

The resolution read as follows:

The Security Council,

Having reviewed the situation in the African territories under Portuguese administration,

Having heard the statements of those individuals invited to address the Council on this question,

Taking note of the statement of the Chairman of the Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Gravely concerned that the Government of Portugal is continuing its measures of repression in its military operations against the African peoples of Angola, Mozambique and Guinea (Bissau), in order to suppress the legitimate aspirations of the peoples for self-determination and independence,

Deploring the refusal of the Government of Portugal to implement the pertinent resolutions of the Security Council, adopted on the question of the Territories under Portuguese administration, in accordance with the purposes and principles of the Charter of the United Nations,

Further deploring the policies and actions of those States which continue to provide Portugal with military and other assistance, which it uses to pursue its colonial and repressive policies against the peoples of Angola, Mozambique and Guinea (Bissau),

Seriously concerned at the repeated violations by the armed forces of Portugal of the sovereignty and territorial integrity of independent African States,

Deeply disturbed at the reported use of chemical substances by Portugal in its colonial wars against the peoples of Angola, Mozambique and Guinea (Bissau),

Recognizing the legitimacy of the struggle of the liberation movements in Angola, Mozambique and Guinea (Bissau) in their demand for the achievement of self-determination and independence,

1. *Reaffirms* the inalienable right of the peoples of Angola, Mozambique and Guinea (Bissau) to self-determination and independence, as recognized by the General Assembly in its resolution 1514 (XV) of 14 December 1960, and recognizes the legitimacy of their struggle to achieve that right;

2. *Condemns* the persistent refusal of the Government of Portugal to implement General Assembly resolution 1514 (XV) and all other relevant resolutions of the Security Council;

3. *Again affirms* that the situation resulting from the policies of Portugal both in its colonies and in its constant provocations against the neighbouring States seriously disturbs international peace and security in the African continent;

4. *Calls upon Portugal:*

(a) To recognize immediately the right of the peoples of the Territories under its administration to self-determination and independence, in accordance with General Assembly resolution 1514 (XV);

(b) To cease immediately the colonial wars and all acts of repression against the peoples of Angola, Mozambique and Guinea (Bissau);

(c) To withdraw all its armed forces as presently employed for the purpose of the repression of the peoples of Angola, Mozambique and Guinea (Bissau);

(d) To promulgate an unconditional political amnesty and the restoration of democratic political rights;

(e) To transfer power to political institutions freely elected and representative of the peoples, in accordance with General Assembly resolution 1514 (XV);

5. *Again calls upon* Portugal to refrain from any violations of the sovereignty and territorial integrity of African States;

6. *Calls upon* all States to refrain forthwith from offering the Portuguese Government any assistance which would enable it to continue its repression of the peoples of the Territories under its administration, and to take all the necessary measures to prevent the sale and supply of arms and military equipment to the Portuguese

Government for this purpose, including the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition to be used in the Territories under Portuguese administration;

7. *Requests* the Secretary-General to follow the implementation of the present resolution and report to the Security Council from time to time.

At the conclusion of the 1639th meeting, the President, with the authorization of the members of the Council, made a statement of consensus on behalf of the Council expressing gratitude to the host country, in particular the Emperor and Government of Ethiopia.⁷⁸

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

In the course of its meetings in Addis Ababa, the Security Council considered among other issues the question of *apartheid* in South Africa and adopted resolution 311 (1972) relating to this item.⁷⁹

THE SITUATION IN SOUTHERN RHODESIA

Decision of 28 February 1972 (1645th meeting): resolution 314 (1972)

By letter⁸⁰ dated 15 February 1972 addressed to the President of the Security Council, the representatives of Guinea, Somalia and Sudan requested that the Council meet to resume consideration of the problem of Southern Rhodesia. They also included a request that the Council extend an invitation in accordance with rule 39 to Mr. Abel Muzorewa, Chairman of the African National Council of Zimbabwe, to address the Council.

At its 1640th meeting on 16 February 1972, the Council included the letter by the three representatives together with the fourth report⁸¹ and the interim report⁸² of the Committee established in pursuance of Security Council resolution 253 (1968) in its agenda. Following the adoption of the agenda, the Council decided without objection to extend an invitation to Mr. Muzorewa, as requested.⁸³ At the same meeting, the representative of Saudi Arabia was also invited, at his request, to participate without the right to vote in discussion.⁸⁴ The item on the agenda was considered at the 1640th to 1642nd and the 1645th meetings from 16 to 25 and on 28 February 1972.

At the 1640th meeting, Mr. Muzorewa said that the African National Council which he represented had been

⁷⁸ 1639th meeting, para. 178. For the text of the statement see also, *SCOR, 27th yr., Resolutions and Decisions of the Security Council 1972*, p. 3.

⁷⁹ For relevant proceedings see in this chapter the procedural history of the meetings in Addis Ababa under the heading "Consideration of questions relating to Africa with which the Security Council is currently seized and the implementation of the Council's resolutions", esp. p. 101.

⁸⁰ S/10540, *OR, 27th yr., Suppl. for Jan.-March 1972*, p. 50.

⁸¹ S/10229 and Add.1 and 2, *OR, 26th yr., Special Suppl. No. 2*.

⁸² S/10408, *OR, 26th yr., Suppl. for Oct.-Dec. 1971*, pp. 78-79.

⁸³ 1640th meeting, para. 1-2.

⁸⁴ *Ibid.*, paras. 56-57.

formed in December 1971 with the objective to explain and expose the dangers of accepting the Anglo-Rhodesian settlement proposals and to co-ordinate the campaign for their non-violent rejection by the African people of the country. He declared that these proposals were based on the illegal and racist 1969 Rhodesia Front Constitution and that their claim to provide majority rule was ridiculed by constitutional experts. Before and after the Unilateral Declaration of Independence (UDI), the British Government had excluded the African leaders from its dialogue with the Rhodesian authorities. The ANC demanded that the Rhodesian problem should not be settled without the active participation of the African people in the negotiations leading to such a settlement and that the settlement should not legalize UDI and the Republican Constitution. The ANC called on the Security Council to press the United Kingdom to honour the principles of General Assembly resolution 1514 (XV) of 14 December 1960 on the Granting of Independence to Colonial Countries and Peoples and to maintain the prohibition of economic or diplomatic relations with the Smith régime. The Africans accepted sanctions as a price for their freedom and rejected any claim that sanctions should be lifted to alleviate African suffering.

The ANC also urged the Council and the States supporting the cause of human freedom to intensify sanctions by fully blockading the ports of Beira and Lourenço Marques under Chapter VII of the Charter for all goods exported from or imported into Rhodesia. Mr. Muzorewa decried the resumption by the United States of the purchase of chrome from Rhodesia, which in his opinion had no other purpose than to boost the morale of the racist régime, and suggested an investigation whether the United States violated the law; if this were the case, the violation should be brought before the International Court of Justice. He also asked the Council to confer proper international refugee status upon the refugees and to grant asylum to those who have to leave the territory. He expressed the hope that Member States would at least stop the immigration of their citizens into Rhodesia, in accordance with Security Council resolution 253 (1968). The ANC did not seek to expel the white settlers from the country; it tried to achieve peaceful and just racial coexistence in order to avoid the impending bloodshed and was willing to pay the price of repatriation for those who wanted to leave under majority rule. His organization was prepared to frame a constitution acceptable to the Africans and those white people who accepted non-racism and majority rule.⁸⁵

The representative of Somalia deplored that the preoccupation with the Anglo-Rhodesian proposals seemed to weaken the resolve to make sanctions workable and enforceable. The Council had in the past been of one mind on this task, but recently the reports about violations of the sanctions had increased markedly. He emphasized the set of recommendations unanimously adopted by the Sanctions Committee and contained in the supplementary report, whereby the Committee tried to impress upon the international community the need to enforce sanctions vigorously. He hoped the Council would at its next meeting take

up these recommendations and in this manner underline the importance it attached to its own decisions.⁸⁶

The representative of the USSR stated that Mr. Muzorewa's statement as well as the information presented by the representative of ZAPU and ZANU at Addis Ababa showed conclusively that the African people of Zimbabwe rejected the British-Rhodesian proposals categorically and unanimously. He stressed once again that his Government sharply condemned the deal between Britain and the racist Smith régime and rejected the unworthy manoeuvres designed to lend this minority régime a respectable character. He called upon Britain to renounce the agreements with Rhodesia and to implement the measures proposed by the African spokesmen at Addis Ababa, including negotiations and a constitutional conference with the participation of the authentic representatives of the people of Zimbabwe. In conclusion he reiterated his Government's support for effective measures to eliminate the racist régime in Southern Rhodesia and to enable the people of Zimbabwe to exercise its legitimate right to self-determination and independence.⁸⁷

