African Unity, to present the case of Namibia before this high organ of the United Nations.

8. My intervention in the Council's deliberations will not be too long, since the viewpoint of Africa has already been presented, in such an able and dignified a manner, by the current Chairman of the Organization of African Unity, His Excellency President Moktar Ould Daddah of the Islamic Republic of Mauritania. His admirable presentation has been followed by statements from my other African colleagues, the Ministers for Foreign Affairs and members of the delegation of the Organization of African Unity, and by the African members of the Security Council, all of whom not only have shown the validity of the African submission but have exposed the utter emptiness of South Africa's contention in its desperate effort to retain control over the international Territory of Namibia.

9. We have a proverb in my country which says that when the wolf pretends innocence, it dons the skin of the lamb. I could not help being reminded of that ancient proverb when listening to the distractive statement that we heard in the Council the other day from the Foreign Minister of South Africa.

10. The Council was made witness to the incredible spectacle of the arch law-breaker of our time posing as the ardent advocate of international rule of law. It is not the first time I have watched this game of deception played by representatives of South Africa. During the six years between 1960 and 1966, when Ethiopia and Liberia appeared on behalf of the Organization of African Unity before the International Court of Justice and more particularly during the debates of the twenty-first session of the General Assembly in 1966, I had occasion, as one of the spokesmen of the African Group, to debate issues with South African representatives, and, having gained some insight into their tactical manoeuvres, I am now in a position to testify that their capacity to confuse issues by legal arguments matches that of the devil to mislead the heavenly company of angels.

11. In 1966, when the then President of the International Court of Justice used his casting vote to reject the submission of Ethiopia and Liberia after six long years of protracted deliberations, the Court's decision not to decide was hailed by the South African Government as a supreme act of wisdom which did credit to the International Court of Justice as the true embodiment of international rule of law. That South African reaction was, of course, understandable, since the Court at that time played the tactical game of delay and procrastination which was and is the policy and policy objective of the South African Government.

12. Today the International Court of Justice has faced squarely its duties and responsibilities as the highest judicial organ of our world body and has given an Advisory Opinion¹ which is universally acclaimed for its sense of

¹ *Legal consequences for States of the continued presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

justice and its faithfulness to the obligations specified in the Charter. This time South Africa finds that the Court has not played its tune and it therefore turns the full rage of its propaganda machine to portraying the Court as the villain of the piece.

13. Mr. Muller's long statement and his haphazard misquotations from the British and American press have already been most ably dealt with by my learned colleagues, the Foreign Ministers of Sierra Leone and Liberia. These distinguished representatives of Africa have clearly shown that the claims and arguments adduced in that statement of the Foreign Minister of South Africa and his juggling with unverified statistics are only aimed at misleading the Security Council and introducing elements which deflect the Council's attention from the real issues involved.

14. But no amount of diversionary tactic on the part of the South African Government can succeed in hiding the fact that the problem of Namibia is nothing other than a problem of open defiance of international authority on the part of a State which discredits its membership of the United Nations by refusing to abide by the principles and provisions of the Charter.

15. In the case of Namibia, South Africa has, in the words of General Assembly resolution 2145 (XXI), "... 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 ...", and by refusing to be accountable to international authorities for the discharge of the duties and responsibilities entrusted to it by the international community as a Mandatory Power, it has in fact disavowed the Mandate. The Security Council has backed this Assembly action by the resolutions which it has adopted on the subject since the termination of the Mandate in 1966, and the present Advisory Opinion has upheld and confirmed the decisions of the two supreme organs of the United Nations.

16. This is, stated in simple terms, the whole history of the Namibian case. It is a clear case of international responsibility so defined and recognized both by the League of Nations which created the Mandate system and by the United Nations which, as the legitimate successor of the defunct League, replaced the Mandate system by the system of Trusteeship, established as always with the aim of "promoting to the utmost the material and moral well-being and the social progress of the inhabitants of the territory".

17. It may indeed appear strange and paradoxical to us living in this second half of the twentieth century that such a high mission of international trust should have inadvertently, and in the first place, fallen into the hands of a régime that then, as now, openly manifests its theories and practices of racial discrimination and unashamedly proclaims its denial of the very principles enshrined both in the Covenant of the League as in the Charter of the United Nations.

18. But alas those were the days when considerations of freedom and human rights weighed lightly with those that

dominated the world scene, with the result that the destinies of peoples could often be disposed of as commodities of little value.

19. The Declarations on human rights and on the emancipation of peoples under the colonial yoke were only ideals which existed in the minds and hearts of people of goodwill and had not become, as they have in our time, the demanding realities of international life.

20. When in 1966, the United Nations General Assembly decided [resolution 2145 (XXI)] the South African Mandate over Namibia, it was prompted to do so by that pressing demand of international conscience roused at the time by the unbecoming behaviour of the International Court of Justice in shying away from its responsibilities. That decision of the General Assembly was supported by an overwhelming majority of the membership of the United Nations with only South Africa and Portugal as usual voting against.

21. It may appear surprising to outside observers of the United Nations scene that an Advisory Opinion should have been required on a subject so clear and self-evident as that pertaining to the termination of a proven case of misplaced trust. South Africa's defiance of United Nations authority and its effort to incorporate Namibia into the territories of the Union of South Africa were then as now too well known for the Security Council to have required an Advisory Opinion from the International Court of Justice before taking the appropriate action specified under the Charter. Nevertheless, the important point now is that the advice was sought and the Opinion has been given.

22. To the question "What are the legal consequences for States of the continued presence of South Africa in Namibia, notwithstanding Security Council resolution 276 (1970)?" the Court has replied [*para. 133 of the Opinion*]:

"(1) that the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory;

"(2) that States Members of the United Nations are under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia, and to refrain from any acts and in particular any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration;

"(3) that it is incumbent upon States which are not Members of the United Nations to give assistance, within the scope of subparagraph (2) above, in the action which has been taken by the United Nations with regard to Namibia."

23. That clear and unequivocal Opinion of the International Court of Justice must surely mark the end of a painful period of protracted debate and must also be the beginning of effective action on the part of the international community represented by the United Nations.

24. The effective action that the Security Council has to take with regard to Namibia divides itself naturally into two phases.

25. The first concerns the illegal occupation by South Africa of an international Territory recognized as such by the United Nations. This defiance of the authority of the United Nations is a grave breach of international law which risks undermining the authority of the United Nations. The Security Council as the competent organ of the United Nations endowed with the responsibility for enforcement action, of ensuring respect for the decisions of the world body, and of protecting the collective interests of the international community must act, and act effectively, in order to bring an end to the illegal occupation of South Africa and to preserve the international status of Namibia. Once the international status of the Territory of Namibia is assured, the duty falls on the United Nations to assist the Namibian people in the attainment of their freedom and independence.

26. The second aspect is that touching upon international peace and security. The United Nations risks falling into a dangerous habit if it allows itself to see threats to international peace and security only in those situations that are in a state of active crisis. As Sir Alec Douglas-Home reminded us in the General Assembly yesterday,² the United Nations must give equal emphasis to the tasks of peace-keeping and peace-making. There is nothing in the Charter which limits the role of the United Nations to that of an international fire-brigade. On the contrary, the purposes of the Charter demand that the United Nations continually engage in peace-making efforts in order to avert all possible confrontation and conflict.

27. The potential danger of racial conflagration inherent in the South Africa situation must be recognized in time, and the United Nations and more particularly the Security Council must not wait for that crisis to be out of hand before taking the appropriate measures that the situation demands. We therefore appeal to the Security Council to take the appropriate and timely measures called for by the Charter.

28. In urging the Security Council to take timely measures, I cannot of course help addressing a special appeal to those amongst the permanent members of the Council that maintain close and extensive relations with South Africa. It is no good for them to tell us that their relations can have no bearing on the political situation in Namibia and in southern Africa in general. It is obvious that South Africa could not be in a position to defy United Nations authority and world public opinion if it did not count on the massive economic benefits it derives from its relations with certain of the major Powers. Is it too much to ask that those Powers at least put pressure on South Africa to heed the decisions and the obligations to which they themselves have subscribed? If they fail to do that and if they continue to help build and strengthen the economic and military power of the South Africa régime, can the world be blamed for regarding them as accomplices in South Africa's illegal acts?

² Official Records of the General Assembly, Twenty-sixth Session, Plenary Meetings, 1944th meeting.

