



**REPORT  
OF THE  
SECURITY COUNCIL**

---

**16 June 1971—15 June 1972**

**GENERAL ASSEMBLY  
OFFICIAL RECORDS : TWENTY-SEVENTH SESSION  
SUPPLEMENT No. 2 (A/8702)**

**UNITED NATIONS**



# **REPORT OF THE SECURITY COUNCIL**

---

**16 June 1971 — 15 June 1972**

**GENERAL ASSEMBLY  
OFFICIAL RECORDS : TWENTY-SEVENTH SESSION  
SUPPLEMENT No. 2 (A/8702)**



**UNITED NATIONS**

*New York, 1972*

## NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

## CONTENTS

	<i>Page</i>
INTRODUCTION .....	1

### *Part I*

#### **Questions considered by the Security Council under its responsibility for the maintenance of international peace and security**

##### *Chapter*

1. COMPLAINT BY SENEGAL .....	3
A. Communications to the Security Council and request for a meeting .....	3
B. Consideration at the 1569th to 1572nd meetings (12-15 July 1971) .....	3
C. Reports and communications received between 15 July and 29 September 1971 .....	6
D. Further consideration at the 1586th and 1599th to 1601st meetings (29 September and 23-24 November 1971) .....	6
E. Subsequent communications .....	10
2. COMPLAINT BY GUINEA .....	10
A. Consideration at the 1573rd and 1576th meetings (3 and 26 August 1971) .....	10
B. Reports and communications to the Council .....	11
C. Further consideration at the 1586th and 1603rd meetings (29 September and 30 November 1971) .....	12
3. THE SITUATION IN THE MIDDLE EAST .....	14
A. Communications, reports of the Secretary-General and discussion by the Council concerning the status of the cease-fire .....	14
B. Questions concerning the treatment of civilian populations in Israel-occupied territories and related matters .....	20
C. The situation in and around Jerusalem and its Holy Places .....	22
D. General statements and other matters brought to the attention of the Security Council in connexion with the situation in the Middle East .....	26
E. Activities of the Special Representative of the Secretary-General to the Middle East .....	28
4. THE SITUATION IN NAMIBIA .....	29
A. Communications to the Security Council and request for a meeting .....	29
B. Consideration at the 1583rd to 1585th, 1587th to 1589th, 1593rd to 1595th and 1597th to 1598th meetings (27 September-20 October 1971) .....	30
C. Subsequent communications .....	40
5. COMPLAINT BY ZAMBIA .....	40
A. Communications to the Security Council and request for a meeting .....	40
B. Consideration at the 1590th to 1592nd meetings (8-12 October 1971) ..	41
6. QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA .....	44
A. Communications to the Security Council and request for a meeting .....	44
B. Consideration at the 1602nd to 1605th, 1609th, 1622nd and 1623rd meetings (25 and 30 November, 2, 8, 29 and 30 December 1971) .....	45
C. Further communications to the Council .....	53
D. Consideration during the Council's meetings away from Headquarters....	53

## CONTENTS (continued)

<i>Chapter</i>	<i>Page</i>
E. Request for a meeting and consideration of the question concerning the situation in Southern Rhodesia and of the reports of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1-2 and S/10408) at the 1640th to 1642nd and 1645th meetings (16-25 and 28 February 1972) .....	53
F. Subsequent reports and communications .....	57
<b>7. THE SITUATION IN THE INDIA/PAKISTAN SUBCONTINENT .....</b>	<b>59</b>
A. Reports and communications to the Security Council from 20 July to 4 December 1971 .....	59
B. Request for a meeting and consideration at the 1606th to 1608th meetings (4-6 December 1971) .....	60
C. Reports and communications to the Security Council from 7 to 12 December 1971 .....	69
D. Consideration at the 1611th and 1613th to 1621st meetings (12-21 December 1971) .....	69
E. Reports and communications from 21 December 1971 to 15 June 1972 .....	79
<b>8. QUESTION CONCERNING THE ISLANDS OF ABU MUSA, THE GREATER TUNB AND THE LESSER TUNB .....</b>	<b>81</b>
<b>9. THE CYPRUS QUESTION .....</b>	<b>82</b>
A. Communications and reports received between 16 June and 13 December 1971 .....	82
B. Consideration at the 1612th and 1613th meetings (13 December 1971) ..	83
C. Communications and reports received between 13 December 1971 and 15 June 1972 .....	85
D. Consideration at the 1646th and 1647th meetings (15 June 1972) .....	87
<b>10. CONSIDERATION OF QUESTIONS RELATING TO AFRICA WITH WHICH THE SECURITY COUNCIL IS CURRENTLY SEIZED AND IMPLEMENTATION OF THE COUNCIL'S RELEVANT RESOLUTIONS .....</b>	<b>90</b>
A. Request of the Organization of African Unity (OAU) concerning the holding of meetings of the Council in an African capital .....	90
B. Meetings of the Security Council in Addis Ababa from 28 January through 4 February 1972 .....	93
C. Other communications .....	110

### **Part II**

#### **Other matters considered by the Security Council**

<b>11. ADMISSION OF NEW MEMBERS .....</b>	<b>112</b>
A. Application of Bahrain .....	112
B. Application of Qatar .....	112
C. Application of Oman .....	112
D. Application of the United Arab Emirates .....	112
<b>12. RECOMMENDATION FOR THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS .....</b>	<b>113</b>
<b>13. QUESTION CONCERNING THE HOLDING OF MEETINGS OF THE COUNCIL AWAY FROM HEADQUARTERS .....</b>	<b>113</b>

### **Part III**

#### **The Military Staff Committee**

<b>14. WORK OF THE MILITARY STAFF COMMITTEE .....</b>	<b>114</b>
---	------------

# CONTENTS (continued)

Chapter

Page

## Part IV

### Matters brought to the attention of the Security Council but not discussed in the Council during the period covered

15. COMMUNICATIONS CONCERNING THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF <i>apartheid</i> OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA .....	115
16. COMMUNICATIONS CONCERNING THE SITUATION IN TERRITORIES UNDER PORTUGUESE ADMINISTRATION .....	116
17. COMMUNICATION FROM MALTA .....	117
18. COMMUNICATIONS FROM THE KHMER REPUBLIC .....	117
19. COMMUNICATIONS CONCERNING VIET-NAM .....	118
20. COMMUNICATIONS FROM LAOS .....	120
21. COMMUNICATIONS CONCERNING THE STATUS OF OKINAWA .....	121
22. REPORTS ON THE STRATEGIC TRUST TERRITORY OF THE PACIFIC ISLANDS....	121
23. COMMUNICATION CONCERNING RELATIONS BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED STATES OF AMERICA .....	121
24. COMMUNICATION CONCERNING RELATIONS BETWEEN POLAND AND THE UNITED STATES OF AMERICA .....	122
25. COMMUNICATIONS CONCERNING RELATIONS BETWEEN IRAN AND IRAQ .....	122
26. COMMUNICATIONS CONCERNING RELATIONS BETWEEN OMAN AND THE PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN .....	123
27. COMMUNICATIONS CONCERNING DISARMAMENT .....	123
28. COMMUNICATION CONCERNING THE SITUATION CREATED BY INCREASING INCIDENTS INVOLVING THE HIJACKING OF COMMERCIAL AIRCRAFT .....	124
29. COMMUNICATIONS CONCERNING IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY .....	125
30. COMMUNICATIONS RELATING TO THE PRACTICES FOLLOWED IN CIRCULATING DOCUMENTS OF THE SECURITY COUNCIL .....	126
31. COMMUNICATION CONCERNING GENERAL ASSEMBLY RESOLUTION 2787 (XXVI) .....	126

## APPENDICES

I. Membership of the Security Council during the years 1971 and 1972 .....	127
II. Representatives and deputy, alternate and acting representatives accredited to the Security Council .....	127
III. Presidents of the Security Council .....	128
IV. Meetings of the Security Council during the period from 16 June 1971 to 15 June 1972 .....	128
V. Resolutions adopted by the Security Council during the period from 16 June 1971 to 15 June 1972 .....	133
VI. Meetings of subsidiary bodies of the Security Council during the period from 16 June 1971 to 15 June 1972 .....	134
VII. Representatives, chairmen and principal secretaries of the Military Staff Committee .....	134



## INTRODUCTION

1. The present report<sup>1</sup> is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

2. Essentially a summary and guide, reflecting the broad lines of the debates, the report is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations.

3. With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at its 1993rd plenary meeting on 23 November 1971, elected Guinea, India, Panama, Sudan and Yugoslavia as non-permanent members of the Security Council to fill the vacancies resulting from the expiration, on 31 December 1971, of the terms of office of Burundi, Nicaragua, Poland, Sierra Leone and the Syrian Arab Republic.

4. With respect to the representation of China, it may be recalled that at its 1976th plenary meeting held on 25 October 1971, the General Assembly adopted resolution 2758 (XXVI) reading as follows:

*"The General Assembly,*

*"Recalling the principles of the Charter of the United Nations,*

*"Considering that the restoration of the lawful rights of the People's Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter,*

*"Recognizing that the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the five permanent members of the Security Council,*

*"Decides to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it."*

5. The text of this resolution was communicated by the Secretary-General to the Security Council on 26 October 1971 (S/10378). On 2 November, pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General submitted a credentials report (S/10382) informing the Council that he had received a telegram dated 2 November 1971 from the Acting Minister of Foreign Affairs of the People's Republic of China stating that Mr. Huang Hua and Mr. Chen Chu had been appointed, respectively, representative and deputy representative of the People's Republic of China on the Security Council. At the 1599th meeting on 23 November, the first to be held by the Council following adoption of Assembly resolution 2758 (XXVI), the representatives of China were welcomed by the President and members of the Council.

6. Accordingly, references to the representatives of China in this report must be seen in the light of the aforementioned developments.

7. The period covered in the present report is from 16 June 1971 to 15 June 1972. The Council held seventy-nine meetings during that period.

---

<sup>1</sup> This is the twenty-seventh annual report of the Security Council to the General Assembly. The previous reports were submitted under the symbols A/93, A/366, A/620, A/945, A/1361, A/1873, A/2167, A/2437, A/2712, A/2935, A/3157, A/3648, A/3901, A/4190, A/4494, A/4867, A/5202, A/5502, A/5802, A/6002, A/6302, A/6702, A/7202, A/7602, A/8002 and A/8402.



## Part I

# QUESTIONS CONSIDERED BY THE SECURITY COUNCIL UNDER ITS RESPONSIBILITY FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

## Chapter I

### COMPLAINT BY SENEGAL

#### A. Communications to the Security Council and request for a meeting

8. In a letter dated 6 July (S/10251), the representative of Senegal complained of violations of his country's territorial integrity by the Portuguese regular armed forces based in Guinea (Bissau) that had resulted in death, injury and destruction. They included the laying of anti-tank and anti-vehicular mines, an attack on a Senegalese village and the overflight of Senegalese territory by Portuguese jet aircraft. In view of those incidents, together with those mentioned in two earlier letters to the Council dated 27 April and 16 June (S/10182 and S/10227), he requested an urgent meeting of the Security Council.

9. In a letter dated 10 July to the President of the Council (S/10255), the representative of Portugal rejected the Senegalese charges, expressed regret that Senegal had requested a meeting of the Council without first seeking to ascertain the truth of its charges through direct contact with Portugal and asserted that Senegal had not presented sufficient evidence to substantiate them. The letter added that Portugal had continued to suffer from aggressions that were due to facilities granted by Senegal to the African Independence Party of Guinea and Cape Verde (PAIGC), a subversive group organized in Senegalese territory that prepared armed attacks against Guinea (Bissau) and bore responsibility for all the problems that had arisen in their respective frontier areas.

10. Senegal's request for a meeting was supported by 37 African States, which, in a letter dated 12 July to the President of the Council (S/10259 and Add. 1-2), called for such measures to be taken by the Council as were necessary to ensure that Portugal conformed to the relevant resolutions of the Security Council and the General Assembly by putting an end to its flagrant acts of aggression and by granting self-determination and independence to its colonies in accordance with General Assembly resolution 1514 (XV).

#### B. Consideration at the 1569th to 1572nd meetings (12-15 July 1971)

11. At its 1569th meeting, on 12 July, the Security Council decided to include the item in its agenda and considered it at four meetings held between 12 and 15 July. At their request, the President invited the Minister for Foreign Affairs of Senegal and the representatives of Guinea, Mali, Sudan, Mauritania, Mauritius, Togo and Zambia to participate in the debate without the right to vote.

12. At the same meeting, the Minister for Foreign Affairs of Senegal said that the latest acts of aggression by Portuguese troops added to a long list of violations of his country's territorial integrity and were closely linked with Portuguese repression of the nationalist movements in Guinea (Bissau). He then detailed the various incidents that had occurred since April 1963 and asserted that Portuguese violence had now escalated and taken a new form in the laying of anti-tank and anti-personnel mines on Senegalese territory. All African States were convinced that Portugal was able to carry the crushing burden of its oppressive colonial policy only because of the support it received from its North Atlantic Treaty Organization (NATO) allies. He pointed out that despite all the aggression against Senegal, his Government had proposed a peace plan to end the armed struggle in Guinea (Bissau) between Portugal and the nationalists, which included an unconditional cease-fire to be followed by a period of internal autonomy for Guinea (Bissau) and, finally, by negotiated independence within the framework of a Portuguese-African community. The liberation movement had approved of the proposal, but there had been no acknowledgement from Portugal. His Government was now asking the Security Council to take effective measures against Portugal in accordance with paragraph 3 of resolution 273 (1969) of 9 December 1969.

13. The representative of Guinea recalled that in November 1970 Guinea had been the victim of Portuguese aggression and stated that Portugal was currently preparing for a new invasion of his country. He charged that, in its efforts to perpetuate colonialism on the African continent, Portugal had resorted to the use of incendiary bombs, napalm and defoliants. He felt that another resolution condemning Portugal for its conduct would be totally inadequate and hoped that the Council would take effective measures to put an end to the flagrant violation of the sovereignty and territorial integrity of Senegal.

14. At the 1570th meeting, on 13 July, the representative of Mali observed that, apart from the purely military aspect of the complaint by Senegal, it was clear that Portugal, in keeping with its desire for continued colonial domination, was endeavouring to create entire zones in Africa where dictatorship and arbitrary acts would prevent the political, economic and social evolution of the local people. He drew attention to the resolution adopted on 8 December by the Council of Ministers of the Organization of African Unity (OAU), which declared that the presence of Portuguese colonialism on the African continent was a serious threat to the peace and security of indepen-

dent African States, and added that the Security Council had now to take up Portugal's challenge with determination.

15. The representative of the Union of Soviet Socialist Republics said that in the struggle against the national liberation movements in Africa, Portuguese colonialism had joined with the South African and Rhodesian racists with the support and protection of its imperialist allies in the NATO alliance. By committing acts of aggression against Senegal, Portugal was grossly violating a primary provision of the Charter and of the Declaration on the Strengthening of International Security that Member States should refrain in their international relations from the threat or use of force against the territorial integrity of other States. Colonialism, racism and *apartheid* were by no means internal matters of Portugal, the Republic of South Africa and Rhodesia but permanent and dangerous sources of acute conflicts, wars and international tension, a challenge to all independent Africa and to progressive mankind as a whole that had to be completely eliminated. It was therefore a fundamental policy of his Government to give consistent support to peoples struggling for their national liberation against colonialism and racism. He urged that the Security Council, as the principal United Nations body responsible for international peace and security, take immediate vigorous measures against Portugal.

16. The representative of the Sudan, speaking in his capacity as the current Chairman of the Council of Ministers of OAU, drew attention to that organization's resolution on decolonization denouncing those NATO Powers that assisted Portugal in its wars of repression against the African peoples and strongly condemning the repeated and flagrant violations of the sovereignty and territorial integrity of Senegal by incursions of Portuguese regular troops and, particularly, by the laying of mines.

17. The representative of the Syrian Arab Republic observed that the resolutions adopted by the Security Council in 1963, 1965 and 1969, condemning Portugal's violations of the sovereignty and territorial integrity of Senegal, have served only to redouble Portugal's arrogance and defiance of the international community. The Council's resolution of 9 December 1969 had threatened Portugal with application of appropriate measures should its aggressive acts against Senegal be repeated. Was it not high time, he asked, for the Council to start putting those measures into effect and taking firm action to isolate the aggressor?

18. The representative of Poland said that the aggressiveness of Portuguese colonial policies in Africa had been particularly evident in the recent period and had manifested itself in major attempts to re-establish and consolidate colonial rule in Angola, Mozambique and Guinea (Bissau) through extensive use of military force, large-scale economic schemes and deceitful announcements of plans for constitutional reform. The peoples under Portuguese colonial rule had the right to be granted freedom and independence immediately. It was his delegation's view that the Council should condemn the Portuguese authorities and take all necessary measures to ensure that their acts of aggression were not repeated.

19. The representative of Mauritania stressed that it was the duty of the Security Council, in the face of the repeated aggression by Portugal against independent African States, to take vigorous measures to halt that

constant threat which weighed on peace and security in Africa.

20. The representative of Burundi said that the complaints against Portugal by Senegal and other neighbouring African States had been corroborated by various independent sources, including a fact-finding mission of the Commission on Human Rights, which had been welcomed by bombs. He observed that for a long time, both in the Security Council and in other bodies of the United Nations, the accusations levelled against Portugal had not been denied. Even in the current situation, Portugal did not have the courage to defend itself. Yet it obstinately adhered to a policy of annexation. The challenge it thus hurled at the United Nations must be taken up. It must be called to order and made to respect the inviolability of frontiers and of human freedom and equality.

21. At the 1571st meeting, on 14 July, the representatives of Mauritius, Togo and Zambia drew attention to the fact that Portuguese colonial policies in Angola, Mozambique and Guinea (Bissau) presented a continuing threat to the security of such neighbouring independent African States as the Congo, Guinea, Senegal, Tanzania, Zaire and Zambia. Mere condemnation of Portugal, they said, was not enough, and each called on the Council to take vigorous and effective action against Portugal under the pertinent provisions of the Charter. The representative of Zambia also deprecated the fact that the NATO Powers had chosen Lisbon as the venue for their Ministerial Council meeting in June 1970 and thereby implicitly certified the respectability of Portugal's colonialism and exploitation in Africa.

22. The representative of Belgium described the proposals made by Senegal for a settlement of the problems that existed between that country and Portugal as concrete and realistic and hoped that a dialogue might be initiated that would lead to a solution of those problems through negotiation. He believed that that was the right course to follow, as resort to violence had never brought about any final settlement of disputes.

23. The representative of Sierra Leone said that Senegal, like all members of OAU, had a moral obligation to assist the liberation movements in Africa. Following the adoption by OAU of a resolution to increase aid to African liberation movements, Portugal had intensified its acts of aggression. It had also shown contempt for the United Nations by its bombardment of Casamance while the group of experts appointed by the Human Rights Commission was making on-the-spot investigations. His Government felt that no further evidence of Portuguese hostility was necessary. However, to satisfy those who might still entertain some doubts on the matter, his Government would urge that a special mission of the Council be sent to investigate Senegal's complaints.

24. At the 1572nd meeting, on 15 July, the representative of Japan said that the first step that the Security Council ought to take should be an inquiry into the facts. He recalled, in that connexion, the previous year's precedent of a special mission sent by the Council to Guinea and favoured the immediate establishment of a similar fact-finding mission for the Senegalese charges. The mission, he said, should be given a broad mandate and should be able to conduct its business freely and independently, with the full co-operation of the authorities concerned.

25. The representative of Argentina referred to the previous complaints made by Senegal against Portugal and said that the Council was not confronted with a new or isolated case but a dangerous recurrence of events. He regretted that Portugal had not seen it fit to be represented at the current debate and had chosen only to submit a letter addressed to the President of the Council. The suggestion in that letter that the PAIGC was responsible for the incidents that had occurred was not very convincing. He felt that any course of action the Council might adopt should be directed to the avoidance of a repetition of the events complained of.

26. The representative of Somalia, citing a report of the *Ad Hoc* Working Group of Experts of the Human Rights Commission dated 2 February 1971 (E/CN.4/1050), said that the Group, which had toured extensively the Casamance region in Senegal, had actually seen several Senegalese border villages that had been destroyed by bombardment. He felt that the Security Council should use to the full its investigative powers under Article 34 of the Charter so that effective action to preserve peace in the area might be undertaken on a sound and informed basis. He then introduced a draft resolution, sponsored by Burundi, Japan, Sierra Leone, Somalia and the Syrian Arab Republic (S/10266), which read as follows:

*"The Security Council,*

*"Taking note of the complaints by Senegal against Portugal contained in documents S/10182 and S/10251,*

*"Taking note of the letter of the Chargé d'affaires ad interim of Portugal,*

*"Having heard the statement of the Minister for Foreign Affairs of Senegal,*

*"Bearing in mind that all States Members of the United Nations must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purpose of the United Nations,*

*"Conscious of its duty to take effective collective measures for the prevention and removal of threats to international peace and security and for the suppression of acts of aggression,*

*"Disturbed by the increasingly serious situation created by acts of violence perpetrated by the Portuguese armed forces against Senegal since the adoption of Security Council resolution 273 (1969) of 9 December 1969,*

*"Deeply distressed by the repeated laying of mines in Senegalese territory,*

*"Gravely concerned that incidents of this nature, by threatening the sovereignty and territorial integrity of Senegal, might endanger international peace and security,*

*"Bearing in mind its resolutions 178 (1963) of 24 April 1963, 204 (1965) of 19 May 1965 and 273 (1969) of 9 December 1969,*

*"Having taken note of the report of the Ad Hoc Working Group of Experts of the Commission on Human Rights concerning Portuguese acts of violence in Senegalese territory,*

*"Noting that Portugal has not complied with the provisions of paragraph 2 of resolution 273 (1969),*

*"1. Demands that the Government of Portugal should stop immediately any acts of violence and destruction in Senegalese territory and respect the sovereignty, territorial integrity and security of Senegal;*

*"2. Condemns the acts of violence and destruction perpetrated since 1963 by the Portuguese armed forces of Guinea (Bissau) against the population and villages of Senegal;*

*"3. Condemns the unlawful laying of anti-tank and anti-personnel mines in Senegalese territory;*

*"4. Requests the President of the Security Council and the Secretary-General to send to the spot, as a matter of urgency, a special mission of members of the Council assisted by their military experts to carry out an inquiry into the facts of which the Council has been informed, to examine the situation along the border between Guinea (Bissau) and Senegal and to report to the Council, making any recommendations aimed at guaranteeing peace and security in this region."*

27. The representative of China<sup>2</sup> expressed his support for the draft resolution, stating that, even though there was no reason to doubt the good faith with which the Foreign Minister of Senegal had presented his case, it would be judicious and useful to have a special mission investigate conditions on the spot.

28. The President, speaking as the representative of France, said that the draft resolution was in harmony with the duty of the Council to deal effectively with the situation. For the fourth time in five years, the Council had had to consider complaints by Senegal of incursions into its territory and bombardment of villages. Now it had, in addition, to consider incidents involving the laying of mines and subsequent explosions that had claimed official, military and civilian victims. The growing frequency of those incidents was a threat to safety of transportation and to the internal security throughout the entire Casamance region. The origin of the incidents was regrettably clear, and France thought the remedy lay in recognizing the right of the peoples concerned to self-determination. It was therefore to be hoped that Portugal would understand that the bonds of friendship were stronger than any constraints. In appealing to the Council, Senegal had resisted the easy temptation of reprisal and demonstrated its preference for peaceful and legal means of ensuring the protection of its population and territory. The Council must therefore give Senegal its support and the assurance that its sovereignty and territorial integrity would be respected. His delegation approved of sending a mission to that region and would vote in favour of the draft resolution, which seemed to be in harmony with the duty of the Council.

29. The representative of Italy said that his delegation intended to support the draft resolution in its entirety, although it had certain doubts concerning operative paragraph 2, inasmuch as that paragraph formulated a judgement based upon the findings of a working group whose nomination and mandate had not been decided upon by the Security Council.

30. The representative of the United States of America said that his Government strongly regretted the continuing acts of violence but was somewhat troubled by certain aspects of the draft resolution. In the sixth preambular paragraph, which sought to express

<sup>2</sup> See Introduction, paras. 4-6.

the deep distress of the Council over the repeated laying of mines in Senegalese territory, and in operative paragraphs 1 and 2, there were certain determinations of guilt before the special mission had embarked on its inquiry. Therefore, his Government, although it supported the proposal in paragraph 4 to send a special mission to the region, would abstain from voting on the draft resolution as a whole. He requested a separate vote on operative paragraph 4.

**Decision:** *At the 1572nd meeting, on 15 July 1971, operative paragraph 4 of the five-Power draft resolution (S/10266) was adopted unanimously. The draft resolution as a whole was then adopted by 13 votes to none, with 2 abstentions (United Kingdom and United States) as resolution 294 (1971).*

31. In explanation of vote, the representative of the United Kingdom of Great Britain and Northern Ireland stated that, when the Council had met in December 1969 to consider Senegal's complaints against Portugal, the latter had not denied them, and therefore his delegation had found itself able to support resolution 273 (1969). In the complaint under consideration, however, his delegation had abstained on the resolution because, in the absence of an investigation, paragraph 2 and some other parts of the resolution went too far in condemning Portugal, which had denied responsibility for the incidents, and there was therefore still doubt as to what had really occurred.

#### **C. Reports and communications received between 15 July and 29 September 1971**

32. The text of resolution 294 (1971) was transmitted to the Governments of Portugal and Senegal.

33. In accordance with paragraph 4 of that resolution, the President of the Security Council and the Secretary-General announced on 21 July (S/10274) that the Special Mission of the Security Council would be composed of representatives of Nicaragua (Chairman), Belgium, Burundi, Japan, Poland and the Syrian Arab Republic, who would be assisted by their military experts.

34. In response to a request by the Chairman of the Special Mission to the Governments of Portugal and Senegal to extend to the Mission all needed facilities, the Government of Portugal, in a letter dated 24 July (S/10284), stated that Portuguese territory continued to be attacked by armed groups that came from Senegal. Inasmuch as Portugal had been unjustifiably condemned by the Security Council without any evidence having been advanced in support of Senegal's charges, it could not collaborate with the Mission, as that would presuppose an acceptance of a condemnation that it had repudiated. The letter added that, in proof of Portugal's desire to reach a just and equitable solution, it was renewing its proposal to establish a commission, consisting of Portuguese and Senegalese representatives and presided over by a person in whose impartiality both countries had confidence, to control the Luso-Senegalese frontier.

35. On 16 September, the Special Mission submitted its report (S/10308 and Corr.1) to the Security Council. The report gave a detailed description of the inquiries that the Mission had conducted in the frontier area, including its inquiries into the incidents that had occurred between 25 and 30 July, when it was in Senegal, its consultations with the Senegalese authorities and its interview with the Secretary-General of

PAIGC. The Mission acknowledged with appreciation the co-operation it had received from the Senegalese Government but deplored the Portuguese Government's lack of co-operation, which had prevented it from fully implementing its mandate. In its conclusions, the Mission stated that it was clearly a strict principle of Senegalese foreign policy to avoid any engagement with Portuguese forces other than for actual defence and that the recurrent armed attacks against Senegal had caused considerable loss of life and material damage and created a climate of insecurity and were fraught with a threat to peace and security in the region. All the acts of violence and destruction observed by the Mission had been along the frontier between Senegal and Guinea (Bissau), an area in which PAIGC was not engaged in any military activity. The indications were such as to designate the Portuguese authorities in Guinea (Bissau) responsible for those acts.

36. Having regard to resolution 294 (1971) and the conclusions it had reached, the Special Mission recommended to the Security Council that it should ensure the prerequisites for eliminating the causes of tension in the region and creating an atmosphere of trust, peace and security, namely: with regard to Senegal, respect for its sovereignty and territorial integrity and the immediate cessation of acts of violence and destruction against its territory and people; and, with regard to Guinea (Bissau), respect for the principle of self-determination and independence and exercise, without further delay, of the right deriving from that principle. Accordingly, the Mission recommended that the Security Council should take all necessary steps and initiatives to induce Portugal to respect and implement fully the above recommendations. The Special Mission further recommended that the Security Council remain seized of the matter and request its President and the Secretary-General to keep the situation under review. Finally, it recommended that the Secretary-General report to the Security Council within an appropriate period and, at the latest, within six months.

37. In a letter dated 29 September to the President of the Security Council (S/10343), the Minister for Foreign Affairs of Portugal categorically rejected the conclusions of the Special Mission, which, it said, were wholly in contradiction to the facts verified by the Mission in Senegal and the statement of the Secretary-General of PAIGC that his movement was engaged in acts of violence against Portuguese populations. The authorities in Portuguese Guinea were only exercising their right of legitimate self-defence under Article 51 of the Charter. Portugal remained ready to seek a formula capable of establishing a climate of *détente*. He reiterated his Government's proposal for setting up a commission for control of the frontier and stated that, at a meeting held between the Foreign Ministers of Portugal and Senegal, an accord had been reached regarding establishment of such a commission but that Senegal had failed to carry it out.

#### **D. Further consideration at the 1586th and 1599th to 1601st meetings (29 September and 23-24 November 1971)**

38. The Security Council took up the report of the Special Mission at its 1586th and 1599th to 1601st meetings held between 29 September and 24 November. The Minister for Foreign Affairs of Senegal and the representatives of Guinea, Mali, Sudan, Mauri-

tania, Mauritius, Togo and Zambia were invited to participate in the discussion.

39. At the 1586th meeting on 29 September, the representative of Nicaragua, as Chairman of the Special Mission, introduced the report and said that that Mission could be regarded as one of the most important of those appointed by the Council, because it was the first to which the Council had given authority to make recommendations necessary to guarantee peace and security in the region. He thanked the Senegalese authorities for their co-operation and the facilities they had made available to the Mission and expressed regret that the Mission had not been invited by the Government of Portugal to visit Guinea (Bissau).

40. The representative of Senegal said that it was his Government's faith in the United Nations that had inspired it to turn to the Security Council, the organ responsible for the maintenance of international peace and security. His Government was pleased with the report and hoped that its recommendations would be satisfactorily applied. The object that his Government had in mind was less the suppression of acts of aggression against its people than the immediate and final cessation of those acts. It believed that the problem caused to it by Guinea (Bissau) could be solved only if the right to self-determination was restored to the people of that Territory.

41. The representative of Somalia stated that the findings and recommendations of the Special Mission were undoubtedly of great value to the Council and that the report had clarified a number of important facts. It also made it clear that the whole situation was the result of Portugal's continued unwillingness to grant the African peoples under its rule their inalienable right to self-determination and independence. He observed that this was the third time that the Council had had to censure Portugal and call upon it to desist from violating Senegalese territorial integrity and that another round of condemnation and appeals would have no effect unless Portugal was convinced that the Council would take coercive action. Accordingly, he suggested that the Council reaffirm the right of the people of Guinea (Bissau) to self-determination and independence and call for an arms embargo on Portugal so long as colonial wars continued in Africa.

42. The representative of Sierra Leone said that the conclusions of the Special Mission left one in no doubt that units of the Portuguese armed forces stationed in Guinea (Bissau) frequently crossed the frontier into Senegal, where they raided, pillaged, burnt property and took life. Inasmuch as Portugal could not be made to comply with General Assembly resolution 1514 (XV) or any of the relevant United Nations declarations, his delegation would have no hesitation in sponsoring a resolution incorporating the recommendations of the Special Mission.

43. The representative of the Union of Soviet Socialist Republics noted with satisfaction the reinstatement of the practice of sending highly authoritative missions composed of members of the Security Council to carry out investigations on the spot as marking a return to the practical working methods envisaged for the Council in the Charter and in the Council's rules of procedure. He hoped that the Council would continue the practice, as it would expand the role of the Council in strengthening international security and help to solve problems of peace-keeping.

44. The representative of France agreed that the practice was an extremely useful one that could benefit the United Nations and enhance the prestige of the Security Council, though the membership and balance of individual missions might have to differ, according to circumstances, as each case was unique.

45. By a letter dated 15 November to the President of the Council (S/10388 and Corr.1), the representative of Senegal complained of further incidents that he said had occurred on the frontier between Senegal and Guinea (Bissau) on 30 October and on the night of 3/4 November.

46. At the 1599th meeting, on 23 November, the representative of Senegal expressed his Government's gratitude to the members of the Special Mission for the objectivity and impartiality with which they had approached their task. Portugal's letter of 29 September, he maintained, was to create a diversion by suggesting that Senegal had seized the Council of the dispute after having come to an agreement with Portugal. He explained that there had only been a meeting in May 1971 between the Foreign Ministers of Senegal and Portugal, at the latter's request, but that no positive decision had been reached. After referring to further mining incidents that had recently occurred, he said that the Council could not consider what additional measures to take against Portugal without taking into account the causes underlying the chronic insecurity in the region.

47. The representative of Somalia said that the Security Council's peace-keeping role had a particular significance when a comparatively small and peace-loving State was the object of aggression. With the findings of the Special Mission before it, the Council had no alternative but to let the Portuguese authorities know that any further act of aggression against Senegal or other African States bordering on Portuguese-held Territories would be met by the application of coercive measures appropriate to the situation. The Council must validate the trust that a small nation had placed in its authority and throw its full moral and political weight behind every United Nations effort to apply General Assembly resolution 1514 (XV) to the Territory of Guinea (Bissau) and to the other Portuguese-held Territories in Africa.

48. The representative of Burundi introduced a draft resolution (S/10395) sponsored by Burundi, Sierra Leone and Somalia, which, he said, was fundamentally based on the main elements of the report. He explained that the sponsors would have preferred a stronger resolution but had been compelled to weaken the draft in order to make it acceptable to all members. The text of the resolution read as follows:

*"The Security Council,*

*"Considering the complaints by the Republic of Senegal against Portugal contained in documents S/10182 of 27 April 1971 and S/10251 of 6 July 1971,*

*"Recalling its resolutions 178 (1963) of 24 April 1963, 204 (1965) of 19 May 1965 and 273 (1969) of 9 December 1969,*

*"Having considered the report of the Special Mission of the Security Council established in accordance with resolution 294 (1971) of 15 July 1971,*

*"Deeply concerned at the climate of insecurity and instability fraught with a threat to peace and security in the region,*

*"Affirming* the need to ensure prerequisites for eliminating the causes of tension in the region and creating an atmosphere of trust, peace and security as recommended by the Special Mission in its report,

*"1. Takes note with satisfaction* of the recommendations of the Special Mission of the Security Council established under resolution 294 (1971) contained in paragraph 128 of its report (S/10308);

*"2. Reaffirms* the provisions of its resolution 294 (1971) condemning the acts of violence and destruction perpetrated since 1963 by the Portuguese armed forces of Guinea (Bissau) against the population and villages of Senegal;

*"3. Strongly deplores* the lack of co-operation with the Special Mission on the part of the Portuguese Government, which prevented the Special Mission from implementing fully the mandate given to it under paragraph 4 of resolution 294 (1971);

*"4. Calls upon* the Government of Portugal to take all the necessary measures so that:

*"(a) The sovereignty and territorial integrity of Senegal shall be fully respected;*

*"(b) The acts of violence and destruction against the territory and people of the Republic of Senegal shall be immediately ceased in order to contribute to the safeguarding of peace and security in the region;*

*"5. Calls upon* the Government of Portugal to respect fully the inalienable right to self-determination and independence of the people of Guinea (Bissau);

*"6. Calls upon* the Government of Portugal to take the necessary measures, taking fully into account General Assembly resolution 1514 (XV), so that this inalienable right of the people of Guinea (Bissau) shall be exercised without further delay;

*"7. Requests* the President of the Security Council and the Secretary-General to keep this question under review and report on the implementation of the present resolution to the Security Council within an appropriate period and at the latest within six months;

*"8. Declares* that in the event of failure by Portugal to comply with the provisions of the present resolution, the Security Council will meet to consider the initiatives and steps that the situation requires;

*"9. Decides* to remain seized of the question."

49. At the 1600th meeting, on 24 November, the representative of the Syrian Arab Republic said that the responsibility of the Portuguese colonial authorities in Guinea (Bissau) for the attacks on Senegal had been clearly established in the report of the Mission. Portuguese attempts to attribute those actions to the national liberation movement were false and hypocritical, inasmuch as that movement concentrated its attacks on the Portuguese colonial presence in the urban centres, not in the frontier region.

50. The representative of Japan observed that the recommendations contained in the report were well-balanced and, if implemented fully, would eliminate the causes of tension in the region and create an atmosphere of trust, peace and security. He thought that the draft resolution provided a constructive step towards a peaceful and satisfactory settlement of the problems involved.

51. The representative of Argentina said that the very efficient work done by the Special Mission should be given proper recognition and suggested that a paragraph be introduced into the draft resolution expressing the Council's appreciation of that work. He also requested clarification from the sponsors concerning the report on implementation requested in operative paragraph 7 of the draft.

52. The representative of the Union of Soviet Socialist Republics said that international imperialism and colonialism were deliberately bringing Portugal and South Africa to the forefront of the struggle with the national liberation movements of Africa. By supporting Portugal, they were striving to prevent the decolonization of southern Africa and to maintain upon the African continent a colonial, racist bridge-head against African independence. The Special Mission had concluded that the acts of oppression and destruction committed by the Portuguese troops were the consequence of a special situation created by the Portuguese colonialists in Guinea (Bissau) that was in conflict with the Declaration on the Granting of Independence to Colonial Countries and Peoples. Its report was further evidence of the fact that the sovereignty and territorial integrity of Senegal were constantly being violated by Portugal.

53. The representative of the United States deplored Portugal's lack of co-operation with the Special Mission. A broader investigation would have enabled the Mission to take a more complete view of the situation and better assist the Council in making a constructive contribution to a solution of the problem. The Mission had carefully pointed out the hearsay nature of much of the evidence and had not determined the responsibility for the mine-laying incidents. It had expressed its conclusions with due caution consistent with the absence, in many cases, of concrete evidence. Turning to the draft resolution, he noted that it made no effort to overcome the obstacle that had admittedly been put in the way of the Special Mission; nor did it take into account the role that the use of sanctuaries by insurgent groups played in creating border tensions. His delegation favoured establishment of a commission acceptable to all parties to investigate border incidents and report periodically to the Security Council. Sufficient support of that proposal was not forthcoming, but it seemed to his delegation to be the kind of further step that would be consistent with the Mission's recommendations.

54. The President, speaking as the representative of Poland, said that the first over-all conclusion to be drawn from the report of the Special Mission was that the attitude of Portugal had been totally negative. Even before the Mission had begun its work, Portugal had rejected any conclusion it might have arrived at. The minimum steps that the Council should take were to apprise Portugal of the Council's condemnation of its repeated acts of aggression against Senegal, to ensure that the Portuguese colonial bastion in Guinea (Bissau) was eliminated, to guarantee the right of the people of that area to self-determination and independence and the right of neighbouring peoples to security and territorial integrity and finally to persuade Portugal of the Council's determination to realize those objectives.

55. In reply to the inquiry by the representative of Argentina for clarification of operative paragraph 7 of the draft resolution, the representative of Burundi explained that the sponsors contemplated a joint report

by the President of the Council and the Secretary-General.

56. At the 1601st meeting, on 24 November, the representative of Burundi read out a revised text of operative paragraphs 4 and 6 of the three-Power draft resolution (S/10395) that had been agreed upon by the sponsors in the course of consultations with other members of the Council. He also accepted, on behalf of the sponsors, the addition of a new operative paragraph 1 proposed by the representative of Argentina.

57. The representative of Belgium welcomed the sponsors' spirit of compromise. His delegation would have preferred that the draft resolution be limited to drawing conclusions from the report of the Special Mission. It therefore had some reservations as to the formulation of operative paragraph 3 of the revised draft resolution. However, because his country was attached to the principles of self-determination and independence for the people of Guinea (Bissau) and of the sovereignty and territorial integrity of Senegal, his delegation would vote in favour of the draft resolution as amended.

58. The representative of France said that an end to insecurity in the region lay in permitting the people of Guinea (Bissau) the opportunity to choose their own destiny. Though not perfect, the draft resolution as amended seemed to give an exact account of the situation and to advocate the proper course to be followed, and his delegation would support it.

59. The representative of Nicaragua felt that the revised draft resolution reflected in general terms the conclusions reached by the Special Mission and that its text projected the Mission's recommendations, which had been unanimously adopted by its six members. Accordingly, he would vote in favour of it.

60. The representative of the United Kingdom said that in some respects the revised draft resolution appeared to go beyond the cautious findings of the Special Mission and in that connexion he would have preferred to have operative paragraph 5 (b) refer to all acts of violence and destruction against the territory and people of Senegal by whomsoever committed. Nevertheless, in view of the modifications of that paragraph originally accepted by the sponsors and because the amended draft resolution was broadly acceptable to his delegation, he would vote for it.

**Decision:** *At the 1601st meeting, on 24 November 1971, the three-Power draft resolution (S/10395), as amended, was adopted by 14 votes to none, with 1 abstention (United States of America), as resolution 302 (1971).*

61. The resolution reads as follows:

*"The Security Council,*

*"Considering the complaints by Senegal against Portugal contained in documents S/10182 and S/10251,*

*"Recalling its resolutions 178 (1963) of 24 April 1963, 204 (1965) of 19 May 1965 and 273 (1969) of 9 December 1969,*

*"Having considered the report of the Special Mission of the Security Council established in accordance with resolution 294 (1971) of 15 July 1971,*

*"Deeply concerned at the climate of insecurity and instability, fraught with a threat to peace and security in the region,*

*"Affirming the need to ensure the prerequisites for eliminating the causes of tension in the region and creating an atmosphere of trust, peace and security, as recommended by the Special Mission in its report,*

*"1. Expresses its appreciation for the work accomplished by the Special Mission of the Security Council established under resolution 294 (1971);*

*"2. Takes note with satisfaction of the recommendations of the Special Mission contained in paragraph 128 of its report;*

*"3. Reaffirms the provisions of its resolution 294 (1971) condemning the acts of violence and destruction perpetrated since 1963 by the Portuguese armed forces of Guinea (Bissau) against the population and villages of Senegal;*

*"4. Strongly deplores the lack of co-operation with the Special Mission on the part of the Portuguese Government, which prevented the Special Mission from implementing fully the mandate given to it under paragraph 4 of resolution 294 (1971);*

*"5. Calls upon the Government of Portugal to take immediate effective measures:*

*"(a) So that the sovereignty and territorial integrity of Senegal shall be fully respected;*

*"(b) To prevent acts of violence and destruction against the territory and the people of Senegal, in order to contribute to the safeguarding of peace and security in the region;*

*"6. Calls upon the Government of Portugal to respect fully the inalienable right to self-determination and independence of the people of Guinea (Bissau);*

*"7. Calls upon the Government of Portugal to take without further delay the necessary measures, so that this inalienable right of the people of Guinea (Bissau) shall be exercised;*

*"8. Requests the President of the Security Council and the Secretary-General to keep this question under review and report on the implementation of the present resolution to the Council within an appropriate period and at the latest within six months;*

*"9. Declares that, in the event of failure by Portugal to comply with the provisions of the present resolution, the Security Council will meet to consider the initiatives and steps that the situation requires;*

*"10. Decides to remain seized of the question."*

62. Speaking after the vote, the representative of China said that, in view of the defiant and unchangeable attitude of the Portuguese colonialists, the Council should harbour no illusions as to the actual result of the resolution it had just adopted. He wondered who could ensure that that resolution would not meet the same fate as the many earlier resolutions, which had been met only with contempt, resistance and sabotage from the Portuguese authorities. His Government resolutely supported the just struggle of the peoples of Guinea (Bissau), Angola and Mozambique for national independence and sovereignty.

63. In explanation of vote, the representative of the United States said that his delegation could have supported almost the entire amended draft resolution. However, it had difficulty with some of the language, particularly that of paragraph 3, and with certain omissions, and accordingly had abstained from the vote on the amended draft resolution as a whole.

64. The representative of the Union of Soviet Socialist Republics considered the resolution just adopted to be insufficiently effective and observed that the original draft had been weakened in the course of consultations, having lost, as a result of those consultations, its reference to the Declaration on the Granting of Independence to Colonial Countries and Peoples. Nevertheless, as the sponsors had accepted the changes, his delegation had found it possible to vote for the resolution.

65. The representative of Italy said that the resolution was based entirely on the report of the Special Mission and had duly taken into account the two main points made in the report, namely, that Senegal was firmly committed to peace and that the acts of violence and destruction were the responsibility of Portuguese forces in Guinea (Bissau) and the consequence of the anachronistic situation prevailing in that Territory.

66. The representative of the Syrian Arab Republic expressed regret that paragraph 7 had been amended so as to omit mention of the modalities for the exercise of the right of self-determination by Guinea (Bissau). However, his delegation had voted for the revised draft resolution, inasmuch as paragraph 1 took note of the recommendations of the Special Mission, which called for respect for the principle of self-determination and independence with regard to Guinea (Bissau), a principle defined in General Assembly resolution 1514 (XV).

67. The representative of Senegal expressed appreciation for the support given his country by members of the Council and said that although his Government would have preferred a firmer attitude, it understood the need to take into account the various considerations expressed by individual Council members. His delegation had been willing to yield on the condemnation of Portugal, which was clearly the authority responsible for the action that had been condemned in the area.

## E. Subsequent communications

68. In pursuance of resolution 302 (1971), the Secretary-General issued a report (S/10662 and Corr.1) on 24 May 1972, in which he stated that, immediately upon its adoption, he had transmitted the text of the resolution by telegram to the Minister for Foreign Affairs of Portugal and informed the Minister for Foreign Affairs of Senegal of its adoption. Since then, neither he nor the President of the Security Council had received any communications relative to the resolution. Accordingly, having reviewed the question with the President of the Council, the Secretary-General was reporting as requested.

69. In a letter dated 1 June to the President of the Council (S/10672/Rev.1), the representative of Senegal complained of serious incidents on the frontier between Senegal and Guinea (Bissau) on 26 May. He charged that, following a dispute over ownership of rice fields, armed bands led by auxiliaries of the Portuguese army had first threatened and latter attacked the Senegalese village concerned. In the ensuing clash with the Senegalese army defence unit, six Senegalese soldiers had been killed and five wounded. In reprisal, the Government of Senegal had taken action on the night of 30/31 May, which marked the first time that a Senegalese soldier had crossed the frontier between Senegal and Guinea (Bissau).

70. In reply, in a letter dated 6 June to the President of the Council (S/10682), the representative of Portugal charged that investigation had verified that the first shot had been fired on 28 May by a member of the Senegalese armed forces at a peaceful villager working within Portuguese territory. That incident, he charged, had been followed on 30 and 31 May by incursions of Senegalese troops into Portuguese Territory and firing from across the border. He gave assurances that there had been no intervention at any time by Portuguese armed forces.

## Chapter 2

### COMPLAINT BY GUINEA

#### A. Consideration at the 1573rd and 1576th meetings (3 and 26 August 1971)

71. In a letter dated 3 August 1971 (S/10280), the representative of Guinea stated that his Government's intelligence service had intercepted conversations between Overseas Marine Units and two other headquarters units of the Portuguese Colonial Army discussing imminent military aggression by Portugal against Guinea, including attacks against the main points along its frontier with Guinea (Bissau) and against Conakry, the capital, with the aim, presumably, of liberating mercenaries and other persons implicated in the aggression against Guinea of 22 November 1970. The letter requested an immediate meeting of the Security Council to consider the imminent threat to international peace and security.