The representative of the United Kingdom expressed doubt that Mr. Muzorewa spoke for all Africans in Southern Rhodesia, and he reminded the Council that Bishop Muzorewa himself had spoken in favour of the Pearce Commission completing its task. His delegation had therefore been arguing that the Council should suspend its judgement on the proposals until the results were known.⁸⁸

At the beginning of the 1641st meeting on 24 February 1972, the President drew the attention of the members of the Council to the draft resolution which had been submitted by Guinea, Somalia and the Sudan.⁸⁹

At the same meeting, the representative of Somalia commented on the fourth report of the Sanctions Committee and suggested that the mandate of the Committee should be widened so that it would collect, sift and analyse all reports of known or suspected violations of sanctions, whatever the source, and that it should be provided with the necessary machinery to attain those objectives. The proposal by Bishop Muzorewa to extend the sanctions by a blockade of Beira and Lourenço Marques under Chapter VII had also been discussed in the Committee, but no agreement had been reached on it. The Council could not make its decisions effective if it did not stop Portugal's and south Africa's defiance of obligations under Article 25 of the Charter. The continuation of sanctions did not depend on the outcome of the British-Rhodesian arrangements, but on the decision of the Security Council. Turning to the recommendations contained in the interim report of the Committee, he briefly recalled that the decision of the United States to permit the import of Rhodesian chrome ore had led to the urgent call of the three African members for a meeting of the Committee to review the American decision. There was unanimity among the 15 members of the Committee to address a report to the Council which would recall the decision of the Council to impose sanctions under Chapter VII and the obligation imposed on

⁸⁶ *Ibid.*, paras. 27-29.

⁸⁷ *Ibid.*, paras. 30-41, 61.

⁸⁸ *Ibid.*, paras. 46-48.

⁸⁹ 1641st meeting, opening statement by the President. S/10541, *OR*, 27th yr., *Suppl.* for Jan.-March 1972, pp. 50-51.

⁸⁵ 1640th meeting, para. 3-20.

all Member States to prevent the import of Rhodesian commodities and products. As suggested by the Committee, the Council should state that any legislation or other measure permitting the import of Rhodesian chrome weakened the effectiveness of the sanctions, and it should call upon all States not to take any such act violating the provisions of resolution 253 (1968).

The representative of Somalia then introduced the draft resolution co-sponsored by the delegations of Guinea and Sudan. The draft was based primarily on the recommendations of the Committee and designed to assure the international community that the sanctions would continue to be carried out against Southern Rhodesia without exception so as to bring the illegal rebellion to an end.⁹⁰

The representative of France expressed general support for the draft resolution, but suggested several changes in the operative part. With regard to paragraph 1, he commented that the original purpose of the sanctions had been defined as being the end of the illegal régime, whereas the draft resolution indicated the exercise of the right of self-determination, and he proposed to restore the initial formulation to maintain the Council's flexibility of action and perhaps to reaffirm the right to self-determination in another paragraph. Concerning paragraph 2, he pointed out that not all resolutions pertaining to Rhodesia were mandatory, since only some of them had been adopted under Chapter VII. Therefore, it would be more accurate to urge the full implementation of all mandatory resolutions or to list the three resolutions that fell under that category. Obviously, Article 25 could not be applied to resolutions which were not adopted within the framework of Chapter VII.⁹¹

The representative of China stated that his Government and the Chinese people supported the recent resolution of the Organization of African Unity calling for widening the sanctions against the racist régime of Rhodesia and for imposing sanctions upon South Africa and Portugal for their refusal to implement the resolutions of the Security Council. The Council should also sternly condemn the violation by the United States of the sanctions imposed by the United Nations. In view of reports about covert import of Rhodesian chrome by certain big Powers his delegation deemed it necessary to entrust the Council Committee on sanctions and other related United Nations organs with serious investigations into these violations of the sanctions. In conclusion he announced that his delegation supported the draft resolution.⁹²

The representative of India suggested that the draft resolution needed further consideration and had to be improved in particular in the first three paragraphs. He noted that while the new United States legislation, if enacted, would violate the sanctions, many other Governments had been violating those provisions since their adoption. The Council could not stop with the draft resolution but should go much more deeply into the matter, strengthen and broaden the sanctions, publicize violations and make every effort to discover and stop leakages and to improve the machinery. Some improvement in the working methods of the Committee on sanctions

might be necessary, or the Council itself should deal with the report in a much more thorough fashion than it had done so far.⁹³

At the 1642nd meeting on 25 February 1972, the representative of the USSR criticised what he called the tactic of representatives of some Western countries to block the adoption by the Committee of concrete recommendations the implementation of which would strengthen the effectiveness of the sanctions. He alleged that these representatives tried to divert the Committee's work into technicalities and to prevent it from fulfilling its political mandate. He added that with the action of the United States the Council faced a new situation. In view of the violation of the sanctions by South Africa, Portugal and the United States he drew the attention of the Council to the General Assembly resolutions 2765 (XXVI) and 2796 (XXVI) and emphasized that sanctions under Chapter VII were not only binding but also enforcement measures in their substance. He recalled resolution 277 in which the permanent members of the Council were identified as especially responsible for the implementation of the sanctions and he cited Article 25 as further confirmation of the compulsory nature of sanctions. He urged the Council to accept the proposals of the African countries and of the Sanctions Committee and to expand the scope of sanctions against Rhodesia, to apply strict sanctions against South Africa and Portugal in accordance with resolution 2796 (XXVI), and to demand from the Government of the United States unconditional compliance with its obligations under the Charter with regard to the sanctions against Southern Rhodesia.⁹⁴

The representative of Somalia introduced the revised draft resolution⁹⁵ which incorporated suggestions by France, India and other members. In the second preambular paragraph the word "Reaffirming" would be replaced by "Recalling". Paragraphs 1, 2, 3, and 6 had undergone considerable changes reflecting mainly the French comments. In conclusion he reaffirmed that even if the rebel régime were accorded legal recognition, the responsibility of the United Nations to ensure that the illegal régime would be brought to an end and that the people of the Territory could exercise their right to self-determination, would in no way end.⁹⁶

The representative of Saudi Arabia* called sanctions desirable, but not implementable, because economic considerations would always tend to outweigh political objectives, and he called for effective measures that would really hurt the Rhodesian régime, such as an appeal to African workers in the chrome ore industry to boycott Rhodesia's most profitable industry by strike, combined with the establishment of a special UN fund to support these workers during the strike. Such steps would help to accelerate the process of self-determination.⁹⁷

The President, speaking as the representative of Sudan, declared that the draft resolution called for no more than

⁹⁰ 1641st meeting, intervention by Somalia.

⁹¹ *Ibid.*, intervention by France.

⁹² *Ibid.*, intervention by China.

⁹³ *Ibid.*, intervention by India.

⁹⁴ 1642nd meeting, paras. 3-33.

⁹⁵ S/10541/Rev.1 adopted with a small change as resolution 314 (1972).

⁹⁶ 1642nd meeting, paras. 35-46.

⁹⁷ *Ibid.*, paras. 52-67.

the full application of sanctions against Southern Rhodesia and for the compliance of all Member States with their obligations in this respect.⁹⁸

At the 1645th meeting on 28 February 1972, the representative of Belgium, in expressing his delegation's support for the draft resolution, commented on paragraph 6 in which the Sanctions Committee was once again charged with the double task of studying and recommending the means to ensure the implementation of sanctions; he pointed out that the provision that the Committee itself could make suggestions on its terms of reference went beyond the purely technical mandate issued to it under resolutions 253 (1968) and 277 (1970), but his delegation would nevertheless vote for paragraph 6 with understanding that the Council gave the Committee the authority to prepare recommendations on its terms of reference without, however, making this obligatory, as was the case with the terms of reference in its previous resolution.⁹⁹

The representative of France expressed his appreciation for the acceptance by the sponsors of his delegation's suggestions and declared that his delegation would vote for the draft resolution. Commenting on paragraph 6 he wondered whether the stipulated date of 1 April 1972 for submission of the Committee's special report could not be changed to 15 April to allow the Committee to complete its task under the draft resolution.¹⁰⁰

This suggestion was accepted by the representative of Somalia on behalf of the sponsors.¹⁰¹

Addressing himself to the criticism voiced against his Government's decision to lift the sanctions on Rhodesian chrome ore, the representative of the United States stated that the decision had been necessitated by considerations of national security. He pointed out that the sanctions against Rhodesian chrome were violated on a large scale by many countries including members of the Council. These allegations should be investigated. He recalled that his Government had been unable to obtain general agreement that where there was reasonable doubt about the origin of imported minerals, those minerals should be subject to effective chemical tests. His Government proposed that the Council ask the Committee to request from Governments periodic reports on the importation of strategic minerals from all sources. Such reports would greatly assist the Committee to obtain a fuller picture of on-going trade with Rhodesia. In the case of questionable shipments the Committee could request and obtain samples of such shipments and test them chemically to determine their origin. His Government would be prepared to co-operate fully in this effort. In conclusion he announced his delegation's abstention on the draft resolution because it could not accept those parts of the draft resolution which directly or indirectly affected laws which had been adopted and had to be implemented under the Constitution of the United States.¹⁰²