29. On the question of Namibia, as indeed on all other issues confronting our continent, the stand of independent African States and of their continental organization is based on reason and justice. We have never come to the United Nations asking for anything which is not ours by right. Our demand has always been for the redress of past injustice so that all African peoples may have the opportunity to build on their own mother continent a prosperous future in fruitful collaboration and on the basis of equality with the rest of the world.
30. The past has been cruel to Africa. It has been one of humiliation, oppression and subjugation. And yet Africa has not sought to hold that against the rest of the world. Africa's response to that past injustice has not been one of blind hatred and vengeance. On the contrary, its attitude has been characterized by the spirit of conciliation and of willingness to let bygones be bygones, thus showing readiness to live in peace and harmony even with those who were the oppressors of yester-year.
31. I can proudly say that my own country, under the wise leadership of its Emperor, gave the first lead in this conciliation back in 1941, when the Emperor returned to his country from five years of bitter exile. On that historic occasion, he appealed to his people not to repay evil by evil, but to show mercy and compassion towards the thousands of Italian military and civilian personnel trapped within the confines of Ethiopia's national boundaries.
32. That noble example of conciliation and compassion was invariably followed by the other leaders of freedom movements throughout Africa. Those freedom fighters, most of whom had literally moved from the status of prisoner to that of Prime Minister almost overnight, assumed the statesmanlike stand of making such endeavours for conciliation and multiracial harmony that they have succeeded in working out new relationships based on mutual respect and common benefit.
33. I submit that this record of Africa in respect of international conciliation and harmony has no parallel—I repeat, no parallel—in the whole annals of human history. It is a record of which we Africans can justly be proud.
34. In contrast to that attitude of conciliation and harmony stands the inhuman policy and practice of racial discrimination and *apartheid* championed by the Government of South Africa. The problem of Namibia is only one part of the strategy of the Government of South Africa to make southern Africa a base of racial oppression and of denial of legitimate rights to the African populations of this region.
35. Not content with the injustice that it perpetrates in territories that are under its direct control, the South African Government seeks to extend these evil practices to an international Territory which is under the responsibility of the United Nations.
36. This is, of course, done in clever disguise. From time to time formulae are sprung on us which are cleverly devised to give the impression of a political break-through in South Africa's treatment of non-white populations under its control. We are told of self-rule or the establishment of homelands for the indigenous inhabitants of this or that territory. But this amounts to nothing more than the creation of reserved areas for second-class citizens in the true fashion of the racist policy of *apartheid*.
37. We hear about plebiscites, and again this is sometimes taken by some people as representing a dramatic change in South Africa's policies. But when South Africa talks of a plebiscite what it really means to do is to stage a make-believe exercise of selective consultation which would be so controlled and influenced by the South African police apparatus that the outcome would be a foregone conclusion. Needless to say, such a plebiscite, organized and conducted by the repressive machinery of the South African régime, would amount to a mockery of the democratic process of self-determination.
38. It has been quite fashionable in recent months to talk of "dialogues" between independent African States and South Africa. But here again how can the South African Government hold out any meaningful prospect of dialogue with independent African States when it refuses meaningful dialogue in its accountability to the United Nations? How can independent Africa have confidence in a régime which refuses dialogue with a majority of the South African peoples and indiscriminately prosecutes peoples of all races on the ground that they make the minimum of effort to engage in mutual dialogue and human contact in order to work together for their betterment through racial conciliation and harmony? How else are we to explain the extraordinary trial of such distinguished personalities as the Very Reverend Dean of Johannesburg, who is being tried on the ridiculous pretext of violating the so-called Prevention of Communism Act? One of the accusations brought against this courageous clergyman was that when he was on a visit to London he allowed some South African exiles to come and see him at his hotel. Is this not clear and sufficient evidence of merciless tyranny dictated by blind fear?
39. The case of Namibia has rightly been described as a test case of international accountability—in other words, a test case for the United Nations. I would venture to submit that Namibia is equally a test case for South Africa itself.
40. If South Africa has the slightest inclination to recognize the demands of change in our time and if it is genuinely interested in engaging in meaningful dialogue based on mutual acceptance of rules and principles enshrined in the Charter—if, I say, there is a genuine change of heart on the part of the Government of South Africa with regard to its past policies and practices, then let us see the signs of this change in Namibia. Let the South African Government show its good intentions by voluntarily putting an end to the illegal occupation of the Territory which is the responsibility of the United Nations. I challenge the South African Government to give proof of its good intentions by yielding to the international responsibility of the United Nations in Namibia. Then and only then can we say with some justification that there has indeed been some change of heart in the South African régime.
41. But since South Africa shows no sign of such intentions with regard to the status of Namibia, the

decisions and rulings of the highest organs of the United Nations notwithstanding, the Security Council becomes duty-bound to invoke the enforcement measures envisaged in the appropriate Chapters of the United Nations Charter to preserve Namibia's international status and to protect and promote the rights of the Namibian peoples. This is a clear and inescapable duty which we urge the Council to undertake without delay.

42. I cannot conclude this statement, Mr. President, without asking your permission to address a message of encouragement and goodwill to the brave peoples of Namibia. Their hope for freedom rises high with every positive decision emanating from the organs of the United Nations, and, having derived great satisfaction and comfort from the Advisory Opinion given by the International Court of Justice, they now wait most anxiously for meaningful action from the United Nations and, more particularly, from the Security Council. Theirs is indeed a difficult ordeal. The fight for freedom has never been easy. We say in Ethiopia that patience is sour but it bears sweet fruit. I have no doubt in my mind that the patience and suffering of the peoples of Namibia shall one day be crowned with success.

43. The PRESIDENT: The next name on the list of speakers is that of the Commissioner for External Affairs of Nigeria, His Excellency Mr. Okoi Arikpo. I invite him to take a place at the Council table and to make his statement.

44. Mr. ARIKPO (Nigeria): Mr. President, I should like, first of all, to convey through you to the Security Council my gratitude for being given the opportunity to participate in your consideration of the item on Namibia.

45. As a member of the delegation sent by the Organization of African Unity to underscore the importance it attaches to the question of Namibia, I am in full agreement with the presentation of Africa's case made to this Council by His Excellency Mr. Moktar Ould Daddah, President of the Islamic Republic of Mauritania. If I have asked to participate as one of the African Foreign Ministers designated by the Organization of African Unity to support President Ould Daddah, it is to supplement the presentation of the leader of the Organization of African Unity delegation and further to impress upon this Council the expectation by all African countries that positive action will be taken to relieve the people of Namibia of the yoke imposed on them by the illegal occupation of their country by South Africa.

46. As I sat here on 27 September [1584th meeting] listening to Mr. Muller, the Foreign Minister of the *apartheid* régime of South Africa, I could not help wondering how the representative of a régime that purports to be a Member of the United Nations could come to show such utter disrespect for the most important organ of this Organization—for that is what Mr. Muller's speech amounted to. Not only did he reject out of hand the Advisory Opinion of the International Court of Justice, not only did he call into question the competence of the General Assembly to have adopted resolution 2145 (XXI) terminating the mandate of South Africa over Namibia, not only did he refuse to adopt the correct terminology which

the United Nations adopts in reference to Namibia, but he also challenged even the authority of the Security Council, acting in accordance with its obligations under the Charter, to have adopted resolution 276 (1970).

47. With such an attitude, I wonder if even the most permissive members of the Security Council can still be in any doubt as to the futility of trying to reason with the *apartheid* régime of South Africa in the hope that it will peacefully withdraw from Namibia. I have never been in doubt that the racist régime Mr. Muller represents has made up its mind to defy the United Nations, including the Security Council. I only hope that, after the intervention of Mr. Muller on 27 September, those who still entertained any doubt have also come to the conclusion that South Africa needs to be handled with an iron hand.

48. The decision of the International Court of Justice has made it unmistakably clear that the presence of South Africa in Namibia is illegal. That Advisory Opinion has thus confirmed the positions taken by the General Assembly and the Security Council when those organs declared South Africa's presence in Namibia to be unlawful and called upon it to withdraw its administration from the Territory.

49. It was the hope of my Government that since the question of legality had thus been clarified, all Members of this Organization would consider it incumbent upon them, in accordance with Article 25 of the Charter, to take such positive steps as would rid Namibia of the inhuman administration of South Africa. What is more, it was the hope of my Government that the permanent members of the Security Council, both by the Charter privilege they enjoy and by the consequent obligation we expect them to assume, would have no difficulty in grappling with the problem of South Africa's continued defiance of the decision of this august body.

