

## 8. COMPLAINT BY ANGOLA AGAINST SOUTH AFRICA

**Decision of 20 June 1985 (2597th meeting): resolution 567 (1985)**

By a letter<sup>1</sup> dated 13 June 1985 addressed to the President of the Security Council, the representative of Angola requested a meeting of the Council, "in view of the threat to regional and international peace and security represented by the continuous acts of aggression and violence" by the armed forces of South Africa, resulting in the violation of the territorial integrity and sovereignty of Angola.

At its 2596th meeting on 20 June 1985, the Security Council included in its agenda the letter dated 13 June 1985 from the representative of Angola and considered the item at its 2596th and 2597th meetings, on 20 June 1985.

In the course of its deliberations, the Council invited, at their request, the representatives of Angola, Argentina, the Bahamas, Congo, Cuba, the German Democratic Republic, Liberia, Pakistan, Sao Tome and Principe, South Africa, the Sudan, the United Republic of Tanzania and Yugoslavia to participate, without the right to vote, in the discussion.<sup>2</sup>

At the same meeting, the President drew the attention of the members of the Council to a draft resolution<sup>3</sup> submitted by Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago, and to a letter<sup>4</sup> dated 12 June 1985 from the representative of Angola addressed to the President of the Council.

At the same meeting, the Minister for External Relations of Angola said that the records of the Security Council were voluminous owing to the "countless times" his Government had brought before it complaints about the death and destruction of the Angolan people and property as well as the constant violation of the sovereignty and territorial integrity of Angola by the minority Pretoria regime, and that, despite all efforts, the Security Council had been unable to stem the policies and actions of South Africa. He recalled seven resolutions<sup>5</sup> that had been adopted by the Council between March 1976 and January 1984, demanding, *inter alia*, that South Africa respect the independence, sovereignty and territorial integrity of Angola and that South Africa immediately and unconditionally withdraw its forces from Angola. He said that the Council had also called upon South Africa to pay full compensation, and had called upon all States to implement fully the arms embargo that had been imposed against South Africa in resolution 418 (1977).<sup>6</sup> He further recalled that, on one occasion, in August 1981, following an appeal by his Government addressed to the Security Council, a draft resolution<sup>7</sup> had failed of adoption, despite having received 13

votes in favour.<sup>8</sup> He stated that his Government was currently bringing to the Council a case of a threat not merely to civilian Angolan lives but also to American lives, as had been revealed when, on 25 May 1985, a patrol of the Angolan armed forces had caught a South African special commando group that had been ready to launch an attack on one of the oil installations at the Gulf Oil compound at Malongo, in the province of Cabinda, more than 2,000 kilometres inside Angolan territory. If that operation, code-named Argon, had succeeded, dozens would have lost their lives, including American nationals, with a total damage of at least US\$1 billion. Contrary to South Africa's assertion that the goal of Operation Argon had been to detect bases of the South West Africa People's Organization (SWAPO) and the African National Congress of South Africa (ANC), the objectives of that aborted operation had been: (a) to damage the credibility of the Government of Angola with the Governments of Western countries such as that of the United States of America, with which Angola had excellent economic relations; (b) to destabilize Angola's economy and create misery for its people; and (c) to give credit for the aggression to the National Union for the Total Independence of Angola (UNITA), a puppet group which owed its existence to the strategic and operational assistance it received from South Africa. He referred to the recent "murder of civilians" in Gaborone by the Government of South Africa as another example of Pretoria's "lies and machinations" and asked the Council to join his Government in condemning the massacre. He further stated that the declaration of Captain du Toit, the commando that had been captured alive, had revealed all the details of the plan, and that the Captain's testimony together with the arms seized in the operation, including explosives, incendiary bombs and landmines, had clearly belied South Africa's justification for its attempted sabotage. The preparation of Operation Argon, which had been in progress since January 1985, had thus been taking place at the very time that Angolan and South African delegations had been negotiating the holding of a ministerial-level meeting for the purpose of finding peaceful solutions to the region's problems. That showed the extent of bad faith and hypocrisy on the part of the Government of South Africa. Moreover, in March and April of the same year, South African military transport planes had crossed Angolan territory 80 times, parachuting a total of 80 tons of military equipment that had been intended for use by the surrogate army of UNITA in Luanda and Malange provinces. The targeting of those two provinces, together with the attempted incursion into Malongo, represented, respectively, a strike at the production areas of coffee, diamond and oil, the three foremost sources of his country's foreign exchange. The Minister inferred that the objective of those acts of aggression was the suffocation of Angola's economic development and the promotion of Pretoria's plan to create a "constellation of southern African States", which would be economically and militarily dependent on South Africa. The Pretoria regime, having failed in its attempts at stifling his

<sup>1</sup>S/17267.

<sup>2</sup>For details, see chap. III of the present *Supplement*.

<sup>3</sup>S/17286, subsequently adopted as resolution 567 (1985).

<sup>4</sup>S/17263.

<sup>5</sup>Security Council resolutions 387 (1976), 428 (1978), 447 (1979), 454 (1979), 475 (1980), 545 (1983) and 545 (1984). For the texts of the resolutions, see respectively, *OR, 31st to 39th yrs., Resolutions and Decisions of the Security Council, 1976-1984*.

<sup>6</sup>For the consideration and imposition of a mandatory arms embargo against South Africa under resolution 418 (1977), see *Repertoire, Suppl. 1975-1980*, chap. VIII, part II, sect. 2.

<sup>7</sup>S/14664/Rev.2.

<sup>8</sup>For the vote, see S/PV.2300, para. 45.

country's economy, had resumed air reconnaissance operations against Angolan troop deployments 300 kilometres from the border with Namibia, a territory illegally occupied by South Africa, and 22 violations involving a total of 26 aeroplanes had been recorded between 31 May and 10 June 1985. Furthermore, the Minister referred to a "movement of South African forces", unprecedented since the last big invasion of his country in December 1983, and said that Pretoria had currently deployed along the Angolan border a total of 20,000 men, including an estimated four motorized brigades and 80 to 90 aeroplanes stationed at the air force bases on Ondangua, Oshaki and Ruacana, and that South Africa might at any moment launch a new invasion of Angola. His Government, while it remained committed to the re-establishment of peace and coexistence in southern Africa, considered itself duty-bound, as a Member of the United Nations, to continue supporting SWAPO and the freedom fighters of the people of Namibia and South Africa. The official Angolan position on all outstanding issues had been laid out in the "global platform" submitted by his Head of State in November 1984.<sup>9</sup> Despite the publicity campaign about troop withdrawal, the South African troops had not only attacked Angola repeatedly since August 1975, they had also continuously occupied the southern parts of his country since 1981 on grounds of fictitious justification fabricated by those who ruled South Africa as a slave State in which the 22-million majority inhabitants were disenfranchised and had no protection from the violation of their human, civil, political and economic rights. The Minister concluded by expressing gratitude to all who had consistently supported Angola in its search for a just peace in southern Africa, a peace that would permit all to live in dignity and mutual respect based on the non-violability of international borders, of the sovereignty of independent States and of the inalienable rights of peoples on the basis of the rights, duties and principles enshrined in the Charter of the United Nations, to the implementation of which all Member States were committed.<sup>10</sup>

At the same meeting, the representative of India referred to Security Council resolution 545 (1983) of 20 December 1983, by which the Council had demanded that South Africa unconditionally withdraw forthwith all its occupation forces from the territory of Angola and respect that country's sovereignty and territorial integrity, and said that South Africa's response had been a full-scale offensive. A few days later, on 6 January 1984, the Council had adopted resolution 546 (1984), in the wake of another massive invasion of Angola, reiterating its earlier demands, reaffirming Angola's right, in accordance with the relevant provisions of the Charter of the United Nations, in particular Article 51, to take all measures necessary to defend itself and renewing the request that Member States extend all necessary assistance to Angola in order to enable it to defend itself against South Africa's escalating military attacks and its continuing occupation of parts of Angola. Subsequent events had shown that, while the Angolan Government had demonstrated goodwill and flexibility, South Africa had professed a desire to live in peace with the neighbouring States while at the same time threatening

to carry out further acts of aggression, subversion and destabilization against those very States. The latest act of sabotage by South Africa against the Malongo oil complex deep inside Angolan territory, in violation of the Charter of the United Nations and the resolutions of the Security Council, called for the strongest possible condemnation by the Council. The representative recalled the Conference of Heads of State or Government of Non-Aligned Countries that had been held at New Delhi in March 1983, which had considered the occupation of Angolan territory as an act of aggression against the Movement of Non-Aligned Countries, and expressed the hope that the Council would take firm measures against South Africa as provided for by the Charter before it was too late.<sup>11</sup>

At the same meeting, the representative of the United Republic of Tanzania stated that the terms of Security Council resolution 546 (1984) remained unimplemented; that, while the aggression continued, there were also reports that the regime was massing its troops along the southern border of Angola in preparation for a fourth full-scale invasion of that country; and that, therefore, the Council was called upon to consider an illegal act of aggression which contravened international law and violated the Charter of the United Nations, in particular Article 2, paragraph 4, which required all States to refrain from the threat or use of force against the territorial integrity and political independence of any State and from acting in any manner inconsistent with the purposes of the United Nations. As a corollary to that violation of the Charter, the Council was also called upon to consider the implications for international peace and security of South Africa's non-compliance with the resolutions of the Security Council. Through the unabating aggression against Angola, the Pretoria regime intended to prevent Namibia's independence as long as possible, and the objective of South Africa's acts of aggression against Botswana, Mozambique, Zimbabwe and Swaziland was the neutralization of opposition to apartheid. While the attempts to destabilize neighbouring independent States were not surprising, it was unexpected that the Pretoria regime should find solace and support from some Members of the United Nations in its campaign to commit those dastardly acts. The Tanzanian representative referred to the letter<sup>9</sup> dated 24 November 1984, in which the President of the People's Republic of Angola had outlined his Government's elements of a "political platform", and said that the Organization of African Unity (OAU) had firmly supported Angola's position not to accept an arrangement which was inconsistent with those elements of the "political platform" or which did not respond to all the issues relating to the speedy implementation of resolution 435 (1978),<sup>12</sup> to the cessation of aggression by the apartheid regime as well as to the cessation of support of the UNITA puppets by Pretoria; and that OAU had repeatedly reaffirmed its full support for the measures that had been taken by the Government of Angola in accordance with Article 51 of the Charter of the United Nations to guarantee and safeguard its territorial integrity and national sovereignty. He stressed that Angola had come before the Council to seek justice, and he asked the

<sup>9</sup>S/16838.

