

III. RESOLUTION ADOPTED ON THE REPORT OF THE *AD HOC* COMMITTEE OF THE NINTH SPECIAL SESSION³

S-9/2. Declaration on Namibia and Programme of Action in Support of Self-Determination and National Independence for Namibia

The General Assembly,

Gravely concerned at the threat to international peace and security posed by the continued illegal occupation of Namibia by South Africa,

Conscious of its responsibilities under its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and its subsequent resolutions relating to the question of Namibia,

Recalling the Declaration of Dakar on Namibia and Human Rights,⁴ adopted by the International Conference on Namibia and Human Rights, held at Dakar from 5 to 8 January 1976,

Recalling further the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia,⁵ adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977,

Bearing in mind the 1978 Lusaka Declaration of the United Nations Council for Namibia,⁶ adopted on 23 March 1978,

Reaffirming that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, must be enabled to attain self-determination, freedom and genuine independence within a united Namibia, including Walvis Bay,

Cognizant that the deteriorating situation in Namibia, resulting from the attempts of South Africa to perpetuate its illegal occupation of the Territory and its increased acts of aggression and repression against the people of Namibia, necessitated the convening of the current special session of the General Assembly in order urgently to initiate action which would speedily bring about the genuine independence of the Territory of Namibia,

Adopts the following Declaration on Namibia and Programme of Action in Support of Self-Determination and National Independence for Namibia:

³ For the report of the *Ad Hoc* Committee, see *Official Records of the General Assembly, Ninth Special Session, Annexes*, agenda item 7, document A/S-9/11.

⁴ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 24 (A/31/24)*, vol. II, annex II, para. 51.

⁵ A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see *Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977*.

⁶ A/S-9/2-S/12631, annex. For the printed text of the Declaration, see *Official Records of the General Assembly, Ninth Special Session, Supplement No. 1 (A/S-9/4)*, chap. VI.

I. DECLARATION ON NAMIBIA

1. The General Assembly reiterates that Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory and, for this purpose, reaffirms the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence.

2. The General Assembly reaffirms the inalienable rights of the Namibian people to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as declared in Assembly resolutions 1514 (XV) of 14 December 1960 and 2145 (XXI) of 27 October 1966, as well as in its subsequent resolutions and those of the Security Council relating to Namibia, and the legitimacy of their struggle by all means at their disposal against the illegal occupation of Namibia by South Africa.

3. The General Assembly stresses its commitment to end South Africa's illegal occupation of Namibia by ensuring its complete and unconditional withdrawal to enable the Namibian people, under the leadership of the South West Africa People's Organization, to exercise freely their right to self-determination and independence.

4. The General Assembly strongly condemns the colonialist and racist régime of South Africa for its continued illegal occupation of Namibia in defiance of repeated demands by the Assembly and the Security Council for its withdrawal from the Territory, and further condemns South Africa for its attempts to perpetuate its illegal occupation of Namibia and for its escalated brutal repression of the Namibian people.

5. The General Assembly expresses its grave concern that, in complete defiance of continued demands by the international community, members of the South West Africa People's Organization and its supporters continue to be constantly harassed, intimidated and humiliated. There has been an escalation of the arbitrary mass arrest, torture, detention and imprisonment of members of the South West Africa People's Organization. Prolonged illegal and fraudulent trials of its members are being conducted to undermine it and drain its financial resources.

6. The General Assembly condemns the creation of tribal armies in Namibia by South Africa as a measure of ensuring its control of the Territory after independence. It is imperative that all tribal armies be dissolved in order to prevent additional sources of conflict within the Territory.

7. The General Assembly condemns the military build-up of South Africa in Namibia in preparation for a major confrontation with the liberation forces

led by the South West Africa People's Organization. In order to increase its military activities in Namibia, South Africa is intensifying the recruitment of mercenaries and organizing tribal armies in the Territory. South Africa has increased the shipment into Namibia of large numbers of tanks and large quantities of ammunition and is constructing additional army barracks.

8. The General Assembly strongly condemns South Africa for exploiting the uranium resources of Namibia and for pursuing policies of nuclear adventurism with incalculable consequences for the people of Namibia and Africa as a whole.

9. The General Assembly strongly deprecates any collaboration with South Africa in the development of nuclear weapons that could enable it to intimidate neighbouring African States and thus perpetuate its colonialist and racist régime in Namibia.

10. The aggressive policies of the South African occupation régime in Namibia are further reflected in its repeated acts of aggression against, military incursions into, and violations of the territorial integrity of, the neighbouring States, in particular Angola and Zambia, causing considerable loss of human life and damage to property. These activities have the immediate objective of consolidating the position of the occupation régime and of carrying out its hegemonistic ambitions in the region.

11. The General Assembly reiterates that Walvis Bay is an integral part of Namibia and condemns South Africa in the strongest possible terms for its decision to annex Walvis Bay, thus violating the principle of the territorial integrity of Namibia, which is embodied in relevant resolutions of the Assembly and the Security Council, including Council resolution 385 (1976) of 30 January 1976. It further reiterates that this decision is illegal, null and void and that it is an act of aggression against the Namibian people. The existence of South African military bases in Walvis Bay is a threat to the national security of Namibia. The illegal annexation of Walvis Bay, the main port and vital economic avenue of Namibia, is a deliberate attempt to undermine the territorial integrity, economic independence and national security of Namibia.