72. The Security Council included the complaint in its agenda at its 1573rd meeting on 3 August. The President, with the consent of the Council, invited the representative of Guinea to participate in the discussion without the right to vote.

73. The representative of Guinea stated that Portugal had not ceased its policy of aggression against

Guinea, which it had been pursuing for more than 12 years. He recalled that the Special Mission dispatched to Guinea in accordance with Security Council resolution 289 (1970) of 22 November 1970 had found incontrovertible evidence of Portuguese acts of aggression and that, on the basis of its report, the Security Council, in resolution 290 (1970) of 8 December 1970, had strongly condemned Portugal for its invasion of the Republic of Guinea. Portugal had criticized Guinea for its aid to the liberation movement, but the United Nations had recognized the legitimacy of the struggle of the peoples subject to Portuguese colonial oppression. The real problem was that Guinea's borders were contiguous with those of the colonial enclave of Guinea (Bissau), which Portugal was determined to keep under its domination despite General Assembly resolution 1514 (XV). In view of the aggression being prepared against it, his Government had decided to appeal for preventive action. He hoped that the Security Council would take all necessary steps to assist Guinea in preserving its territorial integrity.

74. The representative of the Syrian Arab Republic said that the threat of imminent attack by Portugal against Guinea should be taken seriously in the light

of Portugal's continuous aggressive actions against both Guinea and Senegal. He noted that, in connexion with the events of 22 November 1970, the Security Council had decided in resolution 290 (1970) to remain seized of the matter.

75. The representative of Somalia stressed the need for an impartial inquiry into the facts. He said that, after consultations, the Afro-Asian members of the Security Council had concluded that the situation warranted immediate action by the Council. On behalf of Burundi, Sierra Leone, Somalia and the Syrian Arab Republic, he introduced the following draft resolution (S/10281):

*"The Security Council,*

*"Taking note of the letter addressed to the President of the Security Council by the Permanent Representative of Guinea,*

*"Having heard the statement of the Permanent Representative of Guinea,*

*"Bearing in mind that all States Members of the United Nations must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,*

*"Recalling Security Council resolutions 289 (1970) and 290 (1970),*

*"1. Demands that the territorial integrity and political independence of the Republic of Guinea be respected;*

*"2. Decides to send a special representative of the Security Council to the Republic of Guinea to consult with the authorities and to report on the situation immediately;*

*"3. Decides that this special representative be appointed after consultation between the President of the Security Council and the Secretary-General;*

*"4. Decides to maintain the matter on its agenda."*

76. The representative of the Union of Soviet Socialist Republics recalled that the Council had frequently been called upon to deal with aggression by Portugal against several African States and that in November 1970 a mission composed of five members of the Council had promptly been sent to the area to investigate one instance of such aggression. On the basis of that mission's report, the Council had warned Portugal that in the event of any repetition of armed attacks against independent African States the Security Council would immediately consider appropriate effective steps or measures in accordance with the relevant provisions of the Charter. The most recent acts of Portugal had shown that the colonialists did not want to leave in peace the independent African States bordering on their colonies, where they sought to suppress the national liberation movements through colonial wars in which they received support from other imperialist forces.

77. Following a brief recess, the representative of Somalia read out modifications of the four-Power draft resolution (S/10281) that had been agreed upon during consultations. The changes consisted of deletion of the fourth preambular paragraph; substitution of the word "Affirms" for "Demands" in operative paragraph 1; substitution of the words "mission of three

members" for "representative" in operative paragraph 2; and substitution of the word "mission" for "representative" in operative paragraph 3.

**Decision:** *At the 1573rd meeting, on 3 August 1971, the four-Power draft resolution (S/10281) was adopted unanimously as resolution 295 (1971).*

78. In a letter dated 4 August (S/10283), the representative of Guinea asked the President of the Council to postpone the dispatch of the Special Mission. In a letter dated 12 August (S/10287), however, he indicated that his Government was prepared to receive and assist it.

79. At the 1576th meeting, on 26 August, the President of the Security Council read out the following statement expressing the consensus of the Council, which was approved without objection:

*"It is the consensus of the Security Council that the Special Mission called for in resolution 295 (1971) should be composed of two members of the Council instead of three. The Special Mission will proceed to Conakry to consult the Government of the Republic of Guinea on its complaint and will report back to the Council as soon as possible."*

80. In a note submitted on 26 August (S/10299), the President of the Security Council and the Secretary-General stated that in accordance with Security Council resolution 295 (1970), and in pursuance of the consensus adopted by the Security Council at its 1576th meeting, the Special Mission would be composed of Argentina and the Syrian Arab Republic.

## **B. Reports and communications to the Council**

81. On 13 September, the Secretary-General issued a note (S/10180/Add.1) reproducing the substantive parts of the replies of eight Governments to his note dated 18 December 1970 transmitting the text of resolution 290 (1970) and requesting information on its implementation.

82. On 14 September, the Security Council Special Mission to the Republic of Guinea established under resolution 295 (1971) submitted its report (S/10309). After reviewing the circumstances that had led to its establishment, the Special Mission reported that, shortly after its arrival in Conakry on 30 August, its members had held meetings with delegations of high Guinean officials led by the President of the Republic of Guinea, who had given detailed accounts of his country's complaint against Portugal and other related circumstances. The Mission had elicited further clarification of points raised in the original complaint by Guinea to the Security Council and had visited the town of Kindia at the invitation of the Guinean Government. The report indicated that the Mission had been supplied with a map and other documentation relating to Guinea's charges against Portugal and had been shown a collection of military uniforms identical to those of the Guinean Army but made in Guinea (Bissau) and bearing the inscription PAIGC on them. The Mission had been informed that the uniforms were intended for use by the attackers in order to create confusion in the Guinean ranks. Verbatim records of the Special Mission's three meetings with representatives of the Government of the Republic of Guinea, together with the documentary material received, were included in its report.

83. In a letter dated 29 September (S/10344) addressed to the President of the Security Council, the representative of Portugal stated that a perusal of the report of the Special Mission made clear that the Special Mission had found no evidence to support Guinea's accusations concerning imminent military aggression by Portugal, but showed rather that the alleged conversations on which Guinea had based its complaint had taken place between two Guinean nationals. The letter expressed regret that the Security Council should have been asked to meet as a matter of urgency on such vague and misleading information.

**C. Further consideration at the 1586th and 1603rd meetings (29 September and 30 November 1971)**

84. At the 1586th meeting, on 29 September, the representative of the Syrian Arab Republic, in presenting the report of the Special Mission to the Council, stated that the Special Mission had held very frank consultations with the Government of the Republic of Guinea and expressed the Mission's deep appreciation of the co-operation it had received from the President and Government of Guinea and hoped that the Council would give the report very careful consideration.

85. The representative of Guinea declared that the report of the Special Mission was in itself a faithful record of observed facts that clearly indicated the continuing threat that Portugal posed to the security of Guinea. He asked that the Security Council ensure his Government the security necessary to Guinea's development by examining practical ways and means of enforcing General Assembly resolution 1514 (XV), which guaranteed the right of self-determination to all peoples, particularly the peoples of Africa—a resolution which Portugal had systematically refused to implement. He urged the Security Council to draw the appropriate conclusions from the report of the Special Mission and to address itself to the necessity of applying appropriate sanctions to Portugal in order to oblige that Government to comply with the relevant resolutions already adopted by the Council.

86. The representative of Burundi maintained that acts of provocation against countries under its colonial rule and also against neighbouring independent African States were still being committed by Portugal because it wanted to keep the peoples of the region in a permanent state of war psychosis.

87. The representative of Somalia noted that the report of the Special Mission was a factual one, containing neither an assessment of the facts or charges nor any recommendations and leaving it to the members of the Security Council to provide those themselves. He stressed that unless the United Nations resolved to do something about the Portuguese colonial Territories in Africa the peace and security of that region would always be under threat.

88. The representative of Nicaragua said that his delegation agreed that special missions, missions of inquiry, investigation and information, such as those dispatched to the Republic of Guinea, were important and should be appointed by the Security Council whenever it considered it necessary in order to safeguard peace and security in any particular area in the world.

89. In the view of the representative of Sierra Leone, the report contained ample evidence that there

were certain elements outside Guinea, notably Portugal, that wanted to effect a change in that country's Government and had sought to engineer a planned invasion of Guinea for the second time. Only the swift action of the Government of Guinea in apprising the Council of the plans had prevented it.

90. The representative of the Syrian Arab Republic pointed out that the report did not contain conclusions, assessments or recommendations because the members of the Special Mission had decided that their role was consultative and that their task was to report on whatever information and documentary evidence it obtained from the Government of Guinea.

91. The representative of the Union of Soviet Socialist Republics welcomed the information placed before the Security Council by the Council's Special Mission. He noted with satisfaction the resumption of the practice of establishing Security Council missions to perform direct and immediate tasks connected with the maintenance and strengthening of peace which were entrusted to the Security Council. He further expressed the view that the Council should seriously examine what specific practical measures it should take to ensure peace and security in Africa and prevent the encroachments of those, like Portugal, who refused to abandon the dreams of the colonial past.

92. In a letter dated 19 November addressed to the President of the Security Council (S/10393), the representative of the Ivory Coast said that statements made to the members of the Special Mission by high Guinean authorities appeared to accuse the Ivory Coast of being implicated in the plots to overthrow the Guinean régime through such acts as allowing the establishment on its territory of training camps for subversion and bases of operations for commandos and mercenaries along their common frontier. The letter categorically denied the accusations as completely unfounded and stated that the Ivory Coast was prepared to receive any mission sent by the Security Council for the purpose of establishing the truth concerning such charges.

93. At the 1603rd meeting on 30 November, the President of the Security Council on behalf of the Council and with the authorization of its members, made the following statement of consensus:

"It will be recalled that on 3 August the Security Council decided to dispatch a Special Mission to the Republic of Guinea. The Special Mission, consisting of the representative of Syria, Ambassador George J. Tomeh, and the deputy representative of Argentina, Minister Julio César Carasales, visited Guinea from 30 August to 2 September 1971 and held extensive consultations with officials of the Government of Guinea.

"In those consultations, the Guinean authorities co-operated fully with the Special Mission and extended to it all the facilities necessary for the successful achievement of its task.

"Upon its return to New York and in accordance with its terms of reference, the Special Mission submitted its report to the Security Council, circulated as document S/10309. The Council began its first examination of the report of the Special Mission at its 1586th meeting on 29 September 1971.

"It is evident from this report that there is continuing concern in Guinea regarding the possibility

of renewed acts against that country's territorial integrity and political independence similar to those which led to the events of November 1970. In this respect, the view has been expressed by the Government of Guinea that action should be taken by the Security Council to prevent Portugal from violating the territorial integrity and political independence of Guinea.

"It is also clear that the failure by Portugal to apply the principle of self-determination, including the right to independence, in Guinea (Bissau) is having an unsettling effect on conditions in the area.

"The Security Council, having taken note with appreciation of the report of the Special Mission and of the representations made by the Government of Guinea, reiterates paragraph 1 of resolution 295 (1971) which 'affirms that the territorial integrity and political independence of the Republic of Guinea must be respected'."

94. The representative of the United States of America said that the wording of the consensus with regard to Guinea (Bissau) coincided with the view of his Government that the exercise of self-determination could result in various alternatives, including independence.

95. The representative of Argentina commended the speed with which the Council had acted on Guinea's complaint. He stated that the consensus reflected the spirit of the Special Mission's report and reaffirmed his conviction that the continued existence of colonial situations would always tend to foster anachronistic conflicts.

96. The representative of China said that the Chinese Government and people expressed utmost indignation at the naked act of aggression committed by Portugal against Guinea and strongly condemned it. The Chinese Government and people warmly praised the Guinean people for their revolutionary spirit of defying brute force, upholding unity and resisting the enemy with concerted efforts. Countless facts proved that the colonialist policies pursued by the Portuguese authorities constituted a threat to the sovereignty and security of independent African States, a challenge to the African people's right to national independence and a grave violation of the spirit of the United Nations Charter. The aggressive acts of the Portuguese colonialists had the support and connivance of other imperialists. Their aim was not only to subvert the Government of the Republic of Guinea but also to suppress the national liberation movement which was vigorously developing in Africa. With abundant evidence the Government of the Republic of Guinea had irrefutably proved that with imperialist support the Portuguese colonialists were recently contriving a new scheme to invade Guinea again, and it demanded that the Security Council take the necessary measures to prevent the recurrence of large-scale invasions. The Chinese delegation firmly supported the just demand of the Guinean Government.

97. The representative of Somalia considered that the consensus reached by the Council did not go far enough. None the less, his delegation had supported it, inasmuch as it reflected the basic minimal agree-

ment possible among members of the Council regarding the constant threat of aggression from with which Guinea was faced as a consequence of Portugal's oppression of African peoples under its rule.

98. The representative of the United Kingdom of Great Britain and Northern Ireland pointed out that although his Government fully endorsed the principle of self-determination, including the right to independence, for all Non-Self-Governing Territories, it considered that responsibility for implementation of that principle and its timing rested with the administering Power.

99. The representative of Burundi said that for the countries of Africa security was closely tied to decolonization. Recent events considered by the Council reflected the over-all insecurity in the region caused by the perpetuation of Portuguese domination. The Council, to succeed in obtaining respect for the sovereignty and independence of all States in the region, must contribute to the final eradication of Portugal's presence in Guinea (Bissau).

100. The representative of Sierra Leone emphasized that a close study of the report of the Special Mission and other reports concerning Guinea's relations with Portugal had shown that there had been constant Portuguese armed interventions against Guinea since 1961. Accordingly, the Council should take appropriate action against Portugal.

101. The representative of the Union of Soviet Socialist Republics pointed out that the aggressive imperialist policy of Portugal against Guinea and other African States made it very clear that so long as even a single colonialist régime, with its military forces and bases, remained in Africa, African political independence and security would always be threatened. Portugal had clearly ignored the warning given by the Council in resolution 290 (1970) and was co-ordinating its actions with the imperialists, colonizers and racists in policies directed against the independent African States. The Soviet delegation considered that the Security Council should do everything possible to protect the political independence and territorial integrity of Guinea, and to protect other African countries from the aggressive schemes of the Portuguese colonialists.

102. The President, speaking as the representative of Poland, stated that only the final liquidation of Portuguese colonialism and racism in Africa and the accession to independence of all the colonized peoples could create the necessary conditions for the establishment of peace and security in that region.

103. The representative of Guinea, recalling the circumstances that had led his Government to submit its complaint, stressed his Government's respect for and confidence in the Security Council, which unfortunately was not shared by Portugal. He urged the Security Council to adopt concrete measures to prevent Portugal from ever again flouting the provisions of the United Nations Charter by initiating hostile military operations against Guinea from any Territory under its control. If Guinea's statements to the Council and to its Special Mission were challenged, he stated, the Council should decide to carry out an inquiry in Guinea (Bissau).

## THE SITUATION IN THE MIDDLE EAST

## A. Communications, reports of the Secretary-General and discussion by the Council concerning the status of the cease-fire

## 1. COMPLAINTS BY JORDAN AND ISRAEL

104. During the period covered by this report, no complaints were received from Jordan or Israel concerning violations of the cease-fire in that area, and no meetings of the Security Council were held in that connexion.

## 2. REPORTS OF THE SECRETARY-GENERAL CONCERNING THE SUEZ CANAL SECTOR

105. With regard to the situation in the Suez Canal sector, no complaints were submitted to the Security Council by Egypt or Israel regarding cease-fire violations. However, the Secretary-General continued to issue supplemental information on the basis of reports he received from the Chief of Staff of the United Nations Truce Supervision Organization (UNTSO). Those reports (S/7930/Add.1227, 1230, 1232, 1235, 1238, 1244, 1250, 1252, 1256, 1257, 1259, 1262, 1264, 1268, 1270, 1277, 1281, 1286, 1289, 1292, 1294 and Corr.1, 1300, 1307, 1311, 1314, 1315, 1319, 1321, 1325, 1329, 1331, 1334, 1337, 1341, 1344, 1348, 1351, 1353, 1363, 1368, 1375, 1378, 1381, 1386, 1388, 1390, 1393, 1397, 1400, 1407, 1414, 1416, 1422, 1426, 1437, 1441, 1451, 1459, 1504, 1515, 1524, 1539, 1596, 1598, 1605, 1620, 1626, 1631 and 1633) indicated that there had been flights by both Egyptian and Israel jet aircraft over the sector. On occasion, those flights had taken place over the positions of one party or the other, concerning which charges and countercharges of cease-fire violations were filed with UNTSO.

106. In supplemental information dated 8 May 1972 (S/7930/Add.1596), the Chief of Staff of UNTSO reported that he had received a complaint from Israel, which had not been confirmed by the United Nations military observers, that an Egyptian vessel had approached the coast near the cease-fire line.

## 3. COMPLAINTS BY ISRAEL AND LEBANON

(a) *Communications to the Council between 16 June 1971 and 25 February 1972 and requests for a meeting*

107. In letters dated 16 and 23 June, 1 July, 10 August and 4 and 20 September 1971 (S/10226, S/10235, S/10247, S/10286, S/10305 and S/10329), Lebanon submitted complaints that on several occasions Israel forces had used artillery and mortars to shell border villages in southern Lebanon and had crossed the borders at several points in order to carry out the destruction of Lebanese houses, civilian property and crops. As a result, many civilians had been killed, wounded or abducted. Lebanon charged that Israel, by its attacks, was violating the Charter of the United Nations and the Armistice Agreement and was trying to undermine all efforts to establish a just and lasting peace in the Middle East. Lebanon protested Israel's violation of the sovereignty and territorial integrity of Lebanon, its disregard of the Charter of the

United Nations and disrespect for the pertinent Security Council resolutions.

108. In letters dated 21 and 30 June, 12 August and 7 and 24 September (S/10231, S/10244, S/10289, S/10307 and S/10335), Israel submitted counter-complaints that terror squads coming from Lebanese territory had attacked civilian installations and villages in Israeli territory on several occasions, causing casualties among the population and property damage. The letters stated that it was a matter of common knowledge that bases from which acts of aggression were launched against Israel were located on Lebanese territory and that those acts had taken place with the knowledge and consent of the Government of Lebanon, as indicated by several press reports and official statements in Lebanon. Israel, which had the right to defend and protect its territory and citizens, pursued a policy based on the reciprocal observance of the cease-fire, which entailed the obligation of Lebanon to prevent armed attacks from its territory against Israel.

109. In a letter dated 11 January 1972 (S/10502), Lebanon charged that on 10 and 11 January Israel forces had twice penetrated into Lebanese territory and destroyed several houses and that artillery fire from Israel had destroyed other houses and wounded Lebanese citizens. Israel replied to Lebanon's charges in letters dated 12 and 13 January (S/10505 and S/10507), stating that in recent weeks there had been a marked increase in acts of terror from Lebanese territory against Israel. It listed a number of incidents that had taken place between 10 December 1971 and 11 January 1972 in which civilian installations had been attacked from Lebanese territory. Israel could not acquiesce in acts of armed aggression against its territory and population and was duty-bound to take all necessary measures of self-defence, and the Government of Lebanon was obliged to put an immediate end to such armed attacks or be held responsible for violation of international law, the Charter of the United Nations and the 1967 cease-fire.

110. In a letter dated 14 January (S/10508), Lebanon charged that a detachment of Israel commandos had entered the Lebanese village of Kafra, 9 kilometres inside the border, and had destroyed four houses. It added that, according to reliable reports, Israel had undertaken military preparations on the Lebanese border and was threatening to undertake large-scale military operations in southern Lebanon, thus endangering the peace and security not only of Lebanon but of the entire Middle East.

111. In another letter of 14 January (S/10509), Lebanon informed the President of the Security Council that Israel had delivered to the Lebanese representatives in the Lebanon-Israel Mixed Armistice Commission a "severe warning" that if terrorist activity from Lebanon against Israel was not stopped, Israel might stay permanently in the region in one form or in another, which might force the Lebanese people to leave the area. Lebanon protested Israel's threats, which gravely endangered international peace and security, and considered that if Israel followed that course, it must assume full responsibility for its acts. Unless Israel desisted forthwith from pursuing those

threats, the Security Council would be duty-bound to assume its responsibilities.

112. In a letter dated 24 February (S/10543) Israel charged that two Israeli civilians had been killed by a rocket fired by a terror squad that had entered Israel from Lebanese territory and reiterated that it was the duty of Lebanon to end such armed attacks from its territory.

113. In a letter dated 25 February (S/10546), Lebanon complained to the President of the Council about Israel's persistent acts of aggression against Lebanese territory and stated that such acts had culminated in a large-scale air and ground attack, which had taken place on the morning of the same day. In view of the extreme gravity of the situation endangering the peace and security of Lebanon, the representative of Lebanon requested an urgent meeting of the Security Council.

114. In a letter dated 25 February (S/10550), Israel, after referring to its complaint communicated to the Council on 24 February (S/10543) about attacks by terrorists from Lebanese territory against its villages, stated that on the previous day three terrorists had entered Israel from Lebanese territory. During a clash between them and an Israeli patrol, eight Israelis had been wounded, one of them fatally. In the face of those attacks by terrorists, who had acknowledged that they had perpetrated still another attack, Israel had been compelled to take self-defence measures against the terrorists' encampments on 25 February. In view of the gravity of those attacks, the representative of Israel requested an urgent meeting of the Security Council.

*(b) Consideration at the 1643rd and 1644th meetings  
(26 and 27 February 1972)*

115. At its 1643rd meeting, on 26 February 1972, the Council included the complaints by Lebanon (S/10546) and Israel (S/10550) in its agenda, listing each of them separately under the item "The situation in the Middle East". The representatives of Lebanon and Israel, and subsequently those of the Syrian Arab Republic and Saudi Arabia, were invited, at their request, to participate in the discussion without the right to vote.

116. The representative of Lebanon charged that on 25 February, an Israel force, consisting of 60 tanks and armoured cars, had crossed the border under heavy air cover and attacked several Lebanese villages. In the meantime, Israel aircraft had bombarded other Lebanese villages and caused death and destruction. Moreover, on the same day, Israel had delivered to Lebanon, through the Mixed Armistice Commission, a warning that the action of the Israel forces was against terrorists who had come from and returned to Lebanon and that Israel would continue its incursions into Lebanon if the terrorist activities did not stop. The representative of Lebanon stated that, in addition to the ground and air attacks, Israel bulldozers were opening roads inside Lebanese territory and paving the way for further military operations. Recalling the Council's previous resolutions condemning Israel for its attacks against Lebanon in 1968, 1969 and 1970, he said that Lebanon had hoped that those resolutions would deter Israel from any further attacks. However, Israel had disregarded them and defied the Council's authority. He denied Israel's allegations that the incidents on Israel-held territory had originated from Lebanon and added that if Israel had not paralysed the Mixed Armistice

Commission, the international observers would have been able to determine the origin of the incidents. In the circumstances, his delegation asked the Council to take positive and decisive measures against Israel that would prevent it from further acts of aggression against Lebanon, including the application of the appropriate sanctions provided for in Chapter VII of the Charter.

117. The representative of Israel stated that for a long time and contrary to its international obligations, the Charter of the United Nations and the Security Council cease-fire, Lebanon had permitted terrorist organizations to establish bases on its territory from which to carry out attacks against Israel, causing damage to property and inflicting casualties. The Government of Lebanon, which had entered into agreement with the terror organizations, had failed to put an end to their activities and, instead, had given them its support. His Government had brought to the attention of the Council hundreds of attacks by terrorists operating from Lebanese territory against Israeli towns, villages, civilian population and military personnel. However, nothing had been done by the Council to impress upon Lebanon that it could not co-operate with the terrorists and, at the same time, expect Israel to refrain from protecting its citizens and property. In late January, Israel also had drawn the Council's attention to new acts of terror, and in late February, those acts had resulted in the death of two civilians. About the same time, in an incident involving Israel border police and terrorists, eight men had been wounded, two of whom died later. In protecting its citizens, Israel had taken action that had been directed only against terrorists and their encampments, and its forces had returned to their bases after the operation. So long as Lebanon was unwilling or unable to prevent attacks from its territory against Israel, it could not complain against action taken in self-defence. Any resolution by the Council, he concluded, should not give encouragement and comfort to Lebanon but should request it to stop all terrorist activities from its territory against Israel.

118. The representative of the Union of Soviet Socialist Republics stated that the new attack and several other acts of aggression against Lebanon were links in the chain of Israel's continued attempt to thwart efforts to reach a peaceful settlement. It should be noted, he said, that the new attack had been carried out on the day when the Special Representative of the Secretary-General had been in Israel to hold talks with the leaders of that country on a settlement in the Middle East. By that attack, Israel had trampled under foot the resolutions by which the Security Council had condemned Israel for its aggression against Lebanon and warned it that further steps in accordance with the Charter would be taken if those acts of aggression continued. The interests of international peace and security, he said, required that the Council condemn and punish Israel under the provisions of the Charter, including Chapter VII.

119. The representative of Saudi Arabia said that Lebanon was a small country that had never committed aggression in modern times. It was the frustrated Palestinians who, in trying to regain their country, had to resort, unfortunately, to killing those who had robbed them of their homeland. Since those killings had taken place on Israeli territory, premeditated action had been launched against Lebanon in hot pursuit of the alleged culprits. After recalling the futility of Security Council resolutions calling for sanctions, he noted that the only

way to stop Israel from pursuing its aggressive policy was for the United States to stop providing it with arms.

120. The representative of France said that since Israel's attack on Beirut International Airport in 1968, the Council had adopted five resolutions condemning Israel military intervention in Lebanon. However, the new attack, because of its scope and violence, went beyond what had occurred previously, and the threats made on 14 January endangered the territorial integrity of Lebanon. He had no doubt that Lebanon was doing everything it could to control the activities of the *fedayeen*, and it could not be held responsible for what happened on Israel territory. If Israel had given the Mixed Armistice Commission and the United Nations observers the means to fulfil their mission, it would have been easier to ascertain the actual situation. His Government, he indicated, had informed Israel that it opposed reprisals against any State and felt that the Council should regard Lebanon as a victim of the reprisal measures and give it the necessary assistance.

121. The representative of Yugoslavia said that the Council should be more serious than ever and should take effective measures to prevent the repetition of Israel attacks against Lebanon.

122. The representative of Japan recalled the proposal made by the Secretary-General on 18 August 1969 to both Israel and Lebanon to station United Nations observers on each side of the border to observe and maintain the Security Council cease-fire and to improve the situation in the Israel-Lebanon sector. Had that proposal been accepted, it would have prevented the recurrence of tragic border incidents.

123. The representative of the United Kingdom of Great Britain and Northern Ireland said that his delegation deplored acts of murder and terrorism perpetrated in Israel by elements of the *fedayeen*. However, his Government considered that the large-scale military action by Israel land and air forces against Lebanon was unjustifiable. His delegation hoped that Israel would desist from taking such action. The biggest contribution to the ending of those incidents would be a common support to Ambassador Jarring in his mission and the settlement of the problems of the Middle East in accordance with resolution 242 (1967).

124. The representative of Italy stated that his delegation was distressed by Lebanon's complaint, because of the losses inflicted in Lebanon by the Israeli attacks and because a military operation had been carried out at a time when the Special Representative of the Secretary-General had been making efforts with the parties to resume his mission of peace. At the same time, the Italian delegation deplored any acts of violence, regardless of its source, and would support any Council decision to prevent the repetition of such tragic events.

125. The representative of Belgium recalled that his Government had appealed to all countries in the Middle East to comply with the cease-fire and was again appealing for respect for the territorial integrity and sovereignty of all States in the area. Recalling that Israel had been warned repeatedly by the Council not to carry out any attack against Lebanon, he urged that it refrain from any further attacks. He also asked Lebanon to prevent Palestinians from taking advantage of the hospitality offered them to carry out attacks within Israeli territory. Because of the grave situation in the area, he felt that the international control organ established

under the Armistice Agreement of 1949 should function without delay with the participation of Israel.

126. The representative of China said that Israel's large-scale naked armed aggression against Lebanon constituted a grave violation of the United Nations Charter. The Chinese Government and people felt great indignation at the renewed naked armed aggression launched by the Israeli Zionists against Lebanon. The Chinese delegation maintained that the Security Council must condemn most sternly Israel's acts of aggression and call upon Israel to immediately stop its armed aggression against Lebanon, withdraw all its armed forces from Lebanese territory and refrain from the repetition of such acts of aggression.

127. The representative of Somalia stated that the Council should decide at once to call on Israel to respect Lebanon's sovereignty and territorial integrity and to desist from any military action against that country. Only after such a resolution was adopted should the Council look into the historical and political complaints by the parties.

128. At the 1644th meeting, on 27 February, the representative of Lebanon said that he had again requested an urgent meeting of the Council because of a new Israeli attack of a massive character against Lebanon. Although technically the Israeli forces had been withdrawn for a few moments outside the Lebanese borders, Israel's aggression was continuing, and its air force and artillery were bombarding areas of southern and south-eastern Lebanon. Units of Israel forces had again crossed the border and been engaged by Lebanese forces. As a result of the new aggression, 10 people had been killed and 30 wounded, most of them children, and there had been mass destruction of houses. Furthermore, the population of the area had left their homes in panic and moved towards the central and northern parts of the country. Recalling that on 14 January he had informed the Council of the warning delivered by Israel to the Lebanese authorities through the Mixed Armistice Commission, he said that, in view of the Council's repeated warnings that further steps would be taken if Israel aggression against Lebanon continued, it was incumbent on the Council to take measures to force the invader to withdraw its forces from Lebanese territory and to forestall any future aggression.

129. The representative of Argentina said that the Israeli attack on Lebanon was out of proportion in scale and duration and that rather than legitimate self-defence, it constituted a punitive expedition inconsistent with the Charter. The reports of the continued attacks were alarming, as shells fired by planes or artillery could make no distinction between *fedayeen* and peaceful citizens. In that difficult crisis, it was obvious that time was not working in favour of peace and of the efforts of Ambassador Jarring, whose presence in Israel had been greeted by hostilities. In his view, the Council should request Israel to cease military operations on Lebanese territory and to withdraw its forces immediately.

130. The representative of Guinea thought that the explosive situation in the Middle East was the direct result of Israeli occupation of Arab territories. The least the Council could do would be to demand the immediate cessation of Israel's aggression against Lebanon and the withdrawal of Israeli troops. At a subsequent stage, the Council should consider imposing sanctions against Israel under Chapter VII of the Charter.

131. The representative of Israel said that Israel troops had withdrawn from Lebanon on the previous day. However, terrorists based in Lebanon had opened fire again that morning against Israel troops outside Lebanon, compelling the Israel forces to return the fire and to take action against terror bases in Lebanon in self-defence. Contrary to what had been suggested by some, the forces employed by Israel were commensurate with the large number of terrorists and the terrain in question. He regretted that the fighting might have resulted in civilian casualties, which, he said, could not be prevented, despite all the precaution taken by the Israel forces. He reiterated that it was Lebanon's obligation to end the activities of terror organizations on its own territory. Lebanon was not being requested to favour Israel's interests but was obliged as a Member of the United Nations to prevent the use of its territory by irregular or any forces for aggression against another Member State.

132. The representative of the Union of Soviet Socialist Republics said that, contrary to what the representative of Israel had said in the previous meeting, the aggression against Lebanon had not ended. In fact, the invasion was the most flagrant act of aggression by Israel since 1967. After recalling the need to condemn the new aggression and demand the withdrawal of Israel's forces, he noted that the policy of reprisals had been rejected and condemned by the majority of the Council. It was important that the Council not only condemn the aggressor but reject the argument of reprisal, as it had done in the case of the Portuguese attacks on Guinea. Moreover, the Council had reason to impose sanctions and even give consideration to expelling Israel from the United Nations as an aggressor and violator of the Charter.

133. The representative of Italy said that he was introducing a draft resolution sponsored by Belgium, France, Italy and the United Kingdom (S/10552), which read as follows:

*"The Security Council,*

*"Deploring all actions which have resulted in the loss of innocent lives,*

*"Demands that Israel immediately desist and refrain from any ground and air military action against Lebanon and forthwith withdraw all its military forces from Lebanese territory."*

In introducing the draft resolution, he said that the sponsors believed that the draft was the minimum action that should be taken at that stage. Because swift action was required to stop military clashes, they hoped that members of the Council would refrain from introducing amendments, so that the voting could take place promptly.

134. The representative of India stated that the starting point in the discussions by the Council on the Middle East conflict had always been resolution 242 (1967), which remained unimplemented, although it contained indications as to how the problems should be solved. No one would object to Israel taking action within its own territory, but when it claimed the right to do so against Lebanon or any other State in order to maintain its hold on lands which did not belong to it, it was clearly in the wrong. That was the moral issue facing the Council. It was necessary that the Council not only take immediate action on the current complaint but decided on how to give effect to resolution 242 (1967).

135. The representative of the United States of America stated that his country viewed with deep concern the events on the Lebanese border and could not condone Israel's prolonged and extensive attacks. His country supported the political independence and territorial integrity of Lebanon and considered that the Council should call for the immediate withdrawal of Israel forces. At the same time, his delegation deeply regretted the loss of lives on both sides and felt that the attacks by guerrilla infiltrators could only delay peace. Unless Lebanon took more effective measures to seal its borders, Israel would continue to feel compelled to take further retaliatory action in self-defence. The United States urged the parties to co-operate and to make more frequent use of the international machinery for the exchange of information and consultations to end the cross-border attacks and terrorism. Concerned as it was for the loss of innocent life, his delegation would propose the inclusion of the words "on both sides" in the preamble of the draft resolution, which would then read: "Deploing all actions which have resulted in the loss of innocent lives on both sides".

136. Following statements by the representatives of the United Kingdom and France, the representative of the United States said that he would not press his amendment.

137. The representative of China stated that the preambular paragraph gave the impression that it confused aggression with the victim of aggression. His delegation proposed that the paragraph condemn Israel's aggression or, failing that, that the preambular paragraph be deleted.

138. The representative of Somalia said the draft resolution did not meet the demands of the situation. There should be a specific reference to innocent civilian life, and he proposed to amend the draft resolution in that sense. Furthermore, it had been said repeatedly that the history of the Israel-Lebanon relationship was replete with violation by Israel of Lebanese territory in complete disregard of international law and the United Nations Charter; therefore, Israel should be subject to the penalties under the Charter. Although he was not calling for sanctions at that stage, their imposition should not be ruled out as a form of action by the Council, if Israel continued to violate the territory of its neighbours.

139. Following a recess, the President, speaking as the representative of Sudan, said that the international community had always condemned aggression against Lebanon by Israel as a violation of the Charter. The Council must be decisive and should take punitive action against Israel under the Charter.

140. The representative of Italy said that, after consultations, the sponsors of the draft resolution had come to the conclusion that it would be difficult for them to agree to deletion of the preamble. However, they had agreed that separate votes should be taken on the preambular and operative paragraphs.

**Decisions:** *At the 1644th meeting, on 27th February 1972, the preambular paragraph of the draft resolution (S/10552) received 8 votes in favour to 4 against (China, Guinea, Sudan and Yugoslavia), with 3 abstentions (India, Somalia and the Union of Soviet Socialist Republics), and was not adopted, having failed to*

receive the required majority of votes. The remainder of draft resolution was adopted unanimously as resolution 313 (1972).

141. After the vote, the representative of the United States said that his vote for the resolution was in no way a condonation of the acts that had led to Israel's action.

142. The representative of Argentina said that he had voted for the preambular paragraph because it was closely linked to the operative paragraph.

143. The representative of the Union of Soviet Socialist Republics said that his delegation opposed equal treatment for the aggressor and the victims. He was in favour of continuing the discussion of the items, so that more severe measures could be taken against Israel.

144. The representative of Somalia said that the preamble was ambiguous and did not address itself to the issue of the attacks on the population of Lebanon.

145. The representative of Guinea also said that the preamble had been worded ambiguously and that his delegation did not want the aggressor put on the same footing as the victims.

146. The representative of Yugoslavia thought also that the preamble had confused the victims with the aggressor, and therefore he had voted against it.

147. The representative of Lebanon thanked the members of the Council, including the sponsors of the resolution, for their unanimous vote. He felt that inasmuch as the resolution just adopted was an interim measure, the Council should go deeper into the matter and take the action that Lebanon had called for.

148. The representative of Israel regretted that the Council's resolution failed to mention the root cause, namely, the failure of Lebanon to put an end to terrorist attacks against Israel. With regard to the preamble, it was with a sense of sorrow that his delegation had seen it defeated.

#### *(c) Consensus of the members of the Security Council*

149. A consensus of the members of the Security Council was issued on 19 April (S/10611) which read as follows:

"The President of the Security Council has held consultations with the members of the Council following the request of the Permanent Representative of Lebanon that the Security Council take necessary action to station additional United Nations observers in the Israel-Lebanon sector, as conveyed to the President of the Security Council and contained in annex 1 of his memorandum of 31 March 1972 to the Secretary-General, and in paragraph 1 of the annexed memorandum dated 4 April 1972 from the Secretary-General to the President of the Security Council. The President of the Security Council also informed and consulted the Secretary-General. Exceptionally, a formal meeting of the Security Council was not considered necessary in this instance.

"In the course of these consultations, the members of the Security Council reached without objection a consensus on the action to be taken in response to the request of the Lebanese Government and

invited the Secretary-General to proceed in the manner outlined in his above-mentioned memorandum. They further invited the Secretary-General to consult with the Lebanese authorities on the implementation of these arrangements.

"They also invited the Secretary-General to report periodically to the Security Council and in doing so to give his views on the need for the continuance of the above measures and on their scale."

150. During the consultations on the above question, the Chinese delegation had made the following statement which was circulated in a note by the President of the Security Council (S/10612).

"(a) The Chinese Government and people firmly support Lebanon and other Arab countries in resisting aggression and defending their state sovereignty and territorial integrity, firmly support the Palestinian people in their just struggle to restore their national rights. (b) As a result of the illegal exclusion of the People's Republic of China from the United Nations over a long period, the Chinese Government cannot have a sufficiently clear picture about the details of certain resolutions adopted by the Security Council in the past. Consequently, at present it is very difficult for us to make an over-all appraisal of the Lebanon-Israeli Armistice Agreement of 1949. However, in the opinion of the Chinese Government, the said Armistice Agreement was signed in circumstances unfavourable to the Arab people and the Palestinian people, and the provisions of the Agreement failed to distinguish between the aggressor and the victim of aggression; nor did they mention the question of the national rights of the Palestinian people. The Chinese Government has reservations in this respect. (c) The Chinese delegation maintains that the prevention of Israeli aggression mainly depends on the enhancement of the strength of the victimized countries themselves and the strengthening of the unity among the Arab countries, and that the strengthening of the United Nations machinery of observers is not an effective method for preventing Israeli aggression. Should the majority of Security Council members agree to this specific request of the Lebanese Government, the Chinese delegation would not oppose."

151. In the Secretary-General's memorandum of 4 April, published as an annex to the document setting forth the consensus of the Security Council, it was stated that, on 29 March, the President of the Council had received from Lebanon a request that the Security Council take the necessary action to increase the number of observers in the Lebanon-Israel sector, on the basis of the Armistice Agreement of 1949, in view of the repeated Israeli aggression against Lebanon. On 31 March, the President of the Council had informed the Secretary-General that it was the members' view that the request of Lebanon should be met, and, pending a final decision, he had asked the Secretary-General to determine the number of additional observers required for the Israel-Lebanon sector. Accordingly, the Secretary-General had requested the Chief of Staff of UNTSO to recommend to him what arrangements should be made in that respect and had made it clear that the action requested was of a preliminary nature for the sole purpose of informing the Council before a final decision was taken on the matter. On 3 April,

the Chief of Staff of UNTSO had informed the Secretary-General that Lebanon had proposed the establishment of three observation posts at Naqoura, Bent Jbail and Marjayoun. In that connexion, the Chief of Staff had proposed that, at the initial stage, the number of new observers needed, in addition to the existing 7, would be 14, with 8 more observers to be added, if it became necessary. He had indicated further that the proposed observation posts could be set up at short notice providing all the required personnel and equipment from existing UNTSO resources. He had pointed out that the proposed observation posts must be considered as a limited United Nations presence on one side of the line, which would provide only a measure of observation and a somewhat more rapid supply of information from UNTSO sources than that currently provided.

*(d) Subsequent communications and reports*

152. On 13 March, the President of the Security Council circulated a telegram dated 6 March (S/10563) from the Minister for Foreign Affairs of the German Democratic Republic, charging Israel with flagrant aggression against its Arab neighbouring States in violation of international law and the United Nations Charter and condemning those actions that endangered peace and security of the peoples in the area. It was time, the telegram added, to take effective measures in line with the United Nations Charter to prevent new crimes by Israel.

153. In a report dated 25 April (S/10617) on the implementation of the consensus of the Security Council of 19 April, the Secretary-General stated that he had instructed the Chief of Staff of UNTSO to implement the arrangements envisaged in his memorandum of 4 April annexed to document S/10611. Following discussions with Lebanese military authorities between 20 and 22 April, the Chief of Staff had informed him that the sites of the proposed observation posts had been selected and full agreement had been reached on various arrangements regarding the functioning of the Israel-Lebanon Mixed Armistice Commission operations.

154. Furthermore, the two new observation posts at El-Khiam and at Maroun Er-Ras, respectively designated OP Khiam and OP Ras, although located at some distance from the armistice demarcation line (ADL), were situated on high ground and provided extensive observation over various portions of that line. The existing UNTSO post at Naqoura, designated OP Naq, would become the third observation post. On 24 April, the three observation posts had become operational, and the Chief of Staff had informed Israel authorities of the arrangements made regarding their location and the initial date of their operation.

155. The Secretary-General noted that the strength of observers was being increased from 7 to 21 from existing UNTSO resources and also that the supplies and equipment needed for their operation were being drawn from UNTSO stock. He also remarked that the UNTSO logistic convoy from UNTSO headquarters in Jerusalem had crossed smoothly and without delay both the Israel and Lebanese check-points in the early hours of 24 April. From 25 April, he would circulate relevant information based on the observers' reports and would report to the Council periodically on the need for continuing the above measures and on their scope.

156. Accordingly, beginning on 25 April, the Secretary-General proceeded to issue reports on incidents in the Israel-Lebanon sector, which were included in the supplemental information issued on the situation in the Syria-Israel and Suez Canal sectors. In those reports (S/7930/Add.1582, 1584, 1585, 1587, 1588 and 1593), the observers operating in the new observation posts in the Israel-Lebanon sector transmitted complaints by Lebanon that a number of Israeli soldiers had crossed and recrossed the borders on 25, 26 and 28 April. They also reported occasional flights by Israel aircraft, which had crossed the armistice demarcation line for brief periods. In a supplemental information dated 26 April (S/7930/Add.1583), the Secretary-General listed the new observation posts in the Israel-Lebanon sector, as well as updated lists of the observation posts and control centres in both the Suez Canal and Israel-Syria sectors.

157. During the month of May and until 15 June 1972, the observers in the Israel-Lebanon sector submitted further reports (S/7930/Add.1595-1601, 1603-1604, 1610, 1611, 1613-1622, 1624-1628, 1630, 1632-1633) concerning a variety of aerial and ground activities and transmitted complaints submitted by Lebanon regarding violations of Lebanon's air space and territorial waters, as well as border crossing by Israel forces into Lebanese territory. The observers reported frequent flights by Israel jet aircraft over Lebanese territory, some of which were over the city of Beirut. In the latter part of that period, the Lebanese authorities complained, and the observers confirmed, that Israel warships had entered Lebanese territorial waters and that, after remaining there for periods of from two to three hours, they had withdrawn to Israel waters. Lebanon also complained that Israeli soldiers had frequently crossed the borders to undertake patrols and observation. On other occasions, Israel trucks and bulldozers had crossed the border to dig positions in Lebanese territory. They had withdrawn carrying back earth to Israel territory. Some of the complaints had not been confirmed by the observers, because, as the reports indicated, the locations of the incidents referred to in those complaints were outside the observation range of the observation posts.

158. In a report dated 5 June (S/7930/Add.1624), it was stated that Lebanon had complained that a Lebanese civilian had been found dead on 3 June near the southern border and that 10 metres from the body a hand grenade of Israel manufacture had been found, as well as vehicle tracks leading towards the border. However, the Lebanese complaint had not been confirmed by the United Nations observers because the location of the incidents referred to in the complaint was outside the observation range of the observation posts.

159. In a letter dated 5 June (S/10679), Lebanon charged that, on that date, 11 Israeli military planes had violated Lebanese air space and flown over towns situated in southern Lebanon. The letter drew attention to the numerous earlier complaints of similar nature that Lebanon had filed with UNTSO, which had been reported in the supplementary information issued by the Secretary-General since 26 April. Israel, it stated, had intensified its violations of Lebanese air space and was continuing its campaign of threats against Lebanon, which the Lebanese Government strongly protested.

#### 4. COMPLAINTS BY ISRAEL AND THE SYRIAN ARAB REPUBLIC

##### *Communications to the Council and reports of the Secretary-General on the observance of the cease-fire from 16 June 1971 to 15 June 1972*

160. During the period covered by this report, the Secretary-General continued to circulate supplemental information containing reports he received from the Chief of Staff of UNTSO regarding the cease-fire situation in the Israel-Syria sector (S/7930/Add.1223-1226, 1228, 1229, 1231, 1233, 1234, 1236, 1237, 1239-1243, 1245-1249, 1251, 1253-1255, 1258, 1260, 1261, 1263, 1265-1267, 1269, 1271-1276, 1278-1280, 1282-1285, 1287, 1288, 1290, 1291, 1293, 1295-1299, 1301-1306, 1308-1310, 1312, 1313, 1316-1318, 1320 and Corr.1, 1322-1324, 1326-1328, 1330, 1332, 1333, 1335, 1336, 1338-1340, 1342, 1343, 1345-1347, 1349, 1350 and Corr.1, 1354-1362, 1364-1367, 1369-1374, 1376, 1377, 1379, 1380, 1382-1385, 1387, 1389, 1391, 1392, 1394-1396, 1398, 1399, 1401-1405 and Corr.1, 1406, 1408-1413, 1415, 1417-1421, 1423-1425, 1427-1436, 1438-1440, 1442-1450, 1452-1458, 1460-1503, 1505-1514, 1516-1523, 1525-1532 and Corr.1, 1533-1538, 1540-1582, 1584-1592, 1594, 1596-1615, 1618-1623, 1625-1634). Those reports related to firing incidents in which tanks, light arms, artillery and heavy weapons had been used. They also related to some aerial activity, indicating in most cases that Israel jet aircraft had crossed the cease-fire line to attack Syrian military positions and that, on occasion, there had been some anti-aircraft fire by Syrian forces. The Chief of Staff included in those reports complaints submitted by both Israel and the Syrian Arab Republic to the Chairman of the Israel-Syria Mixed Armistice Commission regarding cease-fire violations. In their complaints, the parties requested that necessary measures be taken to prevent future violations.