<sup>10</sup>S/PV.2596, pp. 7-17.

<sup>11</sup>*Ibid.*, pp. 32-34.

<sup>12</sup>The Security Council resolution containing United Nations settlement plan for Namibia.

Council to act firmly to put an end to South African aggression against its neighbours, since procrastination or vacillation by the Security Council in acting in the interest of peace and security would be an abdication of its responsibility.<sup>13</sup>

At the same meeting, the representative of Liberia, speaking in his capacity as the current Chairman of the Group of African States, said that South Africa continued to use the territory of Namibia as a military base for launching armed aggression against neighbouring States in order to force them to desist from supporting the campaign against apartheid and the legitimate struggle of the Namibian people for freedom and independence. He referred to the deteriorating situation in the region and to South Africa's transgression of the borders of the front-line States to commit acts of destabilization with impunity, and stated that the Group of African States condemned and rejected those unprovoked manoeuvres not only as a violation of the principles of international law regarding respect for the sovereignty and territorial integrity of all States but also as an affront to the spirit and letter of the Lusaka Accord of 16 February 1984, according to which Pretoria had undertaken to withdraw its troops from Angola by March of the same year. He requested the Security Council to take strong action in response to South Africa's act of aggression and to call upon the international community to provide, as a matter of urgency, maximum support, including economic and military assistance, to enable the front-line States to exercise their right to self-defence and to reduce their economic dependence on Pretoria by supporting the Southern African Development Co-ordination Conference (SADCC). He further emphasized that the time had come for the Council to reflect its resolve, through the application of Chapter VII of the Charter, and compel South Africa's compliance with the principles of international law, and that the Council was duty-bound to contribute to a peaceful resolution of the worsening situation in southern Africa so that the peoples of Angola, Namibia and the front-line States could live in peace and build their future on the basis of their own options.<sup>14</sup>

At the 2597th meeting, also on 20 June 1985, the representative of South Africa recalled his statement<sup>15</sup> to the Council on 10 June 1985 in connection with the situation in Namibia and restated the following "ground rules" of his Government for coexistence in southern Africa: (a) no State should allow the use of its territory by individuals or organizations for the promotion or preparation of violence against other States in the region; (b) no intervention by foreign forces should be permitted in the region; (c) the problems of conflict in the region should be solved only by peaceful means; (d) those problems should be resolved on a regional basis by the leaders of the region themselves; and (e) each country of the region should have the right to order its affairs as it deems fit, while inter-State relations between the neighbours should be based on the promotion of peace, harmony and the pursuit of common interests irrespective of differences in internal policies. Those "ground rules" recognized that each country had its own set of conditions for which it must seek its own solutions

in the interests of its own citizens, and they provided the minimum basis for "healthy" intergovernmental relations anywhere. The representative quoted from the statement of the Foreign Minister of Angola at the Council's previous meeting that morning, where he had said: "Angola will not stop giving its support to SWAPO and the freedom fighters of the people of Namibia and South Africa", and that the Popular Movement for the Liberation of Angola (MPLA) Government of Angola was providing facilities for thousands of ANC terrorists on Angolan territory, including assistance in training, arming and preparing for acts of terrorism against the peoples of South Africa and was also supporting SWAPO's terrorist attacks against South West Africa/Namibia. South Africa, for its part, had sought a peaceful resolution of its dispute with Angola, in accordance with the Charter of the United Nations, and his Government, having tried all peaceful channels in an endeavour to solve the problem, would not allow itself to be attacked with impunity and it should take whatever action was necessary and appropriate to defend itself. South Africa was confident that its actions had been in accordance with international law, since it was an established principle that a State could not permit or encourage on its territory activities for the purpose of carrying out acts of violence against another State, and since it was equally well established that a State had the right to take appropriate steps to protect its own security and territorial integrity against such acts. The representative dismissed the "testimony" of Captain du Toit by asserting that it was clear from the interview that the Captain had been drugged and had been forced to read from a carefully edited text. He challenged the Security Council to allow Captain du Toit to appear before it to give the "uncoerced" version of what had transpired. He referred to the allegation by the Foreign Minister of Angola that South Africa had violated Angolan territory; he did not wish to reply to those distortions but rather to remind the members of the Council of the Alvor Agreement, according to which Portugal and the three movements, the National Front for the Liberation of Angola (FNLA), MPLA and UNITA, had undertaken to hold nationwide elections for a constituent assembly before the end of October 1975, and that the elections had never been held because the MPLA had "imported" foreign troops into Angola to impose its rule, thereby plunging that country into a civil war which was still unresolved. The MPLA government, which South Africa had not recognized, had denied the people of Angola the right to decide their form of government in free elections; he called upon the members of the Council to join his Government in seeking an international agreement for the withdrawal of all foreign forces from Angola.<sup>16</sup>

The Council then proceeded to vote on the draft resolution,<sup>17</sup> which was adopted unanimously as resolution 567 (1985).<sup>18</sup> The resolution reads as follows:

*The Security Council,*

*Having heard the statement of the Minister for External Relations of the People's Republic of Angola,*

<sup>13</sup>S/PV.2596, pp. 24-29.

<sup>14</sup>*Ibid.*, pp. 32-34.

<sup>15</sup>S/PV.2533, pp. 88-102.

<sup>16</sup>S/PV.2597, pp. 22-27.

<sup>17</sup>S/17286, subsequently adopted as resolution 567 (1985).

<sup>18</sup>For the vote, see *ibid.*, p. 71.

Recalling its resolutions 387 (1976), 418 (1977), 428 (1978), 447 (1979), 454 (1979), 475 (1980), 545 (1983) and 546 (1984),

*Gravely concerned* at the renewed escalation of unprovoked and persistent acts of aggression committed by the racist regime of South Africa in violation of the sovereignty, airspace and territorial integrity of Angola, as evidenced by the recent military attack in the Province of Cabinda,

*Conscious* of the need to take effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's military attacks;

1. *Strongly condemns* South Africa for its recent act of aggression against the territory of Angola in the Province of Cabinda as well as for its renewed intensified, premeditated and unprovoked acts of aggression, which constitute a flagrant violation of the sovereignty and territorial integrity of that country and seriously endanger international peace and security;

2. *Further strongly condemns* South Africa for its utilization of the international Territory of Namibia as a springboard for perpetrating its armed attacks as well as sustaining its occupation of parts of the territory of Angola;

3. *Demands* that South Africa should unconditionally withdraw forthwith all its occupation forces from the territory of Angola, cease all acts of aggression against that State and scrupulously respect the sovereignty and territorial integrity of the People's Republic of Angola;

4. *Considers* that Angola is entitled to appropriate redress and compensation for any material damage it has suffered;

5. *Requests* the Secretary-General to monitor the implementation of the present resolution and report to the Security Council;

6. *Decides* to remain seized of the matter.

Following the vote, the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America made statements in explanation of the votes.<sup>19</sup> The representative of the United Kingdom said that, while his Government had held the view that the Council should express strong condemnation of South Africa's illegal and unjustifiable act of force in Cabinda, his delegation's vote in favour of the resolution did not mean that they considered that the third preambular paragraph fell within the provisions of Chapter VII of the Charter of the United Nations or constituted a finding or decision which had specific consequences under the Charter. The representative of the United States shared the view regarding the implicit references to Chapter VII of the Charter in "several paragraphs" of the resolution and added that his Government, which had been in the forefront of the efforts aimed at a peaceful settlement of the conflicts in southern Africa, did not accept the use in the resolution of the term "occupation forces" to describe any continued South African military presence in Angola, particularly since those efforts had resulted in the 1984 Lusaka Accord which had subsequently led to South Africa's announcement of the completion of the disengagement of its forces and the withdrawal of its troops from the dams at Ruacana and Calueque.<sup>20</sup>

**Decision of 20 September 1985 (2607th meeting): resolution 571 (1985)**

By a letter<sup>21</sup> dated 19 September 1985 addressed to the President of the Security Council, the representative of Angola requested a meeting of the Security Council to consider "the armed invasion perpetrated by the racist armed

forces against Angola and the threat it poses to regional and international peace and security".

By a previous letter<sup>22</sup> dated 18 September 1985 addressed to the President of the Security Council, the representative of Angola had informed the members of the Council that the armed forces of the apartheid regime had once again crossed the sovereign border of Angola on 16 September 1985 and had engaged in acts of wanton destruction and brutality against his country. He charged that South Africa's State terrorism against its sovereign neighbours was the external manifestation of the internal State terrorism against the majority of the inhabitants of that country; he wished to focus international attention, in particular at the beginning of the fortieth session of the United Nations General Assembly, on the violation of international law and of Angola's sovereignty and territorial integrity by a State that had been expelled from the General Assembly.

At its 2606th meeting, on 20 September 1985, the Security Council included the letter dated 19 September 1985 from the representative of Angola in its agenda and considered the item at its 2606th and 2607th meetings on the same date.

In the course of the two meetings, the Council decided to invite, at their request, the representatives of Angola, Argentina, Brazil, Cuba, Cyprus, Greece, Guyana, Qatar, Senegal, South Africa, Sri Lanka and Zambia to participate, without the right to vote, in the discussion.<sup>23</sup> The Council also extended an invitation, as requested, under rule 39 of the provisional rules of procedure of the Security Council, to the Chairman of the Special Committee against Apartheid.<sup>23</sup>

At the same meeting, the representative of Angola said that, on 17 September 1985, when the rest of the world was celebrating the fortieth anniversary of the United Nations, South Africa had launched a major attack on Angolan military units, including massive air raids, in the provinces of Cunene, Cuando Cubango and Mexico, 275 kilometres from the Namibian border. He stated that the attack had been against units of the People's Armed Forces for the Liberation of Angola (FAPLA), which had been advancing from Mavinga towards the UNITA base at Jamba, and that South Africa was not only continuing with its bombarding and raiding of Angolan territory, but was also preparing for more direct confrontation with Angolan troops. The massive invasion of his country, involving the deployment of the mercenary Buffalo Battalion fully armed and assisted by five additional South African battalions and the vast quantities of military hardware that had been air-dropped in eastern Angola, was not a pre-emptive strike against the freedom fighters of SWAPO, as claimed by South Africa, but was rather exclusively intended to save the UNITA puppets, who would not survive politically or militarily without the Pretoria racist regime. He described in some detail what he referred to as the "links" between the internal apartheid policies of South Africa and the external manifestations of that same apartheid ideology as Pretoria desperately sought to survive in an increasingly

<sup>19</sup>Ibid., p. 72.

<sup>20</sup>Ibid., pp. 72-74.

<sup>21</sup>S/17474.

<sup>22</sup>S/17472.