50. Unfortunately, the report of the *Ad Hoc* Sub-Committee on Namibia, presented by the Chairman of that Sub-Committee, the Ambassador of Burundi, has not given my delegation any cause for optimism that the expectations of my Government, the expectations of the people of Namibia, the expectations of all Africa and, indeed, of all freedom-loving peoples throughout the world, will be met. Looking through the proposals agreed upon by the *Ad Hoc* Sub-Committee as contained in part A of the report, one finds, as usual, that members of the Security Council, and in particular the representatives of the privileged four, had no difficulty in subscribing to pious declarations and hopeful requests. But as soon as proposals were introduced—as contained in part B—which would have ensured the realization of the pious hopes and hopeful requests of part A, most of the representatives of the privileged four developed cold feet and would not agree. Are we to infer from that that the conclusion has been reached in the chancelleries of the major Western Powers whose representatives opposed those positive proposals that a solution to the Namibian problem is beyond the Security Council? Are we to infer that the financial returns from the investment in Namibia are more important to those countries—even if those returns are at the expense of the welfare of the indigenous people of Namibia? Are we to conclude that as far as Namibia is concerned we have once again come up against a solid wall?

51. Perhaps the urgency of kicking South Africa out of Namibia is not appreciated in this Chamber. I would hate to think so. I would hate to believe that the members of the Security Council are not aware of the atrocities being perpetrated daily on the people of Namibia by the racist administration of South Africa. I would hate to think that the Security Council is bent on ignoring the undeniable fact that South Africa is oppressing the peoples of Namibia, failing to promote their welfare and denying them their right of self-determination. Otherwise the Foreign Minister of the *apartheid* régime could not have appeared before this Council and could not have expected to be taken seriously when he tried to persuade members of the benevolence of the South African administration in Namibia, of its generous provision of social services and the pouring of millions of dollars of South African money into the development of Namibia.

52. Characteristically, the South African Foreign Minister did not tell the Security Council how many millions of dollars his country had earned from the diamonds and uranium it pillaged from Namibia during the period under review. Mr. Muller's statements and the endless statistics he gave in order to persuade this Council of South Africa's altruism in Namibia would have been treated with utter contempt and ridicule had they not been so provocative in the shameless distortion of facts. Mr. Muller spoke of economic development in Namibia. No doubt roads have recently been tarred and a railway system has been established—but all for what purpose, if not to facilitate the pillage of Namibian wealth by South Africa and the investors from the Western world whose financial interests therefore make it difficult for their Governments to do what is right.

53. Of course, investments in Namibia have increased, and economic activity has therefore been stepped up, but to what effect and for whose benefit? The end result has not been a rise in the standard of living of the indigenous Namibians, who in fact constitute one of the poorest peoples on the continent of Africa even though the profits derived from investment in Namibia are among the highest in the world. However, more than one third of the country's national product is exported in the form of profits and dividends, making the country, in the words of an observer, one of the most exploited countries in history. How beneficial are Mr. Muller's roads and railway system to the indigenous people of Namibia, when they cannot use them because of the inhuman restrictions imposed on them?

54. I am sure no one will take seriously the contention of the representative of the Pretoria régime that the people of Namibia are being brought towards self-government, because the introduction of *apartheid* into Namibia and the creation of Bantustans in that Territory will only accentuate the reign of terror which is characteristic of the racist régime in the Republic of South Africa itself. The enforced separation of the various tribes in Namibia cannot but increase the suppression of the people's aspirations towards self-government. It is amazing that in South Africa the Government adopted every feasible measure, including repression, to integrate its English-speaking citizens with the Boers, while in Namibia it is using these same repressive

measures to disintegrate the African population. Is it any wonder that Chief Counsellor Ushona Shimi of the so-called Ovambo Executive Council should make the ambivalent statement which Mr. Muller gleefully quoted, namely, "I do not think the United Nations knows what is going on here".

55. Does the United Nations know what fate befell Chief Hoseah Kotako, the late Chief of the Hereros of Namibia who had the courage to protest on behalf of his people against the oppression of the South African régime? Does the United Nations know of the pressures that have been brought to bear on his successor, Chief Clemens Kapuo who has been denied access to the funds of his own people, deposited with the Barclays Bank in Windhoek, simply because he will not acquiesce in the repressive measures of the *apartheid* régime? Does the United Nations know that only recently when some Ovambo civil servants expressed support for the Advisory Opinion of the International Court of Justice they were dismissed? The fact is that South Africa continues to cling to Namibia, not because it has the interest of the people of that Territory at heart but merely to have a free hand in plundering its mineral wealth. If this were not so, if in fact South Africa believes that it is spending money in Namibia to uplift the people and that the international community as well as the people of Namibia themselves have been unappreciative of this generosity, one would expect that the South African Government would have packed up and left the Territory and saved its money for use in the Republic, leaving Namibia itself to suffer what Mr. Muller calls "utter chaos". Or, as an alternative, South Africa could have demanded that the Security Council should send a fact-finding mission to the Territory. What has South Africa done instead? South Africa has refused to allow members of the Council for Namibia to enter the Territory. Instead it hired *The Times* of London, the *Daily Express* and the *Vancouver Sun* to give respectability to its repressive policies towards the owners of Namibian land and its wealth. Of course, we all know that it is easy for these newspapers, financed by the shareholders of the mines in Namibia, to justify and even glorify these policies which destroy the human dignity of the natural and rightful owners of this mineral wealth.

56. The South African Government's spokesman has made a lot of play with the idea of a plebiscite. I think this idea ought to be examined. In 1946 South Africa announced to the General Assembly that it intended to ascertain the views of the population of Namibia and that when that had been done the decision of the South African Government would be submitted to the General Assembly for judgement.³ Instead of organizing a proper plebiscite the South African Government organized a mock election on the result of which it sought to incorporate the Territory of Namibia into the Union of South Africa. When the General Assembly, incensed by this mockery of democracy, refused to accede to the incorporation of the Territory, South Africa announced that it would not proceed with the plan to incorporate.⁴ Quite recently, before the International Court of Justice, South Africa again canvassed the idea of a

³ *Ibid.*, First part of the First Session, Plenary Meetings, 12th meeting.

⁴ *Ibid.*, Second part of the First Session, Plenary Meetings, 64th meeting.

plebiscite, this time urging that the plebiscite be conducted by the Court in co-operation with the South African authorities. Now, it is elementary knowledge that no court of law ever conducts a plebiscite. Of course, the Court very rightly rejected such a preposterous suggestion. Before the Council, the South African Foreign Minister has once again raised the proposal for a plebiscite. Assuming that South Africa is serious about holding a real plebiscite to determine the wishes of the people of Namibia, may we ask the following questions.

57. Will the South African Government allow the United Nations to conduct the plebiscite?

58. Will the South African authorities undertake to withdraw their armed forces from the Territory to ensure that there shall be no intimidation of the people?

59. Will the South African Government permit the return of all Namibian political exiles to their homes to enable them to explain the issues to their peoples?

60. Will the South African authorities release Namibian political prisoners and permit free discussion of the issues to be decided by the plebiscite?

61. Will the South African authorities allow representatives of the United Nations free and unimpeded movement throughout the Territory for the purpose of supervising the plebiscite?

62. If these questions are answered in the affirmative, then I strongly suggest that the Government of South Africa should enter into immediate discussions with the Secretary-General of the United Nations to arrange for steps to be taken towards such a plebiscite.

63. In the absence of an affirmative answer to all these questions, I most humbly suggest that the Security Council has a clear duty. The task before the Council is clear. The tyranny of the Government of South Africa over the people of Namibia must be removed. The Council must show not merely willingness to adopt a resolution but the determination to enforce it. The Council had called upon South Africa to withdraw its administration from Namibia. The International Court of Justice has declared that the continued presence of South Africa in the Territory notwithstanding the Security Council's resolution is illegal. What is left is for the Security Council to show that it can take firm action. Otherwise, the whole system of world order envisaged in the creation of this Organization will be sharply called into question. Otherwise, the hopes and aspirations of millions of people the world over in the effectiveness of this Organization will be dashed to the ground. South Africa must be removed from Namibia even if it becomes necessary to resort to the provisions of Chapter VII of the Charter.

64. In fact, I believe that if the permanent members of the Security Council show the determination to resolve this problem, to set aside legal technicalities and deal with the human problems with which we are faced, South Africa will have no alternative but to withdraw its administration. Our bane, so far, has been that South Africa is certain that no

serious action will be taken against it since it enjoys the friendship of and will always be shielded by those who should be the first to ensure the compliance of the *apartheid* régime with the decisions of this Organization regarding Namibia. Perhaps that is why *The New York Times*, in reporting the debate in the Security Council on Namibia on 27 September, observed:

"Thirty-six countries called for the debate [on Namibia] in a letter of 17 September asking the Council 'to discuss ways and means of enforcing the past decision of the United Nations' in the light of the new Court decision. There is no way to enforce the Court's decision except by the Security Council, which is unlikely to take strong immediate action."