161. In supplemental information issued in late June and early July 1971 (S/7930/Add.1240, 1241, 1242, 1243, 1245 and 1246), the Chief of Staff reported that Israel forces had crossed the limits of the Israel forward defended localities and, after having penetrated about 800 to 1,000 metres inside Syrian territory, recrossed the cease-fire line. In supplemental information dated 22 July (S/7930/Add.1273), the Chief of Staff stated that the Israel Liaison Officer had objected to those reports as incorrect. Following verification inquiries conducted by UNTSO into the Israel complaint, the general conclusion was that, although verbal and documentary evidence confirmed the accuracy of the observers' reports, no physical evidence could be found of the reported incursions.

162. In a letter dated 17 January 1972 (S/10511), Israel charged that since 1 January 1972, 11 violations of the cease-fire had been committed from Syrian territory, resulting in the death of two civilians, and that, in the course of 1971, there had been 149 violations of the cease-fire from Syrian territory by shelling, shooting, laying of mines and aerial intrusions, for which the Syrian Government was responsible in view of the support it had given to the terrorist organizations.

163. In a letter dated 21 January (S/10518), the Syrian Arab Republic replied that it was a matter of record that in 1971 Israel forces had committed 1,491 violations of the cease-fire, which had all been confirmed by United Nations military observers. With

regard to the allegations that it had committed 11 violations of the cease-fire since 1 January 1972, the Syrian Arab Republic indicated that the reports of the Chief of Staff between 3 and 20 January had made it clear that Israel forces had continuously violated the cease-fire and that the complaints submitted by Israel to UNTSO had not been confirmed by the United Nations observers, while those submitted by the Syrian Arab Republic had.

#### **B. Questions concerning the treatment of civilian populations in Israel-occupied territories and related matters**

##### *Communications to the Council from 16 June 1971 to 15 June 1972*

164. In a letter dated 17 June (S/10228), Israel, after referring to its letter of 10 June (S/10220) and the reply of the Syrian Arab Republic of 15 June (S/10224), stated that the latter's reply was a reflection of that Government's warfare against the right of the Jewish people to equality with other nations. The Syrian Arab Republic had rejected Security Council resolution 242 (1967), calling for peace with Israel, and had refused to participate in the efforts made for that purpose under the auspices of the Special Representative of the Secretary-General. Referring to the quotations in the Syrian letter of resolution 9 (XXVII) of the Commission on Human Rights, alleging violations of human rights in Israel-controlled territory, he pointed out that the majority of the members of the Commission had refused to support that resolution and that only representatives of Arab, Soviet and Moslem States and their traditional followers had voted for it. Such resolutions, Israel added, clearly demonstrated the impossibility of dealing with the Middle East equitably and effectively by means of United Nations resolutions that were not based on agreement of the parties to the conflict.

165. In letters dated 21 and 25 June (S/10232 and S/10238 and Corr.1), the Syrian Arab Republic stated that Israel was contemptuous of the World Organization, rejecting and violating a number of resolutions adopted by the Security Council and the General Assembly on various aspects of the Israel-Arab conflict. Israel replied on 23 June (S/10234) that Syria had always attempted to employ one-sided resolutions in order to avoid the need to seek settlement of the Middle East conflict by negotiating with Israel.

166. By a letter dated 25 June (S/10256), Iraq transmitted the text of an interview in the French magazine *Témoignage Chrétien* with an Israeli professor who protested Israel's policies towards the Arabs in occupied territories, in particular, the alleged policies of collective punishment, destruction of houses, ill-treatment of prisoners and administrative detention. In a letter dated 20 July (S/10271), Israel replied that the interview in question contained falsehoods and distortions of fact and that the said professor was known to speak for a handful of avowed supporters of Arab belligerency against Israel. Iraq rejected the arguments of Israel in a letter dated 30 July (S/10278), stating that as it was unable to deny the specific charges, Israel had turned to personal attack.

167. In a letter dated 20 July (S/10270) regarding the activities of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, Israel stated

that that Committee had continued to serve as a tool of Arab propaganda and a means of disseminating falsehoods regarding the situation in Israeli-held territories. The letter quoted from a statement by the Minister for Foreign Affairs in Israel's Knesset to the effect that the Committee was gathering false testimony on Israel's alleged misdeeds against its Arab inhabitants but that the hundreds of visitors to Israel were the best witnesses to the true picture.

168. In letters dated 25 August 1971 and 5 January 1972 (S/10300 and S/10495), the Syrian Arab Republic drew attention to Israel's expansionist policy and quoted a report from a Jewish Telegraphic Agency bulletin to the effect that the Israeli population in the Golan Heights would number about 15,000 persons in seven years. It also quoted several reportedly official statements to support the charge that Israel was following a policy of expansion and annexation by establishing new settlements in the occupied territories in violation of United Nations resolutions.

169. In a letter dated 16 August (S/10293), Egypt complained that the situation in Gaza was deteriorating as a result of Israel's measures of expulsion and destruction of homes in order to depopulate the area, in violation of the 1949 Geneva Convention. In view of the gravity of that situation, it requested that the United Nations take the necessary steps to end Israel's breach of law, morality and international peace and security.

170. In a letter dated 19 August (S/10295), Israel replied that, following a terrorist campaign supported by Egypt and other Arab States, there had been many violent acts that had caused the death of many local inhabitants in the area. Consequently, Israel had been compelled to take the required measures to ensure the safety and security of the inhabitants. Those measures had required the construction of access roads within the refugee camps and, in certain cases, the demolition of some houses. However, alternate housing had been provided, and the evacuees had been given compensation for any expenses they had had to face in the process of their transfer to new houses.

171. By a letter dated 18 September (S/10328), Egypt transmitted the text of a telegram to the Secretary-General from the Executive Committee of the Palestine Liberation Organization, protesting against measures taken by Israel in Gaza on the pretexts of security and town planning and requesting that Israel be made to cease all forcible transfer of population and killing innocent people. It further requested that the United Nations dispatch an investigating committee to look into the situation in Gaza and order Israel to cease immediately its policy of terror and oppression against the population there.

172. By a letter dated 3 January 1972 (S/10496), Iraq transmitted a petition signed by Palestinian Arabs in exile, urging the Secretary-General to persevere in the implementation of General Assembly resolution 194 (III) of 11 December 1948.

173. In letters dated 15 and 29 March, 6 April, 23 May and 12 June (S/10565, S/10582, S/10590, S/10663 and S/10694), Egypt charged that, in violation of the 1949 Geneva Convention, several Security Council resolutions and its obligations under international law, Israel had deported thousands of Egyptian citizens inhabiting Sinai and had transferred them to other areas. It had also destroyed many homes and expropriated lands in the Rafah area. The letter charged

that Israel was pursuing a systematic and premeditated policy to depopulate the occupied territories in order to fit them into its expansionist plans and ultimately annex them. To that end Israel had reinforced its military control over the Gaza Strip and had established many Jewish settlements there. The Palestinian population had been displaced and deported and had been replaced by Jewish immigrants. In view of Israel's grave violations of the United Nations Charter and its total disregard of United Nations resolutions, the United Nations should take the appropriate measures to uphold the Charter and the relevant resolutions.

174. In letters dated 21 March, 3 April, 30 May and 15 June (S/10570, S/10587, S/10667 and S/10700), Israel rejected Egypt's charges and reiterated that Israel's policy and actions in the Gaza and Sinai areas had been directed towards ensuring the safety, welfare and security of the inhabitants, in accordance with Security Council resolution 237 (1967). The measures it had taken under its international obligations were necessitated by the terror campaign, which aimed at undermining normal civilian life.

175. In a letter dated 14 April (S/10598), Jordan charged that Israel had taken new measures to forcibly expel from the occupied territories 14 Arab inhabitants who had recently arrived on the East Bank. Those deportations, it said, were in direct violation of article 49 of the Geneva Convention of 12 August 1949, and effective measures in accordance with the Charter were required to stop such policies.

176. In a letter dated 20 April (S/10614), Egypt stated that, according to an Israeli military communiqué reported in the press, Israeli troops had fired on Egyptian prisoners of war, killing one of them. Recalling that the Third Geneva Convention made the detaining Power responsible for the treatment given prisoners of war, Egypt protested the new breach of the above-mentioned Convention and requested the Secretary-General to investigate the conditions under which the incidents had occurred, as well as detention conditions of the Egyptian prisoners of war, and to ensure full compliance by Israel with the Third Geneva Convention relative to the Treatment of Prisoners of War of 1949.

177. In a letter dated 2 May (S/10628), Israel replied that during a search for hidden weapons in the prisoner-of-war camp, the prisoners had attacked the military police, wounding two Israeli officers, then set fire to their quarters and tried to break out. After having refused to obey the military police, warning shots had been fired in the air. A bullet had ricocheted off a wall and wounded a prisoner, who subsequently died. The authorities had established a commission of inquiry to carry out an investigation, and the International Committee of the Red Cross had been notified of the incident. After noting that representatives of the Red Cross made periodic visits to the prisoners of war and that their reports had established that Israel observed the provisions of the Geneva Convention relative to the Treatment of Prisoners of War, Israel pointed out that the exchange of all the prisoners of war between Egypt and Israel would be the most humanitarian solution of the problem and reiterated its proposal that Egypt agree to it.

178. In a letter dated 13 June (S/10698), the Syrian Arab Republic stated that, in order to justify military action against the Arab States, including Syria, Israel was using the situation of the Jews in Syria as

an excuse for intervention. According to a recent official statement, Israel would act in an organized and bold manner to save the Jews in Syria. That, the letter added, was part of a world-wide campaign to have Jews emigrate to Israel because of alleged persecution and anti-Semitism. After rejecting the allegations that the Jews in the Syrian Arab Republic carried special identification cards and noting that all Syrian citizens carried cards showing their religious affiliation, the letter countercharged that the Arabs in Israel had to carry special numbers to identify them as Arabs and that against four Syrian Jews jailed in Syria there were 4,000 Arabs rotting in jails in Israel. The letter also recalled that, since 1967, the General Assembly and some of its organs had condemned Israel 16 times for violations of Arab human rights.

### **C. The situation in and around Jerusalem and its Holy Places**

#### **1. REPORT OF THE SECRETARY-GENERAL**

179. With further reference to his reports of 18 February and 20 April 1971 under Security Council resolutions 252 (1968), 267 (1969) and 271 (1969) and General Assembly resolution 2254 (ES-V) concerning Jerusalem, the Secretary-General issued a report on 20 August (S/10124/Add.2), containing a further exchange of communications between him and the representative of Israel on the subject of the United Nations premises at Government House in Jerusalem. In a note dated 18 August in reply to the Secretary-General's note of 12 April reiterating his request for the unreserved return to the United Nations of the remainder of its Government House premises, the representative of Israel had stated that no changes were contemplated with regard to the situation as stated in the exchange of letters of July and August 1967. On the following day, in a note to the representative of Israel, the Secretary-General had indicated that he understood the representative's note to mean that his Government, having already discontinued all construction and other works within the area of the United Nations premises at Government House, would refrain from reinitiating such construction until the difference of opinion reflected in the 1967 exchange of letters had been satisfactorily resolved. If that understanding were incorrect, the Secretary-General reiterated that one way of resolving any differences that might arise would be to resort to the procedure for settlement laid down in the Convention on the Privileges and Immunities of the United Nations.

#### **2. REQUEST FOR A MEETING AND CONSIDERATION BY THE COUNCIL AT ITS 1579TH TO 1582ND MEETINGS (16-25 SEPTEMBER 1971)**

180. In a letter dated 13 September (S/10313), the representative of Jordan requested an urgent meeting of the Security Council to consider Israel's illegal actions in Jerusalem in defiance of Security Council resolutions 252 (1968), 267 (1969) and 271 (1969). He charged that, contrary to those resolutions and in spite of local and international objections, Israel had continued its illegal and unilateral measures aimed at changing the city's character and environs. He added that the situation created by Israel's illegal measures was a direct threat to the character of the city, to the lives of its people and to international peace and security.

181. At its 1579th meeting, on 16 September, the Security Council included in its agenda Jordan's letter of 13 September 1971. At the request of the representative of the Syrian Arab Republic, it also included in its agenda the reports of the Secretary-General on the implementation of Security Council resolutions on the question of Jerusalem. The representatives of Jordan, Egypt and Israel and, subsequently, Mali, Morocco, Saudi Arabia, Lebanon and Tunisia were invited to participate in the discussion without the right to vote.

182. The representative of Jordan stated that the measures taken by Israel in Jerusalem were designed to change the status and character of the Holy City and, at the same time, aimed at preventing the conclusion of a just and peaceful settlement of the Middle East conflict, in the hope that the cease-fire lines would ultimately become Israel's new borders. Israel contemplated new legislation to extend the borders of Jerusalem to include the annexation of 3 Arab towns and 27 villages over and above what had already been unilaterally and illegally annexed in June 1967. Furthermore, there were reported attempts by Israel to enact a law that would confine Moslem Holy Places in the Haram Esh-Sharif area to the Al-Aqsa and the Dome of the Rock Mosques, in disregard of Article 49 of the Fourth Geneva Convention of 1949 and Article 12 of the United Nations Covenant on Civil and Political Rights. Many General Assembly and Security Council resolutions had deplored measures of annexation and had called upon Israel to rescind such measures and to desist from taking action that would alter the status of Jerusalem. However, Israel had shown contempt for those resolutions and still declined to supply the Secretary-General with any details or satisfactory information on the 'Master Plan for Jerusalem', which envisaged, among other things, developments affecting the United Nations premises at Government House. Israel's determination to Judaize Arab Jerusalem had been manifested in legislative, fiscal and urban measures, which were imposing on the city an increasingly special character at the expense of the non-Jewish population. In the light of Israel's disregard of General Assembly and Security Council resolutions, the Council should invoke whatever sanctions it deemed fit under Chapter VII of the Charter to ensure Israel's respect for them.

183. At the 1580th meeting, on 16 September, the representative of Israel stated that Jordan's complaint was a manoeuvre to divert attention from its internal difficulties. Jordan, which had invaded Jerusalem in 1948 and seized its eastern sector, was trying to infringe upon the city's right to normal existence and development. The General Assembly and Security Council had displayed singular disinterest in Jerusalem's welfare at the most trying and crucial moments. Now that the city was united, the Security Council was being mobilized in an attempt to retard progress and to stifle growth in Jerusalem. With regard to construction work in the city, he noted that planning was a normal and indispensable element in the development of any city. Building activities in the eastern sector of Jerusalem constituted slum clearance, the reconstruction of the Jewish quarter, the Hebrew University Campus and the Hadassah hospital and the erection of new housing for Arab and Jewish residents who had been living in slums. In order to accommodate the growth of the city's population—Jewish as well as Arab—land had been acquired, and landowners, both Arabs and Jews,

were being fully compensated. Contrary to Jordanian allegations, there was no "Master Plan". However, in view of the universal interest in the city, the Mayor of Jerusalem had invited an international group of outstanding individuals to form an advisory board to aid the municipality of Jerusalem. The Israel authorities, he concluded, had ensured and would continue to ensure the sanctity of the Holy Places, freedom of access to them and the jurisdiction of the various religious communities over them.

184. At the 1580th and 1581st meetings, on 16 and 17 September, the representatives of Egypt, Saudi Arabia, Lebanon, Tunisia and Morocco took part in the discussion in support of Jordan's complaint. They maintained that Israel had defied all previous Council resolutions calling upon it to rescind all measures aimed at changing the character of the Holy City and stated that the Council, in the face of that defiance, should put an end to it and take any further steps to implement its resolutions, including the application of Chapter VII of the Charter. The representative of Morocco expressed the hope that the Council would decide to dispatch a representative or a mission to determine whether Israel was complying with the resolutions adopted on Jerusalem. The representative of Saudi Arabia recalled that, in dealing with the problem of Jerusalem, the Council should bear in mind that no matter what Israel's contention might be, the fact remained that hundreds of millions in the Arab or Moslem world would not concede that 2 million Zionists should have sovereignty over Jerusalem.

185. The representative of Mali noted that the question of Jerusalem was only one of many aspects of the Middle East conflict and said that any measure infringing upon relevant United Nations resolutions would hinder negotiation for a peaceful settlement.

186. Speaking in exercise of the right of reply, the representative of the Syrian Arab Republic stated that the real issue before the Council was Jordan's complaint and the reports of the Secretary-General on Jerusalem. From 1967 to date, the General Assembly and the Security Council had adopted five resolutions regarding the Holy City. None of those resolutions had ever been respected by Israel. The concern of the Council should therefore be to find a way to bring Israel's defiance to an end.

187. At the 1582nd meeting, on 25 September, the representative of the Union of Soviet Socialist Republics stated that the resolutions adopted by the Security Council and General Assembly, condemning Israel's annexation of the Arab part of Jerusalem, were in accordance with the principles of international law based on the inadmissibility of acquiring territory through war. That principle was also the basis of Security Council resolution 242 (1967). Israel's defiance and negative attitude towards United Nations decisions showed its expansionist and aggressive policy towards the Arab world. Israel's measures in Jerusalem were aimed at changing the Arab nature of the Old City by expelling Arab inhabitants, destroying Arab houses and imposing Israel settlements in the Arab section. It was clear that Israel's plans were intended to undermine the peaceful political settlement envisaged in Security Council resolution 242 (1967). Therefore, the Council was bound to take more decisive action to compel Israel to respect the will of the international community. He felt that the demand that Chapter VII

of the Charter be applied against Israel was justifiable and supported the demand of the Arab countries to dispatch a special mission to Jerusalem.

188. The representative of Belgium stated that, at a time when the chance to reach a negotiated solution remained possible, it was advisable to avoid any discussion that might vitiate attempts made in that respect. After noting that Israel had failed to apply the provisions of the Geneva Convention of 1949, he expressed his delegation's hope that the Council would adopt a resolution that would call on Israel to abrogate measures aimed at changing the status of Jerusalem, and he suggested that the Secretary-General should submit a report showing how measures taken by Israel violated previous resolutions of the Council and The Hague Conventions on the Laws of War.

189. The representative of France said that Jordan's new complaint appeared to be the logical consequence of the latest Security Council resolution, resolution 267 (1969) of 3 July 1969, which had been preceded by resolution 252 (1968) of 21 May 1968. Israel had never implemented the provisions of those resolutions; consequently, the Council was once again faced with the same problem. Since its occupation of Arab Jerusalem, Israel had been pursuing a policy designed to integrate that section permanently within an administratively unified Jerusalem. Israel's policy of fait accompli would increase the resentment of the parties concerned, aggravate tension in the Middle East and jeopardize the chances of peaceful settlement.

190. The representative of Argentina stated that the concern of the world over Jerusalem was fully justified, because of the city's historical importance to three religious faiths. Until the status of the city could be defined on the basis of respect for historic and religious interests, innovation should not take place there. Israel should adjust its conduct to the requirements of the United Nations resolutions, and the Security Council must reaffirm its position on Jerusalem.

191. The representative of Poland said that developments in Jerusalem revealed a part of Israel's aggressive policy, based on military occupation and attempts to create faits accomplis. He urged the Council to study the question in the context of its illegality under the principles of international law, bearing in mind Israel's attitude and actions in disregard of the will of the international community. The Council should not only reaffirm previous resolutions on the matter but should consider all measures necessary to ensure their implementation.

192. The representative of Italy said that the future of Jerusalem should be determined in accordance with the pertinent resolutions of the United Nations and not through unilateral action. Israel's measures in the occupied section of Jerusalem were inconsistent with the provisions of international law and the Geneva Conventions of 1949.

193. The representative of Somalia said that the administrative and legislative measures taken by Israel in Jerusalem were in violation of numerous United Nations resolutions and had undoubtedly hindered a political settlement to the problem of the Middle East. The Council was duty-bound to adopt more effective measures. In order to take the United Nations one step forward in meeting its responsibilities in that respect, he submitted the following draft resolution (S/10337):

*"The Security Council,*

*"Recalling its resolutions 252 (1968) and 267 (1969) and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of July 1967 concerning measures and actions by Israel designed to change the status of the Israeli-occupied section of Jerusalem,*

*"Having considered the letter of the Permanent Representative of Jordan on the situation in Jerusalem (S/10313) and the reports of the Secretary-General (S/8052, S/8146, S/9149 and Add.1, S/9537 and S/10124 and Add.1 and 2), and having read the statements of the parties concerned on the question,*

*"Reaffirming the principle that acquisition of territory by military conquest is inadmissible,*

*"Noting with concern the non-compliance by Israel with the above-mentioned resolutions,*

*"Noting with concern further that since the adoption of the above-mentioned resolutions Israel has taken further measures designed to change the status and character of the occupied section of Jerusalem,*

*"1. Reaffirms Security Council resolutions 252 (1968) and 267 (1969);*

*"2. Deplores the failure of Israel to respect the previous resolutions adopted by the United Nations concerning measures and actions by Israel purporting to affect the status of the city of Jerusalem;*

*"3. Confirms in the clearest possible terms that all legislative and administrative actions taken by Israel to change the status of the city of Jerusalem including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section are totally invalid and cannot change that status;*

*"4. Urgently calls upon Israel to take no further steps in the occupied section of Jerusalem which may purport to change the status of the City, or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace;*

*"5. Requests the Secretary-General, in consultation with the President of the Security Council and using such instrumentalities as he may choose, including a representative or a mission, to report to the Security Council as appropriate and in any event within 60 days on the implementation of this resolution."*

194. The representative of the Syrian Arab Republic proposed four amendments (S/10338/Rev.1) to the Somali draft resolution. He proposed that in the first line of operative paragraph 4, after the word "Israel", the following phrase be added: "to rescind all previous measures and actions and". In operative paragraph 5, he proposed the replacement of the words "as he may choose" by the words "as they may choose". In the same paragraph, he proposed that the Secretary-General should report in 30 days instead of 60 days. Finally, he proposed the addition of the following new operative paragraph:

*"6. Decides that the Security Council shall reconvene without delay to consider the report referred to in paragraph 5 and what further actions should be taken under the Charter."*

195. The representative of the Syrian Arab Republic noted that many speakers in the Council had expressed their opposition to Israel's violations of international law and of various United Nations resolutions that opposition should have been reflected in a resolution more responsive to the obligation of the Council, which should call upon Member States to recognize the illegality of Israel's action in Jerusalem and to refrain from giving any form of assistance to Israel. The final step would be the application of sanctions, according to Chapter VII of the Charter.

196. In his capacity as representative of Japan, the President of the Council stated that resolution 242 (1967) had clearly emphasized the inadmissibility of the acquisition of territory by war, a principle that applied to the situation of Jerusalem. His delegation deplored Israel's failure to grant the Secretary-General a detailed description of the so-called "Master Plan" and reiterated the position of his Government on the desirability of an international régime for the city of Jerusalem. His delegation was in favour of the Somali draft resolution, as well as the idea of designating a mission of investigation which would report to the Council on conditions in Jerusalem.

197. The representative of Burundi stated that the status of Jerusalem called for respect by all parties concerned, who should do nothing that might in any way contribute to making the situation in the area more dangerous. His delegation believed that the responsibility of the Council lay in re-establishing an atmosphere conducive to prayer and meditation in the Holy City, and he thought that the United Nations should devise ways of convincing Israel to rescind its decisions concerning the city, including measures for annexation that might become irreversible.

198. The representative of Sierra Leone stated that his Government believed that peace in the Middle East could only be achieved by Israel's withdrawal from the occupied territories, in accordance with resolution 242 (1967). Relying on its military power, Israel had rejected a peaceful settlement and had continued its defiance of the international will. Furthermore, it had been taking measures to change the status of the Holy City, without any consideration for the feelings of Christians and Moslems throughout the world. If that policy was not ended, the dreadful result would be an intensification of hostility in the area.

199. As a result of appeals made by the representatives of France and the United States, which were subsequently supported by the representatives of the United Kingdom, Somalia and Italy, the representative of the Syrian Arab Republic withdrew three of his amendments to the Somali draft resolution and requested a vote on the first. The representative of the USSR requested a separate vote on operative paragraph 5 of the draft resolution.

**Decisions:** *At the 1582nd meeting, on 25 September 1971, the first amendment of the Syrian Arab Republic (S/10338/Rev.1) was adopted by 13 votes to none, with 2 abstentions (Nicaragua and United States of America).*

*Paragraph 5 of the draft resolution of Somalia (S/10337) was adopted by 12 votes to none, with 3 abstentions (Poland, Syrian Arab Republic and Union of Soviet Socialist Republics).*

*The draft resolution, as amended, was adopted as a whole by 14 votes to none, with 1 abstention (Syrian Arab Republic) as resolution 298 (1971).*

200. After the vote, the representative of the United Kingdom said that he voted for the resolution, because it was consistent with his Government's position on Jerusalem. He expressed the hope that Israel would heed the resolution's call and would give its full co-operation to the Secretary-General in carrying out his mandate.

201. The representative of Jordan said that, if Israel continued in its refusal to comply with the Council's decisions, then the only avenue left would be the application of Chapter VII of the Charter.

202. The representative of the United States said that he had supported the resolution, because it was time to reiterate his Government's concern that nothing should be done in Jerusalem that could prejudice an ultimate peaceful solution.

203. The representative of Israel said that the resolution just adopted disregarded Israel's basic rights and sought to violate the natural unity of the city. Above all, it reflected the view of States hostile to Israel's independence.

204. The representative of the Syrian Arab Republic said that his delegation had abstained, because, though approving some of the draft's constructive elements, it believed that the Council should have started from paragraphs 6 and 7 of its resolution 267 (1969), which had been adopted unanimously.

### 3. SUBSEQUENT REPORTS AND COMMUNICATIONS

205. In a report dated 19 November (S/10392) submitted in pursuance of Security Council resolution 298 (1971) of 25 September 1971 concerning Jerusalem, the Secretary-General stated that, under the terms of that resolution, he had held consultations with the President of the Security Council on its implementation and subsequently had informed Israel of his intention to nominate a mission, consisting of three members of the Council, with a view to enabling him to report to the Council as requested. On 1 October, he had indicated to the Foreign Minister of Israel that he had in mind as members of the mission the representatives of Argentina, Italy and Sierra Leone, whose Governments had signified their willingness to serve on that mission. He had reminded Israel that, under the terms of the resolution, he had a 60-day limit for reporting and therefore was bound to report within that period. Having received no reply from Israel, he had again, on 28 October, drawn Israel's attention to the fact that he would appreciate receiving its comments as soon as possible. On 15 November, the representative of Israel had transmitted a letter containing his Government's views concerning paragraph 4 of resolution 298 (1971), without, however, touching upon the question of Israel's response to the proposal for a mission under that resolution. On 16 November, the Secretary-General had again addressed a letter to the representative of Israel in which, after having recalled that Israel's reply had not referred to the question of a mission, he had indicated that, inasmuch as the time-limit for his report would expire on 24 November, he had no alternative but to submit his report to the Security Council without taking further action to acti-

vate the three-man mission. Consequently, he informed the Council that, since September 1967, he had had no means of obtaining first-hand information in the fulfilment of his reporting responsibilities under resolution 298 (1971). After careful consideration of that resolution, he and the President of the Security Council had concluded that the best way to fulfil those responsibilities was through a mission of three members of the Council, for which the co-operation of Israel would obviously be required. However, Israel had not indicated willingness to comply with the resolution. In the light of Israel's failure to abide by the decision of the Security Council, he had been unable to fulfil his mandate under resolution 298 (1971).

206. The Secretary-General annexed to his report copies of his exchange of letters with the Government of Israel. In its letter of 15 November, Israel had restated its position with regard to the provision contained in resolution 298 (1971) calling on it to "rescind all previous measures and actions" to change the status of Jerusalem. Israel held that the restoration of the status of the city prior to 1967 would involve rescinding the unity, peace and sanctity of the city in order to restore division and conflict and considered it inconceivable that the majority of the Council would wish to restore such a situation. Concerning the suggestion that Israel was planning action to annul the heterogeneous character of the population, Israel gave assurances that the proportions of different ethnic population groups in the city were not expected to change. As for the interests of the international community, Israel reaffirmed that the protection of the Holy Places was ensured by law and that there was freedom for all to visit and pray at the Holy Places of the three great faiths.

207. By a letter dated 20 January 1972 (S/10517), the representative of Jordan transmitted a statement issued by his mission with reference to Israel's letter of 15 November 1971. In reply to Israel's claim that restoration of the status of Jerusalem to that existing prior to 1967 would mean the return to a military demarcation line, Jordan stated that the demarcation line and any other arrangements flowing therefrom had been a result of Israel's aggression. Contrary to the claim contained in Israel's letter regarding the issue of population, it had been proved that what had become new Jerusalem had formerly been predominantly an Arab city, currently occupied and despoiled by Israel, in violation of all international conventions and United Nations resolutions. After pointing out that the problem of Jerusalem was an integral part of the problem of terminating Israeli occupation of all Arab territories, Jordan rejected Israel's claim that all citizens in the city had a voice in its administration and added that Israel had deported the duly elected mayor of that sector. With regard to the laws enacted by Israel for the protection of the Holy Places, Jordan stated that no one party should arrogate to itself the privilege of redrafting legislation covering 2,000 years of history, traditions and rights. In conclusion, Jordan said, no matter how Israel tried to justify its annexation of the city, the measures it had taken to change its status were contrary to all international Conventions, as well as United Nations resolutions and the Charter. Consequently, the Security Council should assume its responsibilities and ensure that a life of freedom, peace, dignity and harmony was guaranteed for all.

**D. General statements and other matters brought to the attention of the Security Council in connexion with the situation in the Middle East**

208. By a letter dated 13 July 1971 (S/10272), the representative of the Organization of African Unity (OAU) in New York transmitted the text of resolutions adopted by the Assembly of Heads of State and Government of OAU at its eighth session, held in Addis Ababa from 21 to 23 June 1971. In one of those resolutions, OAU called for immediate withdrawal of Israel forces from all Arab territories and expressed its full support of the Special Representative of the Secretary-General of the United Nations in his efforts to implement Security Council resolution 242 (1967). It also called upon Israel to make a positive reply to the Special Representative's initiative for peace of 8 February 1971.

209. In a letter dated 13 August (S/10290), the representative of the Syrian Arab Republic referred to a reported decision by the International Bank for Reconstruction and Development to grant Israel a loan of \$30 million to expand its highway network and stated that the loan in question was shocking, in view of Israel's disregard and defiance of all the United Nations resolutions adopted on the Arab-Israeli conflict. He stated that, in addition to more than 2,000 million dollars' worth of Arab property in Palestine taken by force by Israel in 1948, thousands of millions of American dollars had poured into that country, giving the settlers a privileged status in relation to that of the other inhabitants of the region. Even after the aggression of 1967, United States military and economic assistance had run into the thousands of millions of dollars, despite the severe indictment of Israel by the United Nations and specialized agencies.

210. In a letter dated 24 August (S/10297), the representative of Israel drew the attention of the Security Council to a joint declaration made in Damascus on 20 August by the Presidents of Egypt, the Syrian Arab Republic and the Libyan Arab Republic to mark the signing by the three States of the Constitution of the Federation of Arab Republics. That declaration, the letter stated, reflected a policy rejecting peace with Israel and constituted a violation of the United Nations Charter and defiance of the obligation to reach a peaceful settlement of the Israel-Arab conflict under resolution 242 (1967).

211. By a letter dated 8 October (S/10632), Israel transmitted the text of a letter it had addressed on 30 September to the International Civil Aviation Organization (ICAO), in which it was stated that, between 23 August and 3 September 1971, two Arab terrorists had attempted to bring about the destruction in flight of an aircraft belonging to El Al, the national airline of Israel. It was the belief of the Government of Israel that further acts of sabotage were contemplated and, therefore, it was urging ICAO to take the necessary measures to prevent the recurrence of acts of violence against international civil aviation that would jeopardize the safety of persons and property and would gravely affect the operations of the international air services.

212. In a letter dated 11 May 1972 (S/10639), Israel informed the Secretary-General that, on 8 May 1972, armed agents of the terror organization called

Black September had captured a civilian aircraft of the Belgian airline Sabena during its flight from Belgium to Israel and that, after landing it at Lod airport in Israel, the hijackers had threatened to blow up the aircraft with its passengers and crew if Israel did not release members of Arab terror organizations detained in Israel. On the following day, a unit of Israel forces had been able to gain control of the aircraft and free all the passengers but, in the process, had killed two of the hijackers and captured two others. Israel noted that the reaction of the Arab Governments and Arab information media had indicated support for the hijackers and that the terror organizations continued not only to enjoy the support of the Arab Governments but to maintain bases on their territories, where they received military assistance and training. That act of air piracy, the letter concluded, reflected the criminality of the activities of terror organizations, as well as the responsibility of the Arab Governments.

213. In a letter dated 31 May (S/10668), Israel informed the President of the Security Council that, on the previous day, an armed attack had taken place at Lod Airport, when three men, who had arrived by Air France from Rome, had entered the airport lounge and opened fire indiscriminately on the crowd, killing 25 persons and wounding 70. Two of the assailants had been killed, and the third, who had been captured, had stated that he and his colleagues were Japanese nationals hired to commit that crime by the Popular Front for the Liberation of Palestine, which shortly thereafter had claimed responsibility for the mass murder. Israel recalled that it had previously drawn the attention of the Council to the responsibility of Arab Governments, particularly Lebanon, for the criminal operations conducted by Arab terror organizations, which it charged maintained offices in Beirut, where they received support from Lebanon and other Arab countries. In conclusion, Israel requested that the Arab Governments, especially Lebanon, put an immediate end to the activities of those organizations.

214. By a further letter dated 31 May (S/10671), the representative of Israel transmitted excerpts from a statement made by Israel's Prime Minister in the Knesset, in connexion with the Lod Airport incident. In that statement, after deploring the incident and expressing condolences to those who suffered from it, the Prime Minister recalled that dozens of air incidents had taken place since the Swissair disaster two years earlier, and stressed Lebanon's responsibility for harbouring and supporting the terrorist organizations responsible for those incidents. She warned that Israel would not be the only target of the terrorists and appealed to all Governments and airlines to co-operate and to take the necessary measures to keep the hijacking plague from spreading.

215. In a letter dated 31 May (S/10670), Lebanon said that by attributing the responsibility for the airport incident to a Palestinian organization that had its headquarters in Beirut, Israel sought to place responsibility for the incident on Lebanon. His Government, however, condemned all acts of violence against innocent civilians and was in no way implicated in the incident. Accordingly, the accusations made by Israel should be rejected as unfounded.

216. By a letter dated 1 June (S/10673), Israel replied that Lebanon had not denied that it was the location of the headquarters of the organization respon-

sible for the Lod Airport incident and reiterated that Lebanon was fully responsible for harbouring organizations engaged in the murder of innocent civilians and for failing in its international obligations to put an end to their activities.

217. In a letter dated 2 June (S/10675), Israel drew the attention of the Council to a statement by Egypt's Prime Minister broadcast by Cairo radio that, the letter said, gave official approval to the incident of Lod Airport, thus showing that Government's support for the activities of Arab terror organizations. After recalling Egypt's role in the operations carried out by the terror organizations, Israel charged that Egypt's involvement in, and identification with, their activities had reached new depths of criminality and therefore Egypt's responsibility was clear. In a reply dated 8 June (S/10688), Egypt stated that Israel was trying to shift the responsibility of the incident to a number of Governments. Its official statements and threats of reprisals had the objective of furthering its aggression against the Palestinian people and its expansionist design against the Arab States in the area. In the light of those statements, Israel must be held responsible for the grave consequences of any action it might undertake in the future.

218. By a letter dated 2 June (S/10677/Rev.1), the representative of Lebanon transmitted the text of a statement made by the President of Lebanon regarding the Lod incident, in which he denied his country's responsibility and asked how Lebanon could be responsible for the action of foreign commandos transported to Israel from a foreign capital by a foreign company. The fact that a communiqué had been issued in Beirut by a Palestinian organization claiming responsibility for the incident meant only that Beirut was a centre for the world-wide dissemination of information. However, new measures had been taken to prevent Lebanon from being a centre of information for that organization. Referring to the statement of the President of Lebanon, Israel, in a letter dated 6 June (S/10683), complained that south-eastern Lebanon had become the base for 5,000 members of terror organizations and that Beirut was the seat of those organizations, where attacks were initiated, planned and directed, including the massacre at Lod Airport. Therefore, to claim that Lebanese territory was not involved in the incident was only an attempt on the part of Lebanon to misconstrue facts and evade the obligation to put an end to terror operations. Israel then cited statements made in 1969 by the former President of Lebanon and in January 1972 by its Prime Minister that, it said, indicated that Lebanon was supporting terror warfare against Israel. By invoking the refugee problem as an excuse for terror operations against Israel, Lebanon was using any pretext to justify its support for terror warfare. In a reply dated 8 June (S/10689 and Corr.1) Lebanon rejected Israel's charges and stated that Israel was deliberately distorting the statements made by the former President and by the Prime Minister of Lebanon. In a letter dated 9 June (S/10690), Israel, in reply to the Egyptian and Lebanese letters of 8 June (S/10688 and S/10689 and Corr.1), said that neither country had denied that innocent civilians had been massacred at Lod Airport by Arab terror organizations operating from Lebanon. Both continued to support terror organizations and had failed to put an end to their activities. In fact, since the agreement in 1969 between Lebanon and those organizations, 548 attacks

had been perpetrated from Lebanese territory resulting in the killing of 44 Israelis and the wounding of 190. Moreover, 73 civilians had been killed and about 90 injured as a result of assaults by Arab terrorists originating from Lebanon against international aviation.

219. In a letter dated 12 June (S/10695), Lebanon stated that Israel had again tried unsuccessfully to implicate it in the airport incident, but its accusations against Lebanon had been dismissed by the Security Council on many occasions. On the other hand, since Israel's attack on the Beirut Airport in 1968, Israel had committed hundreds of acts of aggression involving violation of Lebanon's air space and territorial waters, in addition to shelling its territory and raiding its villages. As a consequence of those acts of aggression, 42 civilians and 4 military personnel had been killed, 128 civilians and 16 military personnel wounded, and 45 civilians and 11 military personnel abducted. Instead of making false charges against Lebanon, Israel should implement United Nations resolutions aimed at establishing peace based on justice in the area. In a reply dated 13 June (S/10696), Israel stated that although it had listed measures taken by Israel in legitimate self-defence in order to put an end to terrorists' attacks, Lebanon had failed not only to take measures against the terror organizations but to abide by its international obligations to take such measures. Lebanon should realize that it was duty-bound to put an immediate and effective end to that situation.

220. By a letter dated 6 June (S/10684), the representative of the Libyan Arab Republic transmitted to the Secretary-General the text of a memorandum issued by the Palestine Liberation Organization in connexion with the incident at Lydda Airport. The incident, said the memorandum, should be viewed as part of a conflict that had resulted from the usurpation of the land of Palestine and the denial of the rights of the Palestinians. The tension in the area was a direct result of the violence introduced and practised by the Zionist movement and, later, by the State of Israel, to which the Palestinians had responded with armed resistance. The acts of violence that the Zionist movement and Israel had committed before and after the establishment of the State of Israel had resulted in hundreds of innocent civilian victims and were designed to consolidate the spoils of earlier aggression and to penetrate further into the Arab world. Therefore, the responsibility for the airport incident did not lie with any Arab State but with the Zionist movement and Israel. While expressing regret for the loss of innocent lives, the memorandum warned that the Middle East was in a state of war and that in any zone of war, people travelled at their own risk.

221. In a letter dated 8 June (S/10687), Israel stated that the Palestine Liberation Organization was the principal Arab terror group openly engaged in acts of murder against civilians. Although the civilized world had been shocked by the attack at Lod Airport, there had been jubilation and attempts to whitewash the crime in the Arab States. The submission of the memorandum by the Libyan Arab Republic was a further example of Arab responsibility in the matter. In a reply dated 12 June (S/10697), the Libyan Arab Republic reiterated that Israel was responsible for the continued violence in the area and stated that Libya's policy was to support the just struggle of the Palestinian people for its national rights.

222. By a letter dated 26 May (S/10665 and Add.1), the representatives of Afghanistan, Algeria, Bahrain, Egypt, Guinea, Indonesia, Iran, Jordan, Kuwait, Lebanon, the Libyan Arab Republic, Malaysia, Mali, Mauritania, Morocco, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen transmitted to the Secretary-General the text of a resolution on the Middle East problem that had been adopted at the Third Islamic Conference. The resolution condemned Israel for its aggression of 1967 against Arab countries and its violation of the Charter of the United Nations, insisted on the withdrawal of Israel from all the occupied Arab territories and requested the permanent members of the Security Council to take all appropriate measures to persuade Israel to withdraw from those territories and to refrain from providing it with any military or economic support so that it might not persist in refusing to withdraw.

#### **E. Activities of the Special Representative of the Secretary-General to the Middle East**

##### *(a) Report of the Secretary-General*

223. In a report dated 30 November 1971, (S/10403), which was also addressed to the General Assembly, the Secretary-General gave a comprehensive account of the activities of his Special Representative, Ambassador Gunnar Jarring, since January 1971.

224. The Secretary-General repeated the details of the Special Representative's discussions with the parties, of the aide-mémoires submitted by the Special Representative to Egypt and Israel on 8 February 1971 and of the responses of those Governments, which were already contained in reports submitted to the Security Council early in 1971 and described in the preceding report of the Council.

225. The Secretary-General went on to recall that in his report of 5 March 1971 (S/10070/Add.2), he had noted with satisfaction the positive reply given by Egypt and had appealed to Israel to respond favourably to Ambassador Jarring's initiative. He had also appealed to both parties to continue to observe the cease-fire and to maintain the quiet that had prevailed in the area since August 1970. In response to that appeal, Israel had again indicated its willingness to continue to observe the cease-fire on a basis of reciprocity. On 7 March, the President of Egypt had declared that his Government was no longer committed to a cease-fire.

226. Subsequently, the talks under Ambassador Jarring's auspices had lapsed. He had therefore returned to Moscow on 25 March 1971 to resume his duties as Ambassador of Sweden.

227. Ambassador Jarring had again been at Headquarters from 5 to 12 May and from 21 September to 27 October 1971 but had found no possibility for actively pursuing his mission.

228. In his report, the Secretary-General noted that during that time, two separate initiatives had been

taken to promote agreement between the parties: first, an effort made by the United States of America to promote an interim agreement providing for the re-opening of the Suez Canal, which, so far, had not achieved any positive results; second, a mission of inquiry conducted by certain African heads of State on behalf of OAU, which was still in progress. The fact that those initiatives were being pursued constituted an additional reason for Ambassador Jarring not to undertake personal initiatives.

229. The Secretary-General concluded his report by stating that recent developments had added to the urgency of his views on the situation in the Middle East, as expressed in the introduction to his annual report on the work of the Organization for 1970/71. He felt that appropriate organs of the United Nations must review the situation again to find ways and means to enable the Jarring mission to move forward.

##### *(b) Further communications*

230. By a letter dated 9 December (S/10438), the representative of Israel transmitted to the Secretary-General the text of Israel's reply to the proposals made by the OAU Committee of Ten on the situation in the Middle East. In that reply, Israel agreed to resume negotiations without prior conditions under the auspices of Ambassador Jarring under resolution 242 (1967) and agreed that the secure and recognized boundaries should be determined by negotiation between the parties and embodied in the peace agreement and that further arrangements for ensuring their security could be negotiated. Israel also agreed that the terms of withdrawal to the boundaries negotiated and agreed should be embodied in the peace treaty. In accordance with resolution 242 (1967), free navigation in all international waterways, including the Suez Canal and the Strait of Tiran for all ships and cargoes, including those of Israel, would be provided for in the peace agreement.

231. By a letter dated 10 December (S/10443) addressed to the Secretary-General, the representative of Egypt transmitted the text of a memorandum submitted by his Government to the Chairman of the Sub-Committee of the four African heads of State in response to the proposals submitted by the OAU Committee. In that memorandum, Egypt declared that it would agree to hold indirect negotiations under the auspices of Ambassador Jarring for the implementation of Security Council resolution 242 (1967) in all its parts and for the implementation of Ambassador Jarring's initiative of 8 February 1971 for the conclusion of a peace agreement. Egypt was also ready to undertake the required arrangements for re-opening the Canal in return for the first stage of Israeli withdrawal. Egypt also would agree that secure and recognized boundaries should be embodied in a peace agreement, subject to the withdrawal of Israeli forces from all the Arab territories to the lines existing prior to June 1967. Furthermore, Egypt would accept as guarantees for peace, United Nations guarantees, the establishment of demilitarized zones astride the borders and the stationing of international forces at some strategic points, including Sharm El Sheikh.

## THE SITUATION IN NAMIBIA

**A. Communications to the Security Council and request for a meeting**

232. In a letter dated 22 June 1971 addressed to the President of the Security Council (S/10240), the representative of Finland transmitted the text of a statement of the Government of Finland issued that day, expressing satisfaction with the advisory opinion of the International Court of Justice delivered on 21 June 1971 in pursuance of Security Council resolution 284 (1970), which had been adopted on the initiative of Finland. The Finnish Government stated its belief that the advisory opinion effectively disposed of the issue of legality relative to the question of Namibia and would provide an important element for the further consideration of the question of Namibia in the Security Council and the General Assembly.

233. In a note dated 16 July (S/10267), the Secretary-General transmitted to the members of the Security Council the advisory opinion given by the International Court of Justice on 21 June 1971 in response to the request contained in Security Council resolution 284 (1970) of 29 July 1970. The Court, replying to the question "what are the legal consequences for States of the continued presence of South Africa in Namibia, notwithstanding Security Council resolution 276 (1970)?" stated:

"by 13 votes to 2,

"(1) that, the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory;

"by 11 votes to 4,

"(2) that States Members of the United Nations are under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf or concerning Namibia and to refrain from any acts and, in particular, any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration;

"(3) that it is incumbent upon States which are not members of the United Nations to give assistance, within the scope of subparagraph (2) above, in the action which has been taken by the United Nations with regard to Namibia."

234. In a letter dated 13 July addressed to the President of the Security Council (S/10272), the Executive Secretary of the Organization of African Unity (OAU) in New York transmitted the texts of resolutions adopted on 23 June 1971 by the Assembly of Heads of State and Government at its eighth session, held in Addis Ababa. The resolution pertaining to Namibia noted with approval the advisory opinion of the International Court of Justice and called for a special meeting of the Security Council to discuss ways and means of enforcing the past decisions of the United Nations in the light of that opinion.

235. In a letter dated 30 July (S/10277), the Secretary-General informed the President of the Security Council that he had received a letter dated 12 July from the Minister for Foreign Affairs of Sudan, in the

latter's capacity as Chairman of the Council of Ministers of OAU, requesting that a meeting of the Security Council be convened on 27 September to consider the question of Namibia in the light of the advisory opinion.

236. On 12 August the Secretary-General submitted a report (S/10288) pursuant to Security Council resolution 283 (1970), which had requested him to undertake a detailed study and review of all multilateral treaties to which South Africa was a party and which either by direct reference or on the basis of relevant provisions of international law might be considered to apply to the Territory of Namibia.

237. By letters dated 2 and 10 September (S/10303 and S/10312), the Acting 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 transmitted to the Security Council the text of a consensus adopted by the Special Committee on 2 September, in which the Special Committee expressed its grave concern at the extremely dangerous situation existing in Namibia as a result of South Africa's continued defiance of the authority of the United Nations; condemned South Africa's policies in Namibia, as well as the support it received from its allies in pursuit of those policies; and called upon the Governments concerned to withdraw such support forthwith.