<sup>23</sup>For details, see chap. III of the present *Supplement*.

hostile world, and said that it was vital for the Security Council and the international community to see that link between the national and regional aspects of apartheid. South Africa, which had signed the Charter in June 1945 in San Francisco as one of the original Members of the Organization, was currently in contravention of many of the provisions of the Charter and those violations had been the subject of "countless" resolutions, including many adopted by the Council itself. He quoted Article 25 of the Charter of the United Nations, which stated: "The Members of the United Nations agree to accept and carry out the decisions of the Security Council . . .", and charged that, despite the provision of Article 30 according to which the Council was "master of its own rules", the Security Council was also in violation of Article 24, which specifically conferred upon it primary responsibility for the maintenance of international peace and security. The Council, in the discharge of those duties, should act in accordance with the Organization's Purposes and Principles, which were among the most lofty ideals of the modern age; he quoted Article 1, paragraph 1, of the Charter, which stated:

To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace . . .

He then asked whether those words had any meaning for the dead and dying in Angola, and said that the only organ that had been designed and created for such situations had been largely insensitive to Angola's pain and pleas, while the source of so much tension and danger in southern Africa had escaped with impunity, except for a symbolic expulsion from the General Assembly. The issue before the Council was not simply South Africa's aggression against Angola; it was apartheid itself that was under indictment. While the votes of the members of the Council would be for or against apartheid, the implementation of the Council's decision would affect apartheid not just in South Africa but in southern Africa as a whole. He urged the Security Council to strongly condemn South Africa for its act of aggression, to demand the immediate and unconditional withdrawal of its armed forces from Angola, to adopt measures for the implementation of its resolutions on the question and to consider punitive measures against South Africa, including sanctions under Chapter VII of the Charter and expulsion from the United Nations. He further appealed to the Security Council, under all the relevant Articles of the Charter, to assist Angola, and concluded by stating that the continuation of the current circumstances might leave his country no choice except the exercise of its right that had been enshrined in the "constitution" of the United Nations under Article 51.<sup>24</sup>

At the same meeting, the representative of South Africa informed the Security Council of the circumstances that had led to the current situation in southern Angola by referring to the Lusaka Accord which had been signed by South Africa and Angola on 16 February 1984. In that agreement, South Africa had undertaken to disengage all its forces from the occupied area in southern Angola on the understanding that, as the disengagement progressed,

Angola would restrain SWAPO and ensure that neither SWAPO terrorists nor Cuban forces entered the territory from which South African forces had been withdrawn. He charged that SWAPO terrorists had repeatedly moved southward to attack the civilian population of Namibia and a total of 145 such violations had been brought to the attention of the Government of Angola, which had admitted its inability to carry out its commitment, at meetings of the Joint Monitoring Commission of South Africa and Angola. His Government, in an effort to normalize the situation in that part of the region, had announced on 18 April 1985 the completion of the disengagement of its forces in good faith, in accordance with the terms of the Lusaka agreement; it had explored the possibility of establishing some sort of joint South African/Angolan peacekeeping mechanism; and following Angola's refusal to cooperate, South Africa had made it clear that it would continue to take whatever action might be necessary to defend the inhabitants of Namibia against the terror campaign of SWAPO. Since South Africa's disengagement from Angola and despite repeated warnings to SWAPO and appeals to the Government of Angola, SWAPO forces had not only returned to the southern Angolan border but had also announced their intention of increasing the attacks on Namibian civilian targets. In addition to the discovery of 124 kilograms and a further 106 kilograms of explosives in Katatura, near Windhoek, and in the operational area, detailed information had been obtained from two terrorists of SWAPO's Eighth Battalion, who had admitted upon arrest that they had been part of a reconnaissance and sabotage team. On the basis of that information, the tracks of at least 30 terrorists had been traced to the border with Angola, after which a swift follow-up operation had been undertaken in southern Angola, where large arms caches for use in Namibia had been found and destroyed. While the Angolan armed forces had been advised throughout of the South African operation, the Chief of the South African Defence Force had announced the previous day that the contingents involved in that operation had already been ordered to commence withdrawal. He reiterated his Government's view that a serious dialogue with the Government of Angola was an essential requirement for the peaceful and durable resolution of the problem of their region, in particular the volatile situation on the border between Angola and Namibia. He asserted that South Africa's action against SWAPO elements in southern Africa was overshadowed by other developments in Angola and again referred to the 1975 Alvor Agreement which, he said, had been overturned by MPLA, thereby depriving the people of Angola of the right to determine their own future in free and fair elections and plunging that country into civil war. He recalled his Government's belief that there should be no foreign interference from any quarter in the affairs of Angola; at that moment, the Soviet Union and the Cubans were directing the offensive against the Angolan people and had also deployed advanced weapons, including MIG-23 and SU-22 aircraft, M-24 and M-25 helicopters and T-62 tanks. He reminded the members of the Security Council of the "Brezhnev doctrine", and asked whether the Organization's concern for self-determination, free elections and human rights stopped short at the southern banks of the Cunene river and whether the Organization was prepared to do nothing while the Soviets and the

<sup>24</sup>S/PV.2606, pp. 7-14.

Cubans extinguished the right of the people of Angola to genuine independence and self-determination.<sup>25</sup>

At the same meeting, the representative of Madagascar, speaking also in his capacity as current Chairman of the Group of African States, noted that South Africa, which had undertaken in April 1985 to withdraw all its occupation forces from southern Angola, sought to justify its latest act of military aggression by an alleged threat to the security of Namibia, a Territory that it was occupying illegally. Such a justification on the basis of the theory of so-called preventive action was unacceptable in "the framework of positive international law"; that theory was the antithesis of the right of self-defence as recognized under Article 51 of the Charter, since it was so vague and subjective as to permit any State to consider as dangerous to its security any action taken by its victim even if that action was in keeping with internationally accepted norms. South Africa, acting both as judge and party in its consideration of a situation which it believed was a threat to its own security, had indeed used force without hesitation and violated the territorial integrity of a sovereign State. The Pretoria regime wished to divert the attention of the international community from its domestic difficulties resulting from the struggle of the South African people to dismantle the apartheid system. He called upon the Security Council, in order to discourage and pre-empt the acts committed in violation of the Charter, to act decisively by making use of the means available to it under the Charter, in particular to ensure the implementation by all States of the arms embargo imposed against South Africa in resolution 418 (1977), the recognition of Angola's right to appropriate compensation for losses and damage resulting from Pretoria's aggression, the evaluation of such losses and damage through an investigation by a fact-finding committee, and the application of effective pressure against South Africa to induce it to comply with the relevant Security Council resolutions and its obligations under the Charter.<sup>26</sup>

At the 2607th meeting, on 20 September 1985, the President of the Security Council drew the attention of members of the Council to the draft resolution<sup>27</sup> submitted by Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago.

At the same meeting, the representative of Trinidad and Tobago rejected South Africa's pretext for violating the sovereignty and territorial integrity of Angola and said that there was neither inherent right nor could there be any legality, under contemporary international law, for a military action across borders into the territory of another State on grounds of a pre-emptive strike or hot pursuit. While the South African action against Angola was clearly in violation of international law, the fact that the military attacks were launched from Namibia under the doctrine of hot pursuit or pre-emptive strike compounded the unacceptability and illegality of the acts, particularly since the adventurism was supposedly undertaken on behalf of a Territory which was illegally occupied by South Africa in defiance of United Nations resolutions and contrary to the advisory opinion of the International Court of Justice. He stressed

that it must be clear that the international community would not allow a State, on the basis of an abhorrent theory of human relations or some alleged manifest right, to use Namibian territory as a springboard for armed attacks. The Security Council should serve an unambiguous warning upon South Africa of its determination to oppose violations of international law relating to the non-use of force, and it was imperative for the Council to take decisive action by "instituting" certain provisions of Chapter VII of the Charter of the United Nations.<sup>28</sup>

The President of the Security Council, speaking in his capacity as the representative of the United Kingdom of Great Britain and Northern Ireland, said that his Government had repeatedly deplored all cross-border military actions, which only undermined the prospects for peace and stability in southern Africa, and that as recently as June of that year it had strongly condemned the South African attacks on Cabinda in Angola and on Gaborone in Botswana. His delegation would vote for the draft resolution before the Council, which neither fell within the terms of Chapter VII of the Charter nor constituted a formal determination under that Chapter but clearly and strongly condemned the South African attack. His delegation did not interpret operative paragraph 5 of the draft resolution as an endorsement of the intervention of combat troops from other countries in the affairs of the South African region, since his Government was concerned that any such intervention risked widening the conflict with the likelihood of exacerbating the problems of finding peace in the region.<sup>29</sup> He then resumed his functions as President of the Council, invited the Council to proceed to the vote and read out, on behalf of the sponsors of the draft resolution,<sup>30</sup> textual changes relating to operative paragraphs 2 and 5.<sup>31</sup>

At the request of the representative of the United States of America, under rule 33 of the provisional rules of procedure of the Security Council, the meeting was suspended for 10 minutes in order to further discuss the matter before the vote.<sup>32</sup>

When the meeting was resumed 20 minutes later, the representative of the United States asked whether, under rule 32 of the provisional rules of procedure of the Security Council, they could have a separate vote on operative paragraph 5 of the draft resolution, which was then put to a separate vote, since there was no objection to the request, and adopted by 14 votes in favour to none, with 1 abstention.<sup>33</sup>

The Council then voted on the draft resolution as a whole, as orally revised, and adopted it unanimously as resolution 571 (1985).<sup>34</sup> The resolution reads as follows:

*The Security Council,*

<sup>28</sup>S/PV.2607, pp. 15-17.

<sup>29</sup>Ibid., pp. 43-44.

<sup>30</sup>S/17481, subsequently adopted with oral revisions as resolution 571 (1985).

<sup>31</sup>S/PV.2670, p. 46.

<sup>32</sup>Ibid., p. 47. For a brief procedural discussion in connection with the proposal to suspend the meeting, see chap. I, part V, of the present *Supplement*.

<sup>33</sup>Ibid., p. 51. For a consideration of the requirements for a separate vote on a part of a draft resolution, under rule 32 of the provisional rules of procedure of the Security Council, see chap. I, part V, of the present *Supplement*. For the vote, see chap. IV.

<sup>34</sup>For the vote, see *ibid.*, pp. 51 and 52.

<sup>25</sup>Ibid. pp. 16-21.

<sup>26</sup>Ibid., pp. 29-32.

<sup>27</sup>S/17481, subsequently orally revised and adopted as resolution 571 (1985).