12. The General Assembly reiterates that South Africa's illegal occupation of Namibia constitutes a continued act of aggression against the Namibian people and against the United Nations. The militarization of Namibia by South Africa, its development of nuclear weapons, its brutal use of force against the Namibian people, its attempts to undermine the South West Africa People's Organization, the vanguard of the Namibian liberation struggle, its attempts to destroy the national unity and territorial integrity of Namibia and its acts of aggression against neighbouring independent African States clearly constitute a serious threat to peace and security in the region and to international peace and security.

13. The General Assembly strongly condemns South Africa for its continued exploitation and plundering of the natural resources of Namibia in complete disregard of the legitimate interests of the Namibian people. The exploitation and plundering of those resources by South African and other foreign economic interests, in violation of the relevant resolutions of the Assembly and the Security Council and

of Decree No. 1 for the Protection of the Natural Resources of Namibia enacted by the United Nations Council for Namibia on 27 September 1974,⁷ is illegal and contributes to the maintenance of the illegal occupation régime.

14. The General Assembly expresses its full support for the armed liberation struggle of the Namibian people under the leadership of the South West Africa People's Organization, its sole and authentic representative. It expresses its conviction that the intensified armed liberation struggle by the Namibian people continues to be a decisive factor in the efforts to achieve self-determination, freedom and national independence in a united Namibia.

15. The General Assembly commends the valiant people of Namibia, under the leadership of the South West Africa People's Organization, for having intensified the armed struggle for the liberation of their country from the illegal occupation of South Africa.

16. The General Assembly supports the political and diplomatic efforts of the South West Africa People's Organization to secure genuine independence for Namibia, in accordance with all relevant resolutions of the Assembly and the Security Council, and commends that organization for its willingness to enter into negotiations for the achievement of genuine independence for Namibia, in conformity with Council resolution 385 (1976) in its entirety.

17. The General Assembly notes that the South West Africa People's Organization has made far-reaching and substantive concessions to facilitate a negotiated settlement. On the other hand, South Africa, by its continued intransigence and inflexibility, has refused to demonstrate any good faith or willingness to enter seriously into meaningful negotiations for its withdrawal from Namibia.

18. The General Assembly rejects the idea that South Africa, as the illegal occupier of Namibia, has any legitimate interest in Namibia about which the South West Africa People's Organization should be pressed to make concessions in any negotiated and internationally acceptable settlement. South Africa has no right whatsoever to remain in Namibia or to procrastinate and prevaricate in any negotiating process on the question of genuine independence for Namibia.

19. The General Assembly declares that, unless effective political, economic and diplomatic pressures are demonstrably brought to bear on South Africa, no negotiation will succeed. Moreover, any genuine attempt to resolve the problem of Namibia by negotiation must not undermine the position of the South West Africa People's Organization or diminish the role of the United Nations or the United Nations Council for Namibia as the legal Administering Authority for the Territory until its independence. It is imperative that any negotiated settlement be arrived at with the agreement of the South West Africa People's Organization and within the framework of the resolutions of the United Nations.

20. The General Assembly strongly condemns the intensified preparation by South Africa to impose in Namibia a so-called "internal settlement", designed to give a semblance of power to a puppet régime

⁷ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24A (A/9624/Add.1)*, para. 84. The Decree has been issued in final form in *Namibia Gazette No. 1*.

and a cover of legality to the racist occupation, to foster civil war and to propagate the fiction that the struggle of the Namibian people for the liberation of the Territory would be aggression perpetrated from the outside.

21. The General Assembly, in this regard, expresses grave concern that South Africa is continuing to promote its puppets and quislings of the Turnhalle tribal gathering as an alternative to the South West Africa People's Organization, which is fighting for the genuine national and social liberation of Namibia as a united political entity.

22. The General Assembly approves the activities of the United Nations Council for Namibia and the policies and programmes defined by the Council in co-operation with the South West Africa People's Organization for the implementation of the mandate which has been entrusted to the Council to promote the cause of self-determination and independence of the Namibian people.

23. The General Assembly declares that it will continue to carry out its responsibilities in regard to the Territory until genuine independence has been attained. These responsibilities will be discharged through the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, until the Council informs the Assembly that genuine independence has been attained. In this regard, the Council must be associated with any solution in which the United Nations is involved.

24. The General Assembly declares that membership of the United Nations Council for Namibia in the specialized agencies and other organizations and bodies within the United Nations system, in conformity with the recommendations of the Assembly, is an indispensable element in the fulfilment of the responsibilities of the international community towards the people of Namibia, represented by the South West Africa People's Organization, their sole and authentic liberation movement. The Council's membership in the Food and Agriculture Organization of the United Nations is a significant step in achieving this objective. Further and more vigorous initiatives must be taken, however, in order to meet fully the responsibility of the United Nations towards Namibia.

