

Recalling further the provisions of paragraph 5 of resolution 2978 (XXVII), in which it requested the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned,

Having examined the chapter of the report of the Special Committee dealing with the transmittal of information under Article 73 *e* of the Charter and the action taken by it in respect of that information,⁴

Having also examined the report of the Secretary-General on this item,⁵

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;

2. Strongly deplures that, despite the repeated recommendations of the General Assembly and the Special Committee, some Member States having responsibilities for the administration of Non-Self-Governing Territories have ceased or have failed to transmit information under Article 73 *e* of the Charter, have transmitted insufficient information or have transmitted information too late;

3. Strongly condemns the Government of Portugal for its continued refusal to recognize the colonial status of the Territories under its domination and to transmit information under Article 73 *e* of the Charter on those Territories in complete disregard of the provisions of the relevant resolutions of the General Assembly and the Special Committee;

4. Reaffirms that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

5. Requests the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned;

6. Reiterates its request that the Administering Powers concerned transmit such information as early as possible and, at the latest, within a maximum period of six months following the expiration of the administrative year in the Non-Self-Governing Territories concerned;

7. Requests the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its twenty-ninth session.

2198th plenary meeting
12 December 1973

3111 (XXVIII). Question of Namibia

The General Assembly,

Having considered the question of Namibia,

Having examined the report of the United Nations Council for Namibia⁶ and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,⁷

Having heard the statement of the representative of the South West Africa People's Organization,⁸ who has participated in an observer capacity in the work of the United Nations Council for Namibia and also, in accordance with the decision taken by the General Assembly at its 2139th plenary meeting on 3 October 1973,⁹ in the Fourth Committee's consideration of the item,

Having also heard the statements of the petitioners,¹⁰

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Recalling, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of both the General Assembly and the Security Council relating to the question of Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971,¹¹ delivered in response to the request addressed to it by the Council in its resolution 284 (1970) of 29 July 1970,

Taking into consideration the programme of action adopted by the International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa, held at Oslo from 9 to 14 April 1973,¹² the resolutions on Namibia adopted by the Council of Ministers of the Organization of African Unity at its twenty-first ordinary session, held at Addis Ababa from 17 to 24 May 1973, and by the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers from 5 to 9 September 1973,¹³ as well as the Lusaka Declaration adopted by the United Nations Council for Namibia on 14 June 1973,¹⁴

Reaffirming that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence within a united Namibia,

⁶ *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 24 (A/9024).*

⁷ *Ibid.*, Supplement No. 23 (A/9023/Rev.1), chaps. I-VI and VIII.

⁸ *Ibid.*, Twenty-eighth Session, Fourth Committee, 2046th meeting.

⁹ See "Other decisions", p. 111.

¹⁰ *Official Records of the General Assembly, Twenty-eighth Session, Fourth Committee, 2047th, 2053rd and 2060th meetings.*

¹¹ *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.*

¹² A/9061, annex, sect. IV.

¹³ A/9330 and Corr.1, p. 42.

¹⁴ *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 24 (A/9024), para. 157.*

⁴ *Ibid.*, Twenty-eighth Session, Supplement No. 23 (A/9023/Rev.1), chap. XXIX.

⁵ A/9239 and Add.1.

Bearing in mind the efforts of the Secretary-General¹⁵ with a view to the implementation of Security Council resolution 323 (1972) of 6 December 1972, and considering that the efforts of the United Nations have been utilized by the South African régime to consolidate its illegal occupation of the Territory,

Strongly deploring South Africa's continued refusal to comply with the resolutions and decisions of the United Nations, its continued illegal occupation of Namibia, its brutal repression of the Namibian people and its persistent violation of their human rights, as well as its efforts to destroy the national unity and territorial integrity of Namibia, and recognizing that this situation cannot continue without danger to international peace and security,

Deploring the policies of those States which, despite the relevant decisions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971, continue to have diplomatic, consular, economic and other relations with South Africa, acting on behalf of or concerning Namibia, which have the effect of supporting or encouraging South Africa in its defiance of the United Nations,

Noting with satisfaction the opposition of the Namibian people to South Africa's illegal presence in the Territory and to its racist and oppressive policies and, in particular, the progress of their struggle for national liberation under the leadership of the South West Africa People's Organization,