*Having considered* the request by the Permanent Representative of the People's Republic of Angola to the United Nations, contained in document S/17474,

*Having heard* the statement of the Permanent Representative of Angola.

*Recalling* its resolutions 387 (1976), 428 (1978), 447 (1979), 454 (1979), 475 (1980), 545 (1983) and 567 (1985), in which it, *inter alia*, condemned South Africa's aggression against the People's Republic of Angola and demanded that South Africa scrupulously respect the independence, sovereignty and territorial integrity of Angola,

*Gravely concerned* at the further renewed escalation of hostile, unprovoked and persistent acts of aggression and sustained armed invasions committed by the racist regime of South Africa, in violation of the sovereignty, airspace and territorial integrity of the People's Republic of Angola,

*Convinced* that the intensity and timing of these acts of armed invasions are intended to frustrate efforts at negotiated settlements in southern Africa, particularly in regard to the implementation of Security Council resolutions 385 (1976) and 435 (1978),

*Grieved* at the tragic loss of human life, mainly that of civilians, and concerned about the damage and destruction of property, including bridges and livestock, resulting from the escalated acts of aggression and armed incursions by the racist regime of South Africa against the People's Republic of Angola,

*Gravely concerned* that these wanton acts of aggression by South Africa form a consistent and sustained pattern of violations and are aimed at weakening the unrelenting support of front-line States for the movements for freedom and national liberation of the peoples of Namibia and South Africa,

*Conscious* of the need to take effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's military attacks,

1. *Strongly condemns* the racist regime of South Africa for its premeditated, persistent and sustained armed invasions of the People's Republic of Angola, which constitute a flagrant violation of the sovereignty and territorial integrity of that country, as well as a serious threat to international peace and security;

2. *Strongly condemns also* South Africa for its utilization of the international Territory of Namibia as a springboard for perpetrating armed invasions and destabilization of the People's Republic of Angola;

3. *Demands* that South Africa withdraw forthwith and unconditionally all its military forces from the territory of the People's Republic of Angola, cease all acts of aggression against that State and scrupulously respect the sovereignty and territorial integrity of Angola;

4. *Calls upon* all States to implement fully the arms embargo imposed against South Africa in resolution 418 (1977);

5. *Requests* Member States urgently to extend all necessary assistance to the People's Republic of Angola and other front-line States, in order to strengthen their defence capacity against South Africa's acts of aggression;

6. *Calls* for payment of full and adequate compensation to the People's Republic of Angola for the damage to life and property resulting from those acts of aggression;

7. *Decides* to appoint and send immediately to Angola a commission of investigation, comprising three members of the Security Council, in order to evaluate the damage resulting from the invasion by South African forces and to report to the Council not later than 15 November 1985;

8. *Urges* Member States, pending the report of the Commission of Investigation, to take prompt, appropriate and effective action to bring pressure to bear upon the Government of South Africa to comply with the provisions of the present resolution and of the Charter of the United Nations, to respect the sovereignty and territorial integrity of Angola and to desist from all acts of aggression against neighbouring States;

9. *Decides* to remain seized of the matter.

Following the adoption of the resolution, the representative of the United States said that his delegation had abstained in the separate vote on operative paragraph 5 be-

cause the implementation of that paragraph, which represented a call to arms, would result in an escalation of violence in an already volatile situation. He further said that, while South Africa had no justification for violating Angolan sovereignty, his Government's diplomatic efforts were aimed at the achievement of a peaceful settlement in the region.<sup>35</sup>

By a note<sup>36</sup> dated 30 September 1985, the President of the Security Council announced that, following consultations with the members of the Council, the Commission of Investigation established under paragraph 7 of resolution 571 (1985) would be composed of Australia, Egypt and Peru.

**Decision of 7 October 1985 (2617th meeting): resolution 574 (1985)**

By a letter<sup>37</sup> dated 1 October 1985 addressed to the President of the Security Council, the representative of Angola requested an urgent meeting of the Security Council to consider the acts of aggression and threats to regional and international peace and security by the armed forces of South Africa, resulting in the violation of the territorial integrity and national sovereignty of Angola.

At its 2612th meeting, on 3 October 1985, the Security Council included in its agenda the letter dated 1 October 1985 from Angola and considered the item at its 2612th, 2614th, 2616th and 2617th meetings, from 3 to 7 October 1985.

In the course of its deliberations the Council invited, at their request, the representatives of Afghanistan, Algeria, Angola, Botswana, Cameroon, Cuba, Ethiopia, Ghana, the Islamic Republic of Iran, Kuwait, Morocco, Mozambique, Nicaragua, Nigeria, Senegal, South Africa, Tunisia, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia and Zimbabwe to participate, without the right to vote, in the discussion.<sup>38</sup> The Council also extended an invitation, as requested, under rule 39 of the provisional rules of procedure, to Mr. Peter Mueshange of SWAPO and to Mr. M. J. Makatini of the ANC.<sup>38</sup>

At the outset of the discussion, the President of the Security Council drew the attention of the members to a letter<sup>39</sup> dated 1 October 1985 from the representative of India addressed to the Secretary-General, transmitting the text of a special communiqué adopted by the meeting of ministers and heads of delegation of non-aligned countries to the General Assembly at its fortieth session, held in New York on the same date.

At the same meeting, the representative of Angola charged that, only a few days after the unanimous adoption of resolution 571 (1985) and even before the fact-finding mission to Angola established by that resolution had visited the area, the Pretoria regime had responded by duplicating the very operation for which it had been censured by the Security Council on 20 September 1985. On 28 and

<sup>35</sup>Ibid., pp. 58-59.

<sup>36</sup>S/17506.

<sup>37</sup>S/17510.

<sup>38</sup>For details, see chap. III of the present Supplement.

<sup>39</sup>S/17518.

29 September, South African aircraft had violated the airspace of Angola for the purpose of conducting reconnaissance of the position of Angolan troops; early on 30 September, in addition to a direct clash with the South African infantry, a formation of over eight South African aircraft had flown over Angolan troop positions on a bombing mission that had resulted in more than 65 casualties, the wounding of hundreds and the destruction of six Angolan helicopters. South African forces of a yet undetermined strength had been landed in Angola from Namibia, a Territory which was not only illegally occupied by South Africa but also consistently used for launching armed invasions and other acts of aggression against his country, and those South African forces were currently located in Mavinga, 250 kilometres inside Angolan territory from the Namibian border. The latest South African act of aggression had taken place just as the armed forces of Angola (FAPLA) had been breaking through the third and last defence position of the mercenary group of UNITA; while the target area had never contained any Namibian refugees or SWAPO elements, the South African attack had been aimed primarily at protecting the UNITA bandits and, simultaneously, at the destruction of Angolan national institutions and infrastructure. His Government had been repeatedly presenting its case to the Council since 1976 and it would continue to do so and to demand action by the Security Council, since that was his country's right and the Council's duty under the Charter of the United Nations. It was not only Angola that was currently under attack; the racist Pretoria regime had also shown its contempt for the United Nations by disregarding the resolutions of the Council, and the Security Council must take action so that it did not itself become guilty of contravening the provisions of the Charter by virtue of its silence, neutrality or inaction. He recalled a communication from his State President addressed to the Secretary-General in which reference had been made to the right of a sovereign State to ask for "broader assistance" and said that unless they received concrete assistance in ending South African presence in Angola and the cessation of its interference in the strictly internal affairs of his country, his Government and people would do everything within their means to defend their sovereignty and territorial integrity against the aggressor.<sup>40</sup>

At the same meeting, the representative of India referred to the meeting of ministers and heads of delegation of non-aligned countries to the General Assembly at its 40th session, and said that the special communiqué<sup>39</sup> adopted at that meeting had declared, *inter alia*, that the latest instance of aggression by South Africa further testified to the arrogance and intransigence of the racist regime and its utter lack of respect for the purposes and principles of the charter of the United Nations and all norms of international law. The ministers and heads of delegation had urged the Security Council to deal with the serious threat to peace and security that had been posed by the latest acts of aggression; that they had renewed their call for the imposition of comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter.<sup>41</sup>

At the same meeting, the representative of South Africa said that, in his statement<sup>42</sup> to the Council on 20 September 1985, he had apprised the members of the growing conflict in southern Angola and of the role the Soviet Union and its "surrogates" had been playing in the civil war in that country, and that the Council had responded by adopting resolution 571 (1985). Particularly under paragraph 5 of that resolution, the Security Council had, in essence, requested all Member States to export more weapons and military personnel to Angola; taking advantage of that invitation, the involvement of the Soviet Union and its allies in the current fighting was even more extensive than what he had indicated to the Council on 20 September. He charged that Soviet pilots were flying some of Angola's MIG-23 aircraft and MI-25 helicopter gunships, and that SWAPO was still "sending major units southward as part of the Soviet-directed offensive" with the intention of opening new fronts in the terrorist campaign against the people of Namibia. South Africa, despite its limited capabilities, would stand by its responsibilities for the security of its own people and the security of the people of South West Africa/Namibia. He then challenged the Council with his Government's suggestion that it should dispatch a fact-finding mission to southern Angola to "discover" what support UNITA enjoyed in Angola and to establish who was fighting whom, who was directing the operations, what armaments were being used and what the people of Angola preferred. He further challenged the MPLA Government of Angola to confirm its claim by holding free elections and by permitting the people of Angola to determine their future peacefully, thereby enabling them to bring an end to an otherwise endless civil war. The MPLA, if it chose to continue the civil war, should not be the only party entitled to assistance; the United States Congress, by repealing the Clark Amendment, had already recognized the admissibility of aid to UNITA. He reasserted his Government's preference to resolve the problems of southern Africa through negotiation and its conviction that military solutions were not feasible; peace and stability, however, could not be achieved while foreign Powers and foreign interests dictated developments in the subcontinent. He recalled his State President's latest appeal to the leaders of southern Africa to unite in the demand for the withdrawal of all foreign forces from Angola, and submitted, in furtherance of that call, a draft resolution,<sup>43</sup> under rule 38 of the provisional rules of procedure of the Security Council. He then stressed that the draft resolution, which was designed to serve the interests of southern Africa as a whole, was a "sincere and serious attempt" by his Government to bring peace to the region, and invited the members of the Council not only to give the text due consideration and support, but also to declare what aspects of the draft text, if any, they disagreed with.<sup>44</sup>

At the same meeting, the representative of Nigeria, speaking in his capacity as current Chairman of the Group of African States, said that the credibility of the Security

<sup>40</sup>S/PV.2612, pp. 3-6.

<sup>41</sup>*Ibid.*, pp. 7-9.

<sup>42</sup>S/PV.2606, pp. 16-21.