238. In a letter dated 17 September addressed to the President of the Security Council (S/10326), the representatives of 37 African States Members of the United Nations requested that the Council be convened on 27 September to discuss ways and means of enforcing the past decisions of the United Nations in the light of the legal obligation imposed on the world community by the decision of the International Court of Justice. They stated that their request was being made in accordance with the resolution of the Assembly of Heads of State and Government of OAU at its eighth session.

239. The *Ad Hoc* Sub-Committee on Namibia submitted a report on 23 September (S/10330 and Corr.1 and Add.1), describing its activities at 17 meetings held between 21 August 1970 and 23 September 1971, at which it had studied measures that it could recommend to the Security Council in accordance with its terms of reference as laid down in paragraph 14 of Security Council resolution 283 (1970), taking into account the advisory opinion of the International Court of Justice. Annexed to the report were the substantive parts of replies received from 40 States pursuant to the request for information contained in paragraph 13 of the resolution. Part A of the report contained a set of proposals on which agreement had been reached; part B contained a set of proposals submitted by Burundi, Sierra Leone, Somalia and the Syrian Arab Republic on which agreement had not been reached; and part C contained a proposal submitted by Italy and the United States on which agreement had not been reached. The proposals contained in parts A and B of the report pertained to political, economic, legal, military and other aspects of the question of Namibia. Part C related to an invitation to South Africa to enter into

immediate discussions with the Secretary-General or an appropriate United Nations organ with a view to ensuring that the people of Namibia were able to exercise their right of self-determination.

240. By a letter dated 23 September (S/10331), the Chairman of the ninth Joint Meeting of the Special Committee on *Apartheid*, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Council for Namibia transmitted the text of a consensus adopted on 13 September.

241. In a letter dated 30 September addressed to the President of the Security Council (S/10346), the representatives of Burundi, Sierra Leone and Somalia requested that, in the course of the meetings of the Council concerning Namibia, an invitation under rule 39 of the provisional rules of procedure of the Security Council be extended to the President of SWAPO (South West Africa People's Organization), Mr. Sam Nujoma.

242. By a letter dated 6 October (S/10356), the President of the United Nations Council for Namibia transmitted to the Security Council the text of a letter dated 3 September 1971 from Chief Clemens Kapuuo of Namibia, addressed to his solicitor in London, complaining that the natural mineral resources of Namibia were being exploited by foreign firms with the full knowledge and permission of the South African Government and to the detriment of the indigenous people of the Territory.

**B. Consideration at the 1583rd to 1585th, 1587th to 1589th, 1593rd to 1595th and 1597th to 1598th meetings (27 September-20 October 1971)**

243. At its 1583rd meeting on 27 September, the Security Council included the request and the report of the *Ad Hoc* Sub-Committee on Namibia in its agenda and invited His Excellency, Moktar Ould Daddah, President of Mauritania, to address the Council in his capacity as current Chairman of the Assembly of Heads of State and Government of OAU.

244. Mr. Ould Daddah stated that OAU welcomed the conclusions reached by the International Court of Justice in its advisory opinion categorically declaring that the continued presence of South Africa in Namibia was illegal and that it must immediately withdraw its administration and end its occupation of that Territory. Consequently, OAU had asked that the Security Council apply the pertinent provisions of Chapter VII to ensure the immediate withdrawal of South Africa from Namibia. The Security Council, he said, in consultation with the Namibian people and OAU, and with the assistance of the Secretary-General, should create the necessary conditions for the independence of the Territory. Moreover, the international community should be called upon to apply appropriate political, military and economic sanctions against South Africa. The General Assembly, the Security Council and the International Court of Justice had all spoken unequivocally, and it was time for the Council to assume its responsibilities and ensure that the objectives and decisions of the United Nations were respected.

245. At the 1584th meeting, on 27 September, a procedural debate took place concerning a request by South Africa to participate in the Council's discussion

of the item relating to South West Africa on its agenda. There was no objection to the President's ruling that, although the terminology used by South Africa was not proper, an invitation should be extended to South Africa, inasmuch as the advisory opinion of the Court had used the words "Namibia (South West Africa)".

246. The President then, with the consent of the Council, invited the representatives of Ethiopia, South Africa, Sudan, Liberia and Guyana to participate in the discussion without the right to vote. Subsequently, the representatives of Chad, Nigeria, Senegal, Mauritius, Saudi Arabia, India and Uganda were similarly invited. The President of the United Nations Council for Namibia, who had requested an invitation by virtue of a decision of that Council, was invited to participate in accordance with rule 39 of the provisional rules of procedure.

247. The representative of Burundi, as Chairman of the *Ad Hoc* Sub-Committee on Namibia, then introduced the Sub-Committee's report, stating that the recommendations contained therein had been devised in the light of the advisory opinion of the International Court of Justice. It was imperative that all Member States abandon any attempt to interpret that opinion in the way most favourable to their respective interests. To fail to discharge an obligation to protect the integrity of the Court would be tantamount to a serious infringement of the very prestige of the organs of the United Nations.

248. The representative of Nigeria, speaking in his capacity as President of the United Nations Council for Namibia, said that the International Court of Justice had rejected for all time the South African contention that it had any status in the Territory and had reaffirmed the international status of Namibia and the responsibility of the United Nations towards the Territory and its people. The Court had thus recognized the Council for Namibia as the *de jure* Government of Namibia. The Council's identity and travel documents for Namibians were recognized by more than 70 Governments. The Acting United Nations Commissioner for Namibia had set up a regional office at Lusaka to issue travel documents, and it would soon be given additional functions as a channel of information. The Council certainly had the legal powers of a sovereign entity vis-à-vis Namibia, but it was unable to exercise those powers inside the Territory. The indispensable condition for the success of any measures to be adopted by the Security Council was ending the illegal occupation of Namibia by South Africa. That would require the application of the strongest possible pressures against that country, including the application of the provisions of Chapter VII of the Charter of the United Nations, if that became necessary. When South Africa's withdrawal had been accomplished, the Council for Namibia should be provided with adequate funds and resources from the United Nations regular budget for the administration of the Territory.

249. The representative of South Africa said that the advisory opinion of the International Court of Justice was completely unacceptable to his Government. The fundamental issue was whether there was any provision in the Charter under which the General Assembly could terminate South Africa's right of administration. The Assembly was empowered to discuss and recommend but not to make binding decisions or take direct action. The Court had avoided the issue and had failed to indicate what provision of the Charter

could have authorized the Assembly's action purporting to terminate the Mandate. Moreover, the Court had stated that should the Security Council so intend, any decision that it might take would be binding in terms of Article 25 of the Charter. The Court had taken that position without advancing any reasoning in support thereof. The implications flowing from the Court's attempt to attribute to the General Assembly and the Security Council powers which those organs were never intended to have under the Charter were enormous in their scope. It followed from the Court's opinion that merely by invoking Article 10 of the Charter the General Assembly could oblige States to submit reports and to accept its supervision in regard to any matter it chose to discuss and would even be able to abrogate or alter territorial rights. The power of the Security Council, according to the Court's interpretation, would be still more drastic. No longer would it be restricted to acting in situations that constituted a threat to the peace or were likely to endanger the peace—it would be sufficient that in the Council's view a situation might lead to a breach of the peace. The purpose of the Court's censure of South Africa's policies was clearly political rather than legal, and the opinion sought to confer on the General Assembly and the Security Council powers far surpassing anything agreed upon by the framers of the Charter whenever two thirds of the Members of the Organization wished to impose their will upon a particular State or group of States. There was peace, prosperity and progress in South West Africa and no threat to international peace and security as a result of conditions there. South Africa was making determined efforts to bring the peoples of South West Africa towards self-government. The process would continue until the stage of full self-determination was reached. In this regard, South Africa's proposal for a plebescite to determine if the people wished the Territory to continue being administered by South Africa or whether they wished to be henceforth administered by the United Nations had been rejected by the International Court on the most spurious grounds. In the economic sphere, the *per capita* income in the Territory was among the highest in Africa, and South Africa had established a sound infrastructure. Water was scarce there, and in 20 years South Africa had spent \$114 million to assure water supplies. The cost of electrical power was relatively high in South West Africa, and there were no usable coal deposits. South Africa and Portugal had therefore begun the first phase of utilizing the Kunene River as a source of power. The wages of the non-whites compared favourably with, and in many cases were considerably higher than, wages in other African countries, especially for unskilled workers. In education there was emphasis on the importance of African cultures, and the standard was the same as that of the whites in South Africa and South West Africa. There were 156 hospitals and clinics in South West Africa. Non-whites admitted to hospitals were treated free of charge. As an earnest of his Government's good faith, he again invited the Secretary-General or his representative to visit the Territory and to ascertain at first hand the conditions that prevailed.

250. The representative of Somalia stated that the advisory opinion represented a point of departure from which the Security Council should take positive action to assert its authority over Namibia. It was a political fact that Namibia was the direct responsibility of the United Nations. Another political fact was that South

Africa's right of presence in Namibia was no longer valid; therefore, its continued presence there constituted an illegal occupation of the Territory. The Security Council must again call formally on South Africa to withdraw from Namibia. It must also call on South Africa to enter into immediate discussions with the Secretary-General or any other appropriate United Nations medium on the arrangements for that withdrawal so as to facilitate the transfer of administration to the people. The Security Council should also declare that any further refusal of the South African racist régime to withdraw would constitute, among other things, an act of aggression against the Territory of Namibia and a threat to international peace and security within the context of Chapter VII of the Charter. The Council must also recognize the legitimacy of the struggle of the people of Namibia against the illegal occupation of their Territory, and it should therefore either reaffirm its resolution 282 (1970) on the arms embargo against South Africa in the context of Namibia or call directly on all States to refrain from supplying arms or military equipment to the South African racist régime.

251. The representative of Guyana said that in light of the opinion of the International Court of Justice, the Security Council should forthwith call upon the Government of South Africa to enter into discussions with the Secretary-General to arrange for its orderly and unconditional withdrawal from Namibia. The Security Council, however, should consider the possibility of continued defiance by South Africa and address itself to the means that it could legitimately employ under the Charter to ensure South Africa's compliance. The Security Council might impose legal obligations on States to ensure respect for the rules and legislation of the Council for Namibia in all matters pertaining to the administration of the Territory, including regulations on the conduct of all commercial, industrial or investment activities, regulations on concessions and privileges in Namibia and regulations regarding maritime jurisdiction of Namibia and its continental shelf. He also considered that the time had come for the appointment of a full-time Commissioner for Namibia.

252. At the 1585th meeting, on 28 September, the representative of Liberia stated that the General Assembly, the Security Council and the International Court of Justice had all decided that, owing to the dissolution of the League of Nations, the United Nations was the appropriate instrument for the implementation of the obligations of the Mandate. It was therefore the duty of the United Nations to take steps to compel South Africa to respect its international obligations in regard to Namibia. However, a variety of external influences had encouraged South Africa to remain defiant, and that encouragement had come primarily from the major powers, which had provided economic assistance to the South African régime. Thus, the effectiveness of the Council in dealing with the Namibia situation was being undermined by important Members of the United Nations in breach of their obligations under Article 25 of the Charter. The Secretary-General should collect and circulate among Member States all data and information on foreign economic, financial and other interests operating in Namibia that benefited the South African Government and companies and were detrimental to the interests of the population of Namibia. South Africa's continued illegal presence in Namibia constituted aggression within the meaning of Article 39

of the Charter; therefore the Council could take measures listed in Article 41.

253. The representative of Sierra Leone stated that in view of the opinion of the International Court of Justice that the Mandate was legally terminated and that South Africa's presence in Namibia was illegal, South Africa was under the obligation to withdraw immediately; United Nations Members were under the obligation to recognize the illegality of South Africa's presence and the invalidity of its acts on behalf of or concerning the Territory; and, similarly, non-member States must assist the United Nations in its actions regarding Namibia. South Africa could not renounce Article 93 of the United Nations Charter under which all Members of the United Nations were *ipso facto* parties to the Statute of the International Court of Justice. Contrary to certain press reports, inspired by South Africa, reflecting favourably on the conditions prevailing in Namibia, the truth of the matter was that *apartheid* was being imported into Namibia and each tribe was forced to live in a separate area. South Africa's real intention was to maintain its rule indefinitely and to manipulate a plebiscite so as to give the impression that the Namibians wished to remain united with South Africa. The idea of a plebiscite was acceptable as a precondition to independence, but there could be no plebiscite while South Africa administered the Territory. Free elections meant free political parties and platforms and the release of political prisoners.

254. At the 1587th meeting, on 30 September, the President drew the Council's attention to a letter from the representatives of Burundi, Sierra Leone and Somalia (S/10346) asking that an invitation be extended to the President of SWAPO, Mr. Sam Nujoma, under rule 39 of the Council's provisional rules of procedure. With the Council's consent, an invitation was extended.

255. The representative of Ethiopia said that the advisory opinion of the International Court of Justice must mark the beginning of effective action by the Security Council to end South Africa's illegal occupation of Namibia. Once the international status of Namibia was assured, the duty fell to the United Nations to assist the Namibian people in the attainment of their freedom and independence. It was obvious that South Africa would not be in a position to defy United Nations authority and world public opinion, if it did not count on the massive economic benefits it derived from certain of the major Powers. As for the idea of a plebiscite organized and conducted by the repressive machinery of the South African régime, that would amount to a mockery of the democratic process of self-determination. If South Africa genuinely desired to recognize change in Namibia, it should voluntarily end its illegal occupation. Failing that, the Security Council was duty-bound to invoke the appropriate enforcement measures.

256. The representative of Nigeria stated that in view of the Court's opinion his Government had hoped that the permanent members of the Council would come to grips with the problem of South Africa's continued defiance. The report of the *Ad Hoc* Sub-Committee on Namibia, however, gave no cause for optimism. It showed that four permanent members had no difficulty in subscribing to pious declarations, but when it came to concrete proposals, they could not agree. It appeared that the financial returns from investments in Namibia outweighed the welfare of the

people of Namibia. No one could take seriously South Africa's contention that the people of Namibia were being brought towards self-government. If South Africa were serious about a plebiscite, it would have to allow the United Nations to conduct that plebiscite, withdraw its armed forces from the Territory to ensure there should be no intimidation, permit the return of all Namibian political exiles and allow representatives of the United Nations free movement throughout the Territory to supervise the plebiscite. Failing that, the Security Council had a clear duty to remove South Africa from Namibia, even if it became necessary to resort to the provisions of Chapter VII of the Charter.

257. The representative of Mauritius said that the decision of the International Court of Justice was unequivocal. South Africa's presence in Namibia was illegal. The case of Namibia constituted a direct challenge to the very authority of the United Nations. The Council should take whatever measures were needed for fulfilment of the responsibilities of the United Nations towards Namibia and removal of South Africa from the Territory, including measures under Chapter VII of the Charter.

258. At the 1588th meeting, on 5 October, the representative of France stated that, in its advisory opinion, the International Court of Justice had set forth a number of general considerations on the powers of the General Assembly and the Security Council with which his delegation must refuse to associate itself. His delegation categorically rejected the concept that the Assembly could take decisions binding on States on the sole condition that it kept within the framework of its competence, or that the Security Council could take decisions binding on all States outside the framework of Chapter VII of the Charter. Above and beyond legal polemics on the continuance of the Mandate or its revocation by the Assembly, the fact was that the concept of a Mandate had been repudiated in practice by both parties. Nevertheless, South Africa still had an obligation to negotiate in good faith with the United Nations on establishing an international régime enabling the people concerned freely to choose their destiny. That was an obligation which his Government did not intend to let South Africa shirk. If South Africa did not respect its strict obligation to negotiate with the United Nations for a new international régime for South West Africa, France would draw conclusions from such inaction regarding the illegality of an administration that was maintained under such conditions.

259. The representative of Chad said that the advisory opinion of the International Court of Justice confirmed the international status of Namibia and the responsibility of the United Nations towards the Territory and its population. Various foreign interests had encouraged South Africa to maintain its defiance of the United Nations, including Powers with particular responsibilities for the maintenance of international peace and security. All States, Members or non-members of the United Nations, should respect United Nations resolutions regarding Namibia in accordance with the Court's advisory opinion. The way that non-member States complied with their obligation towards Namibia should be taken into account when considering their application for membership in the United Nations. An end had to be put to South Africa's presence in Namibia, and mandatory decisions must be taken in that regard.

260. The representative of the Sudan said that Africa looked to the Security Council for decisive action. In particular, Africa looked to the big Powers of the West to end all continuing activities and relations, whether political, military, diplomatic or economic, that would enable South Africa to continue her unlawful trespass in Namibia or give its presence in that Territory an aura of legality. In his statement, the Foreign Minister of South Africa had not only challenged the legality of the Court's ruling but questioned its integrity. He had tried to tabulate an impressive record of achievement in economic development but had neglected to mention that two thirds of Namibia consisted of police zones. Nor had he mentioned the slave-labour contracts system. The educational policy of Pretoria was aimed at excluding non-whites from executive and skilled positions. The average *per capita* expenditure on education for white children was 11 times the *per capita* amount spent for African children. The Council should endorse the Court's opinion in its entirety, reaffirm past decisions and take measures to compel all States to carry out the relevant United Nations resolutions, discharge their responsibility towards the people of Namibia and deny South Africa all help that enabled it to continue its aggression. The Council should also take the necessary action envisaged under Chapter VII of the Charter.

261. The President, in accordance with the Council's previous decision, invited Mr. Nujoma to take a seat at the Council table and to address the Council, under rule 39.

262. Mr. Nujoma said that the International Court of Justice had given an unequivocal ruling that South Africa's continued presence in Namibia was illegal and that South Africa had an obligation to withdraw from the Territory immediately. It was up to the Security Council to live up to its responsibility by taking concrete and immediate action under Chapter VII of the Charter. The only ones who doubted that a case had arisen which justified action by the Council under Chapter VII were the major Western Powers, who wanted their agents in South Africa to continue providing them with cheap labour resulting in enormous profits for their investors. Contrary to what the South African Foreign Minister had implied, the African majority did not benefit either financially or materially from the economic development of Namibia. Everything in Namibia, as in South Africa, was geared towards benefiting the white section of the population. References by the representative of South Africa to self-government for the peoples of South Africa were a gross abuse of the concept of self-determination and a euphemism for *apartheid* or Bantustans. And as for his contention that *per capita* income in the Territory was among the highest in Africa, that was meaningless where there was such a disparity in incomes. His assertion that the educational system in the Territory was in line with the modern approach to schooling in Africa was also untrue: the black child's education was geared towards a subservient role. Bantu education could certainly not prepare Namibians to run a modern government when Namibia became independent. SWAPO in its short existence of 10 years had educated more Namibians than South Africa had in the past 50 years. He wished to declare, in the name of the people of Namibia, that, unless the Security Council acted decisively to secure South Africa's withdrawal, Namibians would have no alternative but to continue the armed struggle with greater intensity.

263. The representative of the Union of Soviet Socialist Republics said that the essence of the problem in Namibia was that, despite the fact that the United Nations had long ago branded as illegal the conquest of Namibia by South Africa and demanded its withdrawal from Namibia, and despite the fact that the International Court of Justice had confirmed previous United Nations decisions and called for South Africa's withdrawal from Namibia, South Africa, far from withdrawing, had extended *apartheid* to Namibia by mass terror and cruel repression. In its policies, South Africa relied on the economic, political and military support of the NATO allies, particularly the United States and the United Kingdom, and the financial circles of the international imperialist monopolies. Important decisions of the United Nations to prohibit the delivery of weapons and military equipment to South Africa were being violated. So long as the Western Powers and their monopolies supported South Africa, it would be difficult for the United Nations to change Namibia's colonial situation. The Security Council must, in the clearest possible manner, condemn such support and demand an end to any form of co-operation with the régime. South Africa had been resorting to all kinds of political tricks recently to consolidate its domination of Namibia and to delude world opinion through such deceitful ideas as a plebiscite or a so-called peaceful dialogue. His Government categorically supported the immediate granting of independence to Namibia, the expulsion of the troops, police forces and administration of South Africa and the immediate end of any South African presence in Namibia. It was ready to join with others in the search for effective measures that might be taken by the Council to ensure the independence of Namibia.

264. At the 1589th meeting, on 6 October, the representative of the United Kingdom of Great Britain and Northern Ireland said that, although it agreed that South Africa had clearly ignored its moral obligations under the Mandate, his Government had certain legal objections to the advisory opinion of the International Court of Justice. The Court's assertion that certain resolutions of the Security Council were legally binding was open to the most serious legal objection. The Council could take legally binding decisions only after having made a determination under Article 39 of the Charter. No such determination had been made regarding Namibia. As for the powers of the General Assembly, they were, with certain exceptions, confined to recommendations only. It did not have the power to terminate a Mandate. Thus, the United Kingdom could not accept the reasoning of the Court that resolution 2145 (XXI) had been validly adopted by the General Assembly. It did, however, fully agree as to the importance of the unity and territorial integrity of Namibia and deplored any measures that would tend to destroy them against the wishes of the people. South Africa was, in fact, administering the Territory, and realism therefore dictated that it was only by negotiation with the South African Government that any advance could be made in securing the well-being of the people of the Territory. The essential purpose of any discussion should be to ensure that the people of Namibia were able to exercise their right to self-determination. The Council should explore every possibility of avoiding a collision course.

265. The representative of South Africa said that contrary to what some speakers had stated, South

Africa did not claim and had never claimed to possess the Territory. Its purpose in the Territory was not for aggrandizement or enrichment but to guide each of the peoples of South West Africa along the road to self-determination according to its wishes. His country had promised the people independence, if that was what they desired.

266. The representative of Japan said that, although his delegation did not agree fully with all the reasoning underlying the advisory opinion of the International Court of Justice, it had no doubt as to the rightness of the Court's conclusions, which the Council should respect in formulating ways and means of carrying out its resolutions. Japan did not recognize South Africa's authority over Namibia and considered South Africa's continued presence there illegal. His Government also considered that the United Nations had direct responsibility for Namibia until the people attained independence. Japan had no diplomatic or consular representation, nor any investments in Namibia and had actively supported the idea of establishing a United Nations Fund for Namibia. His delegation supported many of the ideas expressed in the report of the *Ad Hoc* Sub-Committee, and, above all, it recognized the significance of the arms embargo with respect to Namibia. It was also in favour of the proposal to invite South Africa to enter into immediate discussions with the Secretary-General or an appropriate United Nations organ with a view to ensuring that the people of the Territory were able to exercise their right of self-determination.

267. The representative of Italy said that, inasmuch as there was a very wide agreement on the illegality of South Africa's presence in Namibia, the legal aspects of the question were no longer of overriding importance. Essentially, the Court's advisory opinion was sound; however, Italy did not agree with its far-reaching interpretation of Articles 24 and 25 of the Charter, as it considered that it was for the Security Council alone to decide when its resolutions had a mandatory character. The conduct of South Africa had clearly been in violation of the obligations flowing from the Mandate. The United Nations must carefully consider both the short-term and the long-term consequences of its future action. For the moment, the Council should proceed on the basis of the suggestions in part A, paragraph 18, of the report of the *Ad Hoc* Sub-Committee on Namibia.

268. The representative of Saudi Arabia said that it had been a grave mistake on the part of the General Assembly to terminate South Africa's Mandate over South West Africa, thereby severing the legal cord that tied South West Africa to the United Nations. In effect, the United Nations had given South Africa a free hand in Namibia. His suggestion would be to carry out negotiations with South Africa to place Namibia under the Trusteeship Council, with South Africa as the major administering Power, so that it would be required to make periodic reports to the Trusteeship Council. It was also his suggestion that South Africa float bonds based on gold parity and use the proceeds to accelerate the economic development of Namibia. Namibia would then be able to stand on its own feet as a viable political entity, and its right to self-determination could be exercised through the instrumentality and under the supervision of the United Nations.

269. The representative of Somalia said that statements made in the past by representatives of South

Africa suggested that South Africa wished to apply the principle of self-determination in Namibia within the context of its own existing multinational units. The people of Namibia wanted to be regarded as one political unit, not differentiated by colour, religion or ideology. He hoped the representative of South Africa would expand on how his Government interpreted the term "self-determination". He would also like to know how France and the United Kingdom interpreted that term.

270. The representative of France said that his Government had demonstrated its concept of self-determination in the Territories previously under its administration. It conceived of self-determination within the national framework of one Territory, not fragmented at the level of small entities.

271. At the 1593rd meeting, on 13 October, the representative of the United Kingdom, in reply to the question raised by the representative of Somalia, said that his Government regarded self-determination for the people of Namibia as applying to a national framework and carried out on a Territory-wide, not a partial, basis.

272. The representative of Poland said that as far as his Government was concerned, the fundamental political decisions on the subject of Namibia were contained in resolution 1514 (XV), the Declaration on the Granting of Independence to Colonial Countries and Peoples. They were further clarified in resolution 2145 (XXI), which cancelled the Mandate of South Africa. Further confirmation was contained in Security Council resolutions 264 (1969), 269 (1969) and 276 (1970), ordering the South African Republic to withdraw its administration from Namibia and declaring illegal the presence of South African authorities in Namibia. The advisory opinion of the International Court of Justice had confirmed the absolute necessity for a specific political action against the Government of South Africa to ensure its withdrawal from Namibia. The Security Council could not limit itself to persuasion, exhortation or proposals of dialogue: concrete steps had to be taken in reply to the challenge posed by South Africa in Namibia.

273. The representative of Argentina said that it would not be proper for the Security Council to judge on a juridical level the advisory opinion of the International Court of Justice. Although the Court's opinion was merely advisory, no one could deny its legal and moral repercussions. As for Argentina, its attitude with regard to Namibia was wholly in accord with the opinion of the Court, and it had supported the initiative to set up a United Nations Fund for Namibia. In his view, part A of the report of the *Ad Hoc* Sub-Committee on Namibia contained proposals that the Council could implement forthwith, but the proposals contained in part B needed further study. He expressed interest in the idea advanced by the representative of France that South Africa had an obligation to negotiate with the United Nations a new international régime for Namibia. South Africa should show its goodwill by negotiating a trusteeship agreement for Namibia that would bind it to lead the people of Namibia towards self-government and independence within a set time. In due course, South Africa's idea of holding a plebiscite could be incorporated in the agreement, subject to United Nations supervision.

274. The representative of the Syrian Arab Republic stated that the issue was not the respective

powers of the General Assembly or the Security Council but racist policy of *apartheid* as applied by force in Namibia. The independence of Namibia had to remain the primary objective of the United Nations. Member States were under the legal obligation to recognize the illegality of South Africa's presence in Namibia and, therefore, to refrain from any acts implying recognition of legality or lending support and assistance to such presence and administration. The national liberation movement in Namibia was entitled to wage its struggle by all available means to attain independence in accordance with resolution 1514 (XV). All States should scrupulously apply the arms embargo and refrain from supplying any arms or military equipment to South Africa. The Council should declare that further refusal by South Africa to withdraw from Namibia would constitute an act of aggression and a threat to international peace and security within the context of Chapter VII of the Charter. The Council should conclude from the advisory opinion that its resolutions were mandatory and binding in respect of South Africa, as well as in respect of the obligations those resolutions placed on States. It was for the Council to determine any further measures consequent upon the decisions already taken by it on the question of Namibia.

275. The representative of France suggested that the Council invite South Africa to establish contact with the Secretary-General so as to negotiate an agreement for a provisional international régime that would enable the population concerned within a reasonable time to exercise its right to self-determination. Any such resolution might include a reference to the fact that the idea of self-determination encompassed the possibility of independence. The legal basis for such negotiation would be the provisions of the Covenant of the League of Nations, the United Nations Charter and the resolutions adopted in 1946 concerning the change in status from a Mandated Territory to a trusteeship arrangement.

276. At the 1594th meeting, on 14 October, the representative of South Africa said that, with regard to the principle of self-determination, his country considered that each nation should have the right to determine its own future, and he defined "nation" as a group having its own language, a consciousness of its own separate identity and the desire to retain it. A nation that had not yet determined its future should not be denied that right merely because it found itself within the same territory as another nation or nations. It might choose complete independence or form a political union or federation with some other consenting nation or nations. By the same token, if a nation did not wish to unite with others, it should not be forced to do so.

277. The representative of Liberia said that the view of his Government was that all Mandatory Powers under the Covenant of the League of Nations had assumed legal obligations in respect of the Mandated Territories, not just moral obligations, as the representative of the United Kingdom had contended. As for the competence of the Assembly to terminate the Mandate of South West Africa, that depended upon two criteria: whether there had been a violation by South Africa of the obligations imposed upon it under the Mandate and whether, if such a violation had occurred, the Assembly did, in fact, have the power to terminate the Mandate. On the first point there seemed

to be no doubt: South Africa had violated its obligations. In Liberia's view, those violations provided the basis for revocation of the Mandate, even though such power had not been specifically expressed in the Covenant of the League. The United Nations, as successor to the League, had acquired the powers of its predecessor.

278. The representative of Belgium stated that his delegation agreed with the conclusions of the International Court of Justice but had reservations on some points. In his delegation's view, the Security Council could adopt decisions mandatory for all Member States only when, in conformity with Chapter VII of the Charter, it found that there was a threat to the peace or a breach of the peace or that an act of aggression had been committed. The Council had not adopted such a decision with regard to Namibia. His delegation continued to support General Assembly resolution 2145 (XXI) and recognized the international status of Namibia. He hoped that the objectives of the United Nations might be furthered through conversations between the United Nations and South Africa.

279. The representative of France said that, if self-determination had been given to Africa on a tribal basis, there would have been a whole host of nations, not just a score or two. The recent history of Africa was one of surmounting tribal differences to develop a national feeling. The framework left by the colonialists, however artificial, did allow the creation of States and permit those States to develop a national feeling, which would certainly develop in Namibia, if Namibians were given the opportunity to speak up.

280. The representative of Somalia said that the statement by the representative of South Africa showed how differently South Africa viewed self-determination when it related to the non-white people of South Africa and South West Africa. For the South African, if you were white, you automatically became a member of one unique political unit; but blacks were told that they were different from each other, that blacks belonged to tribes and that each tribe should develop separately. South Africa had embarked upon a policy calculated to keep the peoples of Namibia in tribal reserves to compel them to develop within the tribal framework.

281. At the 1595th meeting, on 15 October, the representative of Burundi stated that the policy of Pretoria in Namibia was a servile replica of *apartheid* in South Africa. The leaders of the South African régime were afraid that the independence of Namibia would force the whites to flee the Territory. But that fear was unfounded. Africa was prepared to give assurances and guarantees, for the concept of revenge was repugnant. Its magnanimity was best illustrated by the Lusaka Manifesto and by recent political and diplomatic initiatives by African leaders for a peaceful settlement. Apart from the moral and political obligation incumbent upon them, Europeans, even out of simple foresight, should revise their alliance with South Africa. A totally independent Africa would not withdraw into itself but would offer co-operation and solidarity to all, both the socialist world and the capitalist world, including South Africa. South Africa was attempting to deceive the world and distort the nature of the problem. For the people of Namibia, independently of the Mandate or the Trusteeship system,

accession to self-determination and independence was a basic and inalienable right.

282. The representative of Uganda stated that, because of vested interests, some Powers backing South Africa refused to concede that Namibia should be free, and Britain even rejected the advisory opinion of the International Court of Justice. Uganda accepted the Court's opinion and it would support all measures to liberate Namibia except a dialogue with the South African régime. There could be no dialogue in respect of Namibia, because that would signify acceptance of *apartheid*, of the plundering of Namibian resources by foreigners and of the denial of the right of self-determination to the people of Namibia. The Council, as the highest authority of the United Nations, should take immediate steps to terminate South Africa's hold on Namibia.

283. The representative of India stated that the Council should first accept and endorse the advisory opinion of the Court and call upon South Africa to terminate its illegal occupation of Namibia forthwith. All States, whether Members of the United Nations or not, should recognize the illegality of South Africa's presence in Namibia and take all actions flowing from that stand. The provisions of Chapter VII should be applied, and such application was mandatory for all States, including the permanent members of the Security Council, as well as States not members of the United Nations. South Africa's assertion that its right to administer the Territory was not derived from the Mandate but from military conquest and its continued occupation of Namibia placed South Africa, in India's view, in the status of perpetual aggressor. Furthermore, the Security Council, by a formal declaration, should put Namibia under the Trusteeship Council to be administered through the United Nations Council for Namibia. If South Africa refused to withdraw, the Council could then take all necessary action under Chapter VII of the Charter to ensure that withdrawal.

284. The representative of the Union of Soviet Socialist Republics said that the understanding of self-determination was linked to the unquestionable right of any people to determine its own future, including the right to create a sovereign State and to select a social and political régime on the basis of the freely expressed will and desire of the people. That right could not be denied to the people of Namibia. The Council should not be diverted from its objective of devising ways and means of enforcing its own and other decisions of the United Nations pertaining to Namibia.

285. The representative of Argentina said that his delegation could not agree with South Africa's definition linking self-determination to the concept of nationhood. The territorial integrity of Namibia had to be maintained, and it was South Africa's unavoidable responsibility to preserve the Territory as it had received it under the Mandate.

286. The representative of Somalia said that the problems of southern Africa were the responsibility of the collective membership of the United Nations, not of the African and Asian States alone. The United Nations should try to create conditions making possible the exercise by the people of Namibia of their rights. The Council had rejected the idea of fragmenting the Territory and denying the people of Namibia the right to form a single political unit within the national framework. He then introduced a draft resolution sponsored

by Burundi, Sierra Leone, Somalia and the Syrian Arab Republic (S/10372), which read as follows:

*"The Security Council,*

*"Reaffirming the inalienable right of the people of Namibia to freedom and independence recognized in General Assembly resolution 1514 (XV) of 14 December 1960,*

*"Recognizing that the United Nations has direct responsibility for Namibia following the adoption of General Assembly resolution 2145 (XXI), and that States should conduct any relations with or involving Namibia in a manner consistent with that responsibility,*

*"Reaffirming its resolutions 264 (1969), 276 (1970) and 283 (1970),*

*"Recalling its resolution 284 (1970) requesting the International Court of Justice for an advisory opinion on the question:*

*"What are the legal consequences for States of the continuing presence of South Africa in Namibia notwithstanding Security Council resolution 276 (1970)?"*

*"Gravely concerned at the refusal of the Government of South Africa to comply with the resolutions of the Security Council pertaining to Namibia,*

*"Taking note of its resolution 282 (1970) of 23 July 1970 on the arms embargo against the Government of South Africa and the significance of that resolution with regard to the Territory of Namibia,*

*"Recognizing the legitimacy of the movement of the people in Namibia against the illegal occupation of their Territory by the South African authorities and their right to self-determination and independence,*

*"Having heard the statements by the delegation of the Organization of African Unity, led by the President of Mauritania,*

*"Taking note of the statement by the President of the United Nations Council for Namibia,*

*"Having considered the report of the Ad Hoc Sub-Committee on Namibia (S/10330),*

*"1. Reaffirms that the Territory of Namibia is the direct responsibility of the United Nations and that this responsibility includes the obligation to support and promote the rights of the people of Namibia in accordance with General Assembly resolution 1514 (XV);*

*"2. Reaffirms the national unity and territorial integrity of Namibia;*

*"3. Condemns all moves by the Government of South Africa designed to destroy that unity and territorial integrity, such as through the establishment of Bantustans;*

*"4. Declares that South Africa's continued illegal presence in Namibia constitutes an internationally wrongful act and a breach of international obligations and that South Africa remains accountable to the international community for any violations of its international obligations or rights of the people of the Territory of Namibia;*

*"5. Takes note of the advisory opinion of the International Court of Justice, in particular the following conclusions:*

“(1) That the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory;

“(2) That States Members of the United Nations are under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia, and to refrain from any acts and in particular any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration;

“(3) That it is incumbent upon States which are not Members of the United Nations to give assistance, within the scope of subparagraph (2) above, in the action which has been taken by the United Nations with regard to Namibia;

“6. Declares that all matters affecting the rights of the people of Namibia are of immediate concern to all Members of the United Nations and as a result the latter should take this into account in their dealings with the Government of South Africa and in particular in any dealings implying recognition of the legality of or lending support or assistance to such illegal presence and administration;

“7. Calls once again on South Africa to withdraw from the Territory of Namibia;

“8. Declares that any further refusal of the South African Government to withdraw from Namibia could create conditions detrimental to the maintenance of peace and security in the region;

“9. Reaffirms the provisions of resolution 283 (1970) and in particular paragraphs 1 to 8 and 11;

“10. Calls upon all States in discharge of their responsibilities towards the people of Namibia and subject to the exceptions set forth in paragraphs 122 and 125 of the advisory opinion of the International Court of Justice:

“(a) To abstain from entering into treaty relations with South Africa in all cases in which the Government of South Africa purports to act on behalf of or concerning Namibia;

“(b) To abstain from invoking or applying those treaties or provisions of treaties concluded by South Africa on behalf of or concerning Namibia which involve active intergovernmental co-operation;

“(c) To review their bilateral treaties with South Africa in order to ensure that they are not inconsistent with paragraphs 5 and 6 above;

“(d) To abstain from sending diplomatic or special missions to South Africa including in their jurisdiction the Territory of Namibia;

“(e) To abstain from sending consular agents to Namibia and to withdraw any such agents already there;

“(f) To abstain from entering into economic and other forms of relationship or dealings with South Africa on behalf of or concerning Namibia which may entrench its authority over the Territory;

“11. Declares that franchises, rights, titles or contracts relating to Namibia granted to individuals or companies by South Africa after the adoption of General Assembly resolution 2145 (XXI) are not subject to protection or espousal by their States

against claims of a future lawful Government of Namibia;

“12. Requests the *Ad Hoc* Sub-Committee on Namibia to continue consideration of the question of Namibia in accordance with the tasks entrusted to it by paragraphs 14 and 15 of Security Council resolution 283 (1970) and, in particular, taking into account the need to provide for the effective protection of Namibian interest at the international level and to study appropriate measures for the fulfilment of the responsibility of the United Nations toward Namibia;

“13. Requests that the *Ad Hoc* Sub-Committee on Namibia review multilateral treaties in order to ensure that States do not enter into agreements which recognize South Africa's authority over Namibia;

“14. Calls upon all States to support and promote the rights of the people of Namibia and to this end to implement fully the provisions of this resolution;

“15. Requests the Secretary-General to report periodically on the implementation of the provisions of paragraph 10 above.”

287. The representative of the Syrian Arab Republic stated that, in a spirit of compromise and in the interest of gaining the Council's unanimous approval, the sponsors had not drafted a text that reflected all the factors and practical measures that they would have liked to include. There were, however, certain elements that they had felt should be stressed, and he drew the Council's attention specifically to operative paragraphs 3, 4, 7 and 14.

288. The representative of Argentina suggested a number of modifications to the joint draft resolution, including the insertion of an expression of appreciation for the advisory opinion of the International Court, as well as an invitation to South Africa immediately to enter into discussion with the Secretary-General or an appropriate United Nations organ, with a view to establishing a new international régime for Namibia in accordance with Chapter XII of the Charter and making sure that the people of the Territory of Namibia would be able to exercise their right to self-determination as defined in resolution 2625 (XXV).

289. The representative of Italy said that in referring to the Council's appreciation of advisory opinion of the Court, the words, “concerning the specific question of Namibia” should be inserted, as some delegations had expressed reservations about parts of the opinion.

290. At the 1597th meeting, on 19 October, the representative of Somalia introduced a revised draft resolution (S/10372/Rev.1) which he said incorporated most of the suggestions that the representative of Argentina had made, but not the one proposing to invite South Africa to enter into discussions with the Secretary-General so as to enable the United Nations to take over responsibility for the Territory of Namibia as soon as possible. The African-Asian Group, which had its own concept of the kind of arrangements necessary to ensure that self-determination was properly and adequately exercised, found that that proposal would be out of tenor with the draft resolution, although it did not disagree in principle with its substance.

291. The representative of Argentina said that no matter what decision was arrived at by the Security Council, the door should always be left open to some type of negotiation that might lead to the ultimate goal of independence for Namibia. Therefore, Argentina was preparing an additional resolution that would allow for such negotiation but would in no way be inconsistent with the four-Power draft resolution.

292. At the 1598th meeting, on 20 October, the representative of Somalia said that the sponsors of the four-Power draft resolution had agreed to amend operative paragraph 6 by replacing the word "*Endorses*" with the words "*Agrees with*".

293. The representative of France stated that his delegation could not vote in favour of a draft resolution that implicitly accepted the conclusions of the Court and would therefore abstain.

294. The representative of the United States of America said that his delegation would vote for and support the four-Power draft resolution, but that its vote should not be construed as constituting any change in its position with regard to earlier resolutions on which it had abstained. The term "movement" in the seventh preambular paragraph was understood by his delegation in the peaceful sense and was not taken to connote support for any particular Namibian group to represent the Territory. With respect to operative paragraph 10, his Government considered States free to take appropriate action to protect their own citizens and to assist the people of Namibia.

295. The representative of the United Kingdom said that his delegation would abstain on the revised draft resolution, inasmuch as the premises on which most of its proposals were founded were unacceptable.

**Decision:** *At the 1598th meeting, on 20 October 1971, the four-Power draft resolution (S/10372/Rev.1), as amended, was adopted by 13 votes in favour to none against, with two abstentions (France and United Kingdom of Great Britain and Northern Ireland) as resolution 301 (1971).*

296. The resolution read as follows:

*"The Security Council,*

*"Reaffirming the inalienable right of the people of Namibia to freedom and independence, as recognized in General Assembly resolution 1514 (XV) of 14 December 1960,*

*"Recognizing that the United Nations has direct responsibility for Namibia, following the adoption of General Assembly resolution 2145 (XXI) of 27 October 1966, and that States should conduct any relations with or involving Namibia in a manner consistent with that responsibility,*

*"Reaffirming its resolutions 264 (1969) of 20 March 1969, 276 (1970) of 30 January 1970 and 283 (1970) of 29 July 1970,*

*"Recalling its resolution 284 (1970) of 29 July 1970, in which it requested the International Court of Justice for an advisory opinion on the question:*

*"What are the legal consequences for States of the continued presence of South Africa in Namibia, notwithstanding Security Council resolution 276 (1970)?"*,

*"Gravely concerned at the refusal of the Government of South Africa to comply with the resolutions of the Security Council pertaining to Namibia,*

*"Recalling its resolution 282 (1970) of 23 July 1970 on the arms embargo against the Government of South Africa and stressing the significance of that resolution with regard to the Territory of Namibia,*

*"Recognizing the legitimacy of the movement of the people of Namibia against the illegal occupation of their Territory by the South African authorities and their right to self-determination and independence.*

*"Taking note of the statements of the delegation of the Organization of African Unity, led by the President of Mauritania in his capacity as current Chairman of the Assembly of Heads of State and Government of their organization,*

*"Noting further the statement of the President of the United Nations Council for Namibia,*

*"Having heard the statements of the delegation of the Government of South Africa,*

*"Having considered the report of the Ad Hoc Sub-Committee on Namibia,*

*"1. Reaffirms that the Territory of Namibia is the direct responsibility of the United Nations and that this responsibility includes the obligation to support and promote the rights of the people of Namibia in accordance with General Assembly resolution 1514 (XV);*

*"2. Reaffirms the national unity and territorial integrity of Namibia;*

*"3. Condemns all moves by the Government of South Africa designed to destroy that unity and territorial integrity, such as the establishment of Bantustans;*

*"4. Declares that South Africa's continued illegal presence in Namibia constitutes an internationally wrongful act and a breach of international obligations and that South Africa remains accountable to the international community for any violations of its international obligations or the rights of the people of the Territory of Namibia;*

*"5. Takes note with appreciation of the advisory opinion of the International Court of Justice of 21 June 1971;*

*"6. Agrees with the Court's opinion, as expressed in paragraph 133 of its advisory opinion:*

*"(1) that, the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory;*

*"(2) that States Members of the United Nations are under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia, and to refrain from any acts and in particular any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration;*

*"(3) that it is incumbent upon States which are not Members of the United Nations to give assistance, within the scope of subparagraph (2) above, in the action which has been taken by the United Nations with regard to Namibia;*

*"7. Declares that all matters affecting the rights of the people of Namibia are of immediate concern to*

all Members of the United Nations and, as a result, the latter should take this into account in their dealings with the Government of South Africa, in particular in any dealings implying recognition of the legality of, or lending support or assistance to, such illegal presence and administration;

"8. *Calls once again* upon South Africa to withdraw from the Territory of Namibia;

"9. *Declares* that any further refusal of the South African Government to withdraw from Namibia could create conditions detrimental to the maintenance of peace and security in the region;

"10. *Reaffirms* the provisions of resolution 283 (1970), in particular paragraphs 1 to 8 and 11;

"11. *Calls upon* all States, in the discharge of their responsibilities towards the people of Namibia and subject to the exceptions set forth in paragraphs 122 and 125 of the advisory opinion of 21 June 1971:

"(a) To abstain from entering into treaty relations with South Africa in all cases in which the Government of South Africa purports to act on behalf of or concerning Namibia;

"(b) To abstain from invoking or applying those treaties or provisions of treaties concluded by South Africa on behalf of or concerning Namibia which involve active intergovernmental co-operation;

"(c) To review their bilateral treaties with South Africa in order to ensure that they are not inconsistent with paragraphs 5 and 6 above;

"(d) To abstain from sending diplomatic or special missions to South Africa that include the Territory of Namibia in their jurisdiction;

"(e) To abstain from sending consular agents to Namibia and to withdraw any such agents already there;

"(f) To abstain from entering into economic and other forms of relationship or dealings with South Africa on behalf or concerning Namibia which may entrench its authority over the Territory;

"12. *Declares* that franchises, rights, titles or contracts relating to Namibia granted to individuals or companies by South Africa after the adoption of General Assembly resolution 2145 (XXI) are not subject to protection or espousal by their States against claims of a future lawful Government of Namibia;

"13. *Requests* the *Ad Hoc* Sub-Committee on Namibia to continue to carry out tasks entrusted to it under paragraphs 14 and 15 of Security Council resolution 283 (1970) and, in particular, taking into account the need to provide for the effective protection of Namibian interests at the international level, to study appropriate measures for the fulfilment of the responsibility of the United Nations towards Namibia;

"14. *Requests* the *Ad Hoc* Sub-Committee on Namibia to review all treaties and agreements which are contrary to the provisions of the present resolution in order to ascertain whether States have entered into agreements which recognize South Africa's authority over Namibia, and to report periodically thereon;

"15. *Calls upon* all States to support and promote the rights of the people of Namibia and to this

end to implement fully the provisions of the present resolution;

"16. *Requests* the Secretary-General to report periodically on the implementation of the provisions of the present resolution."

297. In explanation of vote, the representative of Belgium stated that, although his delegation had voted for the draft resolution, it believed that operative paragraph 12 should not have been given a retroactive effect. Therefore, Belgium could carry out the provision of that paragraph with regard to the future only.

298. The representative of Argentina then introduced the following draft resolution (S/10376):

*"The Security Council,*

*"Having examined further the question of Namibia,*

*"Recognizing the special responsibility and obligation of the United Nations towards the people and territory of Namibia,*

*"Reaffirming once again the inalienable and imprescriptible right of the people of Namibia to self-determination and independence,*

*"Reaffirming also the national unity and the territorial integrity of Namibia,*

*"1. Invites the Secretary-General, acting on behalf of the United Nations, to take all necessary steps as soon as possible, including making contact with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of that Territory, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations;*

*"2. Requests the Secretary-General to report to the Security Council on the implementation of the present resolution."*

He then explained that the course of action outlined in the draft resolution was not incompatible with that laid down in the resolution that the Council had just adopted. His delegation believed that every possible alternative had to be explored to ensure the future independence and unity of Namibia and to permit those responsible for the Territory to prove the purity of their intentions.