65. The Security Council must show that it is willing—there is no doubt as to its ability—to take strong immediate action to get South Africa out of Namibia. That is the crux of the solution to the Namibian problem. I trust in the good judgement of this Council in arriving at the best means of achieving this solution.

66. The PRESIDENT: The next name on the list of speakers is that of the representative of Mauritius. I invite him to take a place at the Council table and to make his statement.

67. Mr. RAMPHUL (Mauritius): Mr. President, I wish, first of all, to thank, through you, the Security Council for having kindly acceded to my request for participation in this very important session of the Security Council.

68. As the Assembly of African Heads of State and Government has indicated, the purpose of this special session is to discuss ways and means of enforcing the past decisions of the United Nations, taking into account the Advisory Opinion delivered on 21 June 1971 by the International Court of Justice on "the legal consequences for States of the continued presence of South Africa in Namibia notwithstanding Security Council resolution 276 (1970)".

69. The Advisory Opinion given at the request of this body is unequivocal as far as South Africa is concerned. It reads [*paragraph 133*]:

"The Court is of the opinion . . . that the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory."

70. That was the considered view of the highest judicial organ of the United Nations system, an organ which, as the President of the Court has recalled, is a body which acts only on the basis of law, independently of all outside influences or interventions whatsoever.

71. The International Court of Justice has recalled that the mandates system established under Article 22 of the Covenant of the League of Nations was based upon two principles of paramount importance: the principle of non-annexation and the principle that the well-being and

development of the peoples concerned formed a sacred trust of civilization. It added [paragraph 53]:

"Mindful as it is of the primary necessity of interpreting an instrument in accordance with the intentions of the parties at the time of its conclusion, the Court is bound to take into account the fact that the concepts embodied in article 22 of the Covenant—the strenuous conditions of the modern world' and 'the well-being and development' of the peoples concerned—were not static, but were by definition evolutionary, as also, therefore, was the concept of the 'sacred trust'. The parties to the Covenant must consequently be deemed to have accepted them as such. That is why, viewing the institutions of 1919, the Court must take into consideration the changes which have occurred in the supervening half-century, and its interpretation cannot remain unaffected by the subsequent development of law, through the Charter of the United Nations and by way of customary law. Moreover, an international instrument has to be interpreted and applied within the framework of the entire legal system prevailing at the time of the interpretation. In the domain to which the present proceedings relate, the last 50 years, as indicated above, have brought important developments. These developments leave little doubt that the ultimate objective of the sacred trust was the self-determination and independence of the peoples concerned."

72. I thought that quotation of the World Court's Opinion was important as it clearly defines the objectives of the mandates system, a system which, as the Court recognized, had survived the demise of the League of Nations. In this connexion the Court pointed out that the United Nations, acting through its competent organ, must be seen above all as the supervisory institution competent to pronounce on the conduct of the Mandatory.

73. In adopting resolution 2145 (XXI) terminating South Africa's mandate over Namibia, the General Assembly agreed that the South African Government had forfeited its Mandate. In the light of the Advisory Opinion, the General Assembly's decision was in order. For the enforcement of *apartheid* policies and other measures are in contradiction of the principles set forth in the Covenant of the League of Nations and underlined by the International Court, particularly the principle that the well-being and development of the people of Namibia formed a sacred trust of civilization.

74. Some United Nations bodies have already pointed out that the division of the Territory into so-called separate homelands under the Development of Self-Government for Native Nations in South West Africa Act is destroying the unity and territorial integrity of Namibia. And it has been recognized that to relocate forcibly the Africans in Namibia is to apply to them the basic tenet of the policies of *apartheid* that have been condemned repeatedly as inhuman and criminal by United Nations bodies.

75. Above all, the ultimate objective of the sacred trust being self-determination and independence, the continuing persecution and repression of leaders of the liberation movement of the Territory is a clear indication that the

actions of the South African Government are not governed by its obligations under the Mandate.

76. It is obvious that by its conduct South Africa has forfeited its rights under the Mandate. Under these circumstances, the United Nations, as successor to the League, has the right to terminate the South African Mandate. It did so in 1966, through the General Assembly, when the latter adopted its resolution 2145 (XXI). To the contention that that resolution "made pronouncements which the General Assembly, not being a judicial organ, was not competent to make", the International Court of Justice replied [paragraph 103] that:

"... the United Nations... acting through its competent organs, must be seen above all as the supervisory institution competent to pronounce in that capacity on the conduct of the Mandatory.

"... and [paragraph 105] that it would not be correct to assume that, because the General Assembly is in principle vested with recommendatory powers it is debarred from adopting, in special cases within the framework of its competence, resolutions which make determinations or have operative design".

77. It is my view that in its unequivocal Opinion, the Court has confirmed the illegality of South Africa's continued presence in Namibia.

78. If, as our esteemed Secretary-General has pointed out in the introduction to his annual report,⁵ the remaining Territories under colonial rule should be considered as a direct challenge to the Charter, the case of Namibia constitutes the most direct challenge to the very authority of the United Nations, a situation which should be corrected without delay now that the International Court of Justice has made its views known to the Council.

79. The Organization of African Unity is asking the Security Council to devise ways and means of enforcing the past decisions of the United Nations in the light of the legal obligation imposed on the world community by the decision of the World Court. We believe that the Council should first of all take the necessary measures to ensure the effective implementation of its own resolution 283 (1970), particularly of those provisions calling for action by States, in view of that part of the Advisory Opinion which states that Member States are under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia.

80. The Council should also take whatever additional measures are needed for the fulfilment of the responsibilities of the United Nations towards Namibia and the removal of South Africa from the Territory. In view of South Africa's continuous refusal to comply with previous resolutions and unless some sincere and effective solution is found immediately, the Security Council may well soon find itself with no alternative but to resort to all measures provided for under Chapter VII of the Charter for the sake of peace, progress and justice in southern Africa.

⁵ *Ibid.*, Twenty-sixth Session, Supplement No. 1A.

81. The PRESIDENT: There are no other names inscribed on my list of speakers on the question of Namibia. It is my understanding that members of the Council may wish to hold consultations on the matter and that my successor as President, the representative of Nicaragua, Ambassador Sevilla Sacasa, will make arrangements for the further consideration of this question by the Security Council. The Council will, accordingly, proceed with the next item on its agenda for this meeting.

Admission of new Members

Report of the Committee on the Admission of New Members concerning the application of Oman for membership in the United Nations (S/10345)

82. The PRESIDENT: At its 1574th meeting, on 16 August, the Security Council referred the application of Oman for membership in the United Nations to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the provisional rules of procedure.

83. The report of the Committee on the Admission of New Members has been submitted to the Council today in document S/10345. In its report the Committee recommends that the Council have recourse to the last paragraph of rule 60 of the provisional rules of procedure and that it adopt a draft resolution recommending to the General Assembly that Oman be admitted to membership of the United Nations.

84. In connexion with Oman's application I have received a letter [S/10348] from the Permanent Representative of the People's Democratic Republic of Yemen in which he requests an invitation to address the Council on the subject. If I hear no objection I shall take it that the Council agrees that I should invite the representative of the People's Democratic Republic of Yemen to take a seat at the Council table in order to participate in the discussion without the right to vote.

85. There being no objection it is so decided, and I invite the representative of the People's Democratic Republic of Yemen to take a seat at the Council table and to make a statement.

At the invitation of the President, Mr. A. M. Ismail, (People's Democratic Republic of Yemen) took a place at the Council table.

86. Mr. ISMAIL (People's Democratic Republic of Yemen): Mr. President, I am most grateful for the opportunity given to me to speak before you and all the other esteemed members of this Council.

87. On 24 July 1970, after 37 years of the reign of terror of Sultan Saeed Bin Taimur, the British Colonial Patron installed Sultan Qabus Bin Taimur in what appeared to be an initial move towards independence. The rule of Qabus Bin Taimur is completely controlled by the British Government, both in internal and external affairs, and the freedom of self-determination of the people of Oman is non-existent.

88. On 16 June 1970, a year after the British installed the puppet Sultan of Oman, an eminent correspondent of *Le Monde*, Mr. Eric Rouleau, wrote the following:

"In addition to their"—he means the British—"military bases, the British control the foreign affairs, the army, the banking, the oil industry, the investments and the foreign trade of Oman, which in fact amounts to a virtual surrendering of sovereignty."

He added:

"At the same time, the Popular Front for the Liberation of the Occupied Arabian Gulf (PFLOAG) demonstrated its ability and dynamism by winning effective control of two-thirds of the province of Dhofar and establishing a popular and effective administration."