<sup>43</sup>S/17522. For the provisions and application of rule 38 of the provisional rules of procedure of the Security Council, see chap. III, part III, of the present *Supplement*. See also chap. I.

<sup>44</sup>S/PV.2612, pp. 11-16.

Council as the primary organ for the maintenance of international peace and security was severely jeopardized when it could not be seen to act decisively, effectively and objectively in the face of acts of aggression and breaches of the peace committed blatantly. He called upon the Council to recall the seventh preambular paragraph and paragraph 1 of resolution 571 (1985), under which the Council had established that South Africa habitually contravened the Charter of the United Nations, and asked the Council which one of the options it would adopt from among those provided under Article 39 of the Charter. He then recommended, on behalf of the African Group of States, that the Council should go beyond mere condemnation of South Africa for its aggression against Angola and other front-line States and called for the following measures: (a) the immediate payment of full compensation to Angola; (b) the full implementation of the arms embargo against South Africa; (c) the application of comprehensive and mandatory sanctions against the Pretoria regime for its policy and practices of apartheid; and (d) the consideration of other measures under Article 42 of the Charter to stop South Africa from committing further acts of aggression.<sup>45</sup>

At the 2614th meeting, on 4 October 1985, the President drew the attention of the members of the Council to a draft resolution<sup>43</sup> submitted by South Africa. Under that text, which was not put to a vote, the Council would have, *inter alia*, demanded the unconditional withdrawal of all foreign military forces from Angola, called upon all States to respect the sovereignty and territorial integrity of Angola, requested the various factions within Angola to settle their differences through peaceful negotiation and in a spirit of national reconciliation and further requested Member States to refrain from intervening in the domestic affairs of Angola so that self-determination could be achieved in that country.

At the same meeting, the representative of the Soviet Union referred to the South African contention of a "direct involvement" of the Soviet Union and Cuba in the actions of the Angolan armed forces against UNITA, and said that that was the usual ploy of a "communist menace" used by aggressors as an ideological screen behind which they could attack other countries. He said that the Western Powers, which had prevented the Security Council from adopting comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter, had stated that they had been introducing limited sanctions of their own, following which the apartheid regime had resumed the military and subversive actions against African countries, thereby demonstrating the total emptiness of the so-called limited economic sanctions. He stated that the proponents of the argument that sanctions would not be effective while they would harm the people of South Africa and neighbouring African countries seemed to believe that sanctions were indeed an effective means of exerting pressure when they had unilaterally imposed those measures, in violation of the Charter of the United Nations, against such countries as Cuba and Nicaragua. Such a double-standard approach benefited only aggressive regimes, particularly at a time of intense discussions on the need to enhance the effective-

ness of the Council in discharging its principal role of maintaining international peace and security. He stressed that the Security Council could become a truly effective body not through procedural or "cosmetic" changes in its work, but only through a renunciation of the policy of appeasement by some of its members and a demonstration of the will to adopt the effective enforcement measures set forth in the Charter.<sup>46</sup>

At the 2616th meeting, on 7 October 1985, the President of the Security Council drew the attention of the members of the Council to a draft resolution<sup>47</sup> submitted by Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago.

At the same meeting, the representative of the United Arab Emirates rejected the invocation by South Africa of the right to self-defence because, he said, such an attempt at justifying the intervention in the internal affairs of Angola ran counter to the principles of the Charter and the rules of international law. In international law and jurisprudence, "urgent need" and "proportionality of the response to the danger posed" were the two fundamental conditions that must be present in order to exercise the right to self-defence; those conditions did not exist in the current case of aggression against a small peace-loving Angola, which represented no danger whatsoever to the militarily strong South Africa. He further elaborated the concept of international law on the conditions for the exercise of the right to self-defence and its applicability to the case before the Council by quoting a spokesman of the United States State Department, who, on 18 September 1985, had stated that any use of force by a State had to be justified under the doctrine of self-defence and that, while there was no inherent right to engage in cross-border military activity on the basis of pre-emptive strike, South Africa's raid had not appeared to have been justified by a clear and imminent danger to Namibian territory, thus rendering the act neither reasonable nor a proportionate response. He stressed that South Africa's acts of aggression required the application of sanctions under Article 39 of the Charter and called upon the Security Council not to cause the loss of faith in that primary organ of the United Nations on the part of the small States of the world.<sup>48</sup>

At the 2617th meeting, on 7 October 1985, the representative of Botswana referred to Security Council resolution 571 (1985) of 20 September 1985, by which the Council had demanded the withdrawal of South African troops from Angola, and said that, while it was well known that Pretoria had never shown any respect for the Council's decisions, the fact that South Africa had grown accustomed to displaying its disrespect was an ominous development which the Council could ignore only at great peril to peace and stability in southern Africa. The presence of Cuban forces in Angola at the invitation of Angola had resulted from the South African invasion and repeated violations of the territorial integrity of that country since 1975; those Cuban forces, which had never set foot in Namibia, had

<sup>45</sup>*Ibid.*, pp. 18-22.

<sup>46</sup>S/PV.2614, pp. 33-36. For a discussion of enforcement measures under Chapter VII of the Charter (Article 41), see chap. XII of the present *Supplement*.

<sup>47</sup>S/17531, subsequently adopted as resolution 574 (1985).

<sup>48</sup>S/PV.2616, pp. 46-48.

not in any way threatened the security of South Africa. The source of conflict in southern Africa was neither the Cuban troop presence nor the granting of asylum to South African refugees by the neighbouring countries, but rather the pestilence of apartheid and racism in South Africa and denial of the right of self-determination to the people of Namibia. He then referred to the draft resolution<sup>49</sup> submitted by South Africa at the 2614th meeting, and said that all the operative paragraphs, in particular paragraph 3, cried out for implementation by Pretoria itself and that the Council should reject the text, since there was nothing positive or moral that South Africa could preach to Angola.<sup>50</sup>

At the same meeting, the President put to the vote a draft resolution<sup>47</sup> submitted by Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago and requested, in his capacity as the representative of the United States, a separate vote on operative paragraph 6 of the draft resolution, which was voted upon and adopted by 14 votes in favour to none against, with 1 abstention.<sup>51</sup>

The Council then voted on the draft resolution as a whole, which was adopted unanimously as resolution 574 (1985).<sup>52</sup> The resolution reads as follows:

*The Security Council,*

*Having considered the request of the Permanent Representative of the People's Republic of Angola to the United Nations contained in document S/17510,*

*Having heard the statement of the Permanent Representative of Angola,*

*Bearing in mind that all Member States are obliged to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State and from acting in any other manner inconsistent with the principles and purposes of the United Nations,*

*Recalling its resolutions 387 (1976), 428 (1978), 447 (1979), 454 (1979), 475 (1980), 545 (1983), 546 (1984), 567 (1985) and 571 (1985), which, inter alia, condemned South Africa's aggression against the People's Republic of Angola and demanded that South Africa should scrupulously respect the independence, sovereignty and territorial integrity of Angola,*

*Gravely concerned at the persistent, hostile and unprovoked acts of aggression and sustained armed invasions committed by the racist regime of South Africa in violation of the sovereignty, airspace and territorial integrity of the People's Republic of Angola and, in particular, the armed invasion of Angola carried out on 28 September 1985,*

*Conscious of the need to take effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's acts of aggression,*

1. *Strongly condemns the racist regime of South Africa for its latest premeditated and unprovoked aggression against the People's Republic of Angola, as well as its continuing occupation of parts of the territory of that State, which constitute a flagrant violation of the sovereignty and territorial integrity of Angola and seriously endanger international peace and security;*

2. *Strongly condemns also South Africa for its utilization of the illegally occupied Territory of Namibia as a springboard for perpetrating acts of aggression against the People's Republic of Angola, as well as sustaining its occupation of part of the territory of that country;*

3. *Demands once again that South Africa cease immediately all acts of aggression and unconditionally withdraw forthwith all military forces occupying Angolan territory, as well as scrupulously respect the sovereignty, airspace, territorial integrity and independence of the People's Republic of Angola;*

4. *Reaffirms the right of the People's Republic of Angola, in accordance with the relevant provisions of the Charter of the United Nations, in particular Article 51, to take all the measures necessary to defend and safeguard its sovereignty, territorial integrity and independence;*

5. *Calls upon all States to implement fully the arms embargo imposed against South Africa in Security Council resolution 418 (1977);*

6. *Renews its request to Member States to extend all necessary assistance to the People's Republic of Angola in order to strengthen its defence capability in the face of South Africa's escalating acts of aggression and the occupation of parts of its territory by the South African military forces;*

7. *Requests the Security Council Commission of Investigation established in pursuance of resolution 571 (1985), consisting of Australia, Egypt and Peru, to report urgently on its evaluation of the damage resulting from South African aggression, including the latest bombings;*

8. *Decides to meet again in the event of non-compliance by South Africa with the present resolution in order to consider the adoption of more effective measures in accordance with the appropriate provisions of the Charter;*

9. *Decides to remain seized of the matter.*

Following the adoption of the resolution, the President, speaking in his capacity as the representative of the United States, said that, while his Government supported the territorial integrity of Angola, his delegation had abstained in the vote on operative paragraph 6 for the same reason that it had not supported a similar call to arms in Security Council resolution 571 (1985).<sup>53</sup>

The representative of the United Kingdom referred to his delegation's statement<sup>54</sup> at the 2607th meeting of the Council, on 20 September 1985, and said that his Government did not interpret operative paragraph 6 as endorsing the intervention of foreign combat troops. He added that his Government would like to see all forces withdrawn from Angola as soon as possible.<sup>55</sup>

**Decision of 6 December 1985 (2631st meeting): resolution 577 (1985)**

By a note<sup>56</sup> dated 15 November 1985, the President announced the extension of the deadline for submission of the report by the Commission of Investigation established under resolution 571 (1985).

On 22 November 1985, the Commission of Investigation submitted its report<sup>57</sup> to the Council, in accordance with paragraph 7 of resolution 571 (1985) and paragraph 7 of resolution 574 (1985).

At its 2631st meeting, on 6 December 1985, the Security Council included in its agenda the report of the Commission of Investigation established under resolution 571 (1985) and considered the item at the same meeting. In the course of its deliberations, the Council invited, at their request, the representatives of Angola, Burundi and South

<sup>49</sup>S/17522.

<sup>50</sup>S/PV.2617, pp. 32-34.

<sup>51</sup>Ibid., p. 49. For a separate vote on a part of a draft resolution, under rule 32, see also chap. I, part V, of the present Supplement. For the procedural requirement on voting, see also chap. IV.