Noting with appreciation the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it by the relevant resolutions of the General Assembly,

Having invited the United Nations Council for Namibia to participate on behalf of Namibia in the Third United Nations Conference on the Law of the Sea,

I

1. *Reaffirms* the inalienable and imprescriptible right of the people of Namibia to self-determination and independence in accordance with General Assembly resolutions 1514 (XV) and 2621 (XXV) and subsequent resolutions, and the legitimacy of their struggle by all means against the illegal occupation of their country by South Africa;

2. *Recognizes* that the national liberation movement of Namibia, the South West Africa People's Organization, is the authentic representative of the Namibian people, and supports the efforts of the movement to strengthen national unity;

3. *Strongly condemns* South Africa for its persistent refusal to withdraw from the international Territory of Namibia and for its efforts to consolidate its illegal occupation by intensified repression and by the imposition of its policies of *apartheid* and the fragmentation of the Territory into "Bantustans", in total disregard of the wishes of the people of Namibia, the decisions and resolutions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971;

4. *Demands* the immediate withdrawal by South Africa of all its military and police forces and its administration from Namibia so as to enable the Namibian people to achieve freedom and independence;

5. *Takes note* of the efforts of the Secretary-General to implement Security Council resolution 323 (1972);

6. *Deplores* the obdurate refusal of the South African régime to comply with the resolutions of the United Nations, particularly its refusal to negotiate in good faith for the transfer of power in Namibia;

7. *Considers* that the contacts between the Secretary-General and the Government of South Africa under the terms of Security Council resolution 323 (1972) should be terminated as being detrimental to the interests of the Namibian people;

8. *Invites* the Security Council to consider taking effective measures, in accordance with the relevant Chapters of the Charter of the United Nations, to put an end to South Africa's illegal occupation of Namibia;

9. *Approves* the report of the United Nations Council for Namibia,⁹ including the recommendations contained therein and the programme of work envisaged for 1974, and decides to make adequate financial provision for their implementation;

10. *Commends* the United Nations Council for Namibia for its efforts to fulfil the mandate entrusted to it by the General Assembly and requests it to continue to discharge its functions and responsibilities;

11. *Calls once again upon* all States to comply with the relevant provisions of the resolutions of the General Assembly and the Security Council concerning Namibia and the advisory opinion of the International Court of Justice of 21 June 1971, and to refrain from all direct or indirect relations, economic or otherwise, with South Africa when it purports to act on behalf of or concerning Namibia;

12. *Urges* all States to take all possible economic and other measures with a view to compelling South Africa to withdraw immediately from Namibia in accordance with General Assembly resolutions 2145 (XXI) and 2248 (S-V);

13. *Calls upon* all States, the specialized agencies and other organizations within the United Nations system, as well as the non-governmental organizations, to co-operate fully with the United Nations Council for Namibia in the discharge of its mandate;

14. *Requests* all States, the specialized agencies and other organizations within the United Nations system, as well as the non-governmental organizations concerned, to render to the Namibian people, in co-operation with the Organization of African Unity, all moral and material assistance necessary to continue their struggle for freedom and independence, and to work out, in active co-operation with the United Nations Council for Namibia and the Organization of African Unity, concrete programmes of assistance to Namibia;

15. *Calls upon* all States which have consular representation, whether ordinary or honorary, in Namibia to terminate such representation, and calls upon all States which have consuls in South Africa accredited to Namibia to withdraw such accreditation;

16. *Requests* all States which have agreements with South Africa relating to Namibia to enter into consultations with the United Nations Council for Namibia and the Secretary-General with a view to concluding new agreements, as appropriate, on matters covered by the previous ones;

17. *Requests* all subsidiary organs of the United Nations, intergovernmental bodies and conferences to ensure that the rights and interests of Namibia are protected and to that end, among other things, to invite the

¹⁵ See *Official Records of the Security Council, Twenty-eighth Year, Supplement for April, May and June 1973, document S/10921*.