Subsequently, the representative of Somalia requested a separate vote on paragraph 1.¹⁰³ Paragraph 1 was adopted by 14 votes to none, with 1 abstention. The draft resolution as a whole was adopted by 13 votes in favour to none against, with 2 abstentions.¹⁰⁴ It read as follows:

The Security Council,

Having considered the recent developments concerning the question of Southern Rhodesia,

Recalling its resolutions 216 (1965) of 12 November 1965, 217 (1965), of 20 November 1965, 221 (1966) of 9 April 1966, 232 (1966) of 16 December 1966, 253 (1968) of 29 May 1968, 277 (1970) of 18 March 1970 and 288 (1970) of 17 November 1970,

Gravely concerned that certain States have not complied with the provisions of resolution 253 (1968), contrary to their obligations under Article 25 of the Charter of the United Nations,

Taking into account the fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) and its interim report of 3 December 1971,

Acting in accordance with previous decisions of the Security Council on Southern Rhodesia, taken under Chapter VII of the Charter,

1. *Reaffirms* its decision that the present sanctions against Southern Rhodesia shall remain fully in force until the aims and objectives set out in resolution 253 (1968) are completely achieved;

2. *Urges* all States to implement fully all Security Council resolutions establishing sanctions against Southern Rhodesia, in accordance with their obligations under Article 25 and Article 2, paragraph 6, of the Charter of the United Nations and deplores the attitude of those States which have persisted in giving moral, political and economic assistance to the illegal régime;

3. *Declares* that any legislation passed, or act taken, by any State with a view to permitting, directly or indirectly, the importation from Southern Rhodesia of any commodity falling within the scope of the obligations imposed by resolution 253 (1968), including chrome ore, would undermine sanctions and would be contrary to the obligations of States;

4. *Calls upon* all States to refrain from taking any measures that would in any way permit or facilitate the importation from Southern Rhodesia of commodities falling within the scope of the obligations imposed by resolution 253 (1968), including chrome ore;

5. *Draws the attention* of all States to the need for increasing vigilance in implementing the provisions of resolution 253 (1968) and, accordingly, calls upon them to take more effective measures to ensure full implementation of the sanctions;

6. *Requests* the Committee established in pursuance of Security Council resolution 253 (1968) to meet, as a matter of urgency, to consider ways and means by which the implementation of sanctions may be ensured and to submit to the Council, not later than 15 April 1972, a report containing recommendations in this respect, including any suggestions that the Committee might wish to make concerning its terms of reference and any other measures designed to ensure the effectiveness of its work;

7. *Requests* the Secretary-General to provide all appropriate assistance to the Committee in the discharge of its task.

Decision of 28 July 1972 (1655th meeting): resolution 318 (1972)

At its 1654th meeting on 28 July 1972, the Council included the special report¹⁰⁵ dated 9 May 1972 of the Committee established in pursuance of Security Council resolution 253 (1968) in its agenda¹⁰⁶ and considered that

⁹⁸ 1642nd meeting, paras. 69-81.

⁹⁹ 1645th meeting, paras. 4-10.

¹⁰⁰ *Ibid.*, paras. 15-17.

¹⁰¹ *Ibid.*, para. 28.

¹⁰² *Ibid.*, paras. 29-42.

¹⁰³ *Ibid.*, para. 88.

¹⁰⁴ *Ibid.*, paras. 91-92. S/10541/Rev.1 and Corr.1 adopted as resolution 314 (1972).

¹⁰⁵ S/10632, *OR*, 27th yr., *Suppl. for April-June 1972*, pp. 47-49.

¹⁰⁶ 1654th meeting, preceding para. 1.

item during its 1654th and 1655th meetings on 28 July 1972.

The representative of Sudan speaking as Chairman of the Committee established in pursuance of Security Council resolution 253 (1968), presented the special report of the Committee in accordance with paragraph 6 of resolution 314 (1972). He stated that parts I, II and III, and paragraph 7 of the report had been accepted by all delegations, except for the United Kingdom delegation which entered a blanket reservation on all these parts, on paragraph 7 and on part IV as well. No general agreement was possible on part IV and, therefore, the individual positions of representatives were recorded. In reviewing the recommendations in part III, he made special reference to the proposal to change the name of the Committee and addressed himself to the method of work which left a lot to be desired. The Committee had so far not even been able to inform the public about cases of evasions of sanctions; it did not dispose of a system of information about trade statistics or inspection of suspected goods from Southern Rhodesia and had failed to enlist the co-operation of influential world trade organizations. While the recommendations in part III merely attempted to make up for the Committee's handicaps, part IV, in the view of the African members and of those who shared their point of view, was most significant for the effective implementation of sanctions. These delegations called for more decisive action against States, such as Portugal and South Africa, which openly refuse to comply with the sanctions against the Smith régime. They also would like the Committee to recommend to the Council condemnation of the United States for violating the sanctions. Others demanded the extension of sanctions against Portugal and South Africa. As the Chairman pointed out, there was another group of delegations who agreed with the African members in principle, but held that those demands were beyond the mandate of the Committee. In conclusion, the Chairman pointed out that the draft resolution was based only on the recommendations under part III, and he hoped that it would be accepted by all members of the Council.¹⁰⁷

The representative of the India proposed that the scope of the sanctions should be extended and the boycott of the illegal régime applied to communications, passports, postal services, and cultural, social and other activities. The administering Power should decide to make sanctions permanent, and the Secretariat should be asked to prepare an up-to-date list of existing legislation passed by various countries for implementing sanctions.¹⁰⁸

The representative of Belgium reaffirmed the position that the Committee could only play an auxiliary role and that the Council, even if it wished it so, would not be free to delegate to a subordinate body the responsibilities which the Charter conferred upon it alone. The Council functioning as a standing body did not need organs to exercise its powers in its name and in its place. The Committee should not allow itself to be distracted from its essential task, which was to verify the implementation of sanctions, by inquiries about problems of method, however fundamental they might be.¹⁰⁹

¹⁰⁷ 1654th meeting, paras. 5-18.

¹⁰⁸ *Ibid.*, paras. 22-28.

¹⁰⁹ *Ibid.*, paras. 30-43

The representative of Yugoslavia, in endorsing the recommendations and proposals of the Committee, pointed out the scope of the Committee's responsibilities, as cited in paragraph 22, extended to all political aspects of the situation in and around Southern Rhodesia that affected the implementation of sanctions and not merely their technical aspects.¹¹⁰

The representative of Somalia emphasized the significance of three measures recommended in the Committee report. The inclusion of inter-governmental agencies and non-governmental organizations as suppliers of information about suspected violations promised to improve significantly the Committee's capacity of monitoring the implementation of the sanctions. The report spelled out the fact that documentation from southern Africa, mainly from Portuguese-controlled territories and South Africa, in respect of goods produced also by Southern Rhodesia had to be considered suspect. In view of Portugal's and South Africa's refusal to co-operate with the United Nations, the Council should decide what action to take against these two countries who continually violated international law, the decisions of the Council and the provision of Article 25 of the Charter. Finally, the Committee recognized the need for the employment of experts in various fields to assist in the implementation of the sanctions.¹¹¹

At the 1655th meeting on 28 July 1972, the representative of Sudan introduced, on behalf of the delegations of Guinea, Somalia and Sudan, the draft resolution¹¹² pertaining to the Committee report. He pointed out that the sponsors had chosen a very mild draft resolution leaving out the political importance of the question of sanctions in order to achieve unanimous support. The draft document even refrained from condemning Member States which were breaching the sanctions, such as Portugal and South Africa.¹¹³

The representative of the United Kingdom announced that his delegation would lift the blanket reservation against the report and its recommendations and would endorse the proposals in part III some of which had their origin in British suggestions or had previously been decided upon by the Council. He expressed hope that the Committee would take up the cases and the relevant material under investigation, since there was much work to be done. His delegation would support the draft resolution which renewed the pressure on the régime in Rhodesia and set out the responsibilities of Governments and of the United Nations in clear terms.¹¹⁴

The representative of the United States regretted that the draft resolution was more substantive than procedural, as his delegation had expected a strictly procedural one.¹¹⁵

The representative of China supported the African proposals in part IV, called for the extension of the sanctions to cover South Africa and Portugal and for a condemnation of the United States on account of its recent

¹¹⁰ *Ibid.*, paras. 45-55.