299. The representative of Sierra Leone proposed that the first preambular paragraph be amended to read: *"Having examined further the question of Namibia, and without prejudice to action to be undertaken on other resolutions of the Security Council"*.

300. The representative of Somalia said that operative paragraph 2 should be amended to ask the Secretary-General to report not later than a specified date.

301. The representative of the Union of Soviet Socialist Republics said that inasmuch as the Argentine draft resolution made no reference to any previous United Nations resolutions, doubts could arise as to what the Secretary-General should base his actions on. He considered that the proposal required careful thought and consultation. He urged that the members of the Council be given the time to inform their Governments and receive necessary instructions.

302. The representative of the Syrian Arab Republic suggested that it might be proper to add an operative paragraph calling on the Government of South Africa to co-operate fully with the Secretary-General in the contacts he was going to initiate.

303. On 22 October, the representative of Argentina submitted the following revised text of his delegation's draft resolution (S/10376/Rev.1):

*"The Security Council,*

*"Having examined further the question of Namibia, and without prejudice to other resolutions adopted by the Security Council on this matter,*

*"Recognizing the special responsibility and obligation of the United Nations towards the people and territory of Namibia,*

*"Reaffirming once again the inalienable and imprescriptible right of the people of Namibia to self-determination and independence,*

*"Reaffirming also the national unity and the territorial integrity of Namibia,*

*"1. Invites the Secretary-General, acting on behalf of the United Nations, to initiate as soon as possible contacts with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations;*

*"2. Calls on the Government of South Africa to co-operate fully with the Secretary-General in the implementation of this resolution;*

*"3. Requests the Secretary-General to report to the Security Council on the implementation of this resolution not later than 30 April 1972."*

304. The Security Council gave further consideration to the question relating to Namibia in the course of its meetings held in Addis Ababa from 28 January to 4 February 1972. For an account of those proceedings and of the decisions taken by the Council at that time, see chapter 10, section B below.

### C. Subsequent communications

305. By a letter dated 27 October addressed to the President of the Security Council (S/10379), the Act-

ing 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 transmitted the text of a written petition concerning the question of Namibia.

306. In a telegram dated 12 November (S/10389) addressed to the President of the Security Council and circulated at his direction, the Minister of Foreign Affairs of the German Democratic Republic stated that his Government welcomed and supported Security Council resolution 301 (1971) and, in accordance with the obligations of non-member States referred to in the advisory opinion of the International Court of Justice, would continue working for an unrestricted observance of the measures adopted by the Security Council and the General Assembly with respect to Namibia.

307. By a letter dated 24 January 1972 (S/10522), the President of the United Nations Council for Namibia transmitted the text of a statement issued by him, with the authorization of the Council for Namibia, in connexion with a labour strike then in progress in Namibia.

308. By a letter dated 24 January (S/10527), the Secretary-General transmitted to the President of the Security Council the text of resolution 2871 (XXVI) concerning the question of Namibia adopted by the General Assembly at its twenty-sixth session.

309. In a letter dated 8 May to the President of the Security Council (S/10635), 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 drew the Council's attention to a consensus concerning the question of Namibia adopted by the Special Committee in Addis Ababa on 27 April in which it had expressed the hope that the Security Council would take effective measures, in accordance with the Charter, to secure South Africa's compliance with the Council's demand for its withdrawal from Namibia.

## Chapter 5

### COMPLAINT BY ZAMBIA

#### A. Communications to the Security Council and request for a meeting

310. In a letter dated 6 October 1971 addressed to the President of the Security Council (S/10352), the representative of Zambia requested a meeting of the Security Council to consider a series of incidents and violations of the air space and territorial integrity of Zambia by forces of the Government of South Africa. The letter stated that for some time incidents had occurred in the border area between Zambia and the international territory of Namibia, where South Africa was illegally maintaining military and police forces to suppress the Namibian liberation movements. Specifically, the letter charged that it was from that area, the Caprivi Strip of Namibia, that those forces, on 5 October, had entered Zambian territory.

311. By a letter dated 7 October (S/10364), the representatives of 47 Member States supported the

request of Zambia for a meeting of the Security Council, stressing that the latest armed incursion by the South African authorities constituted a threat to the peace and security of the region. In their view, the incident also confirmed the contention of the independent African States that no distinction could be made between arms designed for internal repression and those meant for offensive purposes. It was therefore incumbent on the Security Council to take immediate steps to end the illegal occupation of Namibia and the violation of the territorial integrity of a Member State.

312. In a letter dated 11 October addressed to the President of the Security Council (S/10368), the representative of Lesotho, on behalf of his Government, expressed support for Zambia's request for a Council meeting, which had been based on belief in the Council's responsibility for the maintenance of peace in the area and for underwriting the territorial integrity of Member States.

**B. Consideration at the 1590th to 1592nd meetings (8-12 October 1971)**

313. At the 1590th meeting, on 8 October, the Security Council decided, without objection, to include the complaint submitted by Zambia in its agenda. The President, with the consent of the Council, invited the representatives of Zambia, the United Republic of Tanzania, Nigeria, South Africa, Kenya and Guinea, at their request, to participate in the discussion without the right to vote. Subsequently, similar invitations were extended to the representatives of Yugoslavia, India and Pakistan.

314. The representative of Zambia said that the Council was meeting to consider a series of premeditated violations of his country's air space and territorial integrity by the armed forces of South Africa, which had created a grave situation in the area. On 5 October, units of the South African Army had entered Zambian territory in speedboats and helicopters, allegedly in pursuit of freedom-fighters, and had spent some time inside Zambia searching vainly before returning to their military base in the Caprivi Strip. South Africa's aggressive intentions had been clear since 1968, when the Prime Minister of South Africa had said that his country would "hit Zambia so hard that she will never forget it". Pro-apartheid South African newspapers had recently quoted Mr. Vorster as having stated to a convention of his ruling party that his Government would pursue the freedom-fighters "all the way to Lusaka". He stressed that the current incident was not the first one; South Africa had systematically violated Zambia's territorial integrity. He cited 24 violations of his country's sovereignty by South Africa that had occurred between 26 October 1968 and 5 October 1971. Zambia had been the victim of those acts of aggression, he stated, because it happened to border the international territory of Namibia, which was under the illegal minority régime; it believed in non-racialism; it was opposed to dialogue with South Africa; it believed that the peoples of southern Africa had the right to self-determination; it opposed white supremacy; and, as a faithful Member of the United Nations, it adhered to its obligations under Article 25 of the Charter. He emphasized that his Government had no responsibility for the activities of the freedom-fighters inside Namibia who were resisting South African oppression. Furthermore, South Africa had been interfering in Zambia's domestic affairs by financing internal opposition. Having failed thus to destroy Zambian unity, it had embarked on military action. Zambia desired peace and stability on its borders; but it was unrealistic to talk about peace with South Africa until the problem of *apartheid* was resolved. His country had been the object of aggression, and he hoped that Council would draw a distinction between the offender and the victim of aggression. Should the Council decide to send a fact-finding mission to Zambia, his Government would welcome it and accord it assistance, but only on the clear understanding that the mission would also be given access to Namibia in order to achieve a balanced report.

315. The representative of Tanzania said that the statement of the representative of Zambia had made it clear that the violations of his country's territory had been carried out in accordance with a plan prepared by South Africa and the colonial authorities in Lisbon. The latest aggression was not a surprise, since a régime that subjected the majority of its population

to systematic repression could not be expected to abide by international norms. The attack against Zambia was part of a continuing process, and failure to act swiftly would only sharpen the confrontation. Some permanent members of the Council, allies of racist and colonialist régimes in Africa, had responded with an attitude of apathy to the warnings by African leaders of an impending conflagration. The incursion into Zambia should provide an opportunity for the Council to re-examine its position regarding southern Africa. There was no more time for half measures or ambiguous resolutions. He appealed particularly to the United States, the United Kingdom and France, allies of South Africa, to desist from assisting the aggressors. The continued supply of arms to the racist régimes, besides being in violation of the Council's embargo resolution, meant direct support for the *apartheid* régime. South Africa, he contended, wanted to divert attention from its troubled domestic scene and was therefore searching for hypothetical external enemies. He reaffirmed his delegation's support for Zambia and urged the Council to demand that Zambia's territorial integrity be fully respected.

316. The representative of South Africa said that incidents had indeed occurred in the Caprivi Strip near the Zambian border on 4 and 5 October. On 4 October, a vehicle with South African policemen had been blown up by a land mine and four of its occupants seriously injured. On the next day, another land mine had killed a South African policeman investigating the earlier incident. The trail of four persons had been found which led from Zambian territory and back. The Prime Minister of South Africa had repeatedly warned that no country could tolerate such hostile actions against its territory or territories under its control. Accordingly, South African police forces had followed the trail but had not crossed the Zambian border. Previously, unauthorized, unintentional air space and border crossings had occurred in the area, for which both sides had been responsible. He added that between November 1969 and July 1971 Zambia had violated South West African air space on 12 occasions; even so, the authorities there still allowed Zambians to cross the border without passports for hospital care. Far more serious incidents were the infiltrations of armed bands from Zambia, which crossed the border in order to cause destruction. Five mine explosions had occurred in 1971. His Government had asked Zambia to take measures to prevent such incursions, but there had been no response. His Government was obliged to protect the inhabitants of South Africa and South West Africa against acts of terrorism and therefore would not tolerate such activities.

317. The representative of Burundi said that South Africa's threats against Zambia at a time when Council was seized with the problem of Namibia showed its boundless scorn for the United Nations. Its claim that the mine explosions had been caused by Namibians sheltered in Zambia was just another pretext for its annexationist aims. The fact was that Namibians, despite tyranny, had succeeded in carrying out their actions within the Territory itself. The Council had previously been seized of similar cases of aggression committed by South Africa, and it should continue to defend the principles of justice and freedom.

318. The representative of Kenya said that his delegation considered aggression by South Africa against any African State to have been committed against it-

self; thus Kenya condemned the attack and expected the Council to take stern measures against the South African régime. His delegation felt that continued support of South Africa by those members of the Council that had been in the vanguard of the colonization of Africa constituted a threat to the independence of the African countries. He reminded the Council that it had recently been seized with complaints of aggression by Portugal against Guinea and Senegal. The Portuguese-Rhodesian-South African axis threatened peace in Africa and the very existence of the United Nations. The Council must, therefore, take decisive action against South Africa, which would view inaction as a licence for further aggression. His Government called upon the Council to censure the aggression against Zambia, demand an apology and demand that South Africa undertake to respect the territorial integrity of Zambia and all other independent States in southern Africa.

319. The representative of Nigeria said that the Foreign Minister of South Africa had confirmed that it was his Government's intention to carry the internal war within Namibia into Zambia by pursuing freedom-fighters. South Africa had no evidence that Zambia had had anything to do with the laying of mines, which had been the pretext for the attack. Inasmuch as the Council had failed to take strong action against South Africa, that country felt no restraint in committing aggressions. African States, he said, might be militarily weak, but the time would come when they would fight back. South Africa posed a military threat to the security of African nations. Unless Council assumed its responsibilities, South Africa was likely to precipitate a racial war. Accordingly, it was incumbent upon the Council to safeguard the territorial integrity of all Member States and to remove the South African administration from the Territory of Namibia.

320. The representative of Sierra Leone said that from the explanation given by the Foreign Minister of South Africa, his delegation concluded that South Africa had admitted its violation of Zambian territory under provocation by terrorists operating in "South West Africa", not Zambia. In connexion with the land mines, it would have been helpful if South Africa had specified their exact position, quantity and origin, because it appeared to his delegation that those mines had been laid by the South Africans themselves. With regard to the investigation of the border crossing, he noted that in hard soil footprints could hardly be identified. In conclusion, he stated that the Council should call upon South Africa to desist from violating the territorial integrity of Zambia and to remove its presence from Namibia.

321. The representative of Somalia stressed that the racial policies of South Africa constituted a threat to the sovereignty and territorial integrity of African States and to the peace of the whole region. The United Nations should deal with southern Africa in a co-ordinated programme of action. The Secretary-General had spoken about the common factors regarding southern Africa and had asked African leaders to give the international community guidance on how to solve the problems of the region. A solution had been formulated in the Lusaka Manifesto, but South Africa had rejected it; thus the situation continued to deteriorate. Available information pointed to the fact that South African forces had crossed into Zambia on the direct orders of the Prime Minister. It was no secret that South Africa had built a large police and military presence in Namibia.

He recalled that Council had adopted six resolutions over the past three years, all affirming the illegality of South Africa's presence in Namibia; yet South Africa had continued to use the Territory to pose threats to Zambia. South Africa was trying to punish Zambia for the failure of its own policies and to press Zambia to give up its independent policy. The Council should assist Zambia against the aggressive policies of the South African régime and should condemn South Africa for its violations of Zambia's sovereignty and ensure that it desisted from such actions.

322. The representative of the Syrian Arab Republic said that in the complaint of Zambia the Council was dealing with the phenomenon of imperialism and colonialism, repeatedly condemned by the United Nations. The representative of South Africa had no foundation on which to build his case, because it was based on *apartheid*, illegal rule in Namibia and co-operation with Rhodesia and Portugal, all issues which had already been condemned by the Council. Accordingly, the Council was called upon to enforce its own resolutions in order to give meaning to the Charter. He then introduced a draft resolution (S/10365), sponsored by Burundi, Sierra Leone, Somalia and the Syrian Arab Republic, which read as follows:

*"The Security Council,*

*"Having received the letter of the Permanent Representative of Zambia contained in document S/10352 and also the letter from 46 Member States contained in document S/10364,*

*"Taking note of the statement made by the Permanent Representative of Zambia at its 1590th meeting, concerning violations of the sovereignty, air space and territorial integrity of Zambia by South Africa,*

*"Mindful that violations of the sovereignty and territorial integrity of a State constitute a threat to international peace and security,*

*"Gravely concerned that violations of this nature seriously undermine the independence, peace and stability of neighbouring independent African States,*

*"Conscious of its responsibility under Article 24 (1) and (2) of the Charter of the United Nations,*

*"1. Condemns the violations of the sovereignty, air space and territorial integrity of Zambia by South Africa;*

*"2. Declares that such violations are contrary to the Charter of the United Nations;*

*"3. Calls upon South Africa to respect fully the sovereignty and territorial integrity of Zambia and desist forthwith from any violation thereof;*

*"4. Further declares that in the event of a refusal by South Africa to comply with this resolution, the Security Council will meet again to consider further appropriate steps or measures in accordance with the relevant provisions of the Charter of the United Nations."*

323. The representative of the Union of Soviet Socialist Republics said that Zambia had presented the Council with facts concerning the continuous aggression by the South African racists. The incursion on 5 October was not denied but, in fact, admitted by the Prime Minister of South Africa. It was clear that South Africa was using the Territory of Namibia for aggressive acts against Zambia and other African countries. It had built military bases, airstrips and a

missile system in the Caprivi area and used them to organize subversive activities against Zambia. Although South Africa's military and economic power was impressive, it would be unable to oppose the Security Council if it were isolated and received no help from those Western countries whose interests in South Africa were well known. The Council should require the principal partners of South Africa to cease their support of the racist régime. The Soviet Union endorsed the decisions of the General Assembly and the Security Council concerning the problems of South Africa and was fully carrying them out, as should all States. The Council should take the most serious approach to halting South African aggression. It should condemn the aggressor and take effective steps to prevent any recurrence of such acts.

324. The representative of Poland said that the Council had discussed a series of matters placed on the agenda by African States all of which had elements in common. The aggression of the racist forces was continuing, the attacks were of a systematic character and were being extended to threaten a wide area, and the racists received economic, military and political assistance from some Western States. In accordance with its known position, Poland would support any concrete, effective and immediate measures to end those aggressive acts.

325. The representative of Zambia said that the statement made by the Foreign Minister of South Africa confirmed the Zambian charges concerning South Africa's aggressive designs. He reaffirmed that Zambia would continue to shelter refugees fleeing South African oppression.

326. At the 1591st meeting, on 11 October, the representative of Guinea said that the attack on Zambia at a time when the Council was considering South Africa's illegal occupation of Namibia was an insult to the United Nations. South Africa, like Portugal, used threats and economic pressure, as well as aggression, against independent African States in retaliation for their support of the freedom-fighters and with a view to instituting their economic and political imperialism. He noted that South African aircraft made frequent overflights of Zambian territory and that the Prime Minister of South Africa had threatened to invade Zambia. The Council had to take effective measures to make it materially impossible for South Africa to attack neighbouring African nations. It was also important for the Council to end the occupation of Namibia, since that Territory was used as a base for launching such attacks.

327. The representative of Yugoslavia reminded the Council that his delegation had repeatedly maintained that the remaining strongholds of colonialism and *apartheid* in southern Africa constituted a source of instability and threat to peace in the area. The Prime Minister of South Africa had instructed his military forces to carry out punitive actions against Lusaka. The threats and demonstration of military might by South Africa were the result of the conciliatory attitude of some great Powers, which also explained the inability of the United Nations to deal effectively with *apartheid* and colonialism. The Council should demand that South Africa desist from aggression and, if it failed to comply, should take further measures under the Charter, for it was clear that peace in Africa could not be ensured so long as colonialism and *apartheid* existed there.

328. The representative of India said that it was time for the Council to take a comprehensive view of what was happening in southern Africa, because, so far, it had not been able to take action to reduce the impact of the racist régimes of Pretoria, Salisbury and Lisbon, even though the United Nations as a whole strongly resented their inhuman policies. The reasons for that inaction were well known, and the Organization must realize that it increased the threat to peace in the area and had an adverse impact on the development of independent African countries. Zambia was a special target for South Africa because it opposed *apartheid* and stood in the way of attempts to divide the African countries. Inasmuch as the General Assembly had already acknowledged the legitimacy of the struggle of the freedom-fighters, the Council should also accept that premise by stating that the struggle against colonialism was lawful. He suggested that Council should keep the problems of southern Africa under review and meet every three months to examine the effectiveness of the economic sanctions and other restrictions it had decided upon.

329. The representative of Pakistan said that Zambia and other independent African States were under steady pressure from the Salisbury-Pretoria-Lisbon alliance. South Africa had invoked the right of hot pursuit against so-called terrorists, who were fighting for freedom and combating an adversary of the United Nations. Accordingly, it was the moral duty of the Organization to protect them from repression. For lack of effective action by the Council, the situation in southern Africa was deteriorating. The incursion into Zambia was only part of a continuing process.

330. The representative of Somalia informed the Council that consultations were taking place on the text of the draft resolution. As the situation along the Zambian border was tense, the speedy adoption of the resolution would be helpful.

331. At the 1592nd meeting, on 12 October, the representative of Somalia introduced a revised text of the draft resolution (S/10365/Rev.1), sponsored by Burundi, Sierra Leone and Somalia. He explained that the new text was the result of consultations between the African States and members of the Council. It did not compromise any principle, even though the original draft had seemed to embody the minimum action required.

**Decision:** *At the 1592nd meeting, on 12 October 1971, the revised draft resolution was adopted unanimously as resolution 300 (1971). It read as follows:*

*"The Security Council,*

*"Having received the letter of the Permanent Representative of Zambia contained in document S/10352 and also the letter from 47 Member States contained in document S/10364,*

*"Taking note of the statement of the Permanent Representative of Zambia concerning violations of the sovereignty, air space and territorial integrity of Zambia by South Africa,*

*"Taking note of the statement of the Minister for Foreign Affairs of the Republic of South Africa,*

*"Bearing in mind that all Member States must refrain in their relations from the threat or the use of force against the territorial integrity or political independence of any State,*

*"Conscious* that it has the responsibility to take efficient collective measures to prevent and eliminate threats to peace and security,

*"Concerned* by the situation on the borders of Zambia and Namibia, in the vicinity of the Caprivi Strip,

*"1. Reiterates* that any violation of the sovereignty and territorial integrity of a Member State is contrary to the Charter of the United Nations;

*"2. Calls upon* South Africa to respect fully the sovereignty and territorial integrity of Zambia;

*"3. Further declares* that, in the event of South Africa violating the sovereignty or the territorial integrity of Zambia, the Security Council will meet again to examine the situation further in accordance with the relevant provisions of the Charter."

332. In the statements after the voting the representative of the United States of America said that the statements made in the Council about the incidents at issue had left some questions open; however, it was clear that tension and apprehension about future incidents continued to exist. They were of special concern because they had occurred in the area of the international Territory of Namibia. In that connexion, his delegation reaffirmed its support for General Assembly resolution 2145 (XXI) and the conclusion of the International Court of Justice in this regard. All parties should take care that tensions were not exacerbated by unauthorized crossings of international frontiers by irregular forces contrary to the Charter. He wished

that the resolution had been more explicit on that point.

333. The representative of Italy said that his delegation had noted that a number of previous incidents had been dealt with by the parties through exchanges of notes, in accordance with Article 33 of the Charter. He expressed appreciation to the sponsors for reformulating their draft but said his delegation would have preferred a more concise text in line with the information presented to the Council. His delegation had voted for the resolution because of the risk of increased tension due to the prevailing uneasiness in the area.

334. The representative of France said that the resolution had achieved the desired objective by being firm and demonstrating the Council's concern for Zambia. In adopting the resolution, the Council had stressed its determination to preserve the sovereignty and territorial integrity of a Member State.

335. The representative of Zambia said that by adopting a mild reprimand to South Africa, the Council had done Zambia an injustice. However, his delegation welcomed it in a spirit of co-operation. There was a tendency, he felt, on the part of some members of the Council to protect the racist régimes. The hope of small States in the ability of Council to protect them from aggression had been shattered. Nevertheless, Zambia had won its victory when 47 Member States had supported its complaint. It was his understanding of the resolution that in the event of further aggression the Council would consider further measures, not excluding action under Chapter VII of the Charter.

## Chapter 6

### QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA

#### A. Communications to the Security Council and request for a meeting

336. In a letter dated 15 June 1971 (S/10225) recalling the special circumstances relating to Zambia's geographical position as duly recognized by the terms of Security Council resolutions 253 (1968) and 277 (1970) concerning implementation of the sanctions against Southern Rhodesia, the representative of Zambia requested the Secretary-General to apprise members of the Council of the difficulties that had arisen for Zambia, owing to the actions of the Portuguese authorities. According to the letter, Portugal had blockaded various imports to Zambia and was holding them in the seaports of Beira, Nacala and Lourenço Marques in Mozambique and Lobito in Angola. Of vital importance among the blockaded supplies was maize, the main staple diet of the people of Zambia. To replace the stocks being held by Portugal, Zambia was having to import additional quantities via non-traditional routes at much greater than normal cost. Furthermore, other imports, including medical supplies, motor vehicles and perishable food-stuffs, had been subjected to considerable delays by authorities at the Portuguese-controlled ports. Zambia could ill afford the increasing loss of foreign exchange. Unfortunately, the letter concluded, Zambia was not receiving any assistance of the nature envisaged by the Council in its resolutions.

337. On 13 July, a second addendum (S/10229/Add.2) to the fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) was issued, containing three further annexes showing statistics of imports of all commodities from Southern Rhodesia, exports of all commodities from Southern Rhodesia and trade in commodities, all for the year 1970.

338. In four letters addressed to the President of the Security Council between 2 July and 6 October (S/10249 and Corr.1, S/10298, S/10312 and S/10355), the Chairman or Acting 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 transmitted, for the attention of the Security Council, the texts of three resolutions and two statements of consensus concerning the situation in Southern Rhodesia adopted by the Special Committee at meetings held on 2 July, 24 August, 9 September and 6 October, respectively.

339. On 8 November, the representative of Upper Volta, as Chairman of the African group at the United Nations, transmitted the text of a statement (S/10385) adopted by the group at its meeting on 5 November concerning the action taken by the United States Congress on 4 November to allow Southern Rhodesian chrome ore to be imported into the United States in

contravention of Security Council resolution 253 (1968). According to the statement, the African group viewed with grave concern the decision, which, if implemented, would undermine the basis of State responsibility for mandatory sanctions imposed by the Security Council, and it requested the Secretary-General to use his good offices to draw the attention of the United States to the effect of any violation of those sanctions.

340. In a letter dated 24 November (S/10396), the representative of the United Kingdom of Great Britain and Northern Ireland requested the President to convene a meeting of the Security Council on 25 November, or as soon as possible thereafter, in order that he might make a statement concerning the recent discussions which his Government's Secretary of State for Foreign and Commonwealth Affairs had had in Salisbury.

**B. Consideration at the 1602nd to 1605th, 1609th, 1622nd and 1623rd meetings (25 and 30 November, 2, 8, 29 and 30 December 1971)**

341. At the 1602nd meeting, on 25 November, the Security Council included in its agenda the United Kingdom letter, as well as the fourth report of the Committee established in pursuance of Security Council resolution 253 (1968), and considered them at seven meetings held between 25 November and 30 December, during the course of which the representatives of Saudi Arabia, the United Republic of Tanzania, Kenya, Zambia, Ghana, Uganda, Nigeria, Algeria and India were invited, at their request, to participate in the discussion without the right to vote.

342. The representative of the United Kingdom of Great Britain and Northern Ireland said that, because the settlement of the problem of Southern Rhodesia, though primarily a British responsibility, was of legitimate and continuing concern to the world community, his Government considered it right and fitting to inform the Security Council of the latest developments at the same moment as the Foreign Secretary was informing the House of Commons thereon. He stressed that the attainment of agreement on certain proposals constituted only a first step and not any change in the existing situation before the people of Rhodesia as a whole had had a full opportunity to demonstrate whether those proposals were acceptable. He briefly traced the course of events in Southern Rhodesia, especially since the colony was granted full internal self-government in 1923, to show that Rhodesia was not an ordinary colonial situation in what might be called the classic sense. Britain had never administered Rhodesia directly by physical presence, and the application of force following the illegal declaration of independence in 1965 would have been neither feasible nor desirable. He said that the mandatory United Nations sanctions that his Government had requested and fully supported, though not without effect, had not compelled the Smith régime to capitulate and accept an imposed settlement. The situation for the Rhodesian Africans had been deteriorating to the point where the atmosphere increasingly resembled that of South African *apartheid*. It was to reverse that descent that his Government considered it an obligation, as reaffirmed in Security Council resolution 288 (1970), to find a solution consonant with the five principles that it had consistently maintained as guidelines, which he repeated once again to Council. The proposals for a

settlement agreed to between the United Kingdom Foreign Secretary and Mr. Smith in Salisbury on 24 November, which had been accepted by the British Cabinet, would be made available to all members of the Council. Meanwhile, he described them fully and explained the manner in which they corresponded with the five principles to which he had referred. First, there was the "test of acceptability", the procedures that would be followed by a commission under the chairmanship of Lord Pearce to ascertain directly from all sections of the population of Rhodesia their views on the acceptability of the proposals. The central part of the proposals were the constitutional arrangements, which, he said were vital in terms of the principle of unimpeded progress to majority rule and represented a substantial change in direction away from the existing state of affairs embodied in the 1969 constitution. A very important element was the new declaration of rights, which would afford protection to the fundamental rights and freedoms of the individual and confer a right of access to the High Court in order to obtain redress for any person who claimed that its provisions had been contravened. The other main elements related to amendment of the constitution and certain key provisions of the Electoral act. There were, moreover, provisions for a review of existing legislation by an independent commission, which would examine the problem of racial discrimination, as well as other problems having a direct bearing on the status and rights of the Africans. The proposals also contained important provisions concerning land and development, including a development programme assisted by the British Government to increase significantly education and job opportunities for Africans. In conclusion, the representative of the United Kingdom stressed that acceptance of the proposals by the people of Southern Rhodesia as a whole was an indispensable condition of the whole exercise, and that it would take a few months before that could be ascertained. If the people did not accept them, the proposals would have been made in vain. If they did accept them, and if the British Government was fully satisfied that the Rhodesian Government had enacted the necessary legislation and taken the necessary steps to give effect to the proposals, then the final stage, namely, the conferring of legal independence upon Southern Rhodesia and the lifting of sanctions, would be implemented. The proposals offered the Rhodesian Africans the opportunity to achieve political freedom and responsibility for deciding their own fate and playing a full and eventually decisive part in a multiracial society. It was for the people of Rhodesia as a whole to say whether it was acceptable to them, and until that opinion had been ascertained, the United Kingdom would not change its policy with regard to the current régime in Southern Rhodesia.

343. The representative of the Union of Soviet Socialist Republics felt obliged to point out that the talks initiated by the British Foreign Secretary in Salisbury had been conducted with an unlawful, racist régime, already condemned as such by the United Nations, and had resulted in an agreement concluded without the knowledge or participation of the people of Zimbabwe, contrary to the appeals contained in General Assembly resolution 2652 (XXV) and those recently adopted by the Assembly at its twenty-sixth session. He expressed regret that the Council had been convened before the members had received and studied the agreement. Nevertheless, its essential meaning was

clearly to maintain for an indefinitely long time the existing racist order in Southern Rhodesia. The United Kingdom, he maintained, was going to try to force the Home-Smith agreement on the people of Zimbabwe and to sweeten the bitter pill with promises of a long-term educational programme to prepare Africans for independence. That colonialist thesis had long ago been condemned, and the representatives of numerous African countries in the United Nations had amply refuted it. It was noteworthy, he added, that the visit of the British Foreign Secretary to the Southern Rhodesian racists had coincided with the action of the United States Congress to repeal the embargo on the purchase of Southern Rhodesian chrome by American monopolies. It was entirely clear that attempts were being made to rescue the illegal régime of Southern Rhodesia. The British Government was not only ignoring the demands of the indigenous people of Zimbabwe for no independence before majority rule; it was ignoring the demands of the whole of Africa and world public opinion and the decisions of the United Nations. It was seeking to legitimize the illegal, racist régime, contrary to the principles of General Assembly resolution 1514 (XV), in pursuit of its designs, in collaboration with the United States, to strengthen and maintain in southern Africa, together with the Portuguese colonial system and the racist system of South Africa, a bastion of colonialism, imperialism and racism. In connexion with press reports that Mr. Joshua Nkomo, leader of the Zimbabwe African People's Union (ZAPU), and Mr. N. Sithole, leader of the Zimbabwe African National Union (ZANU), had submitted memoranda to Sir Alec Douglas-Home, he insisted that the United Kingdom representative should make the full contents of those memoranda available to the Council. He also proposed that Messrs. Nkomo and Sithole should be invited to address the Council and give it their appraisal of the Home-Smith agreement.

344. The representative of Burundi said he wondered whether the proposed electoral system might not be too complicated for the people of Rhodesia to pronounce themselves on, inasmuch as they had always been denied accession to independence on the ground that they lacked the necessary scholastic training to participate in a referendum. He asked why the leader of the rebel régime sought to exercise discretionary powers with regard to the release of political detainees and restraints and the return of exiles. He also asked the representative of the United Kingdom for clarification as to what assurance there was that the African development aid promised by his Government would not be diverted to other purposes, and what would be the duration of the rebel régime and of the transitional system under the agreed proposals.

345. The representative of Saudi Arabia, after enumerating facts which he said militated against an easy solution of the Rhodesian question, observed that even the sanctions had not worked to bring down the rebel régime. He then surveyed other possible alternatives, dismissing each, in turn, as impracticable or merely academic. It was unrealistic, he stated, to expect that the five permanent members of the Security Council might work in concert to apply external force against Southern Rhodesia or help to create an African army for that purpose. He suggested that it might be possible to foment rebellion inside Southern Rhodesia or that the African and Asian countries, with the sup-

port of their friends, might boycott the goods of countries that traded with Southern Rhodesia.

346. The representative of the Syrian Arab Republic requested information concerning the period of time the United Kingdom anticipated would be needed to attain parity, and how that Government intended to discharge its responsibility as administering Power, should the test of acceptability prove negative.

347. The representative of the United States of America denied that there was any connivance between the United States and the United Kingdom concerning Southern Rhodesia, adding that the action of the United States Congress was not supported by the United States Government but reflected concern about the ineffectiveness of the sanctions. The United States was not currently buying chrome ore from Southern Rhodesia and had not yet violated the sanctions, but someone else was doing so.

348. The representative of Somalia supported the proposal that the leaders of the two main African political parties in Southern Rhodesia should be invited to present their views to the Council. He asked whether the United Kingdom planned to conduct an intensive campaign of public enlightenment before the test of acceptability was carried out, and whether the two currently proscribed political parties, ZAPU and ZANU, would be permitted to participate. Further, he inquired who would guarantee the guarantees in the new constitution, and whether the United Kingdom envisaged any participation by the United Nations in the conduct of the test of acceptability.

349. At the 1603rd meeting, on 30 November, the representative of the United Republic of Tanzania reiterated his Government's view, expressed by the President of his country in 1965, that the United Kingdom bore ultimate responsibility for Southern Rhodesia and for the actions of the Southern Rhodesian Government. The United Kingdom had decided to legalize the usurpation of power by the minority rebel régime in the Territory. The United Kingdom's interpretation of events which had led to the current situation was, at best, an apology for its own inaction and, at worst, a clumsy justification for its treachery, double standards and pretended impotence to control and influence them. He declared that the Africans of Zimbabwe, through their liberation movement, had denounced in advance any independence proposals not based on the principle of majority rule, a principle that had been reaffirmed in an overwhelming vote by the General Assembly in resolution 2769 (XXVI). He contested the United Kingdom's claim that the new proposals for a settlement had been based on its own enunciated five principles by declaring that not Tanzania nor Africa nor the rest of the international community had ever accepted those principles as the basis of a settlement. He charged that the so-called settlement favoured white oppression and domination in Southern Rhodesia in flagrant negation of the principles of freedom, human equality, justice and democracy.

350. The representative of Somalia asked for clarification as to whether the United Kingdom intended to publish the texts of the representations made to Sir Alex Douglas-Home by the African political leaders during the talks in Salisbury, and whether, if the United Kingdom still intended to go ahead with the test of acceptability, it would ensure a full, free and fair conduct of the test by removing the apparatus of

a police state that oppressed African political activity in the Territory. He also suggested that the proposed new declaration of rights should be submitted to a thorough examination and evaluation by United Nations legal experts.

351. By a letter dated 1 December (S/10405), the representative of the United Kingdom transmitted to the President of the Security Council the text of the White Paper entitled "Rhodesia: Proposals for a Settlement", presented to Parliament by the Foreign Secretary on 26 November, which contained the text of the proposals that he had described at the 1602nd meeting on 25 November.

352. At the 1604th meeting, on 2 December, the representative of Somalia stated that the proposals agreed upon by the United Kingdom and the Smith régime were not in conformity with the stated goals of the United Nations with regard to Southern Rhodesia, which envisaged that all the people would determine their own future on a basis of equality. Moreover, under the heading "The Constitution", the proposals were to be set up within the framework of the 1969 Constitution, which not only the United Nations but the United Kingdom had denounced and refused to accord any legal recognition. Furthermore, the proposals maintained segregated voter rolls and said nothing about the candidates' qualifications, a significant omission, considering that the existing constitution barred as a candidate for five years anyone who had been detained or restricted for six or more months, which would eliminate the majority of the African leaders from political activity. Consequently, he urged the United Kingdom to abandon the proposals and, instead, continue to work in concert with the world community on the basis of the objectives and decisions already established by the United Nations. Nevertheless, inasmuch as the United Kingdom intended to go through with the test of acceptability, he put forward, as a second line of approach, certain proposals to ensure that the consultation with the people of Southern Rhodesia was valid and fully understood. He proposed, first, that the period of the test should be long enough to enable the largely illiterate African population to understand the proposals through a thorough educational campaign; second, that during that period the apparatus of the police state should be removed, maintenance of public order be taken over by the United Kingdom and normal political activity, including African political activity, be permitted; third, that all political prisoners, detainees and restrictees should be released in order to participate in the educational campaign; fourth, that the initial instalment of the United Kingdom development aid should be applied immediately and specifically to adult education on the political issues involved in the settlement; and, finally, that the United Kingdom should arrange for a United Nations team to observe the preparation and conduct of the test.

353. The President referred to consultations that had been held in connexion with the proposal made by the representative of the USSR and supported by the representative of Somalia to invite Messrs. Joshua Nkomo and N. Sithole to appear before the Council and state their views on the proposals on Southern Rhodesia.

**Decision:** *At the 1604th meeting, on 2 December 1971, the President announced that there being no*

*objection the Council had decided to extend an invitation to Mr. Joshua Nkomo and Mr. N. Sithole.*

354. The representative of Saudi Arabia suggested that the United Nations Educational, Scientific and Cultural Organization (UNESCO) might institute an educational programme on human rights for all the inhabitants of Southern Rhodesia or that the United Nations might set up a fund to encourage a programme of civil disobedience and boycott in the Territory.

355. At the 1605th meeting, on the same day, the representative of Zambia, after recalling developments in Southern Rhodesia since April 1964, when Mr. Ian Smith had become Prime Minister, stressed that there should be no independence in Southern Rhodesia before majority rule. It had been estimated by a group of distinguished economists and constitutional experts from various universities that parity in the Rhodesian Parliament could be attained in the year 2026 and majority rule in 2035 at the earliest. Accordingly, his delegation had concluded that the new proposals indefinitely postpone African majority rule in Southern Rhodesia. He stated that messages smuggled out of the Territory from Messrs. Nkomo and Sithole had requested his delegation to report to the Council their total rejection of the Anglo-Rhodesian agreement.

356. The representative of Ghana stated that the responsibility for a solution of the problem of Southern Rhodesia rested with the United Nations as well as with the United Kingdom, a fact that was confirmed by the several resolutions adopted on the question by the United Nations since 1961, including that instituting sanctions against the Territory. The United Kingdom, however, claimed to have based the Home-Smith proposals on its own five principles, which were acceptable neither to the United Nations nor to OAU. He disputed the United Kingdom's claim that it was unable to use force against the rebel régime in Southern Rhodesia, a method that it had employed in several of its former colonies. His delegation feared that the new proposals would not only diminish the hopes of the people of Zimbabwe, but would lead to frustration and despair and therefore constitute an invitation to violence and revolution. Consequently, he appealed to the United Nations to maintain and strengthen the sanctions, to extend them to Portugal and South Africa and to reject any independence for Southern Rhodesia that was not based on majority rule. Otherwise, the United Nations would be faced with yet another *apartheid*-ridden minority régime within its ranks.

357. The representative of Kenya said that the new proposals for a settlement were totally unacceptable to his Government and constituted a shameful betrayal of the people of Zimbabwe and a flagrant violation of United Nations resolutions, as well as the principles and obligations of the Charter. He cited various resolutions adopted by the Security Council voluntarily and affirmatively endorsed by the United Kingdom and therefore binding on it under Article 25 of the Charter. The United Kingdom's negotiations with the rebel régime in Southern Rhodesia had been held in total disregard of the principles laid down in the Council resolutions and those adopted by the General Assembly. His delegation considered, therefore, that the new proposals not only violated but had no bearing whatsoever on the resolutions adopted by the United Nations.

358. The representative of the United Kingdom responded to some of the questions posed by various

delegations and said that he was still awaiting instructions from his Government regarding others. He confirmed his Government's intention to go ahead with the conduct of the test of acceptability but said that it was impossible to answer the hypothetical question of what the United Kingdom would do if the proposals were rejected. He listed 97 African representatives, including Mr. Joshua Nkomo, who had had consultations with the British Foreign Secretary during his stay in Salisbury. The written or other communications received during those contacts were confidential and could not be made available to the Council without the consent of those who had submitted them. With regard to guarantees concerning the development funds to be provided by the United Kingdom, he replied that comprehensive consultations would be undertaken with the Rhodesians before such programmes were selected or funds for them disbursed. As for the suggestion that Secretariat legal experts compare the proposed declaration of rights with relevant United Nations instruments, he said that that would depend on the outcome of the usual consultations among the members and on further instructions from his Government. It would be more meaningful, in his view, for such an examination, if carried out, to include a comparison with the provisions for the protection of human rights embodied in the legal systems of Member States and not to deal just with an ideal situation.

359. On 3 December the Committee established in pursuance of Security Council resolution 253 (1968) submitted an interim report (S/10408) to the Security Council concerning the question of the importation of chrome ore from Southern Rhodesia. The African members of the Committee had asked it to consider the fact that legislation adopted by the United States Congress would permit resumption of Rhodesian chrome imports into the United States after 1 January 1972, a development that might undermine the effectiveness of the United Nations sanctions. The representative of the United States had assured members of the Committee that the quantities of chrome ore likely to be imported would be insignificant compared to the quantities of contraband ore being imported by other countries. He reaffirmed that the sanctions had been scrupulously observed by the United States and that, in any case, regardless of any law, the United States could not be in violation of the sanctions until chrome ore from Southern Rhodesia had actually been imported into the United States. The Committee had decided to submit a report to the Council as a matter of urgency and to recommend, among other things, that the Council should call upon all States not to pass or implement any legislation or take any other action that might permit the importation from Southern Rhodesia of commodities, including chrome ore, falling under the scope of the obligations imposed by resolution 253 (1968).

360. At its 1609th meeting, on 8 December, the Security Council continued its consideration of the question and included the interim report of the Committee as a subitem on its agenda.

361. The representative of China said that the essence of the question of Southern Rhodesia was the Zimbabwe people's fight against foreign colonialist rule and for national independence. The colonialist authorities of Southern Rhodesia, with the connivance and support of imperialism, colonialism and neo-colonial-

ism, had become unbridled in enforcing their Fascist rule of the South African type over the people of Zimbabwe and had intensified their suppression of the struggle of the people of Zimbabwe for national independence. They had stepped up their military, political and economic collusion with the South African and Portuguese colonialists in carrying out threats and plotting various schemes of subversion and aggression against African countries, posing a grave menace to the independent African States and peoples. The so-called proposal for the settlement of the question of Southern Rhodesia which the British Government had concocted in collusion with the Smith colonialist authorities was a big fraud. It was aimed at legalizing the Fascist and racist rule over the Zimbabwe people by the Ian Smith colonialists and at enabling the colonialists and neo-colonialists to openly cancel the "sanctions" against the colonialist authorities of Southern Rhodesia. The Chinese delegation maintained that the only solution to the question of Southern Rhodesia was the realization of national independence by the Zimbabwe people. The Chinese Government and people totally rejected this fraud devised by the British Government and the colonialist authorities of Southern Rhodesia and firmly supported the Zimbabwe people and other African countries and peoples in their just struggle against the colonialist rule in Southern Rhodesia and for national independence.

362. The President, speaking as the representative of Sierra Leone, deplored the fact that the proposed constitutional arrangements were based on the illegal 1969 Constitution. He expressed his delegation's uncertainty about the rebel leaders' sincere intentions to implement the terms of the proposals. In particular, his delegation was apprehensive about the promised educational advancement of the Africans, changes in the Land Tenure Act, ending of racial discrimination and guarantees against retrogressive amendment of the Constitution. It also regretted that the settlement proposals had been negotiated without the active participation of the African leaders of Zimbabwe. He urged the United Kingdom to carry out the proposal made by the representative of the USSR to facilitate the appearance of Messrs. Nkomo and Sithole before the Council.

363. In a note dated 23 December (S/10470), the President of the Security Council reported that, following the Council's decision in accordance with rule 39 of the provisional rules of procedure, to invite Messrs. Nkomo and Sithole to appear before it, he had addressed a note to the representative of the United Kingdom on 2 December expressing the hope that the United Kingdom, as the administering authority of the Territory, would take appropriate steps to ensure compliance with that decision. In his reply, the representative of the United Kingdom had stated that Mr. Nkomo was in detention and Mr. Sithole was serving a prison sentence in Rhodesia; therefore his Government regretted that, in the circumstances, it was not in a position to require the Rhodesian authorities to allow either Mr. Nkomo or Mr. Sithole to travel to New York.

364. At the 1622nd meeting, on 29 December, the representative of Somalia explained the contents of a working paper that had been drawn up by his delegation and circulated informally, which he hoped would form the basis of a draft resolution. In the preambular part, the proposed text provided that the Council would

note that the proposals for a settlement had not been negotiated in consultation with the accredited leaders of the people of Southern Rhodesia. Under the operative paragraphs, the Council would (1) decide that the terms of the proposals did not fulfil the conditions necessary to ensure that all the people of Southern Rhodesia would be able to exercise freely and equally their right to self-determination; (2) reject the "proposals for a settlement", as they did not recognize the inalienable rights of the majority of the people of Southern Rhodesia; (3) consider that the principle of universal adult suffrage for the people of Southern Rhodesia without regard to colour or race must be the basis for any constitutional and political arrangements for the Territory; (4) urge the United Kingdom, pursuant to paragraph 3 above, not to accord any form of recognition to an independent State of Southern Rhodesia that was not based on majority rule or on the will of the majority as determined by universal adult suffrage; (5) call on the United Kingdom to ensure that in any exercise to ascertain the wishes of the people of Southern Rhodesia as to their political future, the procedure to be followed would be by secret referendum on the basis of one man, one vote, without regard to race or colour or to educational, property or income considerations; (6) further call on the United Kingdom to facilitate the participation of a United Nations team of observers during the preparation for, and the actual conduct of, any exercise to ascertain the wishes of the people of Southern Rhodesia as to their political future; (7) decide to continue with the imposition of political, diplomatic and economic sanctions on Southern Rhodesia until the rebellious régime in that Territory was brought to an end; (8) request the Government of the United Kingdom not to transfer under any circumstances to its colony of Southern Rhodesia, as currently governed, any of the powers or attributes of sovereignty, but 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.

365. In explaining individual paragraphs of the draft, the representative of Somalia said that it recommended complete rejection of the proposals for a number of reasons: from information received privately, both Mr. Nkomo and Mr. Sithole had rejected the terms of settlement; the agreement, which had been negotiated with the white minority only to the exclusion of the black majority, would not bring the rebel régime to an end; and the settlement would not enable the people of Southern Rhodesia to exercise their right to self-determination. His delegation considered, therefore, that the granting of independence to Southern Rhodesia under such conditions would be in defiance of the United Nations, the Organization of African Unity and world public opinion and, above all, against the interests of the majority in Southern Rhodesia.

366. The representative of Argentina, recalling the primary responsibility of the United Kingdom for Southern Rhodesia, expressed his delegation's satisfaction at the United Kingdom's effort to negotiate a settlement of the situation created by the illegal Smith régime and, by employing the test of acceptability, to ensure that the agreement would not be forced upon the people of the Territory. However, his delegation raised fundamental objections to the proposed system of voting and representation as not being based on equal rights and to the long and indefinite period that

would be required to achieve parity under the agreement.

367. The representative of the Union of Soviet Socialist Republics, commenting on the United Kingdom's reply concerning the invitation to Messrs. Nkomo and Sithole, said that it was not an explanation but a simple declaration of that Government's refusal to implement a decision of the Security Council. He reminded the Council that the United Kingdom had also declined to make available the memoranda submitted to the United Kingdom Foreign Secretary by the two African leaders, and he wondered whether the attitude of the United Kingdom signified political impotence or colonialist-racist solidarity with the illegal régime in Southern Rhodesia. He insisted that the Council should demand that the United Kingdom respect its decisions and implement them, particularly the one regarding the Council's invitation to Messrs. Nkomo and Sithole.