<sup>52</sup>For the vote on the draft resolution as a whole, see *ibid.*, p. 49.

<sup>53</sup>Ibid., pp. 50-52.

<sup>54</sup>S/PV.2607, pp. 43-44.

<sup>55</sup>S/PV.2617, p. 52.

<sup>56</sup>S/17635.

<sup>57</sup>S/17648.

Africa to participate, without the right to vote, in the Council's discussion.<sup>58</sup>

At the outset of the discussion, the Chairman of the Commission of Investigation<sup>59</sup> gave a detailed introduction of the Commission's report. He said that the Commission had visited Angola from 13 to 24 October 1985 and that its mandate had been to evaluate the damage resulting from the invasion by South African forces in September 1985. The Council had subsequently included in the Commission's mandate, under paragraph 7 of resolution 574 (1985), an evaluation of the damage resulting from South Africa's further aggression in October 1985. At Cazombo, which had been the target of aggression in September 1985, the Commission had inspected the damage to buildings, the electricity generating system, water-supply equipment, the airstrip and the bridge over the Zambezi river. With regard to the Mavinga region, where South African forces had been involved in combat operations in October 1985, the Commission had been unable to conduct an on-site evaluation of damage owing to ongoing hostilities in the area but the Angolan Government had provided it with information on the nature and extent of damage to military equipment. The Commission estimated that the total damage resulting from South Africa's invasions of Angola in September and October 1985 was of the order of \$36,688,508. The Chairman of the Commission stressed that the estimate was incomplete in that it did not take into account injuries and loss of life or the effects of South Africa's actions on the Angolan economy. He noted that, as a result of its meetings in Angola, field visits, interviews with witnesses of events at Cazombo and Mavinga as well as information available to it, the Commission was convinced of South Africa's direct involvement in the military actions that had taken place in those two areas in September and October 1985. It had been difficult for the Commission to reflect fully in its report the plight of the civilian population and the Commission believed that there was a need for further humanitarian assistance. He stressed the Commission's view that the call to the international community for further assistance for rehabilitation and reconstruction did not in any way diminish South Africa's responsibility to pay full compensation to the Government of Angola as the Council had called for in its resolution 571 (1985).<sup>60</sup>

The representative of South Africa referred to a statement<sup>61</sup> of 27 November 1985 by his Minister for Foreign Affairs rejecting the report of the Security Council Commission of Investigation established under resolution 571 (1985). His Government rejected the report because the authors, far from attempting to present an objective assessment of the situation in Angola, had compiled a biased account that sought to blame South Africa for the situation in Angola. While the Commission's report contained unsubstantiated allegations, the fact of the matter was that the situation prevailing in Angola had resulted from the ongoing civil war between MPLA and UNITA. None of the

issues such as the presence of 35,000 Cuban troops, Soviet advisers and the damage to South West Africa/Namibia that had been inflicted by SWAPO terrorists operating from Angola—which he said were the root causes of the conflict in Angola—had been addressed in the Commission's report, in an apparent hope to persuade the international community that South Africa was responsible for the catastrophic situation in Angola. He regretted that the Security Council had chosen not to respond to his Government's suggestion<sup>62</sup> to send a fact-finding mission to the area to ascertain who was fighting whom, who was directing the operations and what armaments were being used. Only such a mission as suggested by his Government might have provided the Council with an objective report and the report under consideration represented an attempt at furthering the propaganda campaign against South Africa.<sup>63</sup>

The representative of Angola conveyed his Government's appreciation to the Commission for the manner in which it had fulfilled its mandate of evaluating the damage caused by the South African forces. No report could adequately reflect the extent of destruction and loss that had been inflicted on Angola within the decade since its independence. The real cost of damage suffered by his country as a result of South Africa's invasions in September and October 1985 was much higher than the total estimate indicated in the Commission's report. He appealed to the Security Council to strongly condemn South Africa for its aggression against Angola and to demand the payment of full and adequate compensation for the damage and losses it had caused.<sup>64</sup>

At the same meeting, the President (Burkina Faso) put to the vote a draft resolution<sup>65</sup> submitted by Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago. At the request of the representative of the United States of America and in the absence of an objection, the President put to a separate vote operative paragraph 6 of the draft resolution, which was adopted by 14 votes in favour to none against, with 1 abstention.<sup>66</sup>

The Council then voted on the draft resolution as a whole, which was adopted unanimously as resolution 577 (1985).<sup>67</sup> The resolution reads as follows:

*The Security Council,*

*Having examined the report of the Security Council Commission of Investigation established under resolution 571 (1985),*

*Having considered the statement of the Permanent Representative of the People's Republic of Angola to the United Nations,*

*Gravely concerned at the numerous hostile and unprovoked acts of aggression committed by the racist regime of South Africa violating the sovereignty, airspace and territorial integrity of the People's Republic of Angola,*

<sup>58</sup>S/PV.2612, pp. 11-16.

<sup>59</sup>S/PV.2631, pp. 16-18.

<sup>60</sup>ibid., pp. 18-23.

<sup>61</sup>S/17667, subsequently adopted as resolution 577 (1985).

<sup>58</sup>For details, see chap. III of the present *Supplement*.  
<sup>59</sup>For the composition of the Commission of Investigation, see note 35 above.

<sup>60</sup>S/PV.2631, pp. 6-11. For the full text of the Commission's report, see note 56 above.

<sup>61</sup>S/17662.

<sup>62</sup>For the separate vote on operative paragraph 6, see *ibid.*, p. 31. For a consideration of the requirements for a separate vote on a part of a draft resolution, under rule 32, see also chap. I, part V, of the present *Supplement*. For voting in general, see also chap. IV.

<sup>67</sup>For the vote, see *ibid.*, pp. 31 and 32.

*Grieved* at the tragic loss of human life and concerned about the damage to and destruction of property resulting from repeated acts of aggression committed by the South African racist regime,

*Convinced* that these wanton acts of aggression by the minority racist regime in South Africa form a consistent and sustained pattern of violations aimed at destroying the economic infrastructure of the People's Republic of Angola and weakening its support of the struggle of the people of Namibia for freedom and national liberation,

*Recalling* its resolutions 571 (1985) and 574 (1985) by which it, *inter alia*, strongly condemned South Africa's armed invasion perpetrated against the People's Republic of Angola and demanded that South Africa should scrupulously respect the independence, sovereignty and territorial integrity of Angola,

*Reaffirming* that the pursuance of these acts of aggression against Angola constitutes a threat to international peace and security,

*Conscious* of the need to take immediate and effective steps for the prevention and removal of all threats to international peace and security,

1. *Endorses* the report of the Security Council Commission of Investigation established under resolution 571 (1985) and expresses its appreciation to the members of the Commission;

2. *Strongly condemns* the racist South African regime for its continued, intensified and unprovoked acts of aggression against the People's Republic of Angola, which constitute a flagrant violation of the sovereignty and territorial integrity of Angola;

3. *Strongly condemns* South Africa's utilization of the international Territory of Namibia as a springboard for armed invasions and destabilization of the People's Republic of Angola;

4. *Demands once again* that South Africa cease immediately all acts of aggression against the People's Republic of Angola and unconditionally withdraw forthwith all forces occupying Angolan territory as well as scrupulously respect the sovereignty, airspace, territorial integrity and independence of Angola;

5. *Commends* the People's Republic of Angola for its steadfast support for the people of Namibia in their just and legitimate struggle against the illegal occupation of their territory by South Africa and for the enjoyment of their inalienable rights to self-determination and national independence;

6. *Requests* Member States urgently to extend all necessary assistance to the People's Republic of Angola, in order to strengthen its defence capacity;

7. *Demands* that South Africa pay full and adequate compensation to the People's Republic of Angola for the damage to life and property resulting from the acts of aggression;

8. *Requests* Member States and international organizations urgently to extend material and other forms of assistance to the People's Republic of Angola in order to facilitate the immediate reconstruction of its economic infrastructure;

9. *Requests* the Secretary-General to monitor developments in this situation and report to the Security Council as necessary, but no later than 30 June 1986, on the implementation of the present resolution and, in particular, of paragraphs 7 and 8 thereof;

10. *Decides* to remain seized of the matter.

Following the adoption of the resolution, the representative of the United Kingdom reiterated that his Government did not interpret any part of the resolution as endorsing the intervention of foreign combat troops, as encouraging a policy of armed struggle or as falling within the provisions of Chapter VII of the Charter of the United Nations, and that it would like to see the withdrawal of all foreign forces from Angola at the earliest possible time.<sup>68</sup>

The representative of the United States said that, while his Government endorsed the report of the Commission of Investigation, it could not support any request for assistance to strengthen the military structure of Angola. His Government was actively pursuing the path of a negotiated settlement of the problems in southern Africa and, accordingly, his delegation had abstained in the vote on operative paragraph 5.<sup>69</sup>

#### Decision of 18 June 1986 (2693rd meeting): rejection of five-Power draft resolution

By a letter<sup>70</sup> dated 12 June 1986, the representative of Angola requested the President of the Security Council to convene a meeting of the Council to consider the recent and continuing violation of the sovereignty and territorial integrity of Angola by South Africa.

At the 2691st meeting, on 16 June 1986, the Security Council included in its agenda the letter dated 12 June 1986 from Angola and considered the item at its 2691st to 2693rd meetings, from 16 to 18 June 1986.

In the course of its deliberations the Council invited, at their request, the representatives of Angola, Cuba, Czechoslovakia, the German Democratic Republic, India, Mongolia, Nicaragua, South Africa, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, Viet Nam, Zaire and Zambia to participate, without the right to vote, in the Council's discussion.<sup>71</sup>

At the same meeting, the representative of Angola said that, on 5 June 1986, South African forces, including frogmen, had mounted a raid on the port of Namibe in southwestern Angola. On that day, the South African divers had mined one Cuban and two Soviet vessels which had been carrying foodstuffs and medical supplies for southern Angola; as a result, one vessel had sunk while the other two had been damaged. Furthermore, Israeli-made Scorpion missiles had fired on three fuel depots, which had been damaged, one of them partially. He recalled that, in May 1986, a contingent of South African troops and UNITA elements had killed more than 53 and wounded dozens of Angolan troops in an attack near Xangong in Cunene Province, some 100 miles north of the Angolan border with Namibia. Also in May 1986, South African troops had committed acts of aggression against the sovereign States of Botswana, Zambia and Zimbabwe, following which the foreign Ministers of the front-line States, at a meeting in Harare, had condemned the raids and called upon the international community to impose comprehensive and mandatory economic sanctions against Pretoria. While South Africa had repeatedly invaded Angola since 1975, there were currently seven South African battalions inside his country and varying strengths of South African troops had been illegally occupying parts of Angola since 1981. He referred to "countless mandatory resolutions" that had been adopted by the Security Council on the question of South African aggression against Angola and asked whether the Council was unable to enforce its own resolutions in accordance with its mandate under the Charter of

<sup>68</sup>*Ibid.*, pp. 32 and 33.