¹¹¹ *Ibid.*, paras. 61-66.

¹¹² S/10747, adopted without change as resolution 318 (1972).

¹¹³ 1655th meeting, paras. 2-9.

¹¹⁴ *Ibid.*, paras. 11-16.

¹¹⁵ *Ibid.*, para. 20.

importation of chrome and nickel from Southern Rhodesia and announced that his delegation would vote for the draft resolution.¹¹⁶

The representative of the USSR declared that an essential task of the Committee was to increase the effectiveness of the obligatory sanctions against the racist régime in Rhodesia. The report of the Committee indicated that this subsidiary body was functioning better, due, among other things, to the decision to put the chairmanship of the Committee on a permanent basis. The Council should demand that all States should immediately end all ties with the Smith régime; it should condemn those States which openly violated the sanctions, first and foremost the United States, and it should expand the application of sanctions to Portugal and South Africa. The recommendations in the draft resolution which his delegation would support represented but a first step which should be followed by intense work in the Committee and by comprehensive examination of matters of substance in the Council.¹¹⁷

The representative of France stated that his Government had always desired to implement the measures under Chapter VII of the Charter. His delegation did not subscribe to the matters which were reproduced in paragraphs 1 and 2 of the draft resolution and which it considered to lie outside the competence of the Committee. His delegation would nevertheless support the draft resolution because the administering power did not oppose those two paragraphs.¹¹⁸

The representative of Somalia as one of the sponsors of the draft resolution expressed great disappointment about the exception taken by the United States to its paragraphs 5, 6 and 7 and declared that no State could be exempted from its obligations under Article 25 of the Charter. The least that could be done would be to condemn violations of the decisions of the Council.¹¹⁹

The draft resolution was adopted by 14 votes to none, with 1 abstention.¹²⁰ It read as follows:

The Security Council,

Recalling its resolution 314 (1972) of 28 February 1972, in which it requested the Committee established in pursuance of Security Council resolution 253 (1968) of 29 May 1968 to consider ways and means by which the implementation of sanctions might be ensured and to submit a report containing recommendations in this respect, including any suggestions that the Committee might wish to make concerning its terms of reference and any other measures designed to ensure the effectiveness of its work,

Having considered the special report of the Committee established in pursuance of Security Council resolution 253 (1968),

Mindful of the need to strengthen the machinery established by the Security Council in order to ensure proper implementation of the relevant resolutions of the Council,

Recalling further that, as stated in previous resolutions of the Security Council, the present sanctions against Southern Rhodesia shall remain fully in force until the aims and objectives set out in resolution 253 (1968) are completely achieved

Gravely concerned that certain States have not complied with the provisions of resolution 253 (1968), contrary to their obligations under Article 25 of the Charter of the United Nations,

1. *Reaffirms* the inalienable right of the people of Southern Rhodesia to self-determination and independence;

2. *Recognizes* the legitimacy of the struggle of the people of Southern Rhodesia to secure the enjoyment of their rights, as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960;

3. *Takes note with appreciation* of the special report of the Committee established in pursuance of Security Council resolution 253 (1968);

4. *Approves* the recommendations and suggestions contained in section III of the special report;

5. *Calls upon* all States continuing to have economic and other relations with Southern Rhodesia to end such relations immediately;

6. *Demands* that all Member States scrupulously carry out their obligations to implement fully Security Council resolutions 253 (1968), 277 (1970) of 18 March 1970 and 314 (1972);

7. *Condemns* all acts violating the provisions of Security Council resolutions 253 (1968), 277 (1970) and 314 (1972);

8. *Calls upon* all States to co-operate fully with the Security Council in the effective implementation of sanctions and to give the Council all the necessary assistance that may be required of them towards the fulfilment of this task;

9. *Again draws the attention* of all States to the need for increasing vigilance in all matters relating to sanctions and, accordingly, urges them to review the adequacy of the legislation and the practices followed so far and, if necessary, to take more effective measures to ensure full implementation of all provisions of Security Council resolutions 253 (1968), 277 (1970) and 314 (1972);

10. *Requests* the Secretary-General to provide all appropriate assistance to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia in the discharge of its responsibilities.

Decision of 29 September 1972 (1666th meeting): resolution 320 (1972)

Decision of 29 September 1972 (1666th meeting):

Rejection of draft resolution

By letter¹²¹ dated 20 September 1972 addressed to the President of the Security Council, the representatives of Guinea, Somalia and Sudan requested the President to convene a meeting of the Council as soon as possible to resume consideration of the problem of Southern Rhodesia.

At the 1663rd meeting on 27 September 1972, the Council included the letter in the agenda. Following the adoption of the agenda, the representatives of Algeria, Senegal, Morocco, Zambia, Mauritania, Guyana, Kenya,¹²² at the 1664th meeting the representatives of Tunisia and Nigeria,¹²³ and at the 1665th meeting the representatives of Mali, Cuba¹²⁴ and Saudi Arabia¹²⁵ were invited, at their request, to participate, without a vote, in the discussion of the item on the agenda. At the 1663rd meeting the Council also agreed to a request made by the

¹¹⁶ 1655th meeting, paras. 22-26.

¹¹⁷ *Ibid.*, paras. 29-39.

¹¹⁸ *Ibid.*, paras. 41-44.

¹¹⁹ *Ibid.*, para. 47.

¹²⁰ *Ibid.*, para. 49. Adopted as resolution 318 (1972).

¹²¹ S/10798, OR, 27th yr., Suppl. for July-Sept. 1972, p. 104.

¹²² 1663rd meeting, following the President's opening statement.

¹²³ 1664th meeting, para. 2.

¹²⁴ 1665th meeting, following the President's opening statement.

¹²⁵ *Ibid.*, following Italy's intervention.

representatives of Guinea, Somalia and Sudan in a letter¹²⁶ dated 27 September 1972 that it extend an invitation under rule 39 of the provisional rules of procedure to Mr. Eshmael Mlambo of Zimbabwe.¹²⁷ The Council considered the question at the 1663rd to 1666th meetings from 27 to 29 September 1972.

At the 1663rd meeting the representative of Morocco* stated that the Heads of African States had agreed at the summit conference in Rabat to give absolute priority to the liberation of the African continent where the process of decolonization had come to a standstill.¹²⁸

The representative of Zambia* reviewed the developments in Southern Rhodesia which he called a grave threat to peace and security in the region and in Africa as a whole, and reiterated the proposals for action which he had recommended to the Council at its 1628th meeting in Addis Ababa on 28 January 1972, in particular the call for a constitutional conference representative of all the people of Zimbabwe. In the light of the most recent developments, he urged the Council to take the following additional measures: first, to reaffirm the inalienable right of the people of Zimbabwe to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the Charter; second, to affirm the principle that there should be no independence before majority rule in Southern Rhodesia; third, to call upon the British Government to create favourable conditions necessary for free expression and political activity by the people of Zimbabwe, including the immediate release of all political prisoners, detainees and restrictees, and the repeal of all racist and repressive discriminatory legislation; fourth, to call upon all States to render additional material support to the liberation movements of Zimbabwe in their just struggle to rid themselves of the yoke of illegal rule, oppression and exploitation.¹²⁹

The representative of Mauritania* also called for a constitutional conference with the representation of the Zimbabwe people and declared that sanctions, if strictly applied, constituted a most effective measure to put an end to the illegal régime in Rhodesia. The Council should draw up a list of all States which continued to maintain economic and other relations with Southern Rhodesia, call upon them to terminate these at once and condemn those States which would continue to violate the provisions of Council resolutions 253 (1968) and 277 (1970). The Council should urgently establish an appropriate system of controlling effectively the application of the sanctions.¹³⁰

The representative of Algeria* stated that given the fact that the sanctions had been failing due to non-compliance of South Africa and Portugal, deliberate violation by the United States and the failure of the direct negotiations between the United Kingdom and the rebel régime, new methods were needed to bring about an effective solution in Southern Rhodesia. He endorsed the call for the convocation of a constitutional conference by the United

Kingdom, emphasized that the independence of Rhodesia could only be recognized after the establishment of majority rule, called for the continuation of the sanctions against the régime until an agreement emerged from the constitutional conference and had begun to be implemented, and asked for support for African political parties and Rhodesian liberation movements from international organizations until the conference actually convened.¹³¹

The representative of Senegal* pointed out that the Council had the means to ensure compliance with its decisions and that it should decide to use the resources available under Chapter VII of the Charter.¹³²