89. In a British newspaper, in an article entitled "Britain and the Hidden War", the following was written:

"Last week the British Government confirmed that RAF reinforcements had been sent to Salala, capital of Dhofar, the western province of the Sultanate of Muscat and Oman. A bitter but seldom reported guerrilla war there is now moving into its sixth year. . . About 90 per cent of the 250,000 population have been 'liberated'. Britain's relationship with the slave-owning Sultan is highly ambiguous. We have no defence commitment to Muscat and Oman, yet seconded British officers provide its high-level military expertise. They are assigned as a *quid pro quo* for British use of bases in Salala and Masira, under an agreement dating back to 1958. As the intention is to keep Masira as a 'staging post' even after Britain's general East of Suez withdrawal in 1971, the British Government will still hold to the Sultan. . . .

"Fighting now centres on the stretch of military road through the mountains, linking Salala with Muscat. Dubbed the 'red line', the Front claims to have inflicted 210 casualties on government troops along this road in recent months."

90. Unlike his father, Qabus Bin Taimur has not been able to black out the news of the popular revolt and keep his Sultanate in complete isolation. Instead, the new Puppet Sultan is trying to screen the achievements and development of the popular revolution and win the allegiance of his impoverished subjects by announcing fictitious plans for building schools and hospitals. The Sultan is also assiduously trying to win international recognition by simply declaring that Oman is an independent State, while only last year the General Assembly of the United Nations adopted a resolution [2702 (XXV)] calling for the self-determination of the people of Oman and explicitly stating that Oman is a colonial Territory.

91. This is a fact which must be strongly emphasized. A revolution exists in the Territory and there is a liberation movement in about 90 per cent of the country. It is a case of a rule by force, adopted and strengthened by a foreign Power, which is totally unacceptable to the people and surely must not be allowed to prevail.

92. During the twenty-fifth session of the General Assembly, the Foreign Minister of the People's Democratic Republic of Yemen said the following in connexion with the colonial situation in Oman:

"British colonialism is still a dominant factor in the occupied Arabian Gulf, which borders our eastern frontiers. Colonialism retains its aggressive military bases to protect its petroleum monopolies, to drain the riches which rightfully belong to the people of the Gulf, and to bolster the . . . imperialist presence in the Arab homeland. In doing all this, it hides behind flimsy entities of its own making and takes refuge in invalid agreements imposed by military force."

My Foreign Affairs Minister continued:

"Despite the fact that the Arabian Gulf area boasts vast petroleum deposits, the majority of its people suffer from low levels of living, because those riches are exploited by colonialism and imperialism and their agents—rulers. . . . As a result of this state of affairs and the accompanying colonialist methods of cruel suppression and subjugation, the Arab people [of Oman] have been engaged for the past five years in an armed struggle for liberation under the leadership of the People's Front for the Liberation of the occupied Arabian Gulf. The Front has been able to liberate some parts in the western area . . . [of Oman].

"In the face of the rising revolutionary tide, the British authorities have escalated their tactics of suppression and brutality—even genocide—against unarmed civilians, burning farms and cattle, and employing their air force, tanks and the most modern weapons of destruction.

"When recourse to all these methods failed to suppress the armed revolution, British colonialism resorted to a flimsy political, theatrical production when it replaced Said Ben Taimur, the reactionary puppet ruler of Muscat and Oman, by his son, Qabus Said Ben Taimur, the new British puppet. By so doing, colonialism sought to impress the world with the illusion that a fundamental change had taken place in that land. The fact is that Qabus and his father are but two sides of one coin minted by British colonialism."⁶

93. To prove this, may I state that Qabus Ben Taimur, the new ruler, has five British advisers, and they are still there. One of them is the Defence Minister for his, as they say, State, and I have their names. They are British. The first one is Colonel H. Oldman; the second one is Brigadier Abraham; the third one is Major London; the fourth one is Major Deason, and the fifth is Captain Butter. They are part of the Administration and advisers of the new ruler.

94. I continue with the quotation of the statement of my Foreign Minister:

"The Arab people of the Gulf are waging a struggle for freedom and independence and for the integrity of their territory. The [People's Democratic Republic of Yemen] believes in the rightness of the struggle and will oppose all

efforts by colonialism to falsify the will of the people . . . It is our conviction that, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, the United Nations should lend its full support to the people of [Oman and not to the Sultan] in their effort to determine their own destiny, free from all methods of colonialist coercion and falsification."⁷

95. The People's Democratic Republic of Yemen had undergone a similar experience under the yoke of British colonialism. Prior to the withdrawal of the occupying British forces, Britain was planning to hand over the country to a handful of puppet sheikhs and sultans—the same thing as is now going on in the Gulf—in ignorance of the wishes of the people who want to establish their own representative government. But all the colonial intrigues failed because of the heroic struggle of the people under the leadership of the National Liberation Front. It is therefore our duty, and that of the respected representatives in this Council, to support the national struggle of the people of Oman and adamantly to oppose all forms of colonial trusteeship and internal suppression.

96. The question of Oman was successively included in the agenda of the Special Political Committee, and then the Trusteeship Council, since 1960. At the sixteenth and seventeenth sessions, the Special Political Committee approved resolutions whereby the General Assembly, recalling its resolution 1514 (XV), would recognize the right of the people of Oman to self-determination and independence, call for the withdrawal of foreign forces from Oman, and invite the parties concerned to settle their differences peacefully with a view to restoring normal conditions in Oman.

97. At the 1191st plenary meeting of the General Assembly, at its seventeenth session, the representative of the United Kingdom, on behalf of the Sultan of Muscat and Oman, extended an invitation to a representative of the Secretary-General of the United Nations to visit the Sultanate on a personal basis to obtain first-hand information on the situation there. Subsequently, the Secretary-General appointed Mr. Herbert de Ribbing, the Swedish Ambassador to Spain, as his Special Representative to undertake that task. Mr. de Ribbing visited Oman in June 1963 and submitted a report⁸ which was made available to the General Assembly.

98. At the eighteenth session, the question of Oman was again included in the agenda of the General Assembly and referred to the Fourth Committee for consideration. A draft resolution recommended by the Fourth Committee was adopted by the General Assembly on 11 December 1963 as resolution 1948 (XVIII). By this resolution, the Assembly took note of the report of the Special Representative of the Secretary-General and decided to establish an *Ad Hoc* Committee to examine the question of Oman and to report to it at its nineteenth session. The *Ad Hoc* Committee submitted its report⁹ to the General Assembly on 8 January 1965.

⁷ *Ibid.*, para. 174.

⁸ *Ibid.*, Eighteenth Session, Annexes, agenda item 78, document A/5562.

⁹ *Ibid.*, Nineteenth Session, Annexes, Annex No. 16, document A/5846.

⁶ *Ibid.*, Twenty-fifth Session, Plenary Meetings, 1872nd meeting, paras. 170, 171 and 172.

99. The question of Oman was one of the many items included in the provisional agenda of the General Assembly which it was unable to consider at its nineteenth session. At the twentieth session, the item was referred to the Fourth Committee for consideration. A draft resolution recommended by the Fourth Committee was adopted by the General Assembly at its 1399th plenary meeting on 17 December 1965 [resolution 2073 (XX)]. By that resolution the General Assembly took note of the report of the *Ad Hoc* Committee on Oman and recognized the inalienable right of the people of the Territory as a whole to self-determination and independence. That resolution did not speak of the Ruler or Sultan. It considered that the colonial presence of the United Kingdom in its various forms prevented the people of the Territory from exercising their right to self-determination and independence. The General Assembly also called upon the Government of the United Kingdom to implement a number of measures in the Territory and invited the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to examine the situation in the Territory.

100. The Special Committee considered the question of Oman at meetings in 1966 and heard a number of petitioners from Oman. On 17 November 1966, the Special Committee decided that it would report to the General Assembly that owing to a lack of time it had not been able to complete its consideration of the item. The Special Committee also decided that, subject to any further directives the General Assembly might wish to give during its twenty-first session, it would consider the question at meetings in 1967 with a view to the implementation of General Assembly resolution 2073 (XX).

101. At its twenty-first session the General Assembly considered the chapter of the report of the Special Committee concerning Oman¹⁰ and adopted its resolution 2238 (XXI) of 20 December 1966. By that resolution the General Assembly approved the chapter of the report of the Special Committee relating to the Territory of Oman and reaffirmed the inalienable right of the people of the Territory as a whole to self-determination and independence. It also recognized the legitimacy of the struggle of the people of the Territory to achieve the rights laid down in the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples. It deplored the refusal of the United Kingdom to implement General Assembly resolutions 1514 (XV) and 2073 (XX) and the policies of the United Kingdom in installing and supporting any unrepresentative régime in the Territory. By the same resolution the General Assembly recognized that the natural resources of the Territory belonged to the people of Oman and that the concessions given to the foreign monopolies without their consent constituted a violation of the rights of the people of the Territory. It considered that the maintenance of military bases, depots and troops in the Territory constituted a major hindrance to the exercise by the people of its right to

self-determination and independence and was prejudicial to the peace and security of the region. The General Assembly also called upon the Government of the United Kingdom to implement a number of measures in the Territory and requested the Special Committee to continue its examination of the situation in the Territory.

