

RESOLUTION ON THE SOUTH WEST AFRICA CASE

The Council of Ministers of the Organization of African Unity, meeting in its Fifteenth Ordinary Session in Addis Ababa, Ethiopia, from 24 to 31 August 1970,

Having examined the question of joint action by OAU Member States in respect of the recent decision of the United Nations concerning the request for an advisory opinion from the International Court of Justice in the Namibia case;

Conscious of the primary responsibility incumbent on the United Nations concerning the right of the people of Namibia to achieve independence;

Taking into account the fact that this request should not prevent the Security Council and the General Assembly of the United Nations from continuing to discuss the problem of Namibia and from taking effective measures to allow the Namibian people to exercise their right to self-determination and independence;

Noting with satisfaction Security Council Resolution 283 (1970) which calls upon all States to take concrete action with regard to the illegal administration of South Africa in Namibia;

Having regard to South Africa's president refusal to comply with the United Nations Resolutions which deny it the right to continue to administer the territory of Namibia;

Nothing that Security Council Resolution 284 (1970) requests an advisory opinion from 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);

Noting that this is a matter of concern to the entire international community, and in particular to the Member States of the United Nations, including the African States;

Considering the special concern of the Organization of African Unity and its responsibility in the defence of the Namibian people's cause;

1. DECLARES that the United Nations is fully responsible for the accession of Namibia to independence,
2. RECOGNIZES, however, that the Organization of African Unity has a special concern for, and great responsibility in, the defence of the Namibian people's cause,
3. TAKES NOTE with satisfaction of the initiative which the African Group at the United Nations has taken in drawing the attention of the Council of Ministers to this important question,
4. INVITES the United Nations Security Council to assume its responsibilities for implementation, without delay, of the provisions of General Assembly Resolution 2145 (XXI), and of Security Council Resolution 276, putting an end to South Africa's mandate in Namibia and, to that end, to have immediate recourse to the provisions of Article 6 and Chapter VII of the United Nations Charter,
5. INSTRUCTS the African Group at the United Nations, as well as all African delegates to the Twenty-fifth Session of the United Nations General Assembly, to exert all the necessary efforts for rapid implementation of the present resolution,
6. PROCLAIMS that whatever the outcome may be of the proceedings instituted with the International Court of Justice by the Security Council, the United Nations are fully responsible for Namibia's immediate and unconditional accession to independence, in accordance with General Assembly Resolution 2145 (XXI) of October 1966 and Security Council Resolution 269, of 12 August 1969,

7. INSTRUCTS the African Members of the Security Council in conjunction with the African Members of the International Law Commission to prepare, before 19 November 1970, a joint OAU memorandum and to forward it within the prescribed time-limit to the International Court of Justice.