368. The representative of the Syrian Arab Republic expressed his delegation's view that General Assembly resolution 1514 (XV) had adequately set the conditions and modalities for granting independence to the legitimate representatives of the colonial peoples; for that reason, his delegation fully supported the working paper submitted by the representative of Somalia. His delegation also regretted the failure of the United Kingdom, one of the permanent members of the Council, to implement its decision to invite Messrs. Nkomo and Sithole.

369. The representative of Nicaragua referred to Security Council resolution 288 (1970) and General Assembly resolution 1514 (XV) and expressed the hope that the United Kingdom would continue its efforts to contribute to a solution consistent with the principles of the Charter and with the will of the people of Southern Rhodesia.

370. The representative of Japan stated that his delegation recognized the primary responsibility of the United Kingdom to settle the Rhodesian question equitably and had consistently supported the principle of majority rule in the Territory. It could not, however, support the use of force by the United Kingdom to bring down the Smith régime. His delegation had reservations on the proposals for a settlement, as they did not guarantee majority rule in the near future and assumed the good faith of the current régime or a similar successor as the only guarantee for their implementation. Nevertheless, the proposals, if implemented in full, were commendable and might help to improve the status of the African people. He stressed the importance of ensuring that the test of acceptability was conducted in a just and fair manner and supported the suggestion of the representative of Somalia concerning the participation of United Nations observers.

371. At the 1623rd meeting, on 30 December, the representative of Poland said that the question of Southern Rhodesia involved fundamental principles and decisions of the United Nations, but the administering Power had consistently and deliberately pursued a policy contrary to those demands and contrary to the interests of the Zimbabwe people. First, there was the principle of the right to self-determination and independence contained in the United Nations Charter, developed by the General Assembly and reaffirmed by the Security Council in its resolutions; but the proposals for a settlement elaborated by the United King-

dom and the Smith régime had already been rejected as a violation of that right of the Zimbabwe people by the General Assembly in its resolution 2877 (XXVI), by the representatives of the African States in the Council and by the African leaders of Zimbabwe themselves. Instead of conducting talks with the representatives of five million people, the United Kingdom had consulted only with the rebel régime, with the aim of openly recognizing its independent status. He added that the United Nations sanctions had not been effective because of large-scale and wilful violations from the start, a situation that was now being adduced as justification for their abolition. Finally, he emphasized that the United Kingdom bore the primary responsibility to enable the people of Southern Rhodesia to achieve self-determination and independence but that the proposals for a settlement were in contradiction with that goal. In view of those considerations, his delegation was prepared to support the draft resolution contained in the Somali delegations' working paper.

372. The representative of Italy said that his country had unconditionally supported the Security Council measures aimed at bringing the Salisbury régime to an end, but even though the sanctions had had some results, they had not yet enabled the Council to achieve its objective. In his view, the effect of the sanctions was perhaps detracting from, rather than promoting, the desired goal of nationhood and self-determination for the Territory, because they served to cut off the Rhodesian people from contact with the outside world. The new proposals, whatever their shortcomings, might help to improve the status of the Africans and to lead them towards self-determination by making them aware of their fundamental rights. He hoped that the United Kingdom would arrange to associate the United Nations more closely with the conduct of the test.

373. The representative of France said that the new proposals, though containing certain inadequacies, had the merit of ending the *status quo* and offering the people of Rhodesia the possibility of setting in motion a machinery that could and should transform their institutions. The important thing, therefore, was not to pre-judge the test of acceptability but to await its result. His delegation would cast its vote on the draft resolution to be submitted on the matter in the light of those considerations.

374. The representative of Uganda commented on several aspects of the proposals for a settlement, which he found to be unworkable, meaningless, inadequately guaranteed and otherwise prejudicial to the interests of the majority of the people of Southern Rhodesia. Regarding the proposed test of acceptability, he said that the only test of acceptability employed throughout the colonial history of the United Kingdom had been that of universal franchise, and his delegation did not understand why Southern Rhodesia should be exempted from that process. The same régime that had violated the Constitution and passed discriminatory laws was to sit in judgement on the application of the declaration of rights. The Security Council had no assurance that those provisions of the proposals would be faithfully implemented. His delegation, moreover, could not understand why the United Kingdom was declining to use force against Southern Rhodesia, after having done so in several of its former colonies. He urged the United Kingdom to heed the pleas of its own Parliament, of public opinion and of the Secretary Council by accept-

ing modifications in the proposals that would make the legitimization of the rebellion impossible.

375. The representative of Nigeria said that, after fully studying the new proposals, his Government had come to the conclusion that there was nothing commendable in them and that they amounted to a British Government endorsement of the perpetual subjugation of the black people of Southern Rhodesia by the white minority. The Nigerian Foreign Minister had denounced the settlement proposals and set forth certain alternative measures for solving the Rhodesian question. The United Nations should not be an accomplice to the British attempt to abandon the people of Zimbabwe to perpetual bondage. If the United Kingdom would not use force against Southern Rhodesia, it should not put obstacles in the way of the people of Zimbabwe by aiding and abetting the illegal régime of Ian Smith.

376. The representative of India said that, over the years, consideration of the question of Zimbabwe had been characterized by a number of fictitious premises, namely, that the United Kingdom was responsible for the administration of Southern Rhodesia but had no administrative machinery or power to enforce its decisions; that no British Government could be expected to use force against its kith and kin; and that sanctions could bring down the Smith régime without being extended to South Africa, South West Africa and the Portuguese colonies. The finality of the Zimbabwe question was now being sought through the new proposals which Britain was determined to impose, irrespective of what the Council might decide. The proposed test of acceptability could not provide a genuine expression of the wishes of the people of Southern Rhodesia so long as many acts remained in force that restricted their political activity. For that reason, it was not appropriate that the United Nations should be associated with that exercise. His delegation recommended that the sanctions should be strengthened and universally and compulsorily applied, if only to demonstrate to the Smith régime that international opinion was determined not to be a party to any recognition of it.

377. Referring to the position of the United Kingdom concerning the Security Council's invitation to Messrs. Nkomo and Sithole, the representative of Burundi said that the United Kingdom's inability to bring them to New York cast doubts about its success as administering Power in attaining the ultimate goal of independence for the people of Zimbabwe.

378. The representative of Algeria said that, notwithstanding the important obligations devolving upon the United Kingdom as the administering Power, the primary and ultimate responsibility for solution of the Rhodesian problem rested with the Security Council. The new proposals must therefore be considered in the light of previous recommendations of the Council. The extreme complexity of the proposals, the gaps that would permit evasion and the fact that they had been negotiated only with the minority, to the exclusion of the majority and their leaders, were sufficient reasons for their rejection. His delegation would reject in advance the validity of any decision by the United Kingdom deriving from a test of acceptability not based on a one-man, one-vote referendum involving all the people of Southern Rhodesia. As one of the three countries carrying a mandate from OAU to follow the debates on Southern Rhodesia in the Security Council, his delegation urged the Council to reject the Anglo-Rhodesian

agreement as not complying with the principles laid down by the Council.

379. The representative of Belgium said that his Government, in scrupulously implementing the Council's decisions on Southern Rhodesia, had incurred the loss of important markets. His delegation welcomed the initiative undertaken by the United Kingdom, which would introduce a new element into an otherwise stalemated political situation. However, the Security Council should not arrogate unto itself the right to dictate or impose some political settlement behind the back of the administering Power; rather, the Council should follow closely the implementation of the test of acceptability. His delegation favoured some form of participation by the United Nations in the conduct of the test and also the hearing by the Council of representatives of ZAPU and ZANU. With regard to the forthcoming draft resolution, his delegation would abstain from voting because it considered it premature to pass judgement on a proposed settlement that was not yet a reality.

380. In summing up the position of his delegation, the representative of the United Kingdom stated that many delegations were seeking an ideal solution, but his Government was obliged to take into account the harsh realities of the situation. He did not consider it necessary or desirable for the Council to adopt resolutions before the results of the test of acceptability were known and considered that the draft resolution to be proposed by the representative of Somalia was far from practicable. Consequently, he appealed to the Council to be guided in its approach to the problem by six propositions, namely: that the position of the Africans in Southern Rhodesia was not yet as bleak as in South Africa but could deteriorate into actual *apartheid*; that, barring military intervention, the United Kingdom, even with the support of the United Nations, could not physically impose its will; that the agreed settlement was the only way to avert the danger; that some details of the agreed proposals were admittedly open to criticism, but that, if accepted, they would bring about a desired change of direction; and, lastly, that the final word on the proposals must rest with the people of Rhodesia themselves—their views would be ascertained in the process of consultation.

381. The representative of the Union of Soviet Socialist Republics said that no one who had participated in the current debate on the question had supported the colonialist deal between the British Government and the Southern Rhodesian racists. What the people of Zimbabwe wanted was their independence; that was a reality, requiring no test of opinion. Therefore, the Council should study the draft resolution to be submitted by the representative of Somalia and try to reach a decision by adopting it, so as to avoid circumventing the issue or appearing to condone the deal thought up by the racists and their protectors.

382. The representative of China did not agree that the Council should suspend judgement on the question of Southern Rhodesia or await the results of such an experiment as the test of acceptability. As the question involved the basic interests of 5 million people of Zimbabwe, the Security Council was entitled to discuss and take decisions on the matter and could not relegate its responsibility to either the United Kingdom or Ian Smith. The Council should continue its discussion and discharge its moral and political responsibility to the people of Zimbabwe. The representative of China

said that internally the racist régime in Rhodesia headed by Ian Smith had been practising an extreme Fascist rule and a barbarous policy of racial discrimination, and that externally it had colluded with the South African white colonialist régime and the Portuguese colonial rulers in jointly repressing the national liberation movement of the people of southern Africa. Not long ago, the British Government had openly resumed its selling of arms to South Africa in defiance of the opposition of the people of Africa and the world as well as the United Nations resolution on sanctions. Furthermore, the British Government had openly reached a so-called "agreement" with the reactionary authorities in Southern Rhodesia. This was a new step taken by the British Government to preserve its colonial interests in southern Africa and to support the white racist régime in Rhodesia, as well as a grave provocation to the 5 million African people of Zimbabwe and the people of other African countries. In disregard of the opposition of the overwhelming majority of States Members of the United Nations, the United States Government had openly approved of a decree to import chrome from Rhodesia. The acts of the reactionary authorities of Rhodesia had received the support of the United States Government. The Chinese representative added that the Chinese Government and people were deeply convinced that the heroic Zimbabwe people, with the solidarity and support of the peoples of the world and the countries that uphold justice, would certainly overcome all difficulties and obstacles, shatter all schemes and tricks of colonialism and neo-colonialism and finally win true national independence.

383. The representative of Somalia then introduced a draft resolution (S/10489), sponsored by the delegations of Burundi, Sierra Leone and the Syrian Arab Republic, which was based on the working paper previously put on record by his delegation. It read as follows:

*"The Security Council,*

*"Having considered the 'proposals for a settlement' agreed upon by the Government of the United Kingdom and the rebel régime in Southern Rhodesia on the political and constitutional future of the Territory,*

*"Having noted that these proposals were not negotiated in consultation with the accredited political leaders of the majority of the people of Southern Rhodesia,*

*"Taking note of General Assembly resolution 2877 (XXVI),*

*"Reaffirming Security Council resolution 288 (1970) of 17 November 1970, and, in particular, its operative paragraph 2 in which the Council called upon 'the United Kingdom of Great Britain and Northern Ireland as the administering Power in the discharge of its responsibility, to take urgent and effective measures to bring to an end the illegal rebellion in Southern Rhodesia and enable the people to exercise their right to self-determination, in accordance with the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960',*

*"Mindful of the conditions necessary to permit the free expression of the right to self-determination,*

"*Recalling* Security Council resolution 202 (1965) of 6 May 1965, which endorsed the request of the General Assembly addressed to the United Kingdom to obtain:

'(a) The release of all political prisoners, detainees and restrictees,

'(b) The repeal of all repressive and discriminatory legislation, and in particular the Law and Order (Maintenance) Act and the Land Apportionment Act,

'(c) The removal of all restrictions on political activity and the establishment of full democratic freedom and equality of political rights',

"*Recognizing*, without prejudice to the primary role of the administering Power, the special responsibilities of the United Nations towards the people of Southern Rhodesia in securing their inalienable rights,

"1. *Decides* that the terms of these proposals do not fulfil the conditions necessary to ensure that all the people of Southern Rhodesia would be able to exercise freely and equally their right to self-determination;

"2. *Rejects* the 'proposals for a settlement' as they do not guarantee the inalienable rights of the majority of the people of Southern Rhodesia;

"3. *Considers* that the principle of universal adult suffrage for the people of Southern Rhodesia, without regard to colour or race, must be the basis for any constitutional and political arrangements for the Territory;

"4. *Urges* the United Kingdom, pursuant to paragraph 3 above, not to accord any form of recognition to an independent State of Southern Rhodesia which is not based on majority rule or on the will of the majority as determined by universal adult suffrage;

"5. *Calls* on the United Kingdom to ensure that in any exercise to ascertain the wishes of the people of Southern Rhodesia as to their political future, the procedure to be followed will be by secret referendum on the basis of one-man, one-vote, without regard to race or colour or to educational, property or income considerations;

"6. *Further calls* on the United Kingdom, after having ensured the establishment of conditions under which all the people of Southern Rhodesia are able to exercise freely and equally their right to self-determination on the basis of paragraphs 3 and 5 above, to facilitate the participation of a United Nations team of observers during the preparation for, and in the actual conduct of, any exercise to ascertain the wishes of the people of Southern Rhodesia as to their political future;

"7. *Decides* to continue with the imposition of political, diplomatic and economic sanctions on Southern Rhodesia until the rebellious régime in that Territory is brought to an end;

"8. *Requests* the Government of the United Kingdom not to transfer under any circumstances to its colony of Southern Rhodesia, as at present governed, any of the powers or attributes of sovereignty, but 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."

384. Following a suspension of the meeting, the representative of Somalia requested separate votes on the second and fifth preambular paragraphs and operative paragraphs 3, 4 and 5 of the draft resolution.

385. Before the Council proceeded to a vote, the representative of China said that his delegation would vote for the draft resolution, even though it failed to condemn the fraud played by the United Kingdom and the rebel régime in the so-called agreement, the United Kingdom and the United States for their open violation of the sanctions against Southern Rhodesia and South Africa and Portugal for collusion with the racist régime.

**Decisions:** *At the 1623rd meeting, on 30 December 1971, the four-Power draft resolution (S/10489) was voted upon, with the following results:*

*The second preambular paragraph was adopted by 10 votes to none, with 5 abstentions (Belgium, France, Italy, United Kingdom of Great Britain and Northern Ireland and United States of America).*

*The fifth preambular paragraph was adopted by 14 votes to none, with 1 abstention (United Kingdom).*

*Operative paragraph 3 was adopted by 14 votes to none, with 1 abstention (United Kingdom).*

*Operative paragraphs 4 and 5 were each adopted by 10 votes to none, with 5 abstentions (Belgium, France, Italy, United Kingdom of Great Britain and Northern Ireland and United States of America).*

*The draft resolution as a whole received 9 votes in favour, 1 against (United Kingdom of Great Britain and Northern Ireland) and 5 abstentions (Belgium, France, Italy, Japan and United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council.*

386. Following the voting, the representative of Japan stated that his delegation had abstained in the vote on the draft resolution as a whole because, although it had serious doubts and reservations regarding the so-called proposals for a settlement, it did not consider it appropriate for the Security Council to reject them before the will of the Zimbabwe people had been ascertained. However, it fully shared the thinking underlying the draft resolution and supported the principle of universal adult suffrage and majority rule for Zimbabwe.

387. The representative of the United States noted that the United Nations had been dealing with the question of Southern Rhodesia for six years and had approved a programme of sanctions that the United States had faithfully observed while the United Kingdom, the administering Power, had attempted to negotiate the future status of the Territory. His delegation believed it inappropriate for the Council to make a judgement opposing the proposals for a settlement before the test of acceptability had run its course and had therefore found it necessary to abstain on the draft resolution as a whole. It had supported the two paragraphs on which separate votes were taken because they represented principles that the United States supported, as it did the right of the people of Southern Rhodesia to self-determination.

388. The representative of France said that his delegation had supported paragraph 3 because it reaffirmed the principle of universal suffrage as the basis for constitutional arrangements in Southern Rhodesia. However, it had abstained on paragraphs 4 and 5 and on:

the draft resolution as a whole because despite reservations about the proposed settlement, it considered that the agreement offered a chance to end the deplorable *status quo* and introduce momentum into a stagnant situation.

389. The representative of Belgium expressed his country's full support of the principle of universal adult suffrage without regard to colour or race, which it hoped would enter into the constitutional practice of all Member States. Accordingly, his delegation had voted in favour of paragraph 3 but had abstained on paragraphs 4 and 5 and on the draft resolution as a whole because it continued to believe that the administering Power should determine the manner of voting and the most appropriate procedure to lead Southern Rhodesia to independence.

390. The representative of the Syrian Arab Republic noted some contradiction in the results of the voting, in that whereas all expressed themselves in favour of the right of self-determination, some failed to support the practical measures to apply that principle. Furthermore, the negative vote of the United Kingdom indicated support for the Ian Smith minority régime and suppression of the rights of 4 or 5 million Africans.

391. The representative of Italy, in explanation of his delegation's abstention on paragraph 4, stated that it was caused not by disagreement with the principle contained therein, but because it considered that the test of acceptability, which of course was no substitute for the exercise of self-determination, offered to the African population in Southern Rhodesia an opportunity to gain awareness of its fundamental rights and to make its voice heard on matters concerning its destiny.

392. The representative of the Union of Soviet Socialist Republics said that the abstentions were tantamount to opposition to freedom and independence for the 5 million people of Zimbabwe and the elimination of the last stains of colonialism and racism from the African continent. The position of two thirds of the members of the Council, which favoured justice and equality among peoples, did not carry because of the unjust veto applied by the United Kingdom in defence of the racist régime. He urged that the Security Council continue discussion of the question of Southern Rhodesia early in the coming year.

393. The representative of Somalia stressed the manner in which the so-called test of acceptability was to be carried out and said that those Governments which had abstained had dismissed any idea of having normal political conditions restored or of enabling individuals to vote in a secret referendum. Likewise, they had failed to address themselves to the alternative, should the people of Southern Rhodesia reject the proposals. He also urged the Council not to abandon its consideration of the matter but to take up all aspects of its substance.

394. The representative of Burundi said that it would not be through resolutions that the problem would be solved but through the will of the people of Zimbabwe, together with genuine co-operation of the United Kingdom.

395. The President, speaking as the representative of Sierra Leone, stressed his Government's commitment to help erase colonialism in all its manifestations

from the African continent. Political control in Zimbabwe must not be allowed to remain permanently in the hands of a few white settlers who had robbed the 5 million black people of their dignity and pride. Whether that state of affairs continued would depend on the will of the international community.

### C. Further communications to the Council

396. By a letter dated 6 December (S/10427) addressed to the Secretary-General, the representative of the USSR transmitted the text of a TASS statement dated 3 December, concerning the British announcement that an agreement had been reached on "settling the constitutional conflict" between London and Salisbury.

397. By a letter dated 29 December (S/10481) addressed to the Secretary-General, the representative of Nigeria transmitted the text of a statement on Rhodesia made on 23 December by the Nigerian Commissioner for External Affairs concerning the agreed proposals for a settlement.

398. By a letter dated 17 January 1972 (S/10520) addressed to the President of the Security Council, the Secretary-General transmitted the text of resolution 2796 (XXVI) adopted by the General Assembly on 10 December 1971, in paragraph 12 of which the Assembly drew the attention of the Security Council to the need to widen the scope of the sanctions against Southern Rhodesia and to impose them against South Africa and Portugal, whose Governments persisted in refusing to carry out the mandatory decisions of the Council.

399. By a note dated 31 January (S/10530), the Secretary-General transmitted to the President of the Security Council the text of resolution 2877 (XXVI) adopted by the General Assembly on 20 December 1971 and drew attention to paragraph 3 of the resolution, in which the Assembly invited the Security Council to consider taking appropriate measures to enable the people of Zimbabwe to exercise freely and without further delay their inalienable right to self-determination and independence.

### D. Consideration during the Council's meetings away from Headquarters

400. The Security Council gave further consideration to the question concerning the situation in Southern Rhodesia in the course of its meetings held in Addis Ababa from 28 January to 4 February 1972. For an account of those proceedings see chapter 10, section B, below.

### E. Request for a meeting and consideration of the question concerning the situation in Southern Rhodesia and of the reports of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1-2 and S/10408) at the 1640th to 1642nd and 1645th meetings (16-25 and 28 February 1972)

401. In a letter dated 15 February (S/10540) the representatives of Guinea, Somalia and Sudan requested that the Council meet to resume consideration of the question of Southern Rhodesia and extend an invitation, in accordance with rule 39, to Mr. Abel Muzo-

rewa, Chairman of the African National Council of Zimbabwe, to address it.

402. At the 1640th meeting, on 16 February, the letter from the three representatives was included in the Council's agenda, together with the fourth report (S/10229 and Add.1-2) and the interim report (S/10408) of the Committee established in pursuance of Security Council resolution 253 (1968). The Council decided without objection to extend an invitation to Mr. Abel Muzorewa, as requested and to invite the representative of Saudi Arabia, at his request, to participate in the discussion without the right to vote.

403. In his statement to the Council at that meeting, Mr. Muzorewa said that the African National Council (ANC), the only body in Rhodesia that had any right to speak for the majority of the population of that country, was a non-political, non-partisan organization spontaneously formed in December 1971 to explain and expose the settlement proposals agreed to between Sir Alec Douglas-Home and Mr. Ian Smith and to co-ordinate a campaign for their rejection. He said that the majority of the African people, despite all the intimidation by their employers, the Government, the police, the district commissioners and the British Government, were totally opposed to the proposals, a position that had resulted, according to information available to ANC, in the killing of 31 people, the detention of 250 and the arrest of 1,000 others in various parts of the Territory since the arrival of the Pearce Commission, contrary to the reports of only 4 detentions and 14 deaths issued by the Rhodesian authorities. ANC rejected the proposals, specifically because they had been negotiated and concluded without the active participation or consultation of the African people through the leaders of their choice and because they sought to legalize the unilateral declaration of independence and the illegal Republican constitution of 1969, a situation that ANC could not accept. Moreover, he pointed out that implementation of the proposals assumed good faith and honour on the part of Mr. Smith and his Rhodesian Front Party, but that the history of Southern Rhodesia was a long, sad and sordid record of betrayal and broken promises. Asking the United Nations to accept ANC's rejection of the proposals as a genuine reflection of the feelings of the African people in Southern Rhodesia, he appealed to the Security Council to press the United Kingdom Government to honour the principles of General Assembly resolution 1514 (XV) and to maintain the programme of sanctions against Southern Rhodesia, which, in spite of violations, were gradually bringing the Territory's economy to a halt. He further appealed the Council to intensify the sanctions by blockading the Portuguese ports of Beira and Lourenço Marques, without whose facilities the rebel régime would have long since collapsed. He declared that ANC sought a peaceful solution for the country and was prepared to sit down and participate in framing a constitution acceptable to all those Africans and whites in the Territory who accepted non-racism. It was the view of ANC that those whites who did not wish to live under majority rule in Southern Rhodesia could leave the country, and he suggested that their repatriation could be facilitated by the use of the £50 million promised by the United Kingdom for African development.

404. In reply to certain questions put by the representative of Somalia, Mr. Muzorewa stated that the

Africans had accepted the sanctions as a price for their freedom; thus they should not be relaxed on the pretext of helping Africans. The sanctions, as originally intended, were hitting farmers, miners, importers and exporters, none of whom were African. He denied that Africans were intimidating fellow Africans to reject the proposals and informed the Council that ANC, in explaining its position to the people, had no access to radio or television.

405. The representative of the Union of Soviet Socialist Republics said that Mr. Muzorewa's statement, as well as the information put forward to the Council during its meetings in Africa by representatives of ZAPU and ZANU, had left no doubt whatsoever that the Africans of Zimbabwe categorically and unanimously rejected the agreed proposals, which they clearly recognized as advantageous only to the racists in Southern Rhodesia and to the imperialist monopolies of the United Kingdom, since their implementation would mean legalization of the rebel régime and abolition of the Security Council sanctions against the Territory. Consequently, he said, his delegation saw no reason why the United Kingdom should not honour its pledge by immediately renouncing the proposals and withdrawing the Pearce Commission and thereafter proceed with the proposals put forward by the Africans, which included measures for political and constitutional progress through talks or through a constitutional conference with the participation of the authentic representatives of the people of Zimbabwe.

406. The representative of Yugoslavia welcomed the Council's resumption of consideration of the question because of recent developments, specifically concerning sanctions violations, and the insight into the struggle of the people of Zimbabwe provided by the statement of Mr. Muzorewa, who had confirmed that sanctions should be retained. He hoped that the Council could persuade the United States to rescind its decision to re-establish chrome imports from Southern Rhodesia and suggested the possibility of extending the sanctions to apply automatically to those who violated them.

407. The representative of the United Kingdom observed that Mr. Muzorewa, though a persuasive advocate of ANC, did not necessarily speak for all the Africans in Southern Rhodesia. He urged the Council not to accept the assumption that the Africans in Rhodesia had unanimously rejected the proposals. He reiterated that the Council should suspend judgement on the proposals until the results of the test of acceptability by the Pearce Commission were known.

408. In reply to another question by the representative of Somalia, Mr. Muzorewa stated that about 99 per cent of the Africans in Zimbabwe were rejecting the proposals, though acceptance of them had been announced by at least one chief and one member of Parliament.

409. The representative of Saudi Arabia declared his conviction, that owing to the fact that economics is stronger than politics, the sanctions would never work to bring down the rebel régime. Noting also that the United Kingdom and its allies were unwilling to use external force against the régime and that it would be inappropriate for the United Nations, an instrument of peace, to do so, he warned that unless other, more effective measures of dealing with the situation were devised, the Security Council would find its efforts

forever reduced to an exercise in mere rhetoric and useless propaganda.

410. At the 1641st meeting, on 24 February, the representative of Somalia introduced a draft resolution (S/10541) sponsored by Guinea, Somalia and the Sudan. Under its operative paragraphs, the Security Council would (1) decide that the current sanctions against Southern Rhodesia should remain fully in force until a solution enabling all the people of Southern Rhodesia to exercise freely and equally their right to self-determination was implemented; (2) urge all States to implement fully all Security Council resolutions pertaining to Southern Rhodesia, in accordance with their obligations under Article 25 of the Charter, and deplore the attitude of those States that persisted in giving moral, political and economic assistance to the illegal régime; (3) declare that any legislation passed, or act taken, by a Member State with a view to permitting the importation from Southern Rhodesia of any commodity falling within the scope of the obligations imposed by resolution 253 (1968), including chrome ore, would weaken the effectiveness of sanctions and would be contrary to the obligations of Member States; (4) call upon all States not to pass or implement legislation or take any other act that would permit the importation from Southern Rhodesia of commodities falling within the scope of the obligations imposed by resolution 253 (1968), including chrome ore; (5) draw the attention of all States to the need for increasing vigilance in implementing the provisions of resolution 253 (1968) and, accordingly, call upon them to take more effective measures to ensure full implementation of the sanctions; (6) request the Committee established in pursuance of Security Council resolution 253 (1968) to intensify its efforts to promote implementation of the sanctions, taking into account its decisions on future work contained in section IX of its third report (S/9844); (7) request the Secretary-General to provide all appropriate assistance to the Committee in the discharge of its task.

411. The representative of Somalia urged the Council not to let its attention be diverted by the Home-Smith proposals from the important task of preserving and reinforcing the scope and effectiveness of international sanctions against the rebel régime in Southern Rhodesia. In his view the mandate of the Committee should be broadened to make it an effective organ to collect, sift and analyse all reports of known or suspected violations of sanctions from whatever source. Mr. Muzorewa had concurred with the view of the Council majority that the United Nations must keep up the pressure in order to maintain the international isolation of the illegal régime and force it to struggle for economic survival. Responsibility rested with the Security Council, which should give its immediate attention to the recommendations contained in the interim report of the Committee established in pursuance of Security Council resolution 253 (1968) concerning recent United States legislation that would permit importation of chrome ore from Southern Rhodesia as of 1 January 1972. The three-Power draft resolution, he explained, was based primarily on those recommendations.

412. The representative of France expressed the view that the draft resolution, was, on the whole, properly drafted and well thought out. He posed certain questions and comments regarding the second preambular paragraph and the first two operative para-

graphs. He recalled that the purpose of the sanctions called for in resolution 253 (1968) was to end Mr. Smith's illegal régime. It was his feeling that by substituting the exercise of the right to self-determination in the new text, the Council might be limiting its flexibility of action. It would be more accurate, he said, to urge States to implement all the mandatory resolutions of the Security Council or to mention specifically those adopted under chapter VII, because, clearly, Article 25 of the Charter could not be applied to resolutions that had not been adopted within that framework.

413. The representative of China reviewed the results of the Security Council's meetings in Africa and expressed his Government's support of the OAU resolution calling upon the Security Council not only to intensify the sanctions programme but to extend its application to Portugal and South Africa. He also said that the Council should sternly condemn the United States Government for enacting legislation that would violate the sanctions and should ask the sanctions Committee to investigate seriously all reports of violations. His delegation would support the three-Power draft resolution.

414. The representative of Yugoslavia said that the draft resolution before the Council dealt with the matter of sanctions and their violations specifically, decisively and constructively and should be adopted. He mentioned three reasons why his delegation favoured the draft resolution: first, current violations of the sanctions should be no reason for relaxing them; second, contrary to assertions made by the rebel régime and its friends, Mr. Muzorewa's statement had conclusively shown that the sanctions were not hurting only the African majority; and, third, the Council should not accept as final and unchangeable a decision by any governmental body, however high, to violate the sanctions.

415. The representative of India considered that some improvement in the wording of the draft resolution would be desirable, particularly in the first three operative paragraphs. He noted that although the United States had openly taken action that might result in violation of the sanctions, there were many other reports of violations, substantiated by Rhodesian Government figures, indicating the direct or indirect co-operation of many Governments. Accordingly, he considered that the Council should go much more deeply into the matter, strengthen and broaden the sanctions, publicize violations and make every effort to discover and stop leakages. It might also be necessary, he suggested, to improve the machinery or working methods of the Committee on sanctions.

416. At the 1642nd meeting, on 25 February, the representative of the USSR, referring to the two reports of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2 and S/10408), said that the Council was faced with a new situation whereby the United States was joining Portugal and South Africa in openly violating the sanctions. Those two countries, the United Kingdom, the Power bearing major and primary responsibility for the situation in Southern Rhodesia, and the United States and some of its NATO allies were providing external support for the racist rebel régime. His delegation supported the recommendations contained in the Committee's interim report. Drawing the atten-

tion of the Council to General Assembly resolutions 2765 (XXVI) and 2796 (XXVI) and to its own resolution 277 (1970), he called on the Council to expand the scope of the sanctions against the racist régime and to apply strict sanctions against Portugal and South Africa in accordance with the provisions of General Assembly resolution 2796 (XXVI).

417. The representative of Somalia formally introduced the following revised text of the three-Power draft resolution (S/10541/Rev.1 and Corr.1), which had been modified on the basis of further consultations:

*"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) (S/10229) and its interim report of 3 December 1971 (S/10408),*

*"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 (6) of the Charter, 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 Security*

Council not later than 15 April 1972 a report containing recommendations in this respect, including any suggestions which 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."*

The representative of Somalia then drew attention to a press report, according to which the leader of the rebel régime was quoted as claiming that, once the United Kingdom had notified the United Nations that it had legalized the position of Southern Rhodesia, the United Nations sanctions, instituted at the instigation of the United Kingdom, would automatically fall away. His delegation, and the whole of Africa, could not be reconciled to that point of view. The United Nations had a responsibility to ensure that the illegal régime was brought to an end and that the people of the Territory were accorded their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV).

418. The President, speaking as the representative of the Sudan, read the text of a statement addressed to the Council by the Council of Ministers of OAU, in which they expressed their full support for Mr. Abel Muzorewa, Chairman of the African National Council, and their hope that the Security Council, particularly its permanent members, would re-examine the question of Southern Rhodesia based on the draft resolution in document S/10606, vetoed by the United Kingdom on 4 February 1972 (see chapter 10, section B). The report of the Committee on sanctions, he said, indicated that it was urgent to ensure implementation of the sanctions by South Africa and Portugal and also revealed that other countries were continuing to trade with Southern Rhodesia. Morally and legally, the Council was obliged to see to it that the sanctions remained in force until the people of Southern Rhodesia were able freely to exercise their right to self-determination and independence. The draft resolution was designed to renew that resolve.

419. At the 1645th meeting, on 28 February, the representative of Belgium explained that his delegation intended to cast an affirmative vote for the revised draft resolution, which had been made possible by the spirit of conciliation evinced by its sponsors. He considered the new text an unquestionable improvement over the original because it referred expressly to Council resolution 253 (1968) by which the sanctions against Southern Rhodesia had been decided upon.

420. The representative of Japan reaffirmed his Government's firm belief in the inalienable right of the people of Southern Rhodesia to self-determination and independence and its full support for the mandatory resolutions, including sanctions, adopted under Chapter VII of the Charter, which Japan had tried to implement faithfully. As the revised draft resolution was entirely in line with the Council's responsibility to be alert to any development that might tend to undermine the effectiveness of the sanctions, it would constitute essentially a timely reminder to States of their Charter obligations.

421. The representative of France expressed appreciation to the sponsors for having heeded his suggestions regarding the draft resolution, which he believed

would thereby gain support and effectiveness. His delegation would support it.

422. The representative of Yugoslavia considered that the draft resolution should be adopted unanimously because it dealt effectively and directly with the situation at hand and demonstrated the Council's will to remain seized of the problem until the people of Zimbabwe obtained their right to self-determination and independence. By reaffirming the Council's policy concerning sanctions and by recalling all its other decisions, the draft resolution served to stress that the structure of the Council's well-defined position on the Southern Rhodesian question as a whole, remained firm.

423. In a statement concerning his Government's position on the question of Rhodesian chrome, the representative of the United States said that the decision to resume imports of Rhodesian chrome had been necessitated by genuine considerations of United States national security. He said that even though Rhodesian ore had been exported in quantity to other countries, the United States had all along scrupulously implemented the sanctions, even to the extent of buying chrome from elsewhere at almost twice the pre-sanctions prices. Moreover, he pointed out, United States imports of strategic commodities from Southern Rhodesia prior to sanctions amounted only to 2 per cent of all the Territory's pre-sanctions exports of those commodities. The 1968-1971 levels of the Territory's exports of those commodities were said to be about as high as the 1965 level, and none had been imported into the United States; obviously, then, someone else had clearly been buying those commodities from Southern Rhodesia in contravention of the sanctions programme. He suggested that the Committee on sanctions should be requested to compile periodic reports from Governments on their importation of strategic materials from all sources and be enabled to subject samples of questionable shipments to chemical analysis. His delegation would abstain on the draft resolution because it contained parts affecting laws that under the United States Constitution must be implemented.

424. The representative of Italy emphasized his country's record on implementation and enforcement of the sanctions against Southern Rhodesia. He welcomed the modifications introduced by the co-sponsors in the revised draft resolution which made it more consistent with the Council's previous resolutions.

425. The representative of the Union of Soviet Socialist Republics, quoting from United States press sources, said that the United States had sufficient stockpiles of chrome and needed no further imports. Moreover, the United States was importing only 50 per cent of its chrome annually from the Soviet Union, and if it no longer wished to do so, he said, it could choose to increase its stocks by importing additional quantities from sources other than Southern Rhodesia. Citing press reports that 25,000 tons of Rhodesian chrome were then being loaded in Mozambique on an Argentine ship destined for the United States, he declared that the decision of the United States to import Rhodesian chrome was a deliberate violation of the Security Council sanctions with the help of Portugal. The Council, he said, should insist on full implementation of its decisions, as the three-Power draft resolution provided.

426. The representative of Argentina said that his Government was investigating on its own initiative the charges contained in an Irish press report concerning

the activities of the Argentine ship in question. So far, the origin of its mineral cargo had not been definitely ascertained. He pledged that if the origin of the cargo was confirmed to be from Southern Rhodesia, his Government would consider instituting appropriate penalties in accordance with the Argentine legislation on the subject. His delegation would vote for the draft resolution before the Council.

427. The representative of Somalia requested a separate vote on operative paragraph 1 of the draft resolution.

**Decisions:** *At the 1645th meeting on 28 February 1972, the Security Council voted on the three-Power revised draft resolution (S/10541/Rev.1 and Corr.1) as follows:*

*Operative paragraph 1 was adopted by 14 votes to none, with 1 abstention (United Kingdom of Great Britain and Northern Ireland).*

*The draft resolution as a whole received 13 votes in favour to none against, with 2 abstentions (United Kingdom of Great Britain and Northern Ireland and the United States of America) and was adopted as resolution 314 (1972).*

428. After the vote, the representative of the United Kingdom explained that his delegation had not opposed the draft resolution, because, unlike the previous draft resolution submitted in Addis Ababa, it did not seek to impose any directive upon his Government in the discharge of its responsibilities. His delegation had nevertheless abstained, because it did not consider that resolutions on any aspect of the Southern Rhodesian question were necessary at that time.

429. The representative of Somalia expressed his delegation's gratification at the adoption of the three-Power draft resolution. Drawing particular attention to the provisions of paragraph 2 of Security Council resolution 253 (1968), he appealed to the Council to remain actively seized of the question and not to neglect its political aspects.

## **F. Subsequent reports and communications**

430. By a letter dated 3 March to the Secretary-General (S/10556), the representative of China transmitted an article entitled "Curious Rumour, Vile Slander", carried in the *People's Daily*. The article pointed out that lately the Soviet revisionists were repeatedly spreading rumours through their propaganda machines to slander China as importing chrome from Rhodesia. They even made the fabrication that China and a so-called "delegation of Rhodesia" had "signed" a treaty in Peking not long ago to increase Rhodesia's export to China. The Chinese Government and people had consistently supported the African peoples in their just struggle against imperialism, colonialism and neo-colonialism and always supported the Zimbabwe people in their just struggle against colonialist rule and racial discrimination and for national independence. The Chinese Government had long declared solemnly: "In order to support the just struggle of the people of Zimbabwe, the Chinese Government has always refrained from having any diplomatic contacts with the Rhodesian white racist régime and long ago severed all economic and trade relations with it, direct or indirect." Furthermore, the Chinese delegation stated in explicit terms that "The Security Council should further strengthen and widen the sanctions against the Rhodesian racist régime and should also impose sanctions

against South Africa and the Portuguese colonialist authorities." The Chinese Government had unswervingly adhered to that solemn stand. The schemes of the Soviet revisionist rumour-mongers to undermine the friendship between the Chinese and African peoples could only further reveal their ugly features as social-imperialists.

431. In connexion with the circulation of a letter from the representative of the People's Republic of China to the United Nations, to which was attached an article from the newspaper *People's Daily*, the USSR representative addressed a letter to the Secretary-General (S/10559) on 9 March 1972, which stated that the action of the Chinese delegation in circulating as a United Nations document the article from the newspaper *People's Daily* containing slanderous anti-Soviet fabrications could only be regarded as an attempt to conceal the essential point of the matter. And the essential point was that reports on China's trade with Southern Rhodesia had appeared recently in a number of foreign periodicals. Those reports, taken from African and other foreign periodicals, had been reprinted in the Soviet press. The sources of those reports were well known. The United Nations Secretariat had provided information on that matter, namely, a report in the 14 February issue of the Senegalese weekly *Afrique Nouvelle* (S/AC.15/INF.13) published under the title "The strange African policy pursued by People's China" and a report in the 25 February issue of the British newspaper *Daily Express* (S/AC.15/INF.14) entitled "How Peking trades with Smith." The Nigerian newspaper *Sunday Post*, in an item published in its 23 January issue under the headline "China trades with the racists," also reported on China's trade with Southern Rhodesia. It was those reports which, as stated, had been reprinted in the Soviet press with a reference to their source. In the light of the foregoing, the attempt by Chinese propaganda to attribute authorship of those reports to Soviet press organs was completely without foundation and merely provided evidence of the anti-Soviet attitudes of the Peking leaders and of the dishonest methods to which they resorted. The slanderous attack by the delegation of the People's Republic of China could only call forth the strongest condemnation from all who were interested in seeing the United Nations function effectively.

432. In a letter dated 21 March to the President of the Security Council (S/10571), the Chairman of the Committee established in pursuance of Security Council resolution 253 (1968) drew attention to the situation that had arisen owing to the lack of agreement among members of the Committee concerning a proposal to change the current system of rotating the chairmanship of the Committee monthly to that of a one-year term.

433. In a note issued on 29 March (S/10578), the President of the Security Council stated that, during consultations among members of the Council concerning the Committee chairmanship, some delegations had expressed reservations about the proposal for a one-year chairmanship, but in an effort to reach a compromise on the matter, several of those delegations had proposed that two Vice-Chairmen should be elected to assist the Chairman. Consequently, the President announced that, as no further proposals or a request for a meeting had been made, the above-mentioned procedure for electing the Committee's officers should be regarded as established.

434. On 29 March, the Committee established in pursuance of Security Council resolution 253 (1968) submitted a second interim report (S/10580). Having received further information from the representative of Argentina concerning the Argentine-registered ship, the *Santos Vega*, and the action being taken by the Argentine Government, as well as confirmation from the representative of the United States that the ship had begun unloading a cargo of Rhodesian chrome ore at the United States port of Burnside, Louisiana, the Committee had decided to ask the Secretary-General to send a note to all Governments warning them to alert shipping concerns in their countries against any transactions involving shipment of Rhodesian chrome ore and to report the case in question to the Security Council as a matter of urgent concern.

435. In a third interim report (S/10593) on 10 April, the Committee stated that it had considered another case involving a ship of Greek registry, the *Agios Giorgios*, which the representative of the United States had confirmed had unloaded a cargo of Rhodesian chrome ore at the United States port of Burnside, Louisiana, on 4 April 1972. In the circumstances, the report said, the Committee had decided to request the Secretary-General to seek from the Government of Greece all the necessary relevant information and to draw the particular attention of the Security Council to the case as a matter of urgent concern.

436. Notes were issued by the President of the Security Council on 13 and 27 April (S/10597 and S/10622), indicating that the Committee established in pursuance of Security Council resolution 253 (1968) required an extension of the time-limit of 15 April for the submission of the report requested in resolution 314 (1972).

437. On 9 May, the Committee established in pursuance of Security Council resolution 253 (1968) submitted a special report (S/10632) in accordance with the provisions of paragraph 6 of Security Council resolution 314 (1972). The report stated that, at 38 meetings held between 13 March and 8 May, the Committee had considered, among other things, four lists of concrete proposals, two submitted jointly by the delegations of Guinea, Somalia and the Sudan, one by the USSR and one by China.

438. Among the agreed recommendations to the Security Council on ways and means to ensure implementation of the sanctions and the effectiveness of its work, the Committee suggested that it should receive, on a continuing basis, more information on suspected violations from more Member States, from intergovernmental organizations, from the specialized agencies and from its own secretariat. The Committee would meet at least twice a month and, in urgent cases, at the request of any member; in view of the need to keep the international community regularly informed, the Committee should, at the end of each meeting, consider the issuance of a press release covering its work and matters of topical interest, including those cases where infringement of sanctions had been established or prevented. The Committee had also recommended that, in view of the announced refusal of South Africa and Portugal to co-operate with the Security Council in the implementation of sanctions, documentation emanating from South Africa and from the Portuguese-controlled Territories of Mozambique and Angola in respect of products and goods which

were also produced by Southern Rhodesia should be considered *prima facie* suspect. The Secretary-General would be requested to submit more regularly, if possible quarterly, reports on the implementation of Security Council resolutions 253 (1968) and 277 (1970); and the Committee itself would endeavour to submit quarterly reports to the Council, subject to a review of such a practice after one year, as well as interim reports whenever necessary. The Committee would also request the Secretary-General to provide expert advice on the role of insurance companies with regard to the insurance of cargoes to and from Southern Rhodesia.

439. By the terms of the supplementary proposals, on which several delegations had expressed reservations, the Security Council would have been asked (a) to reaffirm the inalienable rights of the people of Southern Rhodesia to freedom and independence, in accordance with General Assembly resolution 1514 (XV); (b) to request all States continuing to have any relations with Southern Rhodesia to end such relations immediately and to condemn persistent violators; (c) to undertake urgent consideration of action to be taken in view of the refusal of South Africa and Portugal to implement sanctions and co-operate with the Council; and (d) to call upon all States to employ against the illegal régime in Southern Rhodesia additional measures provided for in Article 41 of the Charter, in accordance with the provisions of Security Council resolutions 253 (1968) and 277 (1970).

440. By a letter dated 8 May addressed to the President of the Security Council (S/10634), 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 transmitted the text of a resolution on the

question of Southern Rhodesia adopted by the Special Committee on 27 April.

441. By a letter dated 23 May to the President of the Security Council (S/10656), the representative of the United Kingdom transmitted the text of a statement made in the British House of Commons that day by the Secretary of State for Foreign and Commonwealth Affairs, Sir Alec Douglas-Home, together with a copy of the report submitted by the Commission on Rhodesian Opinion under the chairmanship of Lord Pearce. In his statement, the Foreign Secretary had told the House of Commons that the Pearce Commission, appointed to ascertain whether the proposals for a settlement were acceptable to the Rhodesian people as a whole, had concluded that the great majority of those who had given their opinions to the Commission had a sufficient understanding of the content and implications of the proposals to pass judgement on them. It had also concluded that the proposals were acceptable to the great majority of Europeans but had been rejected by the majority of Africans. Therefore, the Commission had concluded that the people of Southern Rhodesia as a whole had not regarded the proposals as an acceptable basis for independence. The Foreign Secretary had further stated that, although the proposals failed to gain acceptance, they still represented a genuine attempt at a sensible and just solution of Rhodesia's special social and political problems. He had expressed the hope that the majority of Rhodesians, both African and European, might yet initiate internal discussions and work together for orderly political change. The United Kingdom Government considered that the best atmosphere for constructive discussion would be provided if the current *status quo*, including the application of sanctions, remained in force.

## Chapter 7

### THE SITUATION IN THE INDIA/PAKISTAN SUBCONTINENT

#### A. Reports and communications to the Security Council from 20 July to 4 December 1971

442. In a letter dated 20 July 1971 (S/10273), the representative of India, in reply to a letter from the representative of Pakistan of 10 May (S/10193), stated that the facts given in his earlier letter of 8 April (S/10171) had clearly established Pakistan's culpability and motivations in hijacking and destroying an Indian airplane, which besides intensifying the policy of confrontation by the Government of Pakistan, jeopardized the safety of civil aviation in the subcontinent. To avoid the possibility of Pakistan's organizing further hijacking incidents for its political purposes, India had stopped the flight of Indian aircraft across Pakistan territory and withdrawn the permission given on an *ad hoc* and provisional basis in 1966 to Pakistan's military and civil aircraft to fly across Indian territory. Pakistan's desire for an early resumption of its overflights across India was due to its desire to maintain and step up its military hold over the people of East Bengal against their wishes. The Indian Government desired normalization of relations with Pakistan and hoped that the Government of Pakistan would agree to normalize its relations with India, create conditions for safe air travel in the subcontinent and stop threat-

ening the peace by terrorizing the people of East Bengal.