<sup>69</sup>*Ibid.*, pp. 33 and 34.  
<sup>70</sup>S/18148.

<sup>71</sup>For details, see chap. III of the present *Supplement*.

the United Nations. He appealed to the Council to condemn South Africa for its aggression against Angola and other front-line States, to demand the immediate withdrawal of its troops and to impose on it comprehensive mandatory sanctions.<sup>72</sup>

At the same meeting, the representative of South Africa reiterated, with regard to the latest complaint by Angola, that the South African Defence Force had denied that it had been involved in the operation in the harbour town of Namibe. He said that the United Nations, especially the Security Council, must be aware of the ongoing civil war in Angola and that South Africa could not be held responsible for that conflict. Weapons deliveries were being stepped up and in the past two years alone the Soviet Union had brought at least \$2 billion worth of military equipment. While there was evidence showing the increasing number of Cuban troops and a growing involvement of Soviet advisers, a massive new offensive had recently commenced against the headquarters of UNITA at Jamba. His Government had complied with the 1984 Lusaka Agreement, despite Angola's inability to curtail SWAPO incursions across the Namibian border, and South Africa had repeatedly stated that the problems of Angola should be solved by the Angolan people without any foreign interference. He again wondered why the Security Council was not sending a fact-finding mission to Angola to establish those facts for itself.<sup>73</sup>

In the course of the Council's deliberations, many speakers condemned the South African acts of aggression against Angola and called for mandatory economic sanctions under Chapter VII of the Charter.<sup>74</sup>

At the 2693rd meeting, on 18 June 1986, the President drew the attention of the members of the Council to a draft resolution<sup>75</sup> submitted by the Congo, Ghana, Madagascar, Trinidad and Tobago and the United Arab Emirates. The President further drew the attention of the members to the text of a communication<sup>76</sup> from the President of the World Conference on Sanctions against South Africa, which was currently meeting in Paris. The text of the communication stated that the World Conference had been apprised of the Security Council's meetings regarding the recent South African aggression against the Angolan port of Namibe and that the facts related to that aggression had once more shown the need to adopt the sanctions envisaged in the Charter of the United Nations.

At the same meeting, the representative of Ghana said that the latest South African aggression brought into focus the following three fundamental issues: (a) that there was growing acceptance within the international community of the need to abolish apartheid through the economic isolation of South Africa; (b) that Security Council resolution

435 (1978), which contained the framework for Namibia's independence, should be implemented without linkage to the Cuban troop presence in Angola, which was in accordance with Angola's sovereign right to defend its territorial integrity; and (c) that there was a need, in particular on the part of the permanent members of the Council, to refrain from supporting the Savimbi rebel group, which was attempting to overthrow the legally constituted Government of Angola in violation of international law. He then introduced the above-mentioned draft resolution<sup>75</sup> which he described as modest and seeking to bring under the ambit of the Security Council parts of the specific measures that had already been agreed upon in the Nassau Accord at the Commonwealth Summit in the Bahamas in November 1985. He further said that the measures proposed in the draft resolution were already being applied by national Governments and multinational organizations.<sup>77</sup>

At the same meeting, the President of the Council put to the vote the five-Power draft resolution,<sup>75</sup> which received 12 votes in favour to 2 against, with 1 abstention, and was not adopted owing to the negative vote of a permanent member.<sup>78</sup> Under the draft text the Council would have, *inter alia*, determined that the policies and acts of aggression of South Africa constituted a threat to international peace and security and decided to impose a specified list of selective economic and other sanctions against South Africa as an effective means of combating the apartheid system and bringing peace and stability to the region.

On 30 June 1986, the Secretary-General submitted a report<sup>79</sup> concerning the implementation of Security Council resolution 577 (1985), in accordance with paragraph 9 of that resolution. In the report, the Secretary-General drew attention to the continuing urgent need for material and other forms of assistance to Angola in order to facilitate the reconstruction of its economic infrastructure, as the Council had requested in paragraph 8 of the resolution, and to provide relief for displaced persons or care and protection for refugees from Namibia and South Africa. He further stated that he would continue to monitor developments in the situation and would report to the Council as necessary.

#### Decision of 25 November 1987 (2767th meeting): resolution 602 (1987)

By a letter<sup>80</sup> dated 19 November 1987 addressed to the President of the Security Council, the representative of Angola requested the convening of an urgent meeting of the Council to consider South African aggression against Angola.

By a letter<sup>81</sup> dated 20 November 1987 addressed to the President of the Security Council, the representative of Zimbabwe requested the convening of an urgent meeting

<sup>72</sup>S/PV.2691, pp. 6-11.

<sup>73</sup>Ibid., pp. 22-26.

<sup>74</sup>S/PV.2691: Syrian Arab Republic, pp. 18 and 21; Cuba, pp. 29 and 30; USSR, p. 36; S/PV.2692: Ukrainian SSR, p. 6; (Nicaragua, p. 11; Bulgaria, p. 16; China, p. 26; German Democratic Republic, pp. 29 and 30; Zambia, pp. 34-36; S/PV.2693: Czechoslovakia, p. 8; Venezuela, pp. 23 and 24; Ghana, pp. 28-32; India, pp. 37 and 38; Mongolia, pp. 41 and 42; the President (Madagascar), pp. 46 and 47.

<sup>75</sup>S/18163.

<sup>76</sup>S/18168.

<sup>77</sup>S/PV.2693, pp. 28-32.

<sup>78</sup>For the vote on the draft resolution, see *ibid.*, pp. 48-50. See also chap. IV of the present *Supplement*.

<sup>79</sup>S/18195, annex. Subsequently, on 2 September 1986, S/19195/Add.1 was issued.

<sup>80</sup>S/19278.

<sup>81</sup>S/19286.

of the Council to consider the renewed acts of aggression by South Africa against Angola.

At its 2763rd meeting, on 20 November 1987, the Security Council included in its agenda the letters dated 19 and 20 November 1987 from Angola and Zimbabwe, respectively, and considered the item at the 2763rd to 2767th meetings, from 20 to 25 November 1987.

In the course of its deliberations the Council invited, at their request, the representatives of Algeria, Angola, Botswana, Brazil, the Byelorussian Soviet Socialist Republic, Cape Verde, Colombia, Cuba, Czechoslovakia, Egypt, Ethiopia, the German Democratic Republic, India, the Libyan Arab Jamahiriya, Malawi, Mauritania, Mozambique, Nicaragua, Nigeria, Portugal, Sao Tome and Principe, South Africa, the Syrian Arab Republic, Tunisia, the United Republic of Tanzania, Viet Nam, Yugoslavia and Zimbabwe to participate, without the right to vote, in the Council's discussion.<sup>82</sup> The Council also extended invitations, as requested, under rule 39 of the provisional rules of procedure of the Security Council, to Mr. Mfanafuthi Makatini of the African National Congress of South Africa (ANC), to the Acting Chairman of the Special Committee against Apartheid, and to Mr. Theoban Gurirab of the South West Africa People's Organization (SWAPO).<sup>82</sup>

At the 2763rd meeting, on 20 November 1987, before the commencement of the Council's deliberations, the President drew the attention of the members of the Council to a letter<sup>83</sup> dated 18 November 1987 from the President of the People's Republic of Angola addressed to the Secretary-General.

At the same meeting, the Vice-Minister for External Relations of Angola referred to the letter from the President of Angola and said that the situation in the southern part of their country had deteriorated in recent months as a result of the intensification of the military activities of the South African army. There was currently a new large-scale invasion by South Africa aimed at expanding the portion of Angolan territory it had been occupying for several years in the provinces of Cunene and Kuando-Kubango, bordering on Namibia. In the first six months of 1987, South Africa had perpetrated 75 violations of the airspace of his country; it had carried out 33 attacks against Angolan troops, defenceless civilians and the townships of Mupa and Mongwa in southern Angola. There had also been raids against the Namibe railway and the Bibala region. He then gave a detailed account of South African military activities up to 350 kilometres inside Angolan territory during the months of June and July and described the type of weapons and aircraft South Africa had used in those military operations. More recently, the South African Buffalo battalion had attacked the Angolan army, which had resulted in the death of 21 South Africans and the destruction of four AML-90 and three Kasper-type vehicles. Furthermore, he said, six Impala and one Mirage aircraft, which had been conducting reconnaissance flights over Angolan troop positions, as well as one helicopter in Kuito-Kunanavale and three others in the Lomba and Cu-

jamba regions had been shot down by Angolan armed forces. He referred to "violent clashes" in September and October in which 230 South Africans had been killed and said that 11 AML-90 and 24 Kasper Wolf vehicles as well as light arms and equipment of all types abandoned by the invading forces had been displayed on the previous Sunday at the meeting of the Heads of the front-line States. He stressed that the clashes had taken place at a time when the Angolan forces were about to annihilate the UNITA bands and that Pretoria's claim that its incursions were in pursuit of Namibians allegedly operating from Angolan territory was unfounded. Contrary to the norms of international relations, the President of South Africa, together with five of his Cabinet members, had illegally entered Angolan territory to visit his occupation forces. South Africa, which on several occasions had to answer to the Council for its acts of aggression against the sovereignty and territorial integrity of Angola in violation of the principles of the Charter, deserved condemnation by the international community. The representative concluded by calling upon the Council to adopt an appropriate resolution demanding the immediate withdrawal of Pretoria's troops and an end to its aggression.<sup>84</sup>

At the 2764th meeting, on 23 November 1987, the representative of South Africa characterized the Council's current discussion of the complaint by Angola as "a renewed attempt by Angola's MPLA regime" to divert attention from the root causes of the conflict which had plagued that country for more than 12 years. He contended that the Angolan Government was seeking to hide, by casting South Africa as a regional aggressor, the reality that the struggle in Angola was between the Angolan people and MPLA, which wanted to impose its ideology by force on an unwilling majority. The result of the deteriorating security situation was the channelling of the country's diminishing revenue towards the importation and maintenance of foreign troops and sophisticated weaponry at the expense of the basic needs and welfare of the Angolan people. While South Africa was not at war with any party, it was Luanda and SWAPO that were at war with the people of the region. It was the duty of the South African Government to protect the inhabitants of Namibia against "terrorist depredations". He referred to the recent visit to the area of conflict by his State President and said that, as Commander-in-Chief of the South African Defence Force, it was his President's duty to visit the area. He further emphasized that the regional situation had been exacerbated by the support and protection given by the Luanda Government to SWAPO and ANC as well as by the fact that SWAPO troops had an active role in the military attempts to contain the popular opposition to that Government. The current series of battles were led by UNITA, which had recently gained successes against the Soviet- and Cuban-led forces, and that the current South African limited military involvement in southern Angola had been occasioned by the incursion of troops from outside the continent that threatened not only the security interests of South Africa but also the stability of the entire region. He concluded by stressing his Government's conviction that the path to peace in the subregion comprising Angola, South West

<sup>82</sup>For details, see chap. III of the present Supplement.  
<sup>83</sup>S/19283.