102. The Special Committee considered the question of Oman at its 564th meeting on 27 September 1967 and decided to report to the General Assembly that, in view of the limited time available to it, it had not been able to complete its consideration of the items and that, subject to any further directives the General Assembly might wish to give during its twenty-second session, it would consider the question at meetings in 1968 with a view to the implementation of General Assembly resolution 2238 (XXI).

103. I have in front of me several resolutions adopted by the General Assembly which clarify the real situation in that area, but I should not like to take up too much of the Council's time and I shall therefore only mention the last resolution that the General Assembly adopted on the subject, at its 1928th plenary meeting on 14 December 1970.

[The speaker read out General Assembly resolution 2702 (XXV).]

104. That was the resolution adopted last year. Nevertheless, the self-imposed Sultan, who considers himself the legitimate ruler of Oman, frequently defies the resolutions of the General Assembly of the United Nations by repudiating the discussion of the question of Oman in the United Nations on the basis that Oman is a non-colonized sovereign State. Only last year the so-called Prime Minister of the Sultan dispatched a cable to the Secretary-General of the United Nations protesting the discussion of the item. That cable was distributed in document A/AC.109/PET.1155, dated 17 December 1970. On 31 October 1963 another cable was distributed as document A/C.4/619.¹¹

105. The letter of 24 May 1971 [S/10216] addressed by the so-called Prime Minister and Minister for Foreign Affairs of the Sultanate of Oman to the Secretary-General of the United Nations and requesting admission to the United Nations cannot simply bury the question of a territorial colony which has been dealt with in the United Nations for ten years. It is only logical that the resolutions of the United Nations General Assembly must be implemented before Oman can be admitted to the United Nations as an independent sovereign State. And the conditions of sovereignty and self-determination of the people—not the Sultan—repeatedly emphasized by many United Nations resolutions, cannot be met unless all the colonial foreign forces withdraw from Oman and unless the people are free to determine their own destiny without oppression.

106. Since the admission of Oman to the United Nations is incompatible with the relevant United Nations resolutions, my Government is totally opposed to the request of the Sultan of Oman for admission to the United Nations, and we still maintain that Oman is a colonial Territory.

¹⁰ *Ibid.*, Twenty-first Session, Annexes, addendum to agenda item 23, chap. XIII.

¹¹ *Ibid.*, Eighteenth Session, Annexes, agenda item 78.

107. The PRESIDENT: Since no Member of the Council wishes to speak at this stage, I shall now put to the vote the draft resolution recommended by the Committee on the Admission of New Members in paragraph 4 of its report.

A vote was taken by show of hands.

The draft resolution was adopted unanimously.¹²

108. The PRESIDENT: May I take it that the Council also wishes to approve the recommendation made by the Committee on the Admission of New Members in paragraph 3 of this report, namely, to have recourse to the last paragraph of rule 60 of the provisional rules of procedure in making this recommendation to the General Assembly? As I hear no objection, it is so decided.

109. A number of representatives wish to speak at this stage, and I shall now call on them.

110. Mr. TOMEH (Syrian Arab Republic): After the unanimous vote which has just taken place, the fact that I, as an Arab spokesman in the Security Council, should welcome the new State of Oman to membership of the United Nations following the speech delivered by my brother and colleague the permanent representative of the People's Democratic Republic of Yemen—a speech which indicated our differences—proves how democratic we are, despite the accusation that the Arabs are undemocratic.

111. It certainly is a pleasure to welcome to the family of nations a new Member, a sister Arab State, Oman. We are not unmindful of the great problems which face the people of Oman and indeed the whole Arabian peninsula. If there are foreign military bases and foreign exploitation—and there are—we hope that by joining the United Nations Oman will achieve complete independence.

112. Indeed, liberation, independence and people's rule is a historical, unending dialectical process which can be achieved through continuous struggle, and not by mere declarations. The struggle for self-rule—real, genuine self-rule—is, as I have said, an unending one. Throughout history the inalienable rights of peoples have always been taken rather than given.

113. Oman achieving membership in the world Organization has a special meaning. After an isolation from the world lasting 138 years, Oman has come out of seclusion to share in the world's progress and to enter a new period of renaissance. Let us remember that at one time in its history Oman was one of the most powerful and most enterprising countries of the Arabian peninsula. The great Arab historian of the fifteenth century, Ibn Khaldou—who, in the view of some historians, with all due respect to my learned colleague Ambassador Vinci of Italy, preceded Vico in establishing history as a science—referred to Oman as a great naval and commercial State. He did that as long ago as the fifteenth century, when he wrote *An Introduction to History*, which was translated into many European languages, the first being French. Very recently it was translated into English, and the great Soviet orientalist

Krachovsky of Leningrad University has written a special work on the subject.

114. The new era on which we earnestly hope the Government of Oman will embark will be one that aims at the development of the country; at the freeing of its resources for the benefit of the people, the masses of Oman, in all fields—economic, cultural, social, educational and otherwise—in one word, at the fuller existence of the people.

115. We are all the more encouraged to look hopefully towards such a bright future because those faithful Omanese who had been prevented from living in their own motherland by the resentment of an unprogressive and backward régime are now gradually being permitted to return and to help in rebuilding their country and recapturing their glorious past.

116. It also augurs well for the membership of Oman in the United Nations that it has already been accepted as a full-fledged member of the Arab League and of some of the specialized agencies of the United Nations.

117. We are sure that Oman will have its own positive contributions to make as a Member of the United Nations, fully cognizant of its duties and responsibilities towards the Charter, towards world peace and security and towards the problems of liberation in the Third World.

118. Sir Colin CROWE (United Kingdom): My delegation has taken great pleasure in voting in favour of the admission of Oman to the United Nations. When, as we all hope, the Security Council decision is approved by the General Assembly, I look forward to seeing Oman take its place together with its two sister Arab States in the Arabian peninsula region which have become Members of the United Nations at the current session.

119. Once again, as in the case of those sister States, a certain delegation has tried to raise objections to the admission of Oman. My delegation on earlier occasions has given a detailed refutation of allegations of the kind we have just heard. Once again the unanimous vote of the Council is a complete answer to those objections.

120. My country has had close and friendly ties with Oman for very many years. These traditional ties were given formal expression in a Treaty of Friendship, Navigation and Commerce concluded between our two countries in 1951. Thus, in the case of Oman the occasion for its admission to the United Nations has not been the ending of a special treaty relationship with the United Kingdom, for as my delegation has consistently made clear in the United Nations there is not, and never has been, any relationship of a dependent character between us.

121. The occasion is rather a decision of the State of Oman, announced by the new Sultan on his accession just over a year ago, to establish a modern government devoted to the improvement of the welfare of the people of Oman, to abandon its former isolation and to reclaim its rightful place in the Arab world and in the international community at large.

¹² See resolution 299 (1971).