At the 1664th meeting on 28 September 1972, the representative of Kenya* appealed to the United States to reimpose the embargo on chrome and other Rhodesian products and urged the Council to ensure the implementation of a number of major objectives, in promoting majority rule in Rhodesia: the preservation of international peace and security as well as of the political independence and territorial integrity of the free African States, in particular Zambia and Tanzania; further, the dismantling of the *apartheid* front of South Africa, Portugal and Rhodesia, the termination of supplies of military hardware to the racist régimes in southern Africa, and increased assistance to African liberation movements. His Government specifically recommended the following steps to be taken by the Council: the convocation of a constitutional conference of all interested parties in Southern Rhodesia under the aegis of the United Nations; the strengthening and more effective application of the sanctions; the confiscation of Rhodesian exports at the place of entry into the importing country; the refusal of landing rights to airlines that landed at Salisbury and whose Governments permitted Rhodesian planes to land in their countries; the rupture of all postal, telegraphic and other communications with Rhodesia; the expulsion of South African military units and police contingents from Rhodesia; guarantees of protection to all bordering States in fear of aggression from Southern Rhodesia, South Africa and Portugal; and the release of all political prisoners and detainees in Southern Rhodesia.¹³³

The representative of Guinea recalled the proposals by the African members of the Council to extend the sanctions to South Africa and Portugal because of their violations of Article 25 of the Charter. The closure of the two ports of Beira and Lourenço-Marques would more definitely affect the economy of the illegal régime in Rhodesia. Therefore the Council should adopt a resolution extending sanctions to the régimes of South Africa and Portugal. Moreover, the Council should intensify the sanctions and ensure their strict application, although the people of Zimbabwe know that they would be the first victims of such an intensification. He concluded that his delegation remained convinced that it was for the United Kingdom, the administrative Power, in the first instance to take all necessary measures, including the use of force, to put an end to the rebel régime and to ensure the self-determination of the people of Zimbabwe.¹³⁴

¹²⁶ S/10802, OR, 27th yr., Suppl. for July-Sept. 1972, p. 107.

¹²⁷ 1663rd meeting, following the President's opening statement.

¹²⁸ *Ibid.*, intervention by Morocco.

¹²⁹ *Ibid.*, intervention by Zambia.

¹³⁰ *Ibid.*, intervention by Mauritania.

¹³¹ *Ibid.*, intervention by Algeria.

¹³² *Ibid.*, intervention by Senegal.

¹³³ 1664th meeting, paras. 4-38.

¹³⁴ *Ibid.*, paras. 63-81.

The representative of Sudan stated that in view of the profound importance of the question of Rhodesia to world peace and the United Nations the organization had to decide whether to continue the current unsuccessful programmes or to try to turn the present sanctions into full-scale economic warfare in order to achieve its objectives. He called for the convocation of a constitutional conference involving the genuine representatives of the people of Southern Rhodesia. He urged the Council to increase the role of the United Nations in policing the sanctions which would involve placing observers at the ports of major importers from Rhodesia to verify the true origin of raw material shipped under forged documents and would also include further tight surveillance of the port of Beira by the United Kingdom or some other members of the Council. The United Nations should publicize the methods and the names of countries which flout the sanctions, and the Council should agree that any cargo from Rhodesia had to be impounded by the Government of the port of call.¹³⁵

The representative of the USSR called for the termination of any violations of sanctions adopted under Chapter VII of the Charter and binding upon all States. His delegation supported fully the demand of the African States concerning the expansion of the sanctions against Southern Rhodesia, in particular through the application of measures under Article 41 of the Charter, such as the complete interruption of radio, telephonic and telegraphic communications and of any other ties with Southern Rhodesia. No dialogue or compromise with the Smith régime, but the immediate replacement of that régime by the democratic rule of the people of Zimbabwe was necessary.¹³⁶

At the 1665th meeting on 29 September 1972, the representative of Nigeria also emphasized the need to strengthen and expand sanctions and to establish a more effective system of enforcement including the ability to act swiftly against any country breaking the sanctions. He joined previous speakers in calling for the convening of a constitutional conference representing all peoples of Zimbabwe.¹³⁷

The President speaking as the representative of China proposed that the Council should reaffirm the right of the people of Zimbabwe to immediate national independence; condemn the white régime for its repressive policy against the Rhodesian régime and extend them to South Africa and Portugal; severely condemn all violations of the sanctions against Rhodesia, including continued United States imports of chrome and nickel from Rhodesia; and call upon all countries to render stronger assistance and support to the people of Zimbabwe.¹³⁸

At the same meeting the representative of Somalia introduced two draft resolutions¹³⁹ co-sponsored by Guinea, Somalia and Sudan, in order to get the Council to

commit itself to firm political and coercive action. The second draft resolution (S/10805) provided *inter alia* that the Council would reaffirm the inalienable right of the people of Southern Rhodesia to self-determination and independence and the legitimacy of their struggle to secure the enjoyment of their rights; would also (1) reaffirm the principle that there should be no independence before majority rule in Zimbabwe; (2) call upon the Government of the United Kingdom not to transfer or accord to the illegal régime any of the powers or attributes of sovereignty, and urge it to promote the country's attainment of independence by a democratic system of government in accordance with the aspirations of the majority of the population; (3) urge the United Kingdom to convene as soon as possible a national conference in which the genuine political representatives of the people of Zimbabwe would be able to work out a settlement relating to the future of the Territory for subsequent endorsement by the people through free and democratic processes; (4) call upon the United Kingdom Government to create the conditions necessary to permit the free expression of the right to self-determination, including: (a) the release of all political prisoners, detainees and restrictees, (b) the repeal of all repressive discriminatory legislation, (c) the removal of all restrictions of political activity and the establishment of full democratic freedom and equality of political rights; (5) further, call on the United Kingdom Government to ensure that in any exercise to ascertain the wishes of the people of Zimbabwe as to their political future, the procedure to be followed should be in accordance with the principle of universal adult suffrage and by secret ballot on the basis of one-man one-vote without regard to race, colour or to considerations of education, property or income; (6) condemn the United Kingdom Government for its failure to take effective measures to bring an end to the illegal régime in Zimbabwe; (7) call upon all States to give full support and co-operation to the United Nations in all measures designed to enforce strictly the mandatory sanctions imposed by the Security Council in accordance with the obligations assumed by Member States under Article 25 of the Charter of the United Nations.

In conclusion, the representative of Somalia declared that the sponsors considered the proposals of the two draft resolutions to be eminently reasonable, that they hoped for their unanimous adoption by the Council and that they welcomed comments and suggestions from other members of the Council.¹⁴⁰

At the 1666th meeting on 29 September 1972, the representative of India stated that as long as the great Powers did not agree on effective steps to overthrow the illegal régime in Rhodesia, the Council could do very little to promote the solution of the Zimbabwe problem. He recalled his delegation's proposals made in this respect at Addis Ababa and suggested that the Council should set up suitable machinery to consider and implement these and other ideas. Turning to the two draft resolutions he put forth several amendments to the second one (S/10805): in paragraph 4, the phrase "calls upon the United Kingdom Government to create the conditions ..." was unrealistic and should be changed into "calls upon the United Kingdom Government to try its utmost to bring about conditions necessary ...", and paragraph 6 was unacceptable

¹³⁵ 1664th meeting, paras. 94-135.

¹³⁶ *Ibid.*, paras. 169-187.

¹³⁷ 1665th meeting, intervention by Nigeria.

¹³⁸ *Ibid.*, statement by President as representative of China.

¹³⁹ S/10804, *OR*, 27th yr., *Suppl. for July-Sept. 1972*, p. 108, subsequently adopted with minor changes as resolution 320 (1972), and S/10805, *ibid.*, pp. 108-109.

