

Strongly condemning, as an act of colonial expansion, the decision of South Africa to annex Walvis Bay, thereby undermining the territorial integrity of Namibia,

Strongly 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 maintain diplomatic, economic, consular and other relations with South Africa, purporting to act on behalf of or concerning Namibia, as well as military or strategic collaboration, all of which has the effect of supporting or encouraging South Africa in its defiance of the United Nations,

Strongly condemning the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes,

Gravely concerned at the militarization of Namibia by the illegal occupation régime of South Africa, its threats and acts of aggression against independent African countries and the forceful removal of Namibians from the northern border of the Territory for military purposes,

Recognizing that the situation in Namibia constitutes a threat to international peace and security,

Declaring that the natural resources of Namibia are the birthright of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive racist colonial administration, in violation of the Charter of the United Nations, of the pertinent resolutions of the General 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, is illegal and contributes to the maintenance of the illegal occupation régime,

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

Strongly supporting 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,

1. Approves the report of the United Nations Council for Namibia;
2. Reaffirms the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as declared in resolutions 1514 (XV) and 2145 (XXI) as well as subsequent resolutions of the General Assembly and the Security Council relating to Namibia, and the legitimacy of their struggle by all means at their disposal against the illegal occupation of their Territory by South Africa;

3. Reiterates that the continued illegal occupation of Namibia by South Africa constitutes an act of aggression against the Namibian people as well as against the United Nations as the legal Administering Authority of the Territory until independence;

4. Requests all Member States to co-operate fully with the United Nations Council for Namibia, the sole legal authority for the Territory until independence, in discharging the mandate entrusted to it under the terms and provisions of General Assembly resolution 2248 (S-V) and subsequent resolutions of the Assembly and the Security Council;

5. Reiterates that the illegal occupation of Namibia by South Africa and the war of repression waged there, as well as the acts of aggression against neighbouring independent African States from bases in Namibia, constitute a serious threat to international peace and security;

6. Declares that the decision of South Africa to annex Walvis Bay is an act

of colonial expansion in violation of the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514 (XV) and that such annexation is illegal, null and void;

7. Declares that Walvis Bay is an integral part of Namibia with which it is inextricably linked by geographical, historical, economic, cultural and ethnic bonds;

8. Categorically condemns South Africa for the decision to annex Walvis Bay, thereby attempting to undermine the territorial integrity and unity of Namibia;

9. Declares that, in order that the people of Namibia shall be enabled freely to determine their own future, it is imperative that all South African armed forces be completely withdrawn so that free elections under the supervision and control of the United Nations may be held urgently in the whole of Namibia as one political entity;

10. Reiterates that the national liberation movement of Namibia, the South West Africa People's Organization, is the sole and authentic representative of the of the Namibian people;

11. Supports the armed struggle of the Namibian people, led by the South West Africa People's Organization, to achieve self-determination, freedom and national independence in a united Namibia;

12. Decides that any independence talks regarding Namibia must be between the representatives of the South West Africa People's Organization and South Africa, under the auspices of the United Nations, for the sole purpose of discussing the modalities for the transfer of power to the people of Namibia;

13. Appeals to all Member States to grant all necessary support and assistance to the South West Africa People's Organization in its struggle to achieve self-determination, freedom and national independence in a united Namibia;

14. Strongly condemns South Africa for its persistent refusal to withdraw from Namibia and for its manoeuvres to consolidate its illegal occupation of the Territory in violation of all pertinent resolutions of the General Assembly and the Security Council;

15. Strongly condemns South Africa for its persistent refusal to comply with the pertinent resolutions of the Security Council, in particular resolution 385 (1976) of 30 January 1976;

16. Strongly condemns the illegal South African administration for its massive repression of the people of Namibia and their liberation movement with the intention of establishing, among other things, an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian people a political arrangement aimed at subverting the territorial integrity and unity of Namibia and perpetuating a ruthless policy of racial segregation;

17. Strongly condemns South Africa for its military build-up in Namibia, its recruitment and training of Namibians and other agents to carry out its policy of military adventurism against Angola, its threats and acts of aggression against all independent African countries and the forceful removal of Namibians from the northern border of the Territory for military purposes;