443. In a letter dated 2 September (S/10304), the representative of Pakistan replied to the Indian letter (S/10273) and expressed his Government's deep regret that India continued to justify its arbitrary and illegal ban on overflight of Pakistan aircraft by invoking considerations in no way connected with the dispute. Pakistan had no responsibility whatever for the hijacking and destruction of the Indian plane. The situation in East Pakistan was extraneous to the dispute under discussion, and India's introduction of that issue clearly exemplified blatant and hostile interference in the internal affairs of Pakistan. The fact was well established that active Indian involvement was responsible for inflaming the situation in the eastern wing of Pakistan.

444. By letters dated 29 October (S/10380), 4 November (S/10383) and 16 November (S/10390), the representative of Pakistan drew the attention of the Security Council to what he described as, first, serious violations of Pakistan's borders and air space by Indian armed forces; second, India's massing of troops and armour on the borders of Pakistan and the increase of its forces in the State of Jammu and Kashmir in vio-

lation of the agreement embodied in the United Nations resolution of 13 August 1948, and the cease-fire line agreement between India and Pakistan of 27 November 1949; and, third, two major attacks on localities in East Pakistan by Indian armed forces, which, the letter stated, should be viewed in the context of certain ominous developments, including (a) the acknowledgement by the Prime Minister of India, as reported in the press, that India's objective was to bring about the secession of East Pakistan, (b) the large-scale supply of arms and military equipment received by India from a foreign source and (c) the substantially increased military assistance by India to the insurgent forces operating from bases in India and staging armed incursions into the territory of East Pakistan.

445. In a report dated 3 December (S/10410), the Secretary-General noted a further grave deterioration in the situation and placed officially before the Council an account of the efforts he had made in regard to the problem, of which he had kept the President of the Security Council informed. He felt that an initiative in the Council could best be taken by the parties themselves or by Council members. He included the texts of the following documents on the subject:

(a) His memorandum of 20 July 1971 to the President of the Council. In that memorandum, after outlining the previous developments and the considerations that had led him to take action, he stated that the political aspects of the matter were of such far-reaching importance that he was not in a position to suggest precise courses of action before the members of the Security Council had taken note of the problem. He believed, however, that the United Nations—with its long experience in peace-keeping and with its varied resources for conciliation and persuasion—must and should play a more forthright role in attempting both to mitigate the human tragedy and to avert a further deterioration of the situation. He expressed the view that the Security Council was in a position to consider, with the utmost attention and concern, the situation on the subcontinent and to reach some agreed conclusions as to measures that might be taken. His primary purpose was to provide the basis and opportunity for such discussions to take place and to express his grave concern that all possible means should be explored to resolve the tragic situation.

(b) Excerpts from the Introduction to his annual report to the General Assembly of September 1971 (A/8401/Add.1, pp. 63-67), by which he had brought the problem to the attention of the General Assembly.

(c) His identical messages of 20 October to the Prime Minister of India and the President of Pakistan, offering his good offices in the potentially dangerous situation between the two nations (texts which he had sent to the President of the Council by a confidential letter of the same date).

(d) The reply of the President of Pakistan of 22 October, welcoming his offer of good offices.

(e) The reply of the Prime Minister of India of 16 November 1971, stating that the root of the problem was the fate of the 75 million people of East Bengal and their inalienable rights, that the problem of East Bengal could be solved only by peaceful negotiations between the military rulers of West Pakistan and the elected and accepted leaders of East Bengal, and that only such a solution could bring normalcy to that region, stop the further influx of refugees into

India, and enable those now in India to return, and that the offer of the Secretary-General's good offices could play a significant role in the situation.

(f) His reply to the Indian Prime Minister of 22 November, explaining his intentions in offering his good offices and concluding with regret that there did not seem to be a basis for their exercise.

(g) A further letter of 23 November from the President of Pakistan, complaining of large-scale attacks by Indian armed forces on various localities and inviting a personal initiative from him.

(h) His reply of 26 November to the President of Pakistan, stating that he had been obliged to conclude that, for the moment, he had gone as far as his authority under the Charter permitted him, usefully and meaningfully, in the circumstances.

(i) A message of 29 November from the President of Pakistan, requesting him to consider stationing a force of United Nations observers on the Pakistan side of the East Pakistan border.

(j) His confidential message of 29 November to the President of the Security Council, informing him of the request by Pakistan and expressing the view that the Council should give serious consideration to the situation prevailing in the subcontinent.

(k) His reply of the same date to the President of Pakistan, enclosing a copy of his letter to the President of the Council.

446. In an addendum to the above report dated 4 December (S/10410/Add.1), the Secretary-General announced the receipt of two additional messages: an oral one of 3 December from the Prime Minister of India and a written one of the same date from the President of Pakistan. Each message reported the spread of armed hostilities between the two countries and charged aggressive actions on the part of the other State.

## **B. Request for a meeting and consideration at the 1606th to 1608th meetings (4-6 December 1971)**

447. In a letter dated 4 December (S/10411), the representatives of Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Somalia, the United Kingdom and the United States requested an immediate meeting of the Council to consider the recently deteriorating situation that had led to armed clashes between India and Pakistan.

448. In reports dated 4, 5 and 6 December (S/10412 and Add.1-2), the Secretary-General made available to the Council members current information received from the Chief Military Observer of the United Nations Military Observer Group in India and Pakistan (UNMOGIP), regarding the situation along the cease-fire line in the State of Jammu and Kashmir.

449. By a letter dated 4 December (S/10413), the representative of Tunisia supported the request that the Council be convened.

450. By a letter dated 4 December (S/10415), the representative of India transmitted a copy of a letter of the same date from Justice Abu Sayud Choudhury, who asked that he be allowed to make a statement before the Council on behalf of the people and Government of Bangladesh and signed himself "Leader, Bangla Desh Delegation to the United Nations".

451. The Council placed the question on its agenda at the 1606th meeting on 4 December. The President, with the consent of the Council, invited the representatives of India and Pakistan to participate in the debate without the right to vote. In response to a Soviet proposal that a representative of Bangladesh be invited to participate in the discussion, the President ruled, without objection, that the Council should defer consideration of the issue.

452. The representative of China expressed his firm opposition to the Soviet proposal for inviting the representative of so-called "Bangladesh". In his opinion, to do so would be tantamount to asking the Security Council to interfere directly in the internal affairs of a sovereign State.

453. The representative of the Union of Soviet Socialist Republics insisted that representatives of Bangladesh be invited to participate in the Council's discussion of the question. He noted that attempts to prevent such an invitation being issued were not conducive to a positive discussion of the question. The representatives of Bangladesh spoke for the 75 million inhabitants of East Pakistan and those who were trying to prevent them from participating, by invoking the "rebel" concept, were deliberately forgetting that there did exist a concept of national liberation forces and national liberation movements which had been recognized by the United Nations.

454. Opening the discussion of the question, the representative of Pakistan said that India had not only launched aggression on the territory of Pakistan but had openly demanded that Pakistan dismember itself. The situation before the Council involved not only Pakistan but all States in danger of being overrun by larger, more powerful, predatory neighbours. If the Council failed to suppress the aggression, the Charter of the United Nations would be shattered. Pakistan's eastern province had been under massive attack by India's regular troops, tanks and aircraft since 21 November. The Indian attack had been unprovoked, large-scale and co-ordinated. To understand the nature of the hostilities it was necessary to bear in mind the details of the fighting that had preceded and culminated in full-scale war on 3 December. He described developments in detail and said that Pakistan had been the victim of acts of sabotage, subversion and terrorism committed by armed bands organized by India. Those acts involved incursions into Pakistan by bands operating from Indian territory; and even the most elementary considerations of internal security for Pakistan demanded the capture of those bands or their expulsion from Pakistan. At no time and place had the armed forces of Pakistan stationed in the East taken any steps beyond those adequate to safeguard the borders of the State and to maintain internal security in Pakistan. No less frivolous and unwarranted was the Indian claim that Indian attacks on Pakistan were justified because they supported insurgent forces in Pakistan. Those forces had been organized, supported and directed by India. The situation before the Council was one of a breach of the peace, whereas Pakistan's internal crisis was outside the Council's concern. A principle basic to the maintenance of peace was that no political, economic, strategic, social or ideological considerations might be invoked by one State to justify its interference in the internal affairs of another State; nor might they be cited as a ground for aggression, direct or indirect. As shown by a listing

of major acts of interference, India's intervention and role in Pakistan's affairs had been blatant. Only one result of the internal crisis in Pakistan was truly international in nature: the large number of people who had left East Pakistan and were on Indian soil. That problem would have been a political one only if Pakistan had denied the right of those uprooted people to return to their homes, to be restored their properties and to live in their own country in perfect security of life and honour. Since, far from denying their right, Pakistan was most anxious to receive them back, it welcomed the assistance of the United Nations in facilitating their voluntary repatriation and was anxious to arrange their rehabilitation as speedily as possible. Thus, the problem was purely a humanitarian one. India, by blocking the return of the displaced persons to Pakistan as constituted, tried to link the fate of that mass of human beings with the dismemberment of Pakistan. There would never be real peace between India and Pakistan until the dispute relating to the disposition of the State of Jammu and Kashmir was resolved. How anxious Pakistan had been to avert the eruption of hostilities was amply borne out by the fact that the Government of Pakistan had responded affirmatively to every proposal to bring about a peaceful resolution of that situation. It was for the Security Council to find the means to make India desist from its war of aggression. Only means devised by the Security Council, consistent with Pakistan's independence, sovereignty and territorial integrity and with the principle of non-intervention in the domestic affairs of Member States, would command Pakistan's support and co-operation.

455. In connexion with the proposal of the representative of the USSR to invite a representative of Bangladesh, the representative of Pakistan said that the proposal to invite representatives of a so-called entity to address the Security Council was only seemingly innocent, because it would mean that, at one stroke, by seating such so-called representatives, the Council would have struck at the territorial integrity of a Member State and dismembered Pakistan.

456. The representative of India said that the problem before the Council had a long history and was essentially an issue between West Pakistan and the people of Bangladesh. Therefore, without the participation of the people of Bangladesh, it was impossible to obtain proper perspective. The representative of Pakistan had brushed aside those people as groups of either refugees or rebels. On the contrary, they were the elected representatives of 75 million people. It was essential that the representatives of Bangladesh should be present. He read to the Council a passage from a report of the Secretary-General dated 4 December 1971 (S/10412) in which United Nations military observers had reported various military activities by Pakistan's armed forces. It was not India which was breaking up Pakistan; it was Pakistan itself which was breaking up Pakistan and, in the process, creating aggression against India. The first stage of the problem was when Sheikh Mujibur Rhaman was elected on the basis of a six-point programme and his party won 167 out of 300 seats in the House. He was later imprisoned and the Pakistan army began massacring men, women and children. That background could not be forgotten. Ten million people had come to India as refugees, which was a kind of aggression. It meant that India was being forced to strain its social struc-

ture, ruin its finances, give up its territory to shelter refugees, close its schools and hospitals and denude its administration, which was not so different from the more classical type that followed upon a declaration of war. Pakistan claimed that India had gone into Pakistan territory after 21 November. India did not deny it. India had had no option. The Pakistan army had put its cannons on the frontier and shelled Indian civilian populations. Eight hundred and ninety complaints of border violations had been made to Pakistan since the preceding 25 March, and all had been rejected. Pakistan had continued to shell Indian villages and kill civilians; so India finally had decided to silence Pakistan's guns and save its civilians. All that had come about because, after having failed totally to suppress what Pakistan called the Bengali rebellion, Pakistan had invited India to co-operate in repressing and punishing the Bengalis, and India had refused. Then Pakistan made a great effort to internationalize the problem, to turn it into an Indo-Pakistan dispute. Once it had been turned into an Indo-Pakistan dispute, the Pakistan Government hoped that people would forget what its army was doing in East Pakistan. India could not take any more refugees; the situation was intolerable. Bangladesh would certainly become independent, because the spirit of 75 million persons could not be crushed. Much had been said about a cease-fire, but Pakistan soldiers would thereby be released to rampage and kill civilians in Dacca, Chittagong and other places. The representative of India wished to give a very serious warning to the Security Council that his country would not be a party to any solution that would mean continuation of the oppression of the East Pakistan people. It was Pakistan which had heated up the military situation, first on the Eastern front by attacking Indian villages and then on the Western front by launching aerial attacks on Indian airfields. India, on that particular occasion, had absolutely nothing but the purest of motives and the purest of intentions: to rescue the people of East Bengal from what they were suffering. The question of a cease-fire was not one between India and Pakistan but between the Pakistan Army and the Bangladesh people. The Council should hear from representatives of Bangladesh before going any further in the debate.

457. The representative of the United States of America said that a state of open hostilities existed between India and Pakistan, a grave threat to the peace and stability of Asia. It was time for the United Nations to act to preserve the peace. The aim of the United States in South Asia had been to build a structure of peace and stability within which the great economic and social problems of the region might be addressed. The United States had made a great effort in South Asia to ease the human suffering caused by the current crisis and to prevent war. It had proposed that India and Pakistan withdraw their military forces from their borders. Pakistan had accepted that proposal. Regrettably, India had not. There was no justification for the repeated violation of the frontiers of East Pakistan. The United States asked the United Nations to join it in calling upon India and Pakistan to terminate their military confrontation by agreeing to an immediate cease-fire and immediate withdrawal of forces from each other's territory. The Secretary-General, on several occasions, had offered his good offices towards solving the problems of South Asia. Regrettably, India had not welcomed his initiative. It was time that India joined

Pakistan in heeding the Secretary-General's offer to assist in the reconciliation that must begin. The United States representative concluded by introducing the following draft resolution (S/10416):

*"The Security Council,*

*"Having heard the statements of the representatives of India and Pakistan,*

*"Convinced that hostilities along the India-Pakistan border constitute an immediate threat to international peace and security,*

*"1. Calls upon the Governments of India and Pakistan to take all steps required for an immediate cessation of hostilities;*

*"2. Calls for an immediate withdrawal of armed personnel present on the territory of the other to their own sides of the India-Pakistan borders;*

*"3. Authorizes the Secretary-General, at the request of the Government of India or Pakistan, to place observers along the India-Pakistan borders to report on the implementation of the cease-fire and troop withdrawals, drawing as necessary on UNMOGIP personnel;*

*"4. Calls upon the Governments of India and Pakistan and others concerned to exert their best efforts towards the creation of a climate conducive to the voluntary return of refugees to East Pakistan;*

*"5. Calls upon all States to refrain from any action that would endanger the peace in the area;*

*"6. Invites the Governments of India and Pakistan to respond affirmatively to the proposal of the Secretary-General offering good offices to secure and maintain peace in the subcontinent;*

*"7. Requests the Secretary-General to report to the Security Council as soon as possible on the implementation of this resolution."*

458. The representative of Italy said that his Government had been following the development of events in the Indian subcontinent with increasing anxiety. He spoke of his earlier efforts as President of the Council during August to settle the problem, adding that, unfortunately, the situation was deteriorating more rapidly. Italy's objective was that the Governments concerned agree, as a first step, to an immediate cease-fire, cessation of military activities and disengagement.

459. The representative of Somalia called on the Council to demand an immediate cease-fire, an immediate withdrawal of Indian and Pakistan forces from each other's territories and a scrupulous regard by both States for each other's territorial integrity.

460. The representative of France said that a civil war had been transformed into war between nations. It was necessary, first, to end the fighting, and alleviate the sufferings of the people concerned, then, to deal with the causes of the crisis, with the consent of the parties, to reach a just and peaceful settlement by negotiation.

461. The representative of Japan said that the Council should take steps to effect an immediate cease-fire and cessation of all military activities by India and Pakistan. A resolution recently adopted by the Third Committee of the General Assembly, with the concurrence of both India and Pakistan, for the creation of conditions conducive to the speedy and voluntary repatriation of the millions of refugees to their homes in East Pakistan should be reaffirmed.

462. The representative of China said that the Government of India had openly dispatched troops to invade East Pakistan, which gave rise to a large-scale armed conflict and aggravated tension in the India/Pakistan subcontinent and throughout Asia as a whole. The question of East Pakistan was purely the internal affair of Pakistan, in which no one had any right to interfere. The Indian Government asserted that it had sent troops to East Pakistan for the purpose of "self-defence". That was sheer gangster's logic. According to that logic of the Indian Government, there would be no guarantee for the sovereignty and territorial integrity of various countries. The facts showed that it was India which had committed aggression against Pakistan, and not Pakistan which had "menaced" the security of India. The Indian Government also asserted that the purpose for its sending troops to invade East Pakistan was to help the refugees of East Pakistan to return to their homeland. According to that assertion, would it not be justified for the Indian Government to invade China on the pretext that there were in India a number of "refugees" from Tibet? The Chinese Government and people resolutely supported Pakistan in its just struggle against Indian aggression. It also should be pointed out that Indian aggression had been launched with the support of social imperialism.

463. The representative of the Syrian Arab Republic said that there should be an immediate cessation of military operations and immediate withdrawal of troops under United Nations supervision. The unity and territorial integrity of Pakistan should be respected; but Pakistan should immediately take efficacious and comprehensive measures to ensure that the rights of the refugees to pacific and voluntary return would be fully respected. There should be complete and effective implementation of the general amnesty decreed by Pakistan. There would be massive international support for India to alleviate its burden and help the return of the refugees.

464. The representative of the Union of Soviet Socialist Republics said that to talk about social imperialism was playing into the hands of the imperialists. The situation in East Pakistan was a result of the actions of the Pakistan military authorities. Because of the application of force and terror against the East Pakistanis, millions of people had been compelled to leave their homeland, forsake their property and land, flee to a neighbouring country, India, and become political refugees. That gigantic flood of foreigners—10 million people—was as large as a whole country, larger than 88 Members of the United Nations. By observing the results of the elections in December 1970, a peaceful political solution might have been found for the crisis in East Pakistan. The Awami League had won an absolute majority of the seats in that election, but the Pakistan authorities had prevented the participation of the League in the Government. Therein began the trouble. The representative of Pakistan had officially acknowledged that there was a serious domestic crisis in his country and that the crisis had acquired an international character. Some questioned whether the Security Council should deal with the root causes of the crisis, inasmuch as that might constitute interference in Pakistan's internal affairs. Yet, under the Charter, the Council unquestionably had the right to examine the causes of the emergence of dangerous situations threatening peace and security. A speedy attainment of a political settlement in East Pakistan

was called for that would permit the refugees to return to their homes peacefully and in an atmosphere of security.

465. The representative of Belgium appealed to India and Pakistan to cease hostilities immediately. He said that it was the Council's duty promptly to silence the sound of weapons.

466. The representative of Burundi favoured urgent measures that would first end the war, so that an over-all solution might be considered afterwards.

467. The representative of Poland said that the source of the conflict could not be liquidated and peace restored except through a political settlement in East Pakistan, a settlement taking into account the will of the people of East Bengal.

468. The representative of Argentina supported the proposals for a decision on an immediate cease-fire as a first step towards an over-all solution, in the preparation of which India and Pakistan must participate.

469. The representative of Nicaragua hoped that India and Pakistan would accept the peaceful mediation offered by the Security Council to avoid the sufferings of a cruel war.

470. The representative of the United Kingdom of Great Britain and Northern Ireland said that the Council must exert its influence to restore peace, to end the fighting and to secure the relief of suffering. He considered that unanimity was of the essence in the search for a satisfactory solution.

471. The representative of Pakistan said that he had never denied that Pakistan was undergoing an internal crisis. However, in that crisis, Pakistan's neighbour had found a potent means for the execution of its designs to break up Pakistan. As for the displaced persons, they were an international problem but not a political one, because Pakistan had never denied those people the right to repatriation. Only in its humanitarian aspect was the refugee problem international.

472. The President, speaking as the representative of Sierra Leone, said he was anxious to see an immediate end to the hostilities.

473. After a brief suspension of the meeting, the representative of the Union of Soviet Socialist Republics introduced the following draft resolution (S/10418):

*"The Security Council,*

*"Having considered the letter of nine members of the Security Council (S/10411) and the report of the Secretary-General (S/10410),*

*"Calls for a political settlement in East Pakistan which would inevitably result in a cessation of hostilities;*

*"Calls upon the Government of Pakistan to take measures to cease all acts of violence by Pakistani forces in East Pakistan which have led to deterioration of the situation."*

474. The representative of India said that the main concern during the debate had been to arrest the fighting immediately. That was understandable but quite unrealistic. It would not stop the Pakistan army from continuing its oppression and forcing more refugees into India; and India could not take any more refugees. He regretted the fact that decisions of the Security Council were being taken without consulting the people who were intimately concerned. India reserved

its right to take all appropriate and necessary measures to safeguard its security and defence against aggression from Pakistan.

475. The representative of Somalia introduced the following draft resolution sponsored by Argentina, Burundi, Nicaragua, Sierra Leone and Somalia (S/10419):

*"The Security Council,*

*"Noting the report of the Secretary-General of 3 December 1971 (S/10410, S/10410/Add.1),*

*"Having heard the statements of the representatives of India and Pakistan,*

*"Gravely concerned at the outbreak of hostilities along the borders of India and Pakistan,*

*"Convinced that hostilities along the India-Pakistan border constitute an immediate threat to international peace and security,*

*"Recognizing the need to deal appropriately at a subsequent stage, within the framework of the Charter, with the issues which have given rise to the hostilities,*

*"Recognizing further the need to take preliminary measures to bring about an immediate cessation of hostilities and effect a withdrawal of armed forces to their own side of the India-Pakistan borders,*

*"1. Calls upon the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India-Pakistan border;*

*"2. Requests the Secretary-General to keep the Council promptly and currently informed on the situation."*

476. The Council then proceeded to vote on the United States draft resolution (S/10416).

**Decision:** *At the 1606th meeting, on 4 December 1971, the United States draft resolution received 11 votes in favour to two against (Poland and the Union of Soviet Socialist Republics), with two abstentions (France and the United Kingdom of Great Britain and Northern Ireland), and was not adopted, owing to the negative vote of a permanent member of the Security Council.*

477. Speaking in explanation of vote, the representative of China said that, although he had voted for it, the draft resolution failed to condemn the armed aggression against Pakistan by India, with the aid of the Soviet Union, or to express support for Pakistan's just struggle against aggression. China had reservations, in principle, against the practice of sending United Nations observers to a troubled area.

478. The representative of the Syrian Arab Republic said that, although the draft resolution was far from perfect, it tied together the three main aspects of the problem: the solution of the refugee problem, the cease-fire and immediate withdrawal.

479. The representative of the Union of Soviet Socialist Republics rejected the allegations against his country and noted that only two permanent members of the Council had, in fact, voted in favour of the United States resolution.

480. The representative of Italy submitted the following draft resolution (S/10417) sponsored by Belgium, Italy and Japan:

*"The Security Council,*

*"Noting the report of the Secretary-General (S/10410 and Add.1 and S/10412) of 3 and 4 December 1971,*

*"Having heard the statements of the representatives of India and Pakistan,*

*"Gravely concerned that hostilities have broken out between India and Pakistan which constitute an immediate threat to international peace and security,*

*"Mindful of its responsibility under the relevant provisions of the Charter of the United Nations,*

*"1. Calls upon the Governments concerned forthwith, as a first step, for an immediate cease-fire and for a cessation of all military activities;*

*"2. Urges the Governments concerned, in accordance with the principles envisaged in the United Nations Charter, to intensify their efforts to bring about conditions necessary for the speedy and voluntary repatriation of the millions of refugees to their homes;*

*"3. Calls for the full co-operation of all States with the Secretary-General for rendering assistance to and relieving the distress of those refugees;*

*"4. Requests the Secretary-General to keep the Council promptly and currently informed on the situation;*

*"5. Decides to follow closely the situation and to meet again as soon as necessary."*

481. At the beginning of the 1607th meeting of the Security Council, on 5 December, the President, with the consent of the Council, invited the representatives of Tunisia and Saudi Arabia, at their request, to participate in the discussion without the right to vote.

482. The representative of the Union of Soviet Socialist Republics raised the question of an invitation to a representative of Bangladesh. The representatives of China, India, Pakistan, Poland, Argentina, Italy and the USSR participated in the discussion that followed. The representative of China said that it was a substantive and not a procedural issue, that the Soviet attempt was to make the Security Council an accomplice in the Soviet scheme and that that act of subverting and dismembering a sovereign State ran entirely counter to the United Nations Charter and was definitely impermissible. The representative of India said that Bangladesh was a major party to the problem and advocated that its representative be heard under rule 39 of the provisional rules of procedure. The representative of Pakistan said that such an invitation would contravene not only the fundamental provisions of the Charter but rule 39, because the latter applied to individuals rather than those claiming to represent a non-member Government. The representative of Poland supported an invitation under rule 39 on the principle that all parties to a conflict must be heard. The representative of Argentina asked whether the intent of the Soviet motion was to invite a person or the representative of a Government. The representative of Italy suggested further consultations on the issue. The representative of the USSR answered the Argentine question by saying that the Soviet delegation had proposed to invite the representative of Bangladesh as the person competent in the question under consideration; hence his reference had been made to rule 39. In reply to the statement by the representative of China, he said that that statement had been designed

to distract the Council's attention from the principal underlying cause of the conflict on the Indian sub-continent and to conceal the terrorist dictatorship, suffering and death being inflicted on millions and millions of East Pakistanis. He emphasized that nobody would be better able than representatives of Bangladesh to tell the Council what was happening in that country. To deprive them of the right to speak in the Council would be tantamount to siding with those who had forced millions of people to flee East Pakistan. The President adjourned the question to a later date for further consultations.

483. The representative of China introduced the following draft resolution (S/10421):

*"The Security Council,*

*"Having heard the statements of the representatives of Pakistan and India,*

*"Noting in particular that India has launched large-scale attacks on Pakistan, thus gravely undermining the peace in the Indo-Pakistan subcontinent,*

*"Strongly condemning the Indian Government's acts of creating a so-called "Bangla Desh" and of subverting, dismembering and committing aggression, against Pakistan,*

*"Calls upon the Government of India to withdraw its armed forces and armed personnel sent by it from Pakistan territory immediately and unconditionally and calls upon the Government of Pakistan to withdraw the armed forces which it has sent into Indian territory for counter-attacks;*

*"Calls upon India and Pakistan to cease hostilities and to withdraw respectively from the international border between India and Pakistan and to disengage from each other so as to create conditions for a peaceful settlement of the disputes between India and Pakistan;*

*"Calls upon all States to support the Pakistan people in their just struggle to resist Indian aggression;*

*"Requests the Secretary-General to submit as early as possible a report to the Security Council on the implementation of this resolution."*

In explanation of the draft, the representative of China expressed firm opposition to the proposal calling for cease-fire only without mentioning troop withdrawal. The demand only for a cease-fire and not for the withdrawal of Indian troops was, in effect, tantamount to conniving at and encouraging aggression and to recognizing the Indian aggressor troops' continued stay within Pakistan territory as legal. That would bring about extremely grave and dangerous results.

484. The representative of Tunisia stated that it was a matter of deep regret that the Council had not been able to adopt a quick decision on an immediate cease-fire and has thus once again failed to exercise its power; nevertheless, his delegation hoped that it would soon be able to make an urgent appeal to the parties concerned for cessation of hostilities while it continued to examine the question in detail and take decisions on its substantive aspects. He added that the voluntary repatriation of refugees was the best and, indeed, the only solution.

485. The representative of Saudi Arabia proposed that Asian brother countries of India and Pakistan should handle the question, through the instrumentality

of the United Nations and, specifically, the Secretary-General.

486. The representative of the Union of Soviet Socialist Republics emphasized that the main cause of the military conflict was the action of the Government of Pakistan against the East Pakistan population. It was a fabrication to allege that India had inspired the struggle of that population against the Pakistan authorities. Armed military operations had been begun, not by India but by Pakistan, in order to divert attention from its impotence to deal with its serious domestic crisis. Any demand for a cessation of hostilities must be correlated with a demand to Pakistan to eliminate the main cause of the conflict. The position of the Soviet Union on the situation was set out in a TASS statement of 5 December (S/10422).

487. The representative of Pakistan asked whether it was justified for India to have established bases for armed guerrillas, to have equipped, trained and unleashed them for carrying out acts of sabotage and destruction in East Pakistan, or for Indian armed forces to have attacked Pakistan on 21 November on a large scale at many points of the border, as India had admitted doing. Pakistan was anxious to take back the refugees under conditions of safety and security, which could be certified by the United Nations. Much had been said about the need for a political settlement in Pakistan. Pakistan was formulating a political settlement, but not one that would be to the liking of India, which was seeking the dismemberment of Pakistan. One reason why India had chosen that time to launch aggression against Pakistan was to disrupt the time-table laid down by the President of Pakistan in order to induct a representative Government in Pakistan, the date for which had been fixed at between 20 and 27 December. The Council was not dealing with an ordinary situation or dispute but with a situation of war. There could be no possibility of a return of the refugees unless and until international peace was secured. No proposal for settlement of the conflict would have any effect unless it assured the cessation of Indian infiltration and indirect aggression. The United States draft resolution failed to condemn India for aggression or to call upon it to desist from its attempts to bring about the disintegration of Pakistan; but Pakistan was willing to co-operate with the Council on the basis of that draft resolution, because it carried the support of as many as 11 members of the Council. That was Pakistan's attitude, which the Council should compare with the attitude of India, whose representative had said that there was no possibility of a cease-fire and warned the Security Council that his Government would persist in its aggression against Pakistan.

488. The representative of India said that the list of incidents on the Bengal front on 7 November confirmed the aggression of the Pakistan army. India would not tolerate intrusion and aggression by the Pakistan army, and if they continued, they must take the consequences. An article in an American magazine had documented the conditions in East Pakistan—the slaughter, the horror, the plunder. It was important to realize that there had been no demand for independence at the time that elections were held. The demand for independence began only when the military action took place. The United States Government was still side-stepping the central issue and responding with flagrant injustice in attempting to put the major respon-

sibility for the conflict on India. If the Security Council intervention was to have any chance of restoring peace between India and Pakistan, the United States and the United Nations must recognize and deal with the basic problem in East Pakistan. India proposed to treat all Chinese utterances with a degree of indifference because there was nothing new in them. It was extraordinary that a country which was supposed to represent revolutionary forces should be taking that attitude. It was not for India to agree or disagree to a cease-fire; it was for the Bangladesh Government to decide, because its people were fighting for their liberty and their lives.

489. The representative of the United States said that there was a massive crisis on the subcontinent requiring emergency action. There had been a massive invasion in the east and smaller incursions in the west, and there had to be a cease-fire and withdrawal. The Council had no time to hand down moralistic judgments. It had to stop the war. People who said the United States favoured one side over the other were wrong; people who said the United States insisted that invading forces to go back to their borders were correct. It was not the time to solve, once and for all, the entire complex question. The Council had, first, to stop the war.

490. The representative of Argentina introduced a draft resolution (S/10423) that replaced and eliminated two previous draft resolutions (S/10417 and S/10419). The text of the resolution, which was sponsored by Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra Leone and Somalia, read as follows:

*"The Security Council,*

*"Noting the reports of the Secretary-General (S/10410 and Add.1 and S/10412) of 3 and 4 December 1971,*

*"Having heard the statements of the representatives of India and Pakistan,*

*"Gravely concerned that hostilities have broken out between India and Pakistan which constitute an immediate threat to international peace and security,*

*"Recognizing the need to deal appropriately at a subsequent stage, within the framework of the Charter of the United Nations, with the issues which have given rise to the hostilities,*

*"Convinced that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes,*

*"Mindful of the provisions of the Charter of the United Nations, in particular of Article 2, paragraph 4,*

*"Recalling the Declaration on the Strengthening of International Security, particularly paragraphs 4, 5 and 6,*

*"Recognizing further the need to take immediate measures to bring about an immediate cessation of hostilities and effect a withdrawal of armed forces to their own side of the India/Pakistan borders,*

*"Mindful of its responsibility under the relevant provisions of the Charter of the United Nations,*

*"1. Calls upon the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India/Pakistan borders;*

*"2. Urges that efforts be intensified in order to bring about, speedily and in accordance with the principles of the Charter, conditions necessary for the voluntary return of the East Pakistan refugees to their homes;*

*"3. Calls for the full co-operation of all States with the Secretary-General for rendering assistance to and relieving the distress of those refugees;*

*"4. Requests the Secretary-General to keep the Council promptly and currently informed on the implementation of this resolution;*

*"5. Decides to follow the situation closely and to meet again as soon as necessary."*

He explained that the draft was intended, in parallel course, first, to bring about an immediate cease-fire and withdrawal of troops, and, second, to create conditions to make it possible for refugees to return to their homes.

491. The President recapitulated the draft resolutions before the Council: the USSR draft (S/10418), the Chinese draft (S/10421), and the eight-Power draft (S/10423). He called for a vote on the USSR draft.

**Decision:** *At the 1607th meeting, on 5 December 1971, the USSR draft resolution (S/10418) was not adopted by a vote of 2 in favour (Poland and Union of Soviet Socialist Republics) to one against (China) with 12 abstentions.*

492. Speaking in explanation of vote, the representative of Belgium said that he had not been able to support the USSR draft resolution, because the Council would not be doing its duty at that tragic hour if it disassociated the political conflict in East Pakistan from the open armed conflict.

493. The representative of China said he had voted against the USSR draft resolution because it would have constituted direct interference in the internal affairs of a Member State. The Indian Government's armed aggression against Pakistan had been carried out with the connivance, support and shielding of the Soviet Union. He further pointed out that the aim of the Soviet Government in so doing was to control the Indo-Pakistan subcontinent and the Indian Ocean and to expand its spheres of influence in its contention for world hegemony with another superpower. That was exactly the same tactics it had used on the Middle East question. The Chinese representative also cited the instances of Soviet armed occupation of Czechoslovakia and the Soviet plot to subvert the legal Government of an African country to show that the Soviet act in the Indo-Pakistan subcontinent was precisely a continuation and extension of that very same policy.

494. The President next put to the vote the eight-Power draft resolution (S/10423).

**Decision:** *At the 1607th meeting, on 5 December 1971, the draft resolution sponsored by Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra Leone and Somalia received 11 votes in favour to two against (Poland and Union of Soviet Socialist Republics), with two abstentions (France and United Kingdom of Great Britain and Northern Ireland), and was not adopted owing to the negative vote of a permanent member of the Security Council.*

495. Speaking in explanation of vote, the representative of France said that his delegation had abstained

because it did not want to vote against a text that had the approval of a large number of Council members and could provide the basis for a solution. At the same time, it did not want to vote for a resolution that obviously was destined to fail because of the dissent of a major party concerned. There was a common feeling among Council members—which might be the basis for an agreement eventually—that all hostilities must end and that, concurrently, a political solution must be encouraged to make possible the voluntary return of all refugees. The Council should adjourn for consultations and resume debate as early as possible to reach an agreement, since the matter was urgent.

496. The representative of the United Kingdom referred again to the futility of abortive resolutions and said that so long as there was any hope of achieving a unanimous resolution, that path should be pursued. He supported the French representative's suggestion for an adjournment to continue consultations.

497. The representative of Poland said that appeals that ignored the profound causes of the deterioration of the situation between India and Pakistan would not facilitate a solution of the conflict. Poland had not been able to vote for the eight-Power draft resolution because it had placed India and Pakistan on an equal footing. Poland had voted in favour of the USSR resolution because it had gone to the root of the problem.

498. The representative of Italy then introduced the following draft resolution (S/10425), which was sponsored by Belgium, Italy, Japan, Nicaragua, Sierra Leone and Tunisia:

*"The Security Council,*

*"Gravely concerned that hostilities have broken out between India and Pakistan which constitute an immediate threat to international peace and security,*

*"1. Calls upon the Governments concerned forthwith, as a first step, for an immediate cease-fire;*

*"2. Requests the Secretary-General to keep the Council promptly and currently informed of the implementation of this resolution;*

*"3. Decides to continue to discuss the further measures to be taken in order to restore peace in the area."*

499. Speaking in explanation of vote, the representative of China said that his delegation had voted for the eight-Power draft resolution even though the draft failed to deal with reality squarely by not condemning the aggressors. The paragraph referring to the need for an early political solution should not be interpreted as interference in the internal affairs of any sovereign State.

500. The representative of the Union of Soviet Socialist Republics supported a continuation of consultations. In reply to earlier criticism of the Soviet Union by the representative of China, he stated that the maliciously slanderous statement had been designed to mask the obvious fact that the Chinese delegation was defending injustice, violence and terror, and to mask its conception that the more disturbance, disorder, violence and terror which could be created, the better it would be. It was unfortunate that the representative of China should have mentioned the events of 1968 in Czechoslovakia. Such a position disgraced China and the Chinese representatives. If the socialist countries, including the Soviet Union, had not extended a brotherly helping hand to the Communist Party and

the people of Czechoslovakia, that country would have been swallowed up by imperialist and reactionary forces. That was what China had been leading up to, with its conception that the worse things were, the better it would be.

501. The President adjourned the meeting to permit further consultations, noting that two draft resolutions remained before the Council; the Chinese draft (S/10421) and the six-Power draft (S/10425).

502. At the beginning of the 1608th meeting of the Security Council, on 6 December, the representative of Tunisia announced that his Government was withdrawing as a sponsor of the draft resolution contained in document S/10425 for reasons of procedure and in order to facilitate the work of the Council.

503. The representative of Nicaragua said that, if the Security Council found itself paralysed because of the veto, the General Assembly could take action. Neither the Council nor the Assembly could remain motionless while thousands were dying.

504. The representative of France explained that his delegation, in co-operation with the United Kingdom, had drafted a resolution based on texts previously introduced by others but had decided not to submit it, in view of the outcome of the consultations they held.

505. The representative of the Union of Soviet Socialist Republics said that the draft resolution of the five (formerly six) Powers before the Council (S/10425) was inadequate, because it did not reflect the fact that a cease-fire was indissolubly linked with attainment of a political settlement in East Pakistan. The USSR was therefore introducing amendments (S/10426/Rev.1) that would recognize the organic bond between a cease-fire and a political settlement in East Pakistan.

506. The representative of Italy, on behalf of the sponsors, withdrew the five-Power draft resolution (S/10425), because the situation had changed radically, and the draft resolution was no longer up to date.

507. The representative of India read the text of a statement made before the Parliament by the Indian Prime Minister announcing India's recognition of the People's Republic of Bangladesh. The recognition of Bangladesh had put the relationship of India to Bangladesh in a completely different legal, political and constitutional context. He said that India was not in the same category as Pakistan and could not accept any decision or resolution that equated the two nations and did not go to the root cause of the problem on the subcontinent.

508. The representative of Pakistan asked whether the failure of Sheikh Mujibur Rahman to become majority leader in the Pakistan National Assembly justified India's fomenting armed civil strife and launching an armed attack on Pakistan. The real situation in the Indo-Pakistan subcontinent was that brought about by India's subversion by its support of armed secession, by its armed intervention and aggression. The question was whether the Council would legitimize that so-called reality, perpetuate occupation and guarantee the fruits of aggression and the illegal use of force.

509. The representative of China reiterated his firm opposition to the Soviet representative's proposal for inviting the representative of "Bangladesh" to the meeting. He said that in 1931 the Japanese militarists had launched an undeclared war against China and

occupied the four provinces of Northeast China, and subsequently they had declared the establishment of a puppet régime called "Manchukuo". He said that India, with the abetment and support of the Soviet Union and after launching an undeclared war of aggression against Pakistan, had created a régime of the so-called Bangladesh for the purpose of dismembering Pakistan and occupying East Pakistan. The TASS statement of 5 December was a voluntary confession to the effect that the "secure boundaries" of the Soviet Union had all of a sudden been extended to the Indo-Pakistan subcontinent and the Indian Ocean. What the Soviet Union was seeking today was the establishment of a great empire which the old Tsars had craved but had been unable to realize, a great empire controlling the whole Eurasian continent.

510. The representative of Somalia said that the principle of withdrawal of enemy troops from the territory of another country could not be subject to negotiation. The tragedy that had overtaken East Pakistan was a problem that primarily concerned the Government and the people of Pakistan. It was not for any other State to impose a political solution on East Pakistan by military means. The time had come to transfer the question to the General Assembly, as provided for in General Assembly resolution 377 A (V) of 3 November 1950. He introduced a draft resolution, subsequently sponsored by Argentina, Burundi, Japan, Nicaragua, Sierra Leone and Somalia (S/10429), which read as follows:

*"The Security Council,*

*"Having considered the item on its agenda as contained in document S/Agenda/1606,*

*"Taking into account that the lack of unanimity of its permanent members at the 1606th and 1607th meetings of the Security Council has prevented it from exercising its primary responsibility for the maintenance of international peace and security,*

*"Decides to refer the question contained in document S/Agenda/1606 to the twenty-sixth session of the General Assembly, as provided for in General Assembly resolution 377 A (V) of 3 November 1950."*

511. The representatives of Argentina and Burundi both spoke in support of bringing the matter to the General Assembly.

512. The representative of the Union of Soviet Socialist Republics replied to the previous remarks of the representative of China, saying that the heroic Soviet army had liberated Manchuria from the Japanese militarists and that the Chinese representative's claim that the USSR planned to control Hindustan was the monstrous fabrication of a slanderer. He also introduced the following draft resolution (S/10428):

*"The Security Council,*

*"Gravely concerned that hostilities have broken out between India and Pakistan which constitute an immediate threat to international peace and security,*

*"1. Calls upon all parties concerned forthwith, as a first step, for an immediate cease-fire and cessation of all hostilities;*

*"2. Calls upon the Government of Pakistan simultaneously to take effective action towards a political settlement in East Pakistan, giving immediate recognition to the will of the East Pakistan popu-*

lation as expressed in the elections of December 1970;

*"3. Declares that the provisions of operative paragraphs 1 and 2 of this resolution constitute a single whole;*

*"4. Requests the Secretary-General to keep the Council promptly and currently informed of the implementation of this resolution;*

*"5. Decides to continue to discuss the further measures to be taken in order to restore peace in the area."*

513. The representatives of the United States and of Nicaragua supported referral of the matter to the General Assembly.

514. The representative of Poland supported the USSR draft resolution (S/10428), because it dealt with the root of the evil in order to cure it.

515. The representative of Saudi Arabia said that any civil conflict should be resolved by the people of that country and not by the invasion of the troops of one State into the territory of another to support rebellious elements that might serve its own national interests. The Council should improvise urgent action, lest the people of India and Pakistan become the victims of the conflict between two giants, the USSR and China. Referring the issue to the General Assembly would hardly contribute to a speedy solution, inasmuch as it was the Security Council that had the mandatory power to act.

516. The representative of Pakistan re-emphasized the principles that there could be no political solution while a country was under the duress of an invasion and that a cease-fire should be coupled with a withdrawal of forces.

517. The representative of India re-emphasized that Bangladesh was a reality and that India's national security was at stake in the matter.

518. The representative of Japan supported referral of the issue to the General Assembly, inasmuch as the Security Council was facing an impasse and effective steps by the United Nations were urgently needed.

519. The President announced that the Chinese and USSR draft resolutions (S/10421 and S/10428) were not to be pressed to the vote and that he proposed to put the six-Power draft resolution (S/10429) to the vote.

520. The representative of the Union of Soviet Socialist Republics did not consider the transfer of the question to the General Assembly to be correct, either in terms of substance or from the procedural standpoint. Only a decision in the direction stated in the draft resolution that the USSR had submitted would secure an effective settlement in the Hindustan Peninsula, although the Soviet delegation did not wish at that time to press for a vote on it.

521. The representative of Belgium said that there was no choice but to transfer the problem to the General Assembly.

522. The representative of France said that the proposal to bring the question before the General Assembly would only result in new delays and new polemics. France would be unable to associate itself with the draft but would not oppose it.

523. The representative of Italy supported the proposal to refer the matter to the General Assembly.

**Decision:** At the 1608th meeting, on 6 December 1971, the six-Power draft resolution (S/10429) was adopted by a vote of 11 in favour to none against, with 4 abstentions (France, Poland, Union of Soviet Socialist Republics and United Kingdom of Great Britain and Northern Ireland), as resolution 303 (1971).

524. Speaking in explanation of vote, the representative of the United Kingdom said that his delegation had abstained, because it doubted that discussion in the General Assembly would advance the process of reconciliation and peace.

#### **C. Reports and communications to the Security Council from 7 to 12 December 1971**

525. In a series of reports (S/10432 and Add.1 to 11), the Secretary-General continued to inform the Council on the situation along the cease-fire line in Kashmir. The Secretary-General also issued a report (S/10433) on his efforts to evacuate United Nations and other international personnel from Dacca, because of his concern about their safety.

526. In a letter dated 9 December to the Secretary-General (S/10440), the representative of Pakistan stated that the Government of Pakistan had decided to accept the call for an immediate cease-fire and withdrawal of troops contained in General Assembly resolution 2793 (XXVI) of 7 December, even though the resolution had failed to take note of Indian aggression against Pakistan.

#### **D. Consideration at the 1611th and 1613th to 1621st meetings (12-21 December 1971)**

527. In response to a letter dated 12 December from the representative of the United States (S/10444), the Council again took up the question at its 1611th meeting on 12 December. The United States representative, in requesting the meeting, referred to General Assembly resolution 2793 (XXVI), which called on India and Pakistan to withdraw troops from each other's territories, and said that, as Pakistan had accepted the resolution but India had not, the Council had an obligation to end the threat to world peace on an urgent basis.

528. During the meeting, there was distributed a reply dated 12 December from India (S/10445) to the Secretary-General's communication transmitting General Assembly resolution 2793 (XXVI). The letter recapitulated India's views and stated that there could be a cease-fire and withdrawal of India's forces to its own territory, if Pakistan would withdraw its forces from Bangladesh and reach a peaceful settlement with Bangladesh citizens. India hoped that the United Nations would draw a distinction between the aggressor and its victims and would consider once again the realities of the situation.