¹⁴⁰ 1665th meeting, intervention by Somalia.

to his delegation and should be deleted because to condemn any Government would contribute nothing; because the British Government had made it clear that it could not bring about the fall of the illegal régime in Zimbabwe short of using force and that it would not use force; and because such a condemnation would raise the question of what the Council had done to find a solution in Zimbabwe.¹⁴¹

The representative of the United States held that it was not appropriate for the Council to urge the United Kingdom to take measures that required the use of force. After a detailed review of the manner in which the sanctions against Rhodesia were covertly violated by many States, he reiterated his delegation's wish for a more systematic pursuit of all sanctions violations in terms of the total Rhodesian trade and warned that if the Council was serious about making sanctions work, it should avoid any one-sided approach and refrain from singling out the United States Government or any other Government without reference to the total problem.¹⁴²

The representative of the United Kingdom, commenting on the suggestion for a constitutional conference, declared that after the upsurge of political activity in Southern Rhodesia during the presence of the Pearce Commission there had to be time for reflection and it was for the Rhodesians themselves to solve their own problems. Hence, compromise was the only way forward, and the proposal for a constitutional conference had to be seen in this light. It would not be practicable for his Government to call for a conference without the acquiescence of the Smith régime. The call for the conference was more likely to hamper than to help the process of consultation inside Rhodesia. Since his Government would not accept directives that would bind it to impractical courses of action, his delegation could not accept the provisions of the draft resolution in document S/10805. With regard to the draft resolution (S/10804) on sanctions, it contained no proposals that would advance the work of the Sanctions Committee which could best fulfil a meaningful role if it adhered to its mandate under resolution 253 (1968).¹⁴³

The representative of Somalia deplored the fact that the draft resolution S/10805 did not meet with the approval of the United Kingdom Government; responsibility rested with the United Kingdom, but certain guidelines for political action, e.g. the principle of "one man, one vote", had to be established and used to guide the Council in dealing with the situation in Southern Rhodesia. He hoped the United Kingdom Government would reconsider its position. In order to complete the consultations about the two draft resolutions, he asked for a brief suspension of the meeting.¹⁴⁴

Following the suspension of the meeting, the representative of Somalia presented the amendments that the sponsors had accepted. In draft resolution S/10804, the revisions, aside from two minor changes in the preamble, affected paragraphs 3, 4 and 5. In paragraph 3, the expression "calls upon the United States" would be changed to "urges the United States"; in paragraph 4 the phrase

"including action under Chapter VII of the Charter" would be deleted and the words "and to report to the Council not later than 31 January 1973" were to be added at the end of the paragraph. In paragraph 5, the date "1 December 1972" should be replaced by "31 January 1973" and the "1664th, 1665th and 1666th" meetings should be added after "the 1663rd". With regard to draft resolution S/10805, the sponsors had accepted two minor changes in the preamble and in paragraph 4, first line, after the words "United Kingdom Government" the phrase "... to try its utmost to bring about ..." should be added and the words "to create" deleted. Paragraph 6 should be deleted in its entirety. In paragraph 7, "all measures" should read "effective measures". In conclusion, the representative proposed on behalf of the sponsors that all references to Southern Rhodesia should carry in parenthesis also the name "Zimbabwe", and expressed hope that the draft resolutions would now be acceptable to all members including those who had expressed reservations.¹⁴⁵

At the same meeting the draft resolution S/10804/Rev.1 was adopted by 13 to none with 12 abstentions.¹⁴⁶ The resolution read as follows:

The Security Council,

Recalling its resolution 253 (1968) of 29 May 1968 and subsequent resolutions in which all States are required to implement and make effective the economic, political and other sanctions against Southern Rhodesia (Zimbabwe) decided upon by the Council in furtherance of the objective of ending the rebellion in that territory,

Taking into account its resolutions 314 (1972) of 28 February 1972 and 318 (1972) of 28 July 1972 concerning the co-operation and obligations of States and the measures necessary to ensure the scrupulous observance and strict implementation of sanctions,

Deeply concerned that, despite their obligations under Article 25 of the Charter of the United Nations, several States continue to violate sanctions covertly and overtly in contravention of the provisions of resolution 253 (1968),

Gravely concerned about the detrimental consequences which violations could cause to the effectiveness of sanctions and, in the wider sense, to the authority of the Council,

Deeply concerned by the report of the United States of America that it has authorized the importation of chrome ore and other minerals from Southern Rhodesia (Zimbabwe),

Condemning the refusal of South Africa and Portugal to co-operate with the United Nations in the observance and implementation of sanctions against Southern Rhodesia (Zimbabwe),

1. *Reaffirms* its decision that sanctions against Southern Rhodesia (Zimbabwe) shall remain fully in force until the aims and objectives set out in resolution 253 (1968) are completely achieved;

2. *Calls upon* all States to implement fully all Security Council resolutions establishing sanctions against Southern Rhodesia (Zimbabwe), in accordance with Article 25 and Article 2, paragraph 6, of the Charter of the United Nations;

3. *Urges* the United States of America to co-operate fully with the United Nations in the effective implementation of sanctions;

4. *Requests* the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to undertake, as a matter of urgency, consideration of the type of action which could be taken in view of the open and persistent refusal of South Africa and Portugal to implement sanctions against the illegal régime in Southern Rhodesia (Zimbabwe) and to report to the Council not later than 31 January 1973;

¹⁴¹ 1666th meeting, paras. 5-24.

¹⁴² *Ibid.*, paras. 53-74.

¹⁴³ *Ibid.*, paras. 75-89.

¹⁴⁴ *Ibid.*, paras. 90-98.

¹⁴⁵ *Ibid.*, paras. 100-113.

¹⁴⁶ *Ibid.*, para. 115. Adopted as resolution 320 (1972).

5. *Further requests* the Committee to examine and submit a report to the Security Council not later than 31 January 1973 on all proposals and suggestions made at the 1663rd to 1666th meetings of the Council for extending the scope and improving the effectiveness of sanctions against Southern Rhodesia (Zimbabwe).

Then the Council voted on the draft resolution S/10805/Rev.1 for which the representative of Somalia requested separate votes on paragraphs 1 and 5.¹⁴⁷ Paragraph 1 received 10 votes in favour, 1 against, with 4 abstentions and failed of adoption, owing to the negative vote of a permanent member; paragraph 5 also received 10 votes in favour, 1 against, with 4 abstentions and failed of adoption, owing to the negative vote of a permanent member. The draft resolution as a whole also received 10 votes in favour, 1 against, with 4 abstentions and was not adopted, owing to the negative vote of a permanent member.¹⁴⁸

The representative of the United States, speaking in explanation of the vote, stated that his delegation abstained in the vote on S/10804, because given United States law it could not vote for the call by the Council with regard to sanctions across the board. His delegation also abstained on S/10805, because it agreed with other members of the Council that at this juncture all elements in Southern Rhodesia needed to remain in contact and jointly seek a solution to the present impasse. His delegation did not consider force to be an appropriate or effective instrument to resolve the Rhodesian or any other southern African problem; it regarded the steps taken by the Rhodesian régime to suppress the advocates of peaceful and constructive change as exacerbating the difficult situation. His delegation recognized that a constitutional conference would be impracticable under present conditions, but it hoped that such a conference representing all African and European Rhodesians could eventually be called.¹⁴⁹

In explaining his delegation's abstention on S/10805, the representative of France called upon the Council to render justice to the political will affirmed by the United Kingdom, to abstain from useless criticism, to refuse to go beyond reaffirming its general purposes and to refrain from putting itself in the place of the administering Power.¹⁵⁰

The representative of Belgium expressed his appreciation to the sponsors of S/10804 for deleting the reference to Chapter VII from paragraph 4, since it would have prejudged the outcome of the discussions in the Sanctions Committee. With regard to S/10805, his delegation abstained in the vote as it did not believe that the specific terms in paragraph 5 could be set by the Council.¹⁵¹

The representative of Sudan deplored the United Kingdom's abstention on S/10804, paragraph 5 of which merely asked the Committee to study proposals for strengthening the sanctions. This mandate was the least the Council could ask, considering the slow and often evasive procedure in the Committee.¹⁵²

The representative of Somalia pointed out that the United Kingdom and the four delegations which decided to abstain represented only one-third of the membership of the Council. In order to show that this one-third did not bear any relation to the number of those supporting draft resolution S/10805, the African Group of States would submit this document with the necessary amendments to the General Assembly for its vote for or against the basic political and human rights contained in the vetoed resolution.¹⁵³

The President speaking as the representative of China stated that although his delegation had supported both draft resolutions, it had reservations concerning paragraph 3 of S/10805, urging the British Government to convene a constitutional conference, because his Government had consistently held that, according to the principles of the Charter and the universal desire of the Zimbabwe people, the people of Zimbabwe should be given energetic support to achieve the immediate independence of Zimbabwe.¹⁵⁴

Decision of 22 May 1973 (1716th meeting): resolution 333 (1973)

Decisions of 22 May 1973 (1716th meeting):

Rejection of three-Power draft resolution

By letter¹⁵⁵ dated 8 May 1973 addressed to the President of the Council, the representatives of Guinea and Kenya requested a meeting of the Council at the earliest possible time to consider the second special report¹⁵⁶ of the Sanctions Committee.

At its 1712th meeting on 14 May 1973, the Council included the letter and the report in its agenda and adopted the agenda.¹⁵⁷ At the 1713th meeting the representative of Somalia was invited, at his request, to participate in the discussion without the right to vote.¹⁵⁸ The Council considered the issue at the 1712th to 1716th meetings from 14 to 26 May 1973.

At the 1712th meeting the representative of Guinea speaking as Chairman of the Committee presented the special report to the Council. She recalled that five years had elapsed since the adoption of sanctions by the Council and that justice had still not come to the African people in Southern Rhodesia. She deplored that the members of the Committee had failed to agree to the set of 24 proposals submitted by the African members who considered these points pertinent and reasonable. These proposals had been relegated to part IV of the report, although they were not exorbitant. The African delegations had recommended that exports from South Africa, Angola and Mozambique be closely controlled to increase the risks for cheating firms; that all States refuse landing rights to national carriers of the countries still granting landing rights to aircraft coming from Rhodesia or maintaining air services to that territory; that all States adopt legislation forbidding insurance cover-

¹⁴⁷ 1666th meeting, para. 117.