<sup>84</sup>S/PV.2763, pp. 11-17.

Africa/Namibia, Botswana, Zimbabwe, Mozambique and South Africa was neither through debates at faraway international forums nor through military confrontation inside the region, but by the willingness of all parties concerned to come together and to address their differences in order to contribute towards stability and progress for the benefit of all the peoples of the region.<sup>85</sup>

At the 2766th meeting, on 24 November 1987, the President of the Security Council drew the attention of the members to a draft resolution<sup>86</sup> submitted by Argentina, the Congo, Ghana, the United Arab Emirates and Zambia.

At the 2767th meeting, on 25 November 1987, the representative of Ghana, on behalf of the sponsors, introduced the above-mentioned draft resolution. He said that the numerous acts of aggression by South Africa against Angola and the front-line States constituted a direct affront to the Council's authority and that, as the participants in the Council's current discussion had acknowledged, the aggressive policies of South Africa should be checked before they undermined the very foundations of the Charter. It had also been reaffirmed that the Council had an obligation to preserve the principle of "civilized behaviour" in international relations and it should demonstrate the seriousness with which it viewed Pretoria's violations of the sovereignty and territorial integrity of a State Member of the United Nations. He said that the draft resolution reflected the Council's concern at the implications for international peace and security of the repeated attacks against Angola and expressed the unanimous condemnation of the illegal entry into Angola by the State President of South Africa and some other senior officials. The preambular paragraphs of the draft text would have the Council strongly condemn the violation of Angola's territorial integrity and sovereignty as well as the use of Namibian territory as a springboard for incursions into Angola. With regard to South Africa's occupation forces, the Council should call for the immediate withdrawal of those forces and entrust the Secretary-General with the task of monitoring the withdrawal process and submit a report thereon by 10 December 1987.<sup>87</sup>

At the same meeting, the President of the Security Council put to the vote the draft resolution, which was adopted unanimously as resolution 602 (1987).<sup>88</sup> The resolution reads as follows:

*The Security Council,*

*Having considered the request by the Permanent Representative of the People's Republic of Angola to the United Nations contained in document S/19278 of 19 November 1987,*

*Having heard the statement by Mr. Venancio de Moura, Vice-Minister for External Relations of the People's Republic of Angola,*

*Gravely concerned at the continuing acts of aggression committed by the racist regime of South Africa against Angola,*

*Deeply concerned at the tragic loss of human life and the destruction of property resulting from such acts,*

*Further gravely concerned at racist South Africa's persistent violation of the sovereignty, airspace and territorial integrity of Angola,*

*Recalling its resolutions 387 (1976), 428 (1978), 447 (1979), 454 (1979), 475 (1980), 545 (1983), 546 (1984), 567 (1985), 571 (1985), 574 (1985) and 577 (1985),*

*Gravely concerned also that the pursuance of these acts of aggression against Angola constitutes a serious threat to international peace and security,*

*Indignant at the illegal entry into Angola by the head of the racist South African regime and some of his Ministers,*

*Conscious of the urgent need to take immediate and effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's acts of aggression,*

1. *Strongly condemns the racist regime of South Africa for its continued and intensified acts of aggression against the People's Republic of Angola, as well as its continuing occupation of parts of that State, which constitute a flagrant violation of the sovereignty and territorial integrity of Angola;*

2. *Strongly condemns the illegal entry into Angola by the head of the racist South African regime and some of his Ministers, in flagrant violation of Angola's territorial integrity and sovereignty;*

3. *Strongly condemns South Africa for its utilization of the Territory of Namibia as a springboard for acts of aggression and destabilization of Angola;*

4. *Demands once again that South Africa cease immediately its acts of aggression against Angola and unconditionally withdraw all its forces occupying Angolan territory, as well as scrupulously respect the sovereignty, airspace, territorial integrity and independence of Angola;*

5. *Decides to mandate the Secretary-General to monitor the withdrawal of the South African military forces from the territory of Angola and to report to the Security Council on the implementation of the present resolution not later than 10 December 1987;*

6. *Calls upon all Member States to cooperate with the Secretary-General in the implementation of the present resolution and to refrain from any action which would undermine the independence, territorial integrity and sovereignty of Angola;*

7. *Decides to meet again on receipt of the Secretary-General's report with regard to the implementation of the present resolution;*

8. *Decides to remain seized of the matter.*

By a letter<sup>89</sup> dated 25 November 1987 addressed to the Secretary-General, the representative of South Africa transmitted the text of a statement of the same date by the Minister for Foreign Affairs of South Africa regarding Security Council resolution 602 (1987). The Minister for Foreign Affairs stated that the MPLA regime in Luanda, which had seized power by violating the Alvor Agreement of 15 January 1975 and with the support of Soviet and Cuban forces, was the actual aggressor responsible both for the civil war in Angola and for acts of violence in South West Africa/Namibia and South Africa by ANC and SWAPO terrorists. South Africa rejected the decision of the Security Council, and his Government alone would decide when its troops would be withdrawn from the conflict area, as soon as its security interests were no longer threatened. Regarding the role of the Secretary-General, his Government would welcome a visit by him to the area so that he might ascertain for himself the extent of Soviet and Cuban involvement in the military operations of MPLA.

By a letter<sup>90</sup> dated 5 December 1987 addressed to the Secretary-General, the representative of South Africa transmitted the text of a statement issued on the same date by the Chief of the South African Defence Force announc-

<sup>85</sup>S/PV.2764, pp. 6-9.

<sup>86</sup>S/19291, subsequently adopted as resolution 602 (1987).

<sup>87</sup>S/2767, pp. 24-26.

<sup>88</sup>For the vote, see *ibid.*, p. 33.

<sup>89</sup>S/19303.

<sup>90</sup>S/19325.

ing the commencement of the withdrawal of South African troops from Angola. The statement stressed that the withdrawal was progressing under "operational conditions" and that, therefore, no specific details could be provided. It was further stated that those national servicemen currently taking part in operations and who were due to complete their service in December would definitely be home before Christmas.

On 18 December 1987, the Secretary-General submitted a report<sup>91</sup> in pursuance of Security Council resolution 602 (1987). In his report, the Secretary-General stated that he had urged the Government of South Africa to cooperate fully in the implementation of resolution 602 (1987) and that, despite the statement<sup>92</sup> of the Chief of the South African Defence Force that the withdrawal of South African troops from Angola had begun, the Government of Angola had maintained that South African troops were still in the country and that they were in fact engaged in active hostilities. The Secretary-General said that South Africa had not so far provided him with information on the timetable for the troop withdrawal or with the other details relevant to the monitoring functions that had been entrusted to him by resolution 602 (1987). He concluded that, in those circumstances, he would again urge the Government of South Africa to act in accordance with the terms of the Security Council resolution so that it could be promptly implemented, and that he would inform the Council of any new developments in that regard.

**Decision of 23 December 1987 (2778th meeting): resolution 606 (1987)**

By a letter<sup>92</sup> dated 22 December 1987 addressed to the President of the Security Council, the representatives of the Congo, Ghana and Zambia requested an urgent meeting of the Council to consider the report<sup>91</sup> of the Secretary-General submitted pursuant to Council resolution 602 (1987).

At its 2778th meeting, on 23 December 1987, the Security Council included in its agenda the letter dated 22 December 1987 from the Congo, Ghana and Zambia and the report of the Secretary-General in pursuance of Council resolution 602 (1987) under the item entitled "Complaint by Angola against South Africa" and considered the matter at the same meeting. The Council invited, at his request, the representative of Angola to participate, without the right to vote, in the discussion.

The President of the Security Council drew the attention of the members to a draft resolution<sup>93</sup> submitted by Argen-

tina, the Congo, Ghana, the United Arab Emirates and Zambia.

The representative of Angola said that when the apartheid regime of Pretoria was announcing the withdrawal of its troops from Angola it was in fact reinforcing their positions and even the small number of troops whose tour of duty was said to have been completed in December had been or were being replaced. He referred to the statement of the Chief of the South African Defence Force that no specific details could be provided on the withdrawal as the troops were being withdrawn under operational conditions; that was a demonstration of contempt for international law and the Council should take note of the flouting of the Charter of the United Nations and the authority of the Council itself. Regarding the draft resolution before the Council,<sup>93</sup> he said that his Government fully endorsed the request that the Secretary-General should continue monitoring the total withdrawal of South African forces from Angola and should confirm the ending of the six-year occupation of parts of his country's territory by those forces. His Government believed that the Security Council and its mandatory resolutions represented the best chance for a peaceful solution of the illegal occupation of his country.<sup>94</sup>

At the same meeting, the President of the Security Council, on behalf of the sponsors of the draft resolution, announced two changes of a textual nature. The draft resolution, as orally revised, was then voted upon and unanimously adopted as resolution 606 (1987).<sup>95</sup> The resolution reads as follows:

*The Security Council,*

*Recalling* its resolution 602 (1987), which, *inter alia*, mandated the Secretary-General to monitor the withdrawal of the South African military forces from the territory of the People's Republic of Angola and to report thereon to the Security Council,

*Taking note* of the report of the Secretary-General,

*Gravely concerned* at the continued occupation by the South African military forces of parts of the territory of Angola,

1. *Strongly condemns* the racist regime of South Africa for its continued occupation of parts of the territory of the People's Republic of Angola and for its delay in withdrawing its troops from that State;

2. *Requests* the Secretary-General to continue monitoring the total withdrawal of the South African military forces from the territory of Angola, with a view to obtaining from South Africa a time-frame for total withdrawal as well as confirmation of its completion;

3. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution at the earliest date;

4. *Decides* to remain seized of this matter.

<sup>91</sup>S/19359.

<sup>92</sup>S/19377.

<sup>93</sup>S/19379, subsequently orally revised and adopted as resolution 606 (1987).

<sup>94</sup>S/PV.2778, pp. 6-8.

<sup>95</sup>For the vote, see *ibid.*, p. 11.