18. Demands the immediate and unconditional withdrawal of all South African military and paramilitary forces from Namibia;

19. Condemns the racist régime of South Africa for its current preparations, which have brought it, with the co-operation of certain Western countries, to the threshold of exploding a nuclear device for military and aggressive purposes in the Kalahari Desert region;

20. Declares that, in view of South Africa's consistent defiance of the United Nations, its illegal occupation of the Territory of Namibia, its persistent policy of aggression against independent African countries, its present policy of colonial expansionism and its policy of apartheid, any development of nuclear weapons by South Africa constitutes a serious threat to international peace and security;

21. Condemns those Western States which have assisted South Africa in developing a nuclear weapons capability and urges again all Member States, individually and/or collectively, to frustrate the attempts by South Africa to develop nuclear weapons;

22. Strongly condemns the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa which are exploiting illegally the human and natural resources of the Territory, and demands that transnational corporations comply with all pertinent resolutions of the United Nations by immediately abstaining from any new investments in Namibia, by withdrawing from the Territory and generally by putting an end to their co-operation with the illegal South African administration in Namibia;

23. Declares that South Africa is liable to pay reparations to Namibia for the damage caused by its illegal occupation of Namibia and its acts of aggression against the Namibian people since the termination of the Mandate of South Africa over Namibia in accordance with General Assembly resolution 2145 (XXI);

24. Demands that South Africa put an end to extending apartheid in Namibia and to its policy of "bantustanization" of the Territory, aimed at destroying the national unity and territorial integrity of Namibia;

25. Demands that South Africa release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under the so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;

26. Demands that South Africa accord unconditionally to all Namibians currently in exile for political reasons full facilities for their return to their country without risk of arrest, detention, intimidation or imprisonment;

27. Calls upon the international community, especially all Member States, to refrain from according 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);

28. Requests all States to cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa;

29. Requests all States to take effective measures to prevent the recruitment of mercenaries for service in Namibia or South Africa;

30. Requests 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 South Africa of all information relating to arms and armaments;

31. Requests all States to cease and prevent forthwith:

(a) Any supply of arms and ammunition to South Africa;

(b) Any supply of aircraft, vehicles or military equipment for the use of the armed forces and paramilitary or police organizations of South Africa;

(c) Any supply of spare parts for arms, vehicles or military equipment used by the armed forces and paramilitary or police organizations of South Africa;

(d) Any supply of so-called dual-use aircraft, vehicles or equipment which could be converted to military use by South Africa;

(e) Any supply of oil and petroleum products or any other fuel to South Africa;

(f) Any activities in their countries which promote or are calculated to promote the supply of arms, ammunition, military aircraft or military vehicles to South Africa and the supply of equipment or materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;

(g) Any co-operation or activities by public or private corporations in conjunction with South Africa in the development, directly or indirectly, of nuclear technology, including the development of a nuclear capability by the racist régime in South Africa;

32. Urges the Security Council to take up again the question of Namibia, which is still on its agenda, and to consider the application of sanctions against South Africa in accordance with Chapter VII of the Charter;

33. Endorses the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia, adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, and commends to Member States the Programme of Action for their consideration and action;

34. Requests the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

57th plenary meeting
4 November 1977

The resolution was adopted by 117 votes to none, with 24 abstentions (Austria, Belgium, Botswana, Canada, Central African Empire, Denmark, El Salvador, France, Germany, Federal Republic of, Guatemala, Honduras, Ireland, Italy, Ivory Coast, Japan, Lesotho, Luxembourg, Netherlands, Nicaragua, Spain, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America).

ANNEX IX

DECREE NO. 1

FOR THE PROTECTION OF THE NATURAL RESOURCES OF NAMIBIA

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

DECREE

The United Nations Council for Namibia,

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

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

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

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

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

Desirous of securing for the people of Namibia adequate protection of the natural wealth and resources of the Territory which is rightfully theirs,

Recalling the advisory opinion of the International Court of Justice of 21 June 1971, 1/

Acting in terms of the powers conferred on it by General Assembly resolution 2248 (S-V) of 19 May 1967 and all other relevant resolutions and decisions regarding Namibia,

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.