122. My Government has observed with interest the steps the new Government has already taken towards that goal, especially the economic development to which they are devoting the substantial oil revenues that have accrued in the last few years.
123. We are ready to assist their efforts in whatever way we can, both directly and through the agencies of the United Nations, of one of which Oman became a member earlier this year.
124. With a population of more than one million inhabitants whose enterprise has for centuries past taken them far beyond the frontiers of the State both by land and sea, Oman is rich in human as well as material resources. My delegation is confident that Oman, subscribing as it does to the purposes and principles of the Charter, will prove a worthy new Member of this Organization.
125. Mr. LONGERSTAEY (Belgium) (*interpretation from French*): My delegation is very pleased to have contributed, by its affirmative vote on the recommendation just adopted unanimously, to the admission of the Sultanate of Oman to the United Nations.
126. Our attitude flows logically from the votes we cast previously when the problem of Oman was raised in the Fourth Committee and in the General Assembly. Furthermore, whenever the question of the admission of Oman arose in certain specialized agencies Belgium always supported the candidacy of the Sultanate. As was stated by the representative of Belgium in the Committee on the Admission of New Members, my Government not only considers that the candidate meets all the conditions laid down by the Charter, thereby proving itself capable and prepared to meet its obligations under the Charter, but is furthermore firmly convinced that by its very nature the participation of Oman in the work of our Organization will be extremely useful and effective.
127. A country that is both youthful and ancient, situated at the extreme south-east of the Arabian peninsula, Oman may take pride in having contributed to the glorious heritage of Arab and Moslem civilization. Furthermore, the revolutionary programme of national renewal in the fields of public works, health and education will make it possible for the Organization to benefit from its experiences and successes.
128. On behalf of the Belgian Government may I therefore be permitted to present to His Majesty Sultan Qabus bin Said, as also to the population of the Sultanate, our warmest congratulations. We hope that under the enlightened direction of its august sovereign Oman will know a peaceful and prosperous future safe from any foreign covetousness. Furthermore, the admission of a new Member will make it possible to broaden the geographical and cultural basis of our Organization, whose world-wide vocation is inscribed in the Charter.
129. Mr. VINCI (Italy): Members of the Council will recall that at the 1575th meeting, on 18 August, when the Council adopted its resolution [296 (1971)] recommending the admission of Bahrain to the United Nations, my delegation expressed the firm hope that the Committee on the Admission of New Members could speedily complete its consideration of Oman's application in order to put the Council in a position to recommend its admission to our Organization in the course of the present session of the General Assembly.
130. The decision just taken by the Council meets and fulfils our expectation, and my delegation draws particular satisfaction from it.
131. Since the outset, my delegation has whole-heartedly welcomed Oman's application for admission to the United Nations, for two main reasons.
132. First, because the admission to our Organization of one more State represents, in our view, a further significant step towards the achievement of universality, which my country has consistently fostered for a long time. We believe that that objective, which is consistent with the spirit of the Charter, is of paramount importance because this forum offers opportunities for better understanding and improved relations and therefore greater chances for the maintenance of peace and close peaceful co-operation among nations. I say this with the conviction that it will prove true also in the case of the geographic area to which the State of Oman belongs, since the economic and social development of the populations of that region, perhaps more than any other, need a reign of peace.
133. The second reason is that in this instance another Arab State will be joining our family and coming into the mainstream of international life and will thus be more closely associated with the other Arab States in this centre of the international community, and will, furthermore, be associated with and contribute to its renaissance as well as to the renaissance of the whole Arab world, on which I rely, convinced as I am that the cycles of life, of history of nations so clearly and scientifically elaborated and illustrated by the great Italian philosopher Giambattista Vico, to whom Ambassador Tomeh has referred, will once again be clearly confirmed.
134. The State of Oman has in recent times been pursuing vast programmes for improving conditions for its population in the economic, social and cultural fields. My country has very close relations with the countries of the Near East. Italian diplomats have recently visited the Sultanate of Oman, and Italian firms have participated and are taking an active part in the development of that country.
135. I wish to convey to the Government and people of Oman my Government's desire to see the Sultanate progress steadily in all fields and to see our relations with it become closer. The Italian Government is confident that the State of Oman will positively contribute to the work of the United Nations.
136. For all those reasons the Italian delegation voted in favour of the resolution that has just been unanimously adopted, and we shall be most happy to co-operate with the Oman delegation in the achievement of the purposes enshrined in the Charter of the United Nations.

137. Mr. CHANG (China):¹³ My delegation welcomes the accession of the Sultanate of Oman to membership of the United Nations.

138. It is a matter of great satisfaction to my delegation that within the short space of a few weeks the Security Council has been called upon to consider the applications of three States from the Gulf area for membership in the United Nations—Bahrain, Qatar, and now Oman. Indeed, Oman's application for membership has been pending for some time. For reasons well known to all, its admission has been delayed until now.

139. In so far as my delegation is concerned, we have never had any doubt about Oman's qualifications for membership. The Sultanate of Oman has always enjoyed independent status. It is the possessor of a great culture and civilization, and it has a prosperous and growing economy. My delegation was therefore happy to vote for the adoption of the report and recommendations of the Committee on the Admission of New Members.

140. The Prime Minister of the Sultanate of Oman in his letter to the Secretary-General voiced his Government's adherence to the purposes and principles of the Charter and made known his acceptance of the obligations incumbent upon a Member State. My delegation believes that as a Member of the United Nations Oman will play a constructive and positive role in the work of the Organization.

141. On behalf of my delegation I take this opportunity to convey to the people and Government of the Sultanate of Oman our best wishes for a happy and prosperous future.

142. Mr. SAVAGE (Sierra Leone): When the question of Oman was brought before this Council last month [*1574th meeting*], the Committee on the Admission of New Members decided to defer its examination of the application and recommended without objection to the Security Council to have recourse later to the last paragraph of rule 60 of the provisional rules of procedure. The reason was that certain problems relating to the timing of the consideration of the matter remained to be solved at that time. Those problems have now been resolved and my delegation is proud and happy to accept the recommendation of the Committee and to forward it formally to the General Assembly.

143. The delegation of the Republic of Sierra Leone voted whole-heartedly in favour of the resolution which was unanimously adopted this evening. It did so because it recognized the several qualifications of Oman for membership in this world Organization. The people of Oman have opted for complete independence under their own initiative and they have indicated through their leader their Government's intention to abide by the stipulations of the United Nations Charter. Whatever original differences may prevail among the Gulf State Members, this should not be allowed to obfuscate the question before us which, according to the understanding of my delegation, deals purely and simply with the admission of a sovereign State to United Nations membership.

144. We have no doubt that this new nation, rich in its ancient history and cultural heritage, as well as in natural resources, will benefit from a closer association with the other nations of the world and that the United Nations will become richer through its membership.

145. The Government of Sierra Leone wishes the Government and people of the State of Oman prosperity, success and future happiness.

146. Mr. DE LA GORCE (France) (*interpretation from French*): My delegation long ago made its position known with regard to Oman and we experienced no difficulty in welcoming the application for membership which was submitted to us. We are convinced that Oman is capable of fulfilling the obligations of the Charter and is ready to do so. Thus we welcome the developments which have made it possible for our Committee on Admissions and then the Security Council itself, to recommend unanimously the admission of Oman to the United Nations.

147. Thus, for the third time in a brief period, we have taken a decision on the application of a State from the Gulf. In conformity with the principle of universality, an area of the world with past glory and future promise is now far better represented in our Organization.

148. Oman, a window of that subcontinent, has the privilege of facing Asia and Africa at one and the same time. It gave birth to a people of intrepid navigators who, sailing the oceans as far back as Middle Ages set foot on distant shores and caused a civilization to flourish which far surpassed that of many other regions of the world at the time. Traders, chroniclers and god-fearing men, they gathered in small maritime colonies and over a long period of time gave the benefits of their culture to East Africa.

149. After returning later to their own territory, the people of Oman have for several centuries shown themselves to be faithful to their dynasty whose present representative, the Sultan Qabus bin Said, has undertaken with vigour to develop, in a brief period of time, the immense riches hidden under the harsh surface of the soil of Oman. Nor are we indifferent to the efforts made by this monarch at the same time to have his people progress in harmony and to put an end to the most recent disputes which still divide certain regions of the Territory.

150. Since the eighteenth century, the ties between the United Kingdom and the Sultan have been renewed over the years in successive treaties, and they have not been strained. We have never thought, for our part, that the closeness, continuity and diversity of those ties placed the sovereignty of Oman in doubt.

151. We are happy today that Oman has joined the great community of the United Nations. We welcome the initiatives of its Government in offering all the States of the world its long-standing and certainly very fruitful collaboration. Now as Oman is about to become the 131st Member of our Organization, France extends to that country, at once so ancient and so young, its most fervent wishes for peace, prosperity and progress.

¹³ See note B at the beginning of the meeting.

152. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation does not object to the admission of the Arab State of Oman to the United Nations. In this connexion we have noted that the League of Arab States has examined the question of Oman and has adopted a decision to recognize the State of Oman and to admit it to the Arab League as a full member.

153. We listened carefully to the statement of our friend, the distinguished representative of the People's Democratic Republic of Yemen. The Soviet delegation is convinced that the people of Oman will overcome the legacy of its colonial past and will advance along the road of national and social progress. We also hope that, on being admitted to the United Nations, Oman will strictly observe the Charter of this Organization and will promote the efforts of the United Nations towards the strengthening of international peace and security, which, as we all know, is the main purpose of the United Nations.

154. The Soviet Union has always consistently given, and will continue to give every possible assistance to colonial countries and peoples in their struggle for independence, for the consolidation of their sovereignty and for the development of their economies. This policy of the Soviet Union serves as a firm basis for the establishment and development of friendly relations between the Soviet Union and the young States of Asia and Africa which have liberated themselves from colonial domination.