25. The General Assembly reaffirms its determination to continue its efforts towards increased assistance to Namibians in the context of the Nationhood Programme for Namibia, the Institute for Namibia at Lusaka, the United Nations Fund for Namibia and all other projects and programmes designed to prepare the Namibian people in the skills needed to build a prosperous and independent Namibia.

26. The General Assembly expresses its satisfaction with the effective work being accomplished by the Institute for Namibia in training Namibian cadres to administer an independent Namibia and in conducting research into basic problems relating to the human and natural resources of Namibia. These activities should be further intensified and widened.

27. The General Assembly endorses the initiatives of the United Nations Council for Namibia, in accordance with its 1978 Lusaka Declaration,⁸

to implement the Nationhood Programme for Namibia, and notes with appreciation the co-operation of the specialized agencies and other organizations and bodies within the United Nations system in the planning and implementation of the Programme.

28. The General Assembly decides that, in the event of the Security Council's inability to adopt concrete measures to compel South Africa to end its illegal occupation by withdrawing from Namibia, it will urgently consider necessary action in accordance with the Charter of the United Nations, cognizant of the fact that this is a unique instance in which the United Nations has assumed direct responsibility for promoting self-determination, freedom and national independence for Namibia.

II. PROGRAMME OF ACTION IN SUPPORT OF SELF-DETERMINATION AND NATIONAL INDEPENDENCE FOR NAMIBIA

29. The General Assembly reiterates its commitment to discharge the solemn obligation it has assumed to assist the Namibian people to achieve self-determination and independence.

30. The General Assembly, recognizing the role and scope of the activities of the United Nations Council for Namibia in furtherance of the attainment of self-determination by the people of Namibia, appeals to Member States to extend full support to those activities.

31. The General Assembly calls upon those countries which have not yet done so to recognize the South West Africa People's Organization as the sole and authentic representative of the Namibian people.

32. The General Assembly appeals to all Member States to render increased and sustained support and assistance to the South West Africa People's Organization to enable it to intensify its struggle for the liberation of Namibia.

33. The General Assembly calls upon Member States and the international community as a whole to reject unequivocally all manœuvres engineered to deprive the Namibian people of their legitimate right to achieve genuine national independence in a united Namibia and to undermine and destroy the achievements of the liberation struggle of the South West Africa People's Organization.

34. The General Assembly calls upon the Governments of Member States and governmental and non-governmental organizations to give all possible assistance to the Nationhood Programme for Namibia and the Institute for Namibia and to increase contributions to the United Nations Fund for Namibia.

35. The General Assembly is fully convinced that, at this decisive stage in the struggle of the Namibian people, the international community must take definitive action to ensure the complete and unconditional withdrawal of South Africa from Namibia and thus eliminate the dangerous threat to international peace and security created by South Africa. To this end, it strongly urges the Security Council to take the most vigorous measures, including sanctions provided for under Chapter VII of the Charter of the United Nations, particularly comprehensive economic sanctions, an oil embargo and an arms embargo.

⁸ A/S-9/2-S/12631, annex. For the printed text of the Declaration, see *Official Records of the General Assembly, Ninth Special Session, Supplement No. 1 (A/S-9/4)*, chap. VI.

36. The General Assembly calls upon the international community, especially all Member States, to refrain from extending any recognition to, or co-operation with, any régime which the illegal South African administration may impose upon the Namibian people in disregard of the provisions of Security Council resolution 385 (1976).

37. The General Assembly urges all States to do their utmost to compel South Africa to renounce its spurious claims to Walvis Bay, to respect the territorial integrity of Namibia and to withdraw immediately from the entire Namibian Territory.

38. The General Assembly urges all States to cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa.

39. The General Assembly urges all States to refrain from any collaboration with South Africa in the nuclear field, including the production and development of nuclear weapons.

40. The General Assembly requests the Security Council to take appropriate, effective and urgent steps to prevent South Africa from acquiring or developing nuclear weapons and from exploding nuclear devices, and to ensure the dismantling of the nuclear-test installations in the Kalahari Desert, all of which endanger international peace and security.

41. The General Assembly calls upon all States to take effective measures to prevent the recruitment

of mercenaries for service in Namibia or South Africa.

42. The General Assembly urges once again all States to take steps to ensure the termination of all arms-licensing agreements with South Africa and to prohibit the transfer to it of all information relating to arms and armaments.

43. The General Assembly urges once again all Member States to take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia.

44. The General Assembly calls upon States to compel transnational corporations under their jurisdiction to comply with all pertinent resolutions of the United Nations by immediately abstaining from making any investment in Namibia, by withdrawing current investments from the Territory and by terminating their co-operation with the illegal South African administration in Namibia.

45. The General Assembly calls upon the International Atomic Energy Agency and appeals to the members of the General Agreement on Tariffs and Trade to apply, within their respective spheres of competence, the resolutions of the Assembly and the Security Council on Namibia and to ensure that South Africa does not represent Namibia in those organizations and thereby benefit from its participation in them.

*15th plenary meeting
3 May 1978*