¹⁴⁸ *Ibid.*, paras. 119-121.

¹⁴⁹ *Ibid.*, paras. 126-127.

¹⁵⁰ *Ibid.*, paras. 131-132.

¹⁵¹ *Ibid.*, paras. 133-138.

¹⁵² *Ibid.*, paras. 144-145.

¹⁵³ *Ibid.*, paras. 152-153.

¹⁵⁴ *Ibid.*, paras. 157-158.

¹⁵⁵ S/10925, OR, 28th yr., Suppl. for April-June 1973, p. 36.

¹⁵⁶ S/10920 and Corr.1, *ibid.*, pp. 25-30. The report was submitted to the Council on 15 April 1973.

¹⁵⁷ 1712th meeting, following para. 1.

¹⁵⁸ 1713th meeting, para. 1.

age for flights to and from Rhodesia; that States prohibit shipping companies from carrying goods to or from Rhodesia and prohibit insurance coverage for such goods; that the blockade of Beira be extended to Lourenço Marques and that some States Members contribute to the British patrols; that States report to the Committee their current sources of supply for products they imported from Rhodesia before the imposition of sanctions; and that the Council call upon the United States to rescind its law permitting violation of the sanctions. She then turned to part III of the special report containing unanimous recommendations for measures to be taken by Governments, by the Committee or by the Secretary-General, and explained in greater detail the most important proposals. She concluded by expressing hope that at least these modest measures would be adopted by the Council.¹⁵⁹

The representative of Yugoslavia also voiced regret that the Committee was not able to submit stronger recommendations for action in view of the open defiance by South Africa and Portugal. The African proposals on this and the other points should be seriously considered by the Council for approval as essential for the effective implementation of the sanctions.¹⁶⁰

At the 1713th meeting on 16 May 1973, the representative of Somalia* strongly supported the African proposals in parts III and IV of the special report and called them the absolute minimum that should be expected from the Council. He also endorsed the Russian and Chinese proposals as the optimum approach to the Rhodesian problem. He urged the Council to continue the sanctions and not to abandon its commitment to the efforts of establishing a just society in the Territory.¹⁶¹

At the same meeting the representative of the United States stated that what was required was to make the sanctions more effective rather than to expand them and that the Committee for the first time had come to grips with some of the stumbling blocks to full implementation. The agreed suggestions in the report offered a serious prospect of making sanctions more effective and were fully supported by his delegation. He expressed his appreciation to the African delegations for the proposals which they submitted to the Committee with the purpose of obtaining wider compliance with sanctions. His delegation could not accept all of them because they raised certain practical and legal difficulties.¹⁶²

The representative of France supported the recommendations in part III of the report and noted that they were within the terms of reference of the Committee. But his delegation could not agree with certain proposals in part IV, particularly those declaring a kind of economic war on southern Africa as a whole. No political solution could be obtained without the administering Power which he hoped would continue to seek a settlement leading Rhodesia to self-determination in accordance with the freely expressed wishes of the population.¹⁶³

At the 1714th meeting on 17 May 1973, the representative of Kenya said that the proposals in Part III of the Committee report were nothing but stop-gap measures designed to boost African morale which would do little to help the people in Rhodesia. Therefore, the African delegations intended to pursue in the Council itself the set of suggestions which were contained in part IV and would put the severest pressure on the illegal régime. He briefly reviewed the major proposals and emphasized in particular the need for the Committee to assume an activist role of forestalling the violation of sanctions and for that purpose to be authorized to deal with the companies and with non-governmental organizations like chambers of commerce, trade unions and employers' organizations directly and no longer through the Governments.

Then he introduced two draft resolutions¹⁶⁴ jointly submitted by Guinea, Kenya and Sudan, and explained that each of them corresponded to a clearly stated task in paragraphs 4 and 5 of resolution 320 (1972). The first draft resolution (S/10927) dealt with the issue of extending the scope and improving the effectiveness of sanctions following the African proposals in part IV of the Committee report. The second draft resolution (S/10928) contained measures to counter South Africa's and Portugal's defiance of sanctions.¹⁶⁵ It provided that the Council would in the preamble reiterate its concern that its sanctions had failed so far, and its conviction that the sanctions could not terminate the illegal régime unless they were comprehensive, mandatory and effectively supervised and unless measures were taken against States which violated them, and would reaffirm that effective action had to be taken to end South Africa's and Portugal's refusal to implement the sanctions which undermined the effectiveness of these measures and constituted a violation of their obligations under Article 25 of the Charter, it further provided that the Council would (1) decide that all States should limit any purchase of chromium ores, asbestos, tobacco, pig iron, copper, sugar, maize and any products from South Africa, Mozambique and Angola to the quantitative levels prevailing in 1965; (2) request States to take the necessary measures, including enacting legislation denying or revoking landing rights to national carriers of countries that continue to grant such rights to aircraft from Southern Rhodesia or operate air services to Southern Rhodesia; (3) decide to extend the Beira blockade to cover all commodities and products from or destined for Southern Rhodesia to the port of Lourenço Marques; (4) urge the Government of the United Kingdom, as the administering Power, to take all effective measures to implement fully paragraph 3 above and to seek co-operation of other States in this task; and (5) condemn all those Governments, in particular South Africa and Portugal, that encouraged, assisted or connived at any violation of sanctions against Southern Rhodesia.

The representative of the USSR recalled the resolution of the Committee of Twenty-Four adopted on 27 April 1973 in which the Council was urged to expand its sanctions against the illegal régime in Southern Rhodesia by including all the measures under Article 41 of the Charter. The same body had also recommended to consider the

¹⁵⁹ 1712th meeting, paras. 5-33.

¹⁶⁰ *Ibid.*, paras. 45-47.

¹⁶¹ 1713th meeting, paras. 10-15.

¹⁶² *Ibid.*, paras. 31-37.

¹⁶³ *Ibid.*, paras. 68-69.

¹⁶⁴ S/10927, adopted without change as resolution 333 (1973). S/10928, *OR*, 28th yr., *Suppl. for April-June 1973*, p. 36.

¹⁶⁵ 1714th meeting, paras. 4-33.

application of sanctions against Portugal and South Africa. The Council could not disregard these insistent demands. He also reiterated his delegation's proposals to decide that all States cease their purchases in South Africa, Mozambique and Angola of goods which were the main Rhodesian export items, to introduce a compulsory embargo upon the sale to South Africa and Portugal of petroleum and petroleum products as well as a complete weapons embargo including the transfer of technology, and to expand the sanctions against Southern Rhodesia and in conformity with Article 41 to suspend all communications with Southern Rhodesia. In conclusion he welcomed the two draft resolutions and indicated his delegation's support for all effective measures.¹⁶⁶

At the beginning of the 1715th meeting on 18 May 1973, the President announced that Australia, India, Indonesia, Panama, Peru and Yugoslavia had joined the three African delegations as co-sponsors of draft resolution S/10927 and that Indonesia, Panama and Yugoslavia were also co-sponsoring document S/10928.¹⁶⁷

At the same meeting the representative of China urged the Council to adopt the reasonable African proposals as preliminary measures to strengthen the sanctions against Southern Rhodesia, to condemn and extend the sanctions to South Africa and Portugal, and to condemn those big Powers who violated the sanctions against Southern Rhodesia. His delegation would vote for the two draft resolutions.¹⁶⁸

The representative of the United Kingdom stated that paper sanctions which amounted to a declaration of economic warfare against the whole of Southern Africa and which his Government could not countenance would achieve nothing; instead, the existing comprehensive sanctions should be properly applied. The African proposals in part IV of the report could be implemented only if it was an easy matter to establish an evasion of the sanctions. As this was not the case, the *bona fide* trader would unjustly suffer, whereas the trader bent on breaking the sanctions could rely on not being found out. Therefore, it was at the point of the arrival of goods that action had to be taken to detect the evasions, and effective methods were available to carry out these controls. With regard to draft resolution S/10927 he expressed regret that the African delegations had gone beyond what had been agreed upon in part III of the report. Those recommendations were warmly supported by his delegation, but due to the inclusion of proposals which it regarded as inappropriate his delegation would have to abstain on the draft resolution as a whole.¹⁶⁹

The representative of Kenya pointed out that the sponsors had replaced the word "proposals" in paragraphs 1 and 2 of draft resolution S/10927 with the word "suggestions".¹⁷⁰