155. The Soviet delegation wishes the people of Oman good fortune and progress along the path of independent development and hopes that they will establish ties of friendship and co-operation with all the progressive and freedom-loving peoples of the world in the struggle against colonialism and imperialism.

156. Mr. LUDWICZAK (Poland): The Polish delegation wishes sincerely to congratulate the people of Oman on its country's imminent admission to the United Nations which the unanimous decision just taken by the Security Council has made possible.

157. The question of Oman has been before the United Nations for some time. It has undoubtedly been among the difficult problems of decolonization with which the United Nations has been dealing. The resolutions of the General Assembly adopted year after year reaffirmed the legitimate right of the people of Oman to self-determination and to the natural resources of its territory and asked the British Government in its capacity of administering Power to apply General Assembly resolution 1514 (XV) and other pertinent United Nations decisions relating to Oman, but those resolutions have remained unanswered. It is only because of the growing struggle against colonial rule and the ever stronger aspirations to independent national existence manifested by the peoples in the region of the Arabian peninsula that in these conditions the admission of Oman to the United Nations has become possible. We earnestly hope that the membership of Oman in our Organization will help the people of that country to consolidate its independence and to promote its economic development, thus also serving the cause of progress and peace in that region of the world.

158. We wish Oman success on that road. The Polish delegation looks forward to Oman's participation in the work of the United Nations. We express our sincere hope that the presence of Oman in our Organization will contribute to furthering the role of the United Nations in the strengthening of international peace and security and in advancing the full and complete liberation of all the peoples still under colonial domination.

159. Mr. BENNETT (United States of America): My delegation was pleased to concur in the unanimous recommendation to the Council by its Committee on the Admission of New Members that Oman be admitted to the United Nations and in the unanimous vote of this Council. The United States now looks forward to welcoming the delegation of Oman to the twenty-sixth session of the General Assembly as a new Member that will respect the obligations of United Nations membership and will be a valued and constructive participant in the activities of this Organization.

160. The United States has recognized the Sultanate of Oman since 1833 when, in the first decades of United States independence, a treaty was signed with the then Sultan of Muscat and Oman. A United States consulate was maintained in Muscat for 45 years prior to 1915. In 1958 the United States signed a new treaty with Oman providing for trade, friendship and the exercise of consular rights. Our relations with Oman have always been based on the recognition of its independence and its behaviour as a responsible member of the international community. We have always maintained this point of view when questions concerning Oman have been raised in various United Nations forums.

161. The United States has taken note of and applauds the determination of the present Government in Muscat to devote its oil income to progress and prosperity in Oman. The dramatic expansion of schools and the investment in new facilities for transportation and public health are happy auguries of the future. We wish the people and leaders of Oman success in these noble pursuits.

162. In conclusion, let me warmly welcome Oman's application. It has the full and whole-hearted support of the United States.

163. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): I should like to say how happy my delegation is to see Oman about to join our Organization. This event, which allows this new Arab country to enter this Organization and co-operate with all of us is a very happy one not only because of the very close links of friendship uniting Argentina with the Arab States, but also because in this way we reaffirm the purpose already expressed in this Council to advance towards the universality of the United Nations. For these reasons we extend to the Sultanate of Oman our warmest welcome. We know that their positive contribution will soon be evident in our deliberations at the United Nations.

164. Mr. FARAH (Somalia): Two days ago the Somali Secretary of State for Foreign Affairs, when addressing the General Assembly,¹⁴ offered the congratulations of the

¹⁴ See *Official Records of the General Assembly, Twenty-sixth Session, Plenary Meetings, 1943rd meeting.*

Somali people on the admission of Bahrain and Qatar. He went on to say that the Somali Government had followed with interest the political developments in Oman and that it was the hope of my Government that it would not be long before its people too were represented in the United Nations. Fortunately and happily, that important day is not far off. Tomorrow we shall be able formally to welcome Oman in our midst.

165. There is very little that my delegation can add to the eloquent recitals of the great cultural and historical achievements of the people of Oman and of the energetic efforts that are now being made to utilize the rich natural resources of the country for the progress and well-being of its people. We recognize that the recent political history of the country has given rise to some anxiety on the part of some States interested in the well-being of the people of Oman. It is our hope and our prayer that these anxieties will be allayed, that any disagreements that may exist will disappear and that the people of Oman will enjoy good and friendly relations with all States. We wish them the best of luck and hope that the future will bring peace and prosperity to them.

166. Mr. MAGENGE (Burundi) (*interpretation from French*): The delegation of Burundi was one of those delegations which joyfully welcomed the candidacy of the Sultanate of Oman for membership of the United Nations. The philosophy of my Government in the question of decolonization is well known and hardly needs to be expatiated upon here or recalled. Indeed, in our opinion the larger the family of the United Nations becomes the greater the chance will be for the admission of those States which still remain outside this Organization.

167. The vocation of the United Nations is universal. It is therefore obvious that this goal can be achieved only when colonial Africa, as well as the other regions in the Third World which are still living under the colonial yoke, has been liberated.

168. On the day when Namibia is no longer subject to annexation; when Guinea (Bissau), Mozambique and Angola are no longer considered as small provinces, and condemned to domination by Portugal; when those independent African Territories no longer serve as bases for the colonialists to attack independent African nations; when those Territories are no longer held in a state of siege by the armies from Lisbon and Pretoria—then will my delegation be able to gauge the efforts made towards the universality of our Organization.

169. The longer the independence of regions occupied by South Africa and Portugal is delayed, the longer will the chances for co-operation between the regions of Africa struggling for their liberation and the former metropolitan countries be compromised.

170. I should not like to conclude my brief statement without emphasizing that the preceding item on our agenda—the question of Namibia—was before this Organization long before the question of Oman: in fact, long before many other items which have already been successfully settled. The question of Namibia, which we have just

suspended without finding any solution to it, has been before the United Nations for more than 25 years now.

171. I apologize for this digression, but I felt that I had to remind members of the unfortunate fact that matters of capital importance are not always considered with all the attention they deserve. Of course, when I say that, it in no way diminishes my joy at seeing the admission of Oman, and once again I should like to congratulate this new Member country of the United Nations.

172. Mr. SEVILLA SACASA (Nicaragua) (*interpretation from Spanish*): It was with personal pleasure that I voted, on behalf of Nicaragua, for the resolution in which the Security Council recommends to the General Assembly that Oman be admitted to membership of the United Nations. Oman's entry into our Organization is a matter of great satisfaction to us, because we know that that nation has the very best intentions to contribute to the strengthening of international peace and security.

173. May I extend a cordial greeting to the sovereign and to his worthy representatives, and convey the wishes of the Government and people of Nicaragua for the growing prosperity of their noble people.

174. The PRESIDENT: As all members of this Council, except one, have spoken, I should like to take this opportunity to speak, not as President of the Council, but as representative of JAPAN.

175. On this auspicious occasion, on behalf of my delegation, I wish to express our genuine feelings of sincere congratulations to the Government and people of the Sultanate of Oman on the unanimous adoption of the resolution recommending to the General Assembly that Oman be admitted to membership of the United Nations.

176. My delegation is very happy to see Oman admitted to the United Nations because we are confident that it is a peace-loving State, able and willing to carry out the obligations incumbent upon Member States under the Charter. We are also confident that Oman, which has already recorded significant economic and social achievements, will participate fully in the collective efforts of the United Nations to create a more peaceful and prosperous world, and that it will play a constructive role in that noble endeavour.

177. On 1 June 1971 Japan formally recognized the Sultanate of Oman. The relations between our two countries are very friendly, and we have had constant contacts through diplomatic channels, as well as through visits of trade missions.

178. Our Ambassador in Kuwait, in his recent report, vividly describes how warmly he was received early this year in Salalah by His Majesty Sultan Qabus bin Said and His Excellency the Prime Minister, Tarik bin Taimur.

179. Availing myself of this opportunity, I should like to pay a tribute to the chairman of the delegation of Oman, His Excellency Dr. Asim Al Jamali, Minister of Health, who has been dispatched here by His Majesty Sultan Qabus bin Said for this felicitous occasion and who is with us today.

180. The Government and people of Japan look forward to increasingly close and friendly relations with the Government and people of the Sultanate of Oman, both within and without the United Nations.

181. As there are no further speakers, as PRESIDENT of the Security Council I shall immediately request the Secretary-General to transmit to the General Assembly the text of the resolution just adopted, together with the

verbatim records of the meetings at which the application of Oman has been discussed, in accordance with rule 60 of the provisional rules of procedure. At the same time, I shall draw attention to the Council's decision to make this recommendation subsequent to the expiration of the time-limit as set forth in the last paragraph of rule 60.

The meeting rose at 7.30 p.m.