United Nations Council for Namibia to participate in an appropriate capacity whenever such rights and interests are involved;

18. *Decides*, having regard to paragraph 2 above, to defray the expenses of a representative of the South West Africa People's Organization when accompanying such missions as the United Nations Council for Namibia may determine and whenever called for consultation by the Council, and to authorize the Council to utilize the financial resources available, including the United Nations Fund for Namibia, to enable it to give assistance to the Namibian people when, in the opinion of the Council, such assistance would be required;

19. *Requests* the Secretary-General:

(a) To continue to provide the necessary assistance and facilities to the United Nations Council for Namibia and to the United Nations Commissioner for Namibia for the discharge of their respective duties and functions;

(b) To report to the General Assembly at its twenty-ninth session on the implementation of the present resolution;

II

1. *Requests* all specialized agencies and other organizations within the United Nations system and the member States thereof to take such necessary steps as will enable the United Nations Council for Namibia, as the legal authority for Namibia, to participate fully on behalf of Namibia in the work of those agencies and organizations;

2. *Requests* all specialized agencies and other organizations within the United Nations system, in consultation with the United Nations Council for Namibia, to render, within their respective spheres of competence, all possible assistance to the people of Namibia and their liberation movement;

3. *Requests* the Secretary-General, in close co-operation with the United Nations Council for Namibia, to review the full and speedy implementation of the present resolution and to report thereon to the General Assembly at its twenty-ninth session;

III

1. *Requests* the Secretary-General, in consultation with the United Nations Council for Namibia, to take concrete measures through all the media at his disposal to intensify the dissemination of information on the question of Namibia and, *inter alia*:

(a) To issue a further series of United Nations commemorative postage stamps on Namibia in order to emphasize the direct responsibility of the United Nations with regard to Namibia through the United Nations Council for Namibia and the legitimate struggle being waged by the people of Namibia for self-determination and independence;

(b) To continue to issue the *Namibia Bulletin*;

(c) To continue to explore additional measures for wider dissemination of information concerning the question of Namibia and the activities of the Council;

2. *Invites* all States, specialized agencies and United Nations bodies concerned, as well as intergovernmental and non-governmental organizations having an interest in the field of decolonization, to co-operate closely with the United Nations Council for Namibia and the Secretary-General in the dissemination of information on Namibia and, among other things, to consider taking

steps to encourage the organization of seminars on the question;

3. *Decides* to observe 26 August each year as Namibia Day and requests the United Nations Council for Namibia to prepare a programme for such a commemoration.

2198th plenary meeting
12 December 1973

3112 (XXVIII). United Nations Fund for Namibia

The General Assembly,

Recalling its resolution 2145 (XXI) of 27 October 1966, by which the United Nations decided to terminate the Mandate of South Africa over Namibia and assume direct responsibility for the Territory until its independence, and resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia,

Reaffirming its determination to continue to discharge that responsibility in regard to the Territory,

Mindful that, by assuming direct responsibility for Namibia, the United Nations incurred a solemn obligation to assist the people of the Territory morally and materially,

Recalling further its resolutions 2679 (XXV) of 9 December 1970, 2872 (XXVI) of 20 December 1971 and 3030 (XXVII) of 18 December 1972 concerning the United Nations Fund for Namibia, established on the basis of the report of the Secretary-General to the General Assembly at its twenty-sixth session,¹⁶

Recognizing that South Africa's continued illegal occupation of Namibia at present prevents the United Nations from furnishing needed, large-scale assistance within the Territory,

Having examined the report of the Secretary-General on the operation of the United Nations Fund for Namibia during 1973,¹⁷

Having examined also the sections of the report of the United Nations Council for Namibia relating to the Fund,¹⁸

1. *Expresses its appreciation* of the report of the Secretary-General on the operation of the United Nations Fund for Namibia during 1973;

2. *Decides* to allocate to the Fund the sum of \$100,000 from the regular budget of the United Nations for 1974;

3. *Authorizes* the Secretary-General and the United Nations Council for Namibia to continue to appeal to Governments for voluntary contributions to the Fund;

4. *Invites* Governments to appeal once more to their national organizations and institutions for voluntary contributions to the Fund;

5. *Urges* the Secretary-General, in co-operation with the United Nations Council for Namibia, to begin the implementation of the long-term measures and studies outlined in his report to the General Assembly at its twenty-sixth session;

6. *Appoints* the United Nations Council for Namibia as trustee of the Fund and authorizes the Council to prepare guidelines for its orientation in consultation with the Secretary-General;

¹⁶ A/8473.

¹⁷ A/9225 and Corr.1.

¹⁸ See *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 24 (A/9024)*.