After addressing the Council as representative of Sudan the President proposed to proceed to vote on the two draft

resolutions in accordance with rule 31, paragraph 1 of the provisional rules of procedure.¹⁷¹

Upon request of the representative of Kenya the President suspended the meeting briefly to permit consultations.¹⁷² When the meeting was resumed, the representative of Kenya requested that the meeting be adjourned, so that his delegation and others could prepare themselves to challenge the impending veto against one of the draft resolutions.¹⁷³ Since there were no objections, the President declared the meeting of the Council adjourned.¹⁷⁴

At the 1716th meeting on 22 May 1976, the representative of Kenya emphasized that the two draft resolutions were merely answers to the mandate issued by the Council in resolution 320 (1972) and that they were sponsored by numerous delegations, and he called for unanimous adoption of the drafts by the Council. With regard to the veto to be cast against the document in S/10928 he pointed out that it would be exercised to thwart Council action against South Africa and Portugal although their defiance of the sanctions policy had been condemned by the Council as a threat to international peace and security.¹⁷⁵

The Council proceeded then to vote on the two draft resolutions in accordance with rule 32, paragraph 1 of the provisional rules of procedure. The draft resolution S/10927 was adopted by 12 votes to none, with 3 abstentions.¹⁷⁶

The resolution read as follows:

The Security Council,

Recalling its resolutions 320 (1972) of 29 September 1972 and 328 (1973) of 10 March 1973,

Noting that measures so far instituted by the Security Council and the General Assembly have not brought to an end the illegal régime in Southern Rhodesia,

Reiterating its grave concern that some States contrary to Security Council resolutions 232 (1966) of 16 December 1966, 253 (1968) of 29 May 1968 and 277 (1970) of 18 March 1970 and to their obligations under Article 25 of the Charter of the United Nations, have failed to prevent trade with the illegal régime in Southern Rhodesia,

Condemning the persistent refusal of South Africa and Portugal to co-operate with the United Nations in the effective observance and implementation of sanctions against Southern Rhodesia (Zimbabwe) in clear violation of the Charter of the United Nations,

Having considered the second special report of the Committee established in pursuance of resolution 253 (1968) (S/10920 and Corr.1),

Taking note of the letter dated 27 April from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (S/10923),

1. *Approves* the recommendations and suggestions contained in paragraphs 10 to 22 of the second special report of the Committee established in pursuance of resolution 253 (1968);

2. *Requests* the Committee, as well as all Governments, and the Secretary-General as appropriate, to take urgent action to implement recommendations and suggestions referred to above;

¹⁶⁶ 1714th meeting, paras. 54-78.

¹⁶⁷ 1715th meeting, para. 2.

¹⁶⁸ *Ibid.*, paras. 13-16.

¹⁶⁹ *Ibid.*, paras. 19-30.

¹⁷⁰ *Ibid.*, para. 44.

¹⁷¹ *Ibid.*, para. 62.

¹⁷² *Ibid.*, para. 65.

¹⁷³ *Ibid.*, paras. 66-67.

¹⁷⁴ *Ibid.*, para. 68.

¹⁷⁵ 1716th meeting, paras. 20-25.

¹⁷⁶ *Ibid.*, para. 35. Adopted as resolution 333 (1973).

3. *Requests* States with legislation permitting importation of minerals and other products from Southern Rhodesia to repeal it immediately;

4. *Calls upon* States to enact and enforce immediately legislation providing for the imposition of severe penalties on persons natural or juridical that evade or commit breach of sanctions by:

(a) Importing any goods from Southern Rhodesia;

(b) Exporting any goods to Southern Rhodesia;

(c) Providing any facilities for transport of goods to and from Southern Rhodesia;

(d) Conducting or facilitating any transaction or trade that may enable Southern Rhodesia to obtain from or send to any country any goods or services;

(e) Continuing to deal with clients in South Africa, Angola, Mozambique, Guinea (Bissau) and Namibia after it has become known that the clients are re-exporting the goods or components thereof to Southern Rhodesia, or that goods received from such clients are of Southern Rhodesian origin;

5. *Requests* States, in the event of their trading with South Africa and Portugal, to provide that purchase contracts with those countries should clearly stipulate, in a manner legally enforceable, the prohibition of dealing in goods of South Rhodesian origin; likewise, sales contracts with these countries should include a prohibition of resale or re-export of goods to Southern Rhodesia;

6. *Calls upon* States to pass legislation forbidding insurance companies under their jurisdiction from covering air flights into and out of Southern Rhodesia and individuals or air cargo carried on them;

7. *Calls upon* States to undertake appropriate legislative measures to ensure that all valid marine insurance contracts contain specific provisions that no goods of Southern Rhodesian origin or destined to Southern Rhodesia shall be covered by such contracts;

8. *Calls upon* States to inform the Committee established in pursuance of resolution 253 (1968) on their present sources of supply and quantities of chrome, asbestos, nickel, pig iron, tobacco, meat and sugar, together with the quantities of these goods they obtained from Southern Rhodesia before the application of sanctions.

The second draft resolution S/10928 received 11 votes in favour, 2 against, and 2 abstentions and failed of adoption, owing to the negative votes of two permanent members.¹⁷⁷

The representative of the United States, speaking in explanation of vote, stated that the second draft resolution (S/10928) included several proposals on which his delegation and others had expressed strong reservations in the Committee discussions. His delegation considered it unrealistic to call for broader sanctions until all members of the United Nations had demonstrated their willingness to take more seriously the sanctions already in force. In these circumstances his delegation did not believe that the draft resolution would enhance the ability of the United Nations to act effectively. The adoption of a resolution which was clearly unenforceable would seriously damage the reputation of the United Nations and further erode public confidence in its ability to act in a meaningful way. These considerations were the only reason for his Government's decision to vote against the draft resolution.¹⁷⁸

THE SITUATION IN THE MIDDLE EAST

Decision of 28 February 1972 (1644th meeting): resolution 313 (1972)

¹⁷⁷ 1716th meeting, para. 48.

¹⁷⁸ *Ibid.*, paras. 86-87.

By letter¹⁷⁹ dated 25 February 1972 addressed to the President of the Security Council, the representative of Lebanon complained about a large-scale air and ground attack by Israel against Lebanon on the morning of the same day and requested an urgent meeting of the Security Council in view of the extreme gravity of the situation endangering the peace and security of Lebanon.

By letter¹⁸⁰ dated 25 February 1972 addressed to the President of the Security Council, the representative of Israel, after referring to his previous letter dated 24 February,¹⁸¹ complained about a further attack by terrorists from Lebanese territory against an Israeli Border Police patrol as a result of which one Israeli was killed and eight wounded. He stated that in face of this and other attacks Israel was compelled to take action in self-defence against encampments of the terrorists on 25 February. In view of the gravity of the continuing armed attacks against Israel he requested an urgent meeting of the Security Council.

At its 1643rd meeting on 26 February 1972, the Council included the complaints by Lebanon and Israel in the agenda listing each separately under the item "The Situation in the Middle East". Following the adoption of the agenda, the representatives of Lebanon and Israel,¹⁸² and subsequently those of the Syrian Arab Republic and of Saudi Arabia¹⁸³ were invited, at their request, to participate without the right to vote in the discussion of the item which was considered at the 1643rd and 1644th meetings, held on 26 and 27 February 1972.

At the 1463rd meeting the representative of Lebanon* charged that on 25 February a battalion of the Israeli armed forces, composed of 60 tanks and armoured cars and supported by air force and infantry units, had entered Lebanese territory and attacked several Lebanese villages. The Israeli air force also bombarded other villages causing death and destruction. On the same day, Israel had delivered a warning to Lebanon through the Mixed Armistice Commission that the Israeli action was in response to terrorist activities from Lebanese soil against Israel and that Israel would continue its incursions into Lebanon if the terrorist activities did not cease. The representative of Lebanon also reported that Israeli aggression was continuing. Recalling previous resolutions of the Security Council condemning Israel's attacks against Lebanon, he deplored Israel's defiance of the authority of the Security Council and its course of aggression threatening the territorial integrity and the peace of Lebanon. He rejected Israel's attempt to hold the Lebanese responsible for the resistance by Palestinians against the illegal Israeli occupation. If Israel had not paralysed the Mixed Armistice Commission, reliable information on the origin of the incidents in Israeli held territories would be available. No border control, even if exercised with utmost care as in the Lebanese case, could be flawless, as experience all over the world demonstrated.

¹⁷⁹ S/10546, *OR*, 27th yr., *Suppl. for Jan.-March 1972*, p. 53.

¹⁸⁰ S/10550, *ibid.*, p. 57.

¹⁸¹ S/10543, *ibid.*, p. 51.

¹⁸² 1643rd meeting, para. 2.

¹⁸³ *Ibid.*, paras. 76-77.