529. The representative of the United States said he had asked the Security Council to reconvene, because it was essential for it to deal promptly and effectively with the threat to peace and security in the subcontinent. He read a United States Government statement of 12 December, which noted that, on 7 December, the General Assembly, by a vote of 104 to 11, with 10 abstentions, had called on India and Pakistan to institute an immediate cease-fire and to withdraw troops from each other's territory. Pakistan had accepted the resolution. India had refused. In view

of India's defiance of world opinion, expressed by such an overwhelming majority, the United States was returning the issue to the Security Council. The United States representative reviewed United States policy on the issue and said that India was defying the General Assembly's expression of world opinion by continuing to prefer the use of force to peaceful means. Pakistan had accepted the General Assembly resolution, and the Council had the responsibility to demand immediate compliance by India. The Council should also insist that India give a clear and unequivocal assurance that it did not intend to annex Pakistan territory or change the *status quo* in Kashmir, contrary to United Nations resolutions. The United States representative concluded by submitting the following draft resolution (S/10446):

*"The Security Council,*

*"Noting the reports of the Secretary-General of 3 and 4 December 1971 and Security Council resolution 303 (1971) of 6 December 1971,*

*"Noting General Assembly resolution 2793 (XXVI) of 7 December 1971, adopted by a vote of 104-11-10,*

*"Noting further that the Government of Pakistan has accepted a cease-fire and withdrawal of armed forces as set forth in General Assembly resolution 2793 (XXVI), and India's failure to do so,*

*"Gravely concerned that hostilities continue between India and Pakistan which constitute an immediate threat to international peace and security,*

*"Recognizing the need to deal appropriately at a subsequent stage, within the framework of the Charter of the United Nations, with the issues which have given rise to the hostilities,*

*"Convinced that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes,*

*"Mindful of the provisions of the Charter, in particular of Article 2, paragraph 4,*

*"Recalling the Declaration on the Strengthening of International Security, particularly paragraphs 4, 5 and 6,*

*"Recognizing further the need to take immediate measures to bring about an immediate cessation of hostilities between India and Pakistan and effect a withdrawal of their armed forces to their own side of the India-Pakistan borders,*

*"Mindful of the purposes and principles of the Charter and of the Security Council's responsibilities under the relevant provisions of the Charter,*

*"1. Calls upon the Government of India forthwith to accept a cease-fire and withdrawal of armed forces as set forth in General Assembly resolution 2793 (XXVI);*

*"2. Calls upon the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India-Pakistan borders;*

*"3. Urges that efforts be intensified in order to bring about, speedily and in accordance with the purposes and principles of the Charter of the United Nations, conditions necessary for the voluntary return of the East Pakistan refugees to their homes;*

"4. *Calls for* the full co-operation of all States with the Secretary-General for rendering assistance to and relieving the distress of those refugees;

"5. *Calls upon* all parties concerned to take all possible measures and precautions to safeguard the lives and well-being of the civilian population in the area;

"6. *Requests* the Secretary-General to keep the Security Council promptly and currently informed on the implementation of the present resolution;

"7. *Decides* to remain seized of the matter and to meet again as circumstances warrant."

530. The Minister for External Affairs of India outlined in detail the Indian views on the events that had led to the crisis and said that it was essential for the Council to take note of them in seeking a constructive solution to the conflict. He said that it was after Pakistan's massive attacks and military provocations against India that the latter had decided to move into Bangladesh and to repel Pakistan aggression in the west. India's recognition of Bangladesh was necessary to provide a proper basis for the presence of Indian armed forces and to make clear that the entry of those forces into Bangladesh was not motivated by any intention of territorial aggrandizement. India had a clear and formal understanding with the Government of Bangladesh that its armed forces should remain in Bangladesh territory only so long as the people and Government of Bangladesh required and welcomed their presence. The appeal of the General Assembly for a cease-fire and withdrawal should have been directed to the Government of Pakistan. India had not declared or started war and was not responsible for creating the conditions that had led to the current unfortunate conflict by deliberately and systematically refusing to meet the aspirations of the 75 million people inhabiting the country, once part of Pakistan. India had not perpetrated the repression, genocide and brutality that provided the springboard for the freedom movement of Bangladesh, which led to the decision of the people of that region to create a free and independent nation; it had not been accountable for the long period of nine months, during which a reasonable political settlement could have been evolved with the leaders and people of Bangladesh. Now, India had recognized the new State of Bangladesh. In those circumstances, it was not realistic to call upon India to cease fire without giving even a hearing to the representative of Bangladesh. India earnestly hoped that the United Nations would consider once again the realities of the situation, so that the basic causes of the conflict could be removed and peace restored. India could co-operate with the United Nations in any realistic effort to deal with the root cause of the problem; but it would not be deflected from the vital task of ensuring its own territorial integrity and security. If the Security Council wanted to ensure peace and security in the current crisis, it would have to take note of the successful struggle of the 75 million people of Bangladesh to assert their birthright of freedom and independence. Any proposal or resolution of the Council would be hollow and ineffective, if it did not take note of the existence of the Government of Bangladesh, established by the democratic will of its people, and of the fact that that Government was in effective control of its territory. The representative of India concluded by reading the letter of 12 December from the Government of India to the Secretary-General (S/10445).

531. The Deputy Prime Minister and Minister for Foreign Affairs of Pakistan said that his country was fighting for a cause that affected all States and that every State had a right to remain independent, sovereign and free, not to be dismembered by a greater Power. The situation was a challenge to the United Nations. The first principle involved was that a sovereign, independent State, brought into being by its own will, should not be dismembered by force; the second principle was that the United Nations bore the responsibility for peace in the world. Another basic unalterable principle of international law was non-interference in the internal affairs of other countries, but all the Indian Foreign Minister had spoken of was the internal affairs of Pakistan. The basic issue was not, as India claimed, a question of self-determination. Had India believed in self-determination, the people of Kashmir, after 24 years, would have been allowed to decide whether they were going to be a part of India or Pakistan; but the people of Kashmir had never been allowed self-determination. On 7 December, the General Assembly had decided, by an overwhelming and massive vote on an international referendum, that Pakistan was one and must remain one. Pakistan had no diplomatic relations with some of the countries that had voted for Pakistan as a matter of principle. If Pakistan were dismembered, the germs of dismemberment would spread. If Bangladesh came to Pakistan by force, there would be a Bangladesh everywhere soon enough in Africa, Asia, Europe. One had to ask why India had abandoned its principles of non-alignment on 9 August 1971, when it signed a treaty with the USSR. The advantage to the USSR was obvious. It wanted an Asian security pact. What was the *quid pro quo* for India? The *quid pro quo* was to dismember Pakistan. The real trouble on the subcontinent had begun when that treaty was concluded, and Pakistan had had to face India supported by the power, prestige, spirit, resources, technology and arms of the USSR. Pakistan was thankful to all the countries that were supporting the cause of justice. Pakistan should be given the chance to decide on its own affairs, its own social system and its own evolution.

532. At the 1613th meeting, on 13 December, the representative of the Union of Soviet Socialist Republics suggested that a representative of Bangladesh be heard by the Council, in accordance with rule 39 of the provisional rules of procedure. A discussion of this question took place, in which the President of the Council and the representatives of Argentina, the USSR, India, Poland, Pakistan and China participated. The President ruled, without challenge, that he could not admit to participation in the debate representatives of a State that, in his view, had not yet satisfied the necessary criteria for recognition. He offered to put to the vote of the Council a proposal by the representative of the USSR that Justice Abu Sayud Choudhury be invited as a competent private person under rule 39; but the representative of the USSR did not insist on a vote, and the President considered the proposal withdrawn.

533. The representative of the United States introduced a revised version of his draft resolution (S/10446/Rev.1), which read as follows:

*"The Security Council,*

*"Noting* the reports of the Secretary-General of 3 and 4 December 1971 and Security Council resolution 303 (1971) of 6 December 1971,

"*Noting* General Assembly resolution 2793 (XXVI) of 7 December 1971, adopted by a vote of 104-11-10,

"*Noting further* that the Government of Pakistan has accepted a cease-fire and withdrawal of armed forces, as set forth in General Assembly resolution 2793 (XXVI), and the Government of India's letter in document S/10445,

"*Regretting* that the Government of India has not yet accepted an unconditional and immediate cease-fire and withdrawal as set forth in General Assembly resolution 2793 (XXVI),

"*Gravely concerned* that hostilities continue between India and Pakistan which constitute an immediate threat to international peace and security,

"*Recognizing* the need to deal appropriately at a subsequent stage, within the framework of the Charter of the United Nations, with the issues which have given rise to the hostilities,

"*Convinced* that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes,

"*Mindful* of the provisions of the Charter, in particular of Article 2, paragraph 4,

"*Recalling* the declaration on the strengthening of international security, particularly paragraphs 4, 5 and 6,

"*Recognizing further* the need to take immediate measures to bring about an immediate cessation of hostilities between India and Pakistan and effect a withdrawal of their armed forces to their own side of the India-Pakistan borders,

"*Mindful* of the purposes and principles of the Charter and of the Security Council's responsibilities under the relevant provisions of the Charter,

"1. *Calls upon* the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India-Pakistan borders;

"2. *Urges* that efforts be intensified in order to bring about, speedily and in accordance with the purposes and principles of the Charter of the United Nations, conditions necessary for the voluntary return of the East Pakistan refugees to their homes;

"3. *Calls for* the full co-operation of all States with the Secretary-General for rendering assistance to and relieving the distress of those refugees;

"4. *Calls upon* all parties concerned to take all possible measures and precautions to safeguard the lives and well-being of the civilian population in the area;

"5. *Requests* the Secretary-General to keep the Security Council promptly and currently informed on the implementation of the present resolution;

"6. *Decides* to remain seized of the matter and to meet again as circumstances warrant."

534. The representative of Nicaragua said that he supported the United States revised draft resolution (S/10446/Rev.1), which he considered represented the minimum that the Council should do to fulfil its mandate under the Charter.

535. The representative of the Union of Soviet Socialist Republics said that the primary reason for

the growing tension between India and Pakistan that had led to armed conflict had been the situation in East Pakistan created by the anti-democratic, violent actions of the Pakistan authorities against the people there. India had not wanted war. The military conflict had been imposed on it by the tragic development of events in East Pakistan. The root causes of the conflict was Pakistan's violence and repression against the people of East Pakistan and its subsequent actions against India. The USSR had, since the beginning of the problem, insisted that there be a simultaneous cease-fire, a cessation of acts of hostility and a political settlement. The new proposal of the United States avoided that fundamental issue and was therefore totally unacceptable. The position of China was to inflame the Indo-Pakistan conflict and thus strive to attain its expansionist, great-Power, chauvinist purposes.

536. The representative of Poland said that his country would support any realistic, fair and lasting solution to the conflict, which it wished to see resolved in conformity with the express wishes of the population of East Pakistan.

537. The Minister for External Affairs of India said that his country harboured no designs on the territory, sovereignty or integrity of any of its neighbours. If the majority population of any country was oppressed by a militant minority, as was the case in Bangladesh, it was the inalienable right of the majority to overthrow the tyranny of the minority rulers and decide its destiny according to the wishes of its own people. India had not started the war and was prepared to stop it, if Pakistan was also prepared to do so and remove the root causes of the conflict. The people of Bangladesh had to be a party to any cease-fire or withdrawal of troops. The reality of the sovereign state of Bangladesh was there for all to see. It was not India that sought to dismember Pakistan; it was the oppressive régime of West Pakistan that had dismembered Pakistan by its actions. India had no intention whatsoever of acquiring any part of West Pakistan or of Bangladesh. If Pakistan removed its threat to India's security, India would be glad to consider any reasonable proposals for a cease-fire and mutual withdrawals in the wake of a political settlement in the East acceptable to the elected representatives of Bangladesh. India was shocked and surprised that the United States Government should apportion blame without ascertaining the correct facts and lay the major responsibility for the situation on India and not on Pakistan, on which the entire responsibility rested. The United States draft resolution (S/10446/Rev.1) was one-sided. No resolution that did not recognize the existence of Bangladesh could be effective or of any practical value. In order to deal effectively with the situation, the Council should consider the following: the right of the people of Bangladesh to be heard in any discussion of the problem; their right to be made party to any cease-fire arrangements that might be proposed; and a political solution in Bangladesh in accordance with the wishes of its people as declared by their representatives elected in December 1970. If those three essential ingredients were accepted as an integrated whole, India was confident that a cease-fire could be brought about without any further delay and that withdrawals of the armed forces of Pakistan and India from Bangladesh, as well as mutual withdrawals of both India and Pakistan from each other's territory, could be arranged through appropriate consultations.

538. The President put to the vote the United States draft resolution S/10446/Rev.1.

**Decision:** *At the 1613th meeting, on 13 December 1971, the United States draft resolution received 11 votes in favour to 2 against (Poland and Union of Soviet Socialist Republics) with 2 abstentions (France and United Kingdom of Great Britain and Northern Ireland) and was not adopted owing to the negative vote of a permanent member of the Security Council.*

539. Speaking in explanation of vote, the representative of Somalia said that he had voted in favour of the United States revised draft resolution, because it reflected almost in its entirety the text of the draft resolutions Somalia had sponsored in both the Council and the General Assembly. The revised United States draft had a positive approach to the problem, inasmuch as it did not apportion blame or prejudice the issues but recognized the overriding need for a political solution to the situation between the Government of Pakistan and East Pakistan and between Pakistan and India.

540. The representative of Belgium said that he had supported the draft resolution, because its objective was to put an end without delay to the fighting; but he would have preferred a less ambitious and more realistic text, confined for the time being to an immediate cessation of hostilities and respect for the Geneva Conventions.

541. The representative of China said that, although he voted in favour of the revised draft resolution, it was highly unsatisfactory, because it failed to distinguish between the aggressor and the victim of aggression. He also stated that the wording of preambular paragraphs 6 and 7 should at no time and under no circumstances be misinterpreted in any way as a pretext for interfering in the internal affairs of Pakistan.

542. The representative of France said that he had abstained, because the draft had not been acceptable to the Council and to the parties.

543. The representative of the United Kingdom said that his delegation saw no practical advantage in supporting draft resolutions that had no chance of success and urged continued efforts to find a formula acceptable to all concerned.

544. The representative of Japan said that he had voted in favour of the draft, because it was essentially the same as those that Japan had sponsored in the Council and in the General Assembly. The Council should continue to search for a formula that would be acceptable to the parties concerned.

545. The representative of the Syrian Arab Republic said that he had voted for the revised draft resolution, because his delegation understood the sixth and seventh paragraphs of the preamble to emphasize the need for a rapid political solution, and the second paragraph of the preamble to be emphatic in insisting on creating conditions for the return of the refugees.

546. The representative of Argentina said that he had voted for the draft resolution, because its purposes were to restore peace in the area on the basis of three points: cease-fire, withdrawal of troops and creation of conditions for the return of the refugees. Argentina would continue to support any draft resolution that would resolve the dilemma before the Council and reconcile the differences between India and Pakistan.

547. The Deputy Prime Minister and Minister for Foreign Affairs of Pakistan, in exercise of the right of

reply, said that, after committing brazen aggression against Pakistan, assaulting its territorial integrity and political independence, defying the United Nations openly and blatantly and ignoring the fervent appeal of 104 Member States, India was attempting to assume a posture of reasonableness. Stripped of all its verbiage and sanctimoniousness, the whole Indian argument amounted to saying that India had the right to invade Pakistan in order to bring about a settlement of refugees. Even if the principle that nothing could justify invasion were disregarded, the reality remained that the armed attack had multiplied rather than eased the poignant humanitarian problem of East Pakistan; it had resulted in vastly greater destruction and devastation than had been brought about during the civil strife; it had done damage to the infrastructure of East Pakistan that would take decades to repair; and it had turned a calamity into a catastrophe. The Indian invasion was perpetrating a colossal human wrong that cried to be righted. It could be righted by the collective will of the world community. The context of the current problem was India's record of one aggression after another, its fatal tendency to have recourse to arms with the aim of establishing a hegemony over South Asia. Had it not been for that policy, no internal problem of Pakistan, however acute, could possibly have led to a violent explosion. India asserted that Pakistan had been planning a war to draw attention from its democratic crisis. If that were true, Pakistan would not have initiated or accepted every proposal by which hostilities could have been averted, as shown by the moves made or supported by Pakistan during the preceding five months. The imperatives of the current situation were: first, a cease-fire; second, withdrawal from Pakistan's territory of Indian forces and other armed personnel that had entered Pakistan from India; third, the stationing of United Nations observers to supervise the cease-fire and withdrawal; and fourth, the devising of means to ensure that the Geneva Conventions on armed conflict were scrupulously adhered to and that no reprisals took place in East Pakistan. The withdrawal of forces was a reciprocal obligation; Pakistan forces would also have to withdraw simultaneously from Indian territory. Within the concept of one united Pakistan, the Government of Pakistan was prepared to spare no measures to find a peaceful solution.

548. The representative of Italy said that he had voted in favour of the draft resolution (S/10446/Rev.1), mainly because it embodied all the provisions contained in the eight-Power draft resolution (S/10423), of which Italy was a sponsor, and of General Assembly resolution 2793 (XXVI). Anticipating the result of the vote on the United States draft resolution, Italy and Japan had decided to introduce a draft resolution that had been circulated earlier. He explained that it had already been revised on the basis of consultations but that the sponsors would welcome the further views and suggestions of the Council members and the parties concerned. He then read out the text of the revised draft resolution (S/10451) as follows:

*"The Security Council,*

*"Noting the reports of the Secretary-General of 3 and 4 December 1971 and Security Council resolution 303 (1971) of 6 December 1971,*

*"Mindful of the purposes and principles of the Charter and of the Security Council's responsibilities under the relevant provisions of the Charter,*

"*Noting* General Assembly resolution 2793 (XXVI) of 7 December 1971,

"*Noting with appreciation* the reply of the Government of Pakistan to the letter of the Secretary-General concerning General Assembly resolution 2793 (XXVI) contained in document S/10440,

"*Noting further* the reply of the Government of India, contained in document S/10445,

"*Gravely concerned* that hostilities continue between India and Pakistan which constitute an immediate threat to international peace and security,

"*Recognizing* the need to deal also, within the framework of the Charter of the United Nations, with the issues which have given rise to these hostilities,

"*Recognizing* that a lasting solution must be based on a political settlement in Pakistan which respects the rights and interests of its people,

"*Recalling* the declaration on the strengthening of international security, particularly paragraphs 4, 5 and 6,

"*Recognizing further* the need to take immediate measures to bring about an immediate cessation of hostilities and withdrawal of all armed forces,

"1. *Calls upon* all Member States, in conformity with their obligations under the Charter of the United Nations, to refrain from any action or threat of action likely to worsen the situation in the Indo-Pakistan subcontinent or to endanger international peace;

"2. *Calls upon* all parties concerned to take forthwith, as a first step, all measures to bring about an immediate cease-fire and cessation of all hostilities;

"3. *Urges* India and Pakistan both to carry on operations of disengagement and withdrawal so as to bring about the end of confrontation and the return to normalcy in the area of conflict;

"4. *Calls for* immediate steps aimed at achieving a comprehensive political settlement;

"5. *Calls for* the full co-operation of all States with the Secretary-General for rendering assistance to and relieving the distress of the East Pakistan refugees;

"6. *Calls upon* all parties concerned to take all possible measures and precautions to safeguard the lives and well-being of the civilian population in the area and to ensure the full observation of all the Geneva Conventions;

"7. *Decides* to appoint, with the consent of India and Pakistan, a Committee composed of three members of the Security Council to assist them in their efforts to bring about normalcy in the area conflict, as well as to achieve reconciliation, in accordance with the principles of the Charter and in keeping with the aforesaid resolutions, and to report to the Council;" . . .

At that point, the representative of Italy drew attention to the fact that, although the sponsors had introduced the words "three members" in operative paragraph 7, it was not the final text, and that they intended to insert the names of the members of the Security Council, or whatever other formulation the Council might decide upon in order to establish the committee. The immediate formulation was just a reminder of what the sponsors had in mind. He then

continued with his reading of the draft resolution as follows:

"8. *Requests* the Secretary-General to keep the Security Council promptly and currently informed on the implementation of the present resolution;

"9. *Decides* to remain seized of the matter and to meet again if circumstances warrant."

549. By a note verbale dated 13 December to the Secretary-General (S/10452), the representative of Pakistan drew attention to what he termed a serious breach by India of the Geneva Convention on the Treatment of Prisoners of War of 12 August 1949.

550. At the beginning of the 1614th meeting, on 14 December, the representative of the United Kingdom put forward a motion to suspend the meeting to allow consultations to continue. The motion was approved. The meeting was resumed on the afternoon of 15 December.

551. At the beginning of the resumed meeting, the President appealed to the Council to reach a positive decision as soon as possible, because the situation on the subcontinent was deteriorating and innocent lives were being lost.

552. The Deputy Prime Minister and Foreign Minister of Pakistan said that the time had come to speak the truth. He had hoped that the Security Council would act according to principles and put an end to the naked, brutal aggression against the people of his country. But the Security Council had denied justice to Pakistan. He would not take back a document of surrender from the Council; he would not be a party to the legalization of aggression. The Security Council had failed miserably. The Council had procrastinated and filibustered, waiting for Dacca to fall. There had been the worst form of aggression—naked aggression. The excuse was: "We have refugees, so we must invade another country". Pakistan had been prepared to take back the refugees. If India's population could expand by 13 million a year, then, with all the aid and assistance that India was getting for the refugees, it could have held on for a short period, until a civilian Government came into being in Pakistan to negotiate their return. However, India had used the refugee problem as a pretext for invading and dismembering Pakistan. The United States had been criticized for supporting the position of Pakistan, which had been supported by 104 Member States of the United Nations. The United States had acted in accord with its traditions in supporting Pakistan as an independent State with national integrity and national unity. Pakistan was also thankful to the People's Republic of China for the position it had taken and to the third world for having supported a just cause. But the Security Council had been frustrated by the veto. He found it futile to attend any more meetings of the Council and was returning home. He was not boycotting the Council, but he was not going to be a party to legalizing aggression and military occupation of the territory of a Member State of the United Nations. He then left the Council chamber.

553. The representative of Tunisia said that his Government deplored any foreign interference in the internal affairs of Pakistan. The General Assembly had voted overwhelmingly in favour of cessation of hostilities, evacuation and peaceful settlement, and steps should be taken to put that resolution into effect. To

do so was the duty of the United Nations and of the Security Council.

554. At the beginning of the 1615th meeting, on 15 December, the President, with the consent of the Council, invited the representative of Ceylon, at his request, to participate in the discussion without the right to vote.

555. The Council had before it a draft resolution (S/10453) and its revision (S/10453/Rev.1), circulated the preceding day by the representative of Poland. The text of the revised version was as follows:

*"The Security Council,*

*"Gravely concerned over the military conflict on the Indian subcontinent, which constitutes an immediate threat to international peace and security,*

*"Having heard the statements by the Foreign Minister of India and the Deputy Prime Minister of Pakistan,*

*"Decides that:*

*"1. In the eastern theatre of conflict, the power will be peacefully transferred to the representatives of the people, lawfully elected in December 1970;*

*"2. Immediately after the beginning of the process of power transfer, the military actions in all the areas will be ceased and an initial cease-fire will start for a period of 72 hours;*

*"3. After the immediate commencement of the initial period of cease-fire, the Pakistan armed forces will start withdrawal to the pre-set locations in the eastern theatre of conflict with a view to evacuation from the eastern theatre of conflict;*

*"4. Similarly, the entire West Pakistan civilian personnel and other persons willing to return to West Pakistan, as well as the entire East Pakistan civilian personnel and other persons in West Pakistan willing to return home, will be given an opportunity to do so under the supervision of the United Nations with the guarantees on the part of all appropriate authorities concerned that nobody will be subjected to repressions;*

*"5. As soon as within the period of 72 hours the withdrawal of the Pakistan troops and their concentration for that purpose will have started, the cease-fire will become permanent. The Indian armed forces will be withdrawn from East Pakistan. Such withdrawal of troops will begin upon consultations with the newly established authorities organized as a result of the transfer of power to the lawfully elected representatives of the people;*

*"6. Recognizing the principle, according to which territorial acquisitions made through the use of force will not be retained by either party to the conflict, the Governments of India and Pakistan will immediately begin negotiations through appropriate representatives of their armed forces with a view to the speediest possible implementation of this principle in the western theatre of military operations."*

556. The representative of China said that, with the support of the Soviet Government, the Indian Government had openly committed aggression against Pakistan and seriously wrecked the peace on the India/Pakistan subcontinent. To restore peace the essential prerequisite was an immediate cease-fire by India and Pakistan and the withdrawal of their respective armed forces to their own territories. In the Security Council,

the Soviet representative had unreasonably vetoed two draft resolutions containing such provisions. The problem had then been referred to the General Assembly, and 104 countries had favoured a resolution calling for a cease-fire and troop withdrawal. On 13 December, the Soviet representative on the Council had again vetoed a draft resolution that conformed to the will of the 104 countries. The USSR had three times flagrantly abused its veto power, in disregard of all consequences, with the obvious aim of marking time so as to shield India in its occupation of East Pakistan. The Chinese representative expressed astonishment at such truculent behaviour on the part of the Soviet Union and said that by letting a wolf into its own house the Indian Government would eventually suffer the grave consequences of dismembering another country. The Chinese representative referred to the Polish draft resolution (S/10453/Rev.1), saying that it would dismember Pakistan and legalize that dismemberment and that it was in essence a Soviet draft resolution. China firmly opposed it. The Security Council must respect the sovereignty, independence, national unity and territorial integrity of Pakistan, and China would oppose any resolution that interfered in the internal affairs of Pakistan.

557. The representative of Ceylon said that the cessation of hostilities was the first and indispensable requirement for a solution to the situation on the subcontinent. Simultaneously, negotiations had to commence between the Government and the acknowledged leaders of East Pakistan. The withdrawal of the armed forces of the two countries to their respective territories would be a subsequent step. A political rather than a military solution was essential under the Charter.

558. The representative of the Union of Soviet Socialist Republics said that the representative of China was trying to distract the United Nations and the Security Council by replacing reality with inventions and slander against the Soviet Union. China was not interested in the sufferings and fate of millions of people; it was interested only in exploiting the situation to strengthen its position in East Asia and the Indian subcontinent. The representatives of Pakistan and China had not analysed the situation and had not proposed any solution. They were objecting to specific proposals for a political settlement, and that attitude had been reflected in the vote cast by the Chinese representative against the Soviet draft resolution. The Chinese representative had made a great fuss about the "Soviet veto" but had neglected to mention his own veto against the Soviet draft resolution calling for a political settlement in East Pakistan, which would inevitably have resulted in the cessation of hostilities. The Chinese representative had prevented the adoption of a resolution which could have promoted a settlement on the Indian subcontinent. A solution to the problem could be found only on the basis of a cease-fire with a simultaneous political settlement in East Pakistan; and a political settlement could be found only by recognition of the expressed will of the East Pakistan population. Another important requirement for a settlement of the current conflict was the creation of conditions for the return of all East Pakistan refugees from India. Those conditions could only be ensured by new authorities appointed by the legitimate representatives of the East Pakistan people and elected by that people. The Polish draft resolution (S/10453/Rev.1) outlined a correct approach and would pave the way for the solution of the problem.

With regard to the Chinese representative's references to the policy of the USSR in the Middle East, he said that it would be a welcome development if China were to give the peoples of the Middle East—the peoples of the Arab countries waging a just struggle against the imperialist aggressor—the same assistance as the Soviet Union had provided, was providing and would continue to provide. During the General Assembly session, passages had been quoted from statements by prominent Arabs thanking the Soviet Union for the enormous assistance which it was providing to the Arab peoples in the struggle to eliminate the consequences of the Israeli aggression. China, for its part, had declined to help the Arab peoples. The Chinese representative had refused to participate in the consultations among the permanent members of the Security Council concerning assistance to the mission of the Secretary-General's Special Representative, Ambassador Jarring, in the solution of the problem of the withdrawal of Israeli troops from the Arab territories and the achievement of a peaceful settlement.

559. The representative of Poland said that, in submitting its draft resolution (S/10453/Rev.1), his delegation had taken into consideration the need for a political solution, cessation of hostilities, withdrawal of troops, and, finally, the humanitarian element.

560. The representative of Pakistan recalled that, on three occasions in the Council, resolutions on the question under consideration had received a majority of 11 votes and that the General Assembly had adopted its resolution by a vote of 104 to 11. It was far from democratic for any Power to reject that clear and decisive expression of majority will. The representative of the USSR had passed over in silence India's military invasion, its intervention in Pakistan's internal affairs, its fomenting of civil strife and subversion, which constituted unprecedented intervention.

561. The representative of Argentina said that the Council had been told once again that a cease-fire and withdrawal of troops and a political settlement must be simultaneous. A political settlement was needed, but the Council could not ask a country to find a political settlement while negotiating under the forces of another foreign country. No Member State of the United Nations would accept such a settlement. It was indispensable that a political settlement be brought about, but first there must be a cease-fire and withdrawal of troops.

562. The representative of the Syrian Arab Republic introduced the following draft resolution (S/10456):

*"The Security Council,*

*"Gravely concerned with the situation in the India-Pakistan subcontinent, which constitutes an immediate threat to peace,*

*"Noting General Assembly resolution 2793 (XXVI) of 7 December 1971,*

*"1. Urges the Government of Pakistan to immediately release all political prisoners so that the elected representatives of East Pakistan resume their mandate;*

*"2. Decides:*

*"(a) An immediate cease-fire on all fronts;*

*"(b) A disengagement of all those engaged in hostilities, including the withdrawal of the armed forces under the respective command of India and*

*Pakistan to their own side of the border and the cease-fire line in Jammu and Kashmir;*

*"3. Requests the Secretary-General to appoint a special representative with a view to:*

*"(a) Supervising the orderly process of the above-mentioned operations;*

*"(b) Assisting the elected representatives of East Pakistan and the Government of Pakistan to reach a comprehensive settlement, compatible with the principles of the Charter;*

*"(c) Establishing the propitious conditions for the voluntary return of the refugees;*

*"(d) Normalizing the relations between India and Pakistan;*

*"4. Requests the Secretary-General to keep the Council constantly informed of the implementation of this resolution."*

563. The representative of the United Kingdom introduced a draft resolution (S/10455) on behalf of his own country and of France, saying that this represented the position they had reached in an effort to find a formula acceptable to all parties. Though he hoped further progress would be possible, agreement had not yet been reached and therefore he was not asking the Council to take action on it at the moment. The text read as follows:

*"The Security Council,*

*"Gravely concerned at the situation in South Asia, which constitutes a threat to international peace and security,*

*"Mindful of its responsibilities under the relevant provisions of the Charter of the United Nations,*

*"Recognizing the urgent need to deal effectively with the basic causes of the present conflict,*

*"Recognizing further that any lasting solution must include a political settlement which respects the fundamental rights and interests of the people,*

*"Deeply distressed at the enormity of human suffering that has occurred in the area in recent months and resulted in the wholesale displacement of millions of people from East Pakistan,*

*"Gravely concerned that all necessary measures should be taken for the preservation of human life and the observance of the Geneva Conventions of 1949,*

*"1. Calls upon the Governments of India and Pakistan to institute forthwith an immediate and durable cease-fire and cessation of all hostilities in all areas of conflict in the western theatre and similarly calls for an immediate and durable cease-fire and cessation of all hostilities by all forces in East Pakistan, to remain in effect until operations of disengagement leading to withdrawal have taken place in both theatres;*

*"2. Calls for the urgent conclusion of a comprehensive political settlement in accordance with the wishes of the people concerned as declared through their elected and acknowledged representatives and in conformity with the purposes and principles of the United Nations Charter;*

*"3. Calls upon all Member States to refrain from any action which may aggravate the situation in the subcontinent or endanger international peace;*

*"4. Calls upon all those concerned to take all measures necessary to preserve human life and for*

the observance of the Geneva Conventions of 1949 and to apply fully their provisions as regards the protection of wounded and sick, prisoners of war and civilian population;

"5. *Calls* for full international assistance in the relief of suffering and the rehabilitation of refugees and their return in safety and dignity to their homes;

"6. *Invites* the Secretary-General to appoint a special representative to lend his good offices, in particular, for the solution of humanitarian problems;

"7. *Requests* the Secretary-General to report to the Security Council as soon as possible on the implementation of this resolution."

564. The representative of France explained that the draft resolution (E/10455) had been submitted in response to obligations felt by the sponsors to the Council, the United Nations and world public opinion and represented an effort to put together in one text the three major elements: cease-fire, withdrawal of armed forces and political settlement.

565. The representative of the Union of Soviet Socialist Republics introduced a draft resolution (S/10457), which, he said, emphasized the interrelationship between the cessation of hostilities and a political settlement. The USSR draft resolution read as follows:

*"The Security Council,*

*"Gravely concerned* by the conflict in the Indo-Pakistan subcontinent, which constitutes an immediate threat to international peace and security,

*"1. Calls upon* all the parties concerned to take steps for bringing about immediate cease-fire and cessation of all hostilities on the eastern and western fronts;

*"2. Calls for* the simultaneous conclusion of a political settlement in accordance with the wishes of the people of East Pakistan as declared through their already elected representatives;

*"3. Calls upon* all those concerned to take all measures necessary to preserve human life and to observe the Geneva Conventions of 1949;

*"4. Requests* the Secretary-General to keep the Council promptly and currently informed of the implementation of this resolution;

*"5. Decides* to continue to discuss the further measures to be taken in order to restore peace in the whole area."

566. At the beginning of the 1616th meeting, on 16 December, the President recalled that the Council had before it, at that moment, the draft resolution of Italy and Japan (S/10451); of Poland (S/10453/Rev.1); of the Syrian Arab Republic (S/10456); of France and the United Kingdom (S/10455); and of the USSR (S/10457). In addition, there were the draft resolution of China (S/10421) and that of the USSR (S/10428), which had not been pressed to a vote earlier.

567. The Minister for External Affairs of India read the text of a statement by the Prime Minister of India announcing that, inasmuch as the Pakistan armed forces had surrendered in Bangladesh and Bangladesh was free, it was pointless to continue the conflict. India had ordered its armed forces to cease fire on the western front at 2000 hours Indian time on 17 December.

568. The representative of Saudi Arabia said that he hoped that the hour was not too late for India, Pakistan and other Asian representatives to meet in a designated Asian country and seek a practicable solution.

569. At the beginning of the 1617th meeting, on 16 December, the representative of the Union of Soviet Socialist Republics said that, in the light of India's decision to cease fire on both eastern and western fronts, the draft resolutions submitted earlier had lost their point. He withdrew the USSR draft resolution contained in document S/10457 and introduced a new one (S/10458), which, he said, contained the points the USSR considered useful. The text read as follows:

*"The Security Council,*

*"For the purpose of restoration of peace on the Indostan subcontinent,*

*"1. Welcomes* the cessation of hostilities in East Pakistan and expresses the hope that the state of cease-fire will be observed by both sides, which would guarantee, without delay, unimpeded transfer of power to the lawful representatives of the people elected in December 1970 and appropriate settlement of problems related to the conflict in this area;

*"2. Calls for* immediate cease-fire and cessation of all other military actions along the entire border between India and West Pakistan and along the cease-fire line of 1965 in Jammu and Kashmir. Welcoming in this connexion the statement of the Government of India about their decision to cease fire unilaterally and cease all other military actions in this area beginning from 1430 hours GMT on 17 December 1971, urgently calls upon the Government of Pakistan to take an identical decision without delay;

*"3. Calls upon* all Member States of the United Nations to render comprehensive assistance for the speediest cessation of military actions and to refrain from any steps which could impede normalization of the situation on the Indostan subcontinent."

570. The representative of the United States introduced a new draft resolution on behalf of Japan and of the United States (S/10459) and subsequently amended it. The revised version (S/10459/Rev.1) read as follows:

*"The Security Council,*

*"Gravely concerned* with the situation in the India-Pakistan subcontinent which constitutes an immediate threat to international peace and security,

*"Noting* General Assembly resolution 2793 (XXVI) of 7 December 1971,

*"Taking note* of the statement made at the 1617th meeting of the Security Council by the Foreign Minister of India, that his country has no territorial ambitions,

*"1. Demands* that an immediate and durable cease-fire and cessation of all hostilities in all areas of conflict be strictly observed and remain in effect until operations of disengagement take place, leading to prompt withdrawal of the armed forces from all the occupied territories;

*"2. Calls upon* all Member States to refrain from any action which may aggravate the situation in the subcontinent or endanger international peace;

*"3. Calls upon* all those concerned to take all measures necessary to preserve human life and for

the observance of the Geneva Conventions of 1949 and to apply in full their provisions as regards the protection of wounded and sick, prisoners of war and civilian population;

"4. *Calls for* international assistance in the relief of suffering and the rehabilitation of refugees and their return in safety and dignity to their homes and for full co-operation with the Secretary-General to that effect;

"5. *Invites* the Secretary-General to appoint a special representative to lend his good offices in particular for the solution of humanitarian problems;

"6. *Requests* the Secretary-General to keep the Council promptly and currently informed on the implementation of this resolution;

"7. *Decides* to continue to discuss the further measures to be taken in order to restore peace in the whole area."

571. By a letter dated 16 December to the Secretary-General (S/10460), the representative of the Libyan Arab Republic conveyed his Government's deep concern over the bloodshed and destruction, which, he said, had been caused by India's aggression against Pakistan with the support of the USSR.

572. By a letter dated 16 December to the Secretary-General (S/10461), the representative of China transmitted a copy of his Government's statement of that date reiterating China's views on the India-Pakistan conflict.

573. By a letter dated 16 December to the Secretary-General (S/10463/Rev.1), the representative of the USSR transmitted a copy of a statement of that date by the Soviet Minister for Foreign Affairs reiterating Soviet views and appealing for the speedy restoration of peace in the subcontinent.

574. At the beginning of the 1621st meeting, on 21 December, the President introduced and put to the vote a draft resolution (S/10465) sponsored by Argentina, Burundi, Japan, Nicaragua, Sierra Leone and Somalia that had been agreed upon after intensive consultations with the parties concerned and represented a compromise of the numerous draft resolutions that had been presented to the Council. It read as follows:

*"The Security Council,*

*"Having discussed* the grave situation in the subcontinent, which remains a threat to international peace and security,

*"Noting* General Assembly resolution 2793 (XXVI) of 7 December 1971,

*"Noting* the reply of the Government of Pakistan on 9 December 1971,

*"Noting* the reply of the Government of India on 12 December 1971,

*"Having heard* the statements of the Deputy Prime Minister of Pakistan and the Foreign Minister of India,

*"Noting further* the statement made at the 1616th meeting of the Security Council by the Foreign Minister of India containing a unilateral declaration of a cease-fire in the western theatre,

*"Noting* Pakistan's agreement to the cease-fire in the western theatre with effect from 17 December 1971,

*"Noting* that consequently a cease-fire and a cessation of hostilities prevail,

"1. *Demands* that a durable cease-fire and cessation of all hostilities in all areas of conflict be strictly observed and remain in effect until withdrawals take place, as soon as practicable, of all armed forces to their respective territories and to positions which fully respect the cease-fire line in Jammu and Kashmir supervised by the United Nations Military Observer Group in India and Pakistan;

"2. *Calls upon* all Member States to refrain from any action which may aggravate the situation in the subcontinent or endanger international peace;

"3. *Calls upon* all those concerned to take all measures necessary to preserve human life and for the observance of the Geneva Conventions of 1949 and to apply in full their provisions as regards the protection of the wounded and sick, prisoners of war and civilian population;

"4. *Calls for* international assistance in the relief of suffering and the rehabilitation of refugees and their return in safety and dignity to their homes, and for full co-operation with the Secretary-General to that effect;

"5. *Authorizes* the Secretary-General to appoint if necessary a special representative to lend his good offices for the solution of humanitarian problems;

"6. *Requests* the Secretary-General to keep the Council informed without delay on developments relating to the implementation of the present resolution;

"7. *Decides* to remain seized of the matter and to keep it under active consideration."

**Decision:** *At the 1621st meeting, on 21 December 1971, the Security Council adopted the six-Power draft resolution (S/10465) by a vote of 13 in favour to none against, with 2 abstentions (Poland and Union of Soviet Socialist Republics), as resolution 307 (1971).*

575. Following the vote, the representative of Somalia made a statement on behalf of the sponsors in explanation of certain aspects of the resolution. He said he wished to make it clear that the resolution was formed after very intensive consultations with both parties and that both parties had subscribed in general to all that was included in its text. In paragraph 1 of the resolution, the Council demanded of India and Pakistan that not only should there be strict observance of a cease-fire and a cessation of all hostilities in the areas of conflict but that withdrawals of all their armed forces to their respective sides should take place. In the eastern theatre, since fighting had stopped, foreign armed forces should be completely withdrawn as soon as practicable from that theatre. In the western theatre, the resolution just adopted called for the commencement of the process of disengagement, leading without delay to withdrawal of the armed forces of both parties. He said, in summary, that it was the wish of the sponsors that where the draft resolution spoke of withdrawals of all armed forces, it was to be interpreted in the foregoing context. The sponsors of the resolution had noted the declaration by the Government of India that it had no territorial ambitions. In implementing the resolution, it was the view of the sponsors that the parties might make any mutually acceptable arrangement or adjustment that they deemed necessary.

576. Speaking in explanation of vote, the representative of the Syrian Arab Republic said that he was happy that an amicable settlement had been resolved but that he had voted in favour of the resolution with serious reservations, particularly with regard to paragraph 1, because withdrawal was projected into the uncertain future.

577. The representative of China said that, although he had voted in favour of the draft, he was highly dissatisfied with it, because it did not condemn the open aggression against and the dismemberment of a sovereign State by expansionist India with the support of the Soviet Government. He added that the fall of Dacca was by no means a so-called "milestone" of victory for the aggressors, but a starting point from which they were heading towards defeat. The military occupation of East Pakistan would lead to greater turmoil and insecurity in the south Asian subcontinent. The aggressors would surely eat the bitter fruits of their own making and would be censured by history.

578. The representative of Japan expressed his satisfaction that the Council had been able to agree on a resolution, which should have a fair chance to open the way towards a durable peace.

579. The representative of Poland said that he had abstained, because of the reference to General Assembly resolution 2793 (XXVI) contained in the second preambular paragraph of the resolution.

580. The representative of Italy welcomed the resolution as a positive development, but as only a first step preceding Council consideration of the matter at a later date.

581. The representative of Argentina said that the resolution, even though a compromise, represented a positive step.

582. The representative of France said that he had approved of the resolution because it had value for the future. However, he regretted that it had been adopted so late.

583. The representative of Burundi said his delegation had supported the resolution in order to play a part in the conciliation between India and Pakistan.

584. The representative of United Kingdom expressed his satisfaction that the Council had been able to adopt a resolution that looked primarily to the future.

585. The representative of the United States said that, although the resolution was not perfect, at least the Council had at last acted and made important points on cease-fire, withdrawal and the preservation of human life.

586. The representative of the Union of Soviet Socialist Republics said that the resolution contained provisions with which his delegation could not agree, in particular, a reference in the second preambular paragraph to General Assembly resolution 2793 (XXVI) which had been adopted on 7 December. Consequently, his delegation had abstained in the voting, although it noted the merits of certain provisions contained in the resolution just adopted. He noted that the whole world had been horrified at the tragedy and the suffering in East Pakistan, the deaths of hundreds of thousands of people and the unprecedented flight of tens of millions of people. All the members of the Security Council except one had remarked on that tragedy. Only one permanent member of the Security Council, the Peking leadership, had remained blind and deaf to that tragedy.

It had embarked on a course of unconditional support of tyranny, terror and violence. Peking had expressed neither condemnation of the persons responsible nor pity for the victims, and the latest statement by the Chinese representative in the Council was again conducive to an aggravation of the situation on the Indian subcontinent.

587. The representative of Nicaragua said that his delegation had sponsored the successful resolution, because it was satisfactory to the two parties directly concerned.

588. The representative of Belgium said that his delegation had favoured the resolution to show its interest in a rapid and peaceful solution, but it would not disguise its disappointment at the earlier inactivity and paralysis of the Council. Ways and means should be studied to re-establish the Council's authority and increase its effectiveness.

589. The representative of Somalia said that the Council's decision on the resolution came as a great satisfaction, but he regretted that it had not acted earlier. He was also concerned over reports of acts of reprisal and vengeance; if they did not cease, the Council should take up the problem.

590. The representative of Pakistan said that the fact that the Security Council had at long last adopted a resolution on the situation in the India/Pakistan subcontinent did not detract from the greater fact that the Council had failed signally in dealing with that situation in accordance with the principles of the Charter. Faced with open war on the subcontinent and the loss of an untold number of lives, owing to the open aggression against Pakistan, the Council had failed to prevent or stop it because of the arbitrary use of the veto by one permanent member. Although it would be improper to attempt to alter the intent of the resolution just adopted, he wished to point out the features that governed his Government's attitude towards it. First, the resolution had been adopted by the exercise of the powers of the Council under Chapter VII of the Charter. Second, the resolution could not be divorced from General Assembly resolution 2793 (XXVI). Third, the word "territories" in paragraph 1 could not mean anything but the national territories as constituted when the State of Pakistan came into existence in 1947. Paragraph 1 meant that the armed forces of India had to withdraw from Pakistan to Indian territory, in both East and West. Fourth, the reference to the cease-fire line in Jammu and Kashmir was to the line established by the Karachi Agreement of 27 July 1949, to which the Governments of India and Pakistan and the United Nations were parties and which was concluded under the provisions of part I of the resolution of the United Nations Commission for India and Pakistan of 13 August 1948. Fifth, the observance of the Geneva Conventions of 1949 was a responsibility devolving particularly on India, whose armed forces were occupying the eastern part of Pakistan. Sixth, the appointment of a special representative of the Secretary-General to lend his good offices for the solution of the humanitarian problems was not dependent upon the agreement of the parties. Seventh, the Pakistan delegation attached due importance to paragraph 7 and trusted the Council would do as it said and not relegate the situation to oblivion. Moreover, Pakistan would regard it as totally wrong to construe the interpretative statement of the representative of Somalia as drawing any legal distinc-

tion between the withdrawals of Indian and Pakistan armed forces in the eastern theatre and those in the western theatre. Finally, the resolution did not, in fact, embody any amicable settlement of the conflict. It only denoted agreement on the principles of cease-fire and withdrawal. It did not dispose of the fundamental issues created by Indian aggression or show any awareness of its consequences for Pakistan and the world. There could be no real peace between India and Pakistan until the Indian armed forces withdrew from both East and West Pakistan and there was a just settlement of the problem of Jammu and Kashmir, in accordance with the aspirations of its peoples.

591. The Minister for External Affairs of India said that his delegation questioned the relevance of the reference in the adopted resolution to General Assembly resolution 2793 (XXVI). India was willing by mutual negotiation to arrive at agreed arrangements to settle withdrawals and other problems. The existence of Bangladesh and of the Bangladesh Government could not be ignored. The Indian armed forces would withdraw from Bangladesh as soon as practicable, but their presence in Bangladesh was necessary for such purposes as the protection of the Pakistan troops that had surrendered and for prevention of reprisals and the like. Pakistan no longer had any right to keep any troops in Bangladesh, and any attempt by Pakistan to enter Bangladesh by force would create a threat to peace and security and could endanger peace and stability again. As for the western theatre, the international frontier between India and Pakistan was well defined, but certain areas of India and Pakistan were under the control of opposing forces. India accepted the principle of withdrawals and wished to negotiate and settle the matter with Pakistan as early as possible. The State of Jammu and Kashmir was an integral part of India. However, in order to avoid bloodshed, India had respected the cease-fire line supervised by UNMOGIP. There was a need to make some adjustments in the cease-fire line, a subject that India would discuss and settle with Pakistan. India had no territorial ambitions and would like a similar declaration from Pakistan.

592. The representative of Pakistan emphatically rejected the contention of the representative of India that Pakistan had no right to keep troops in so-called Bangladesh. East Pakistan was an integral part of the territory of Pakistan, and the juridical status and the inalienable rights of the people of Pakistan could not be altered in any manner by an act of aggression and military occupation. The withdrawal of occupying armed forces could not be conditional upon negotiations. It was only after withdrawal that negotiations could really take place. As for the statement of the Indian representative regarding territorial ambitions, Pakistan had no territorial claims on Indian territory but considered Jammu and Kashmir disputed territory whose future would be settled by an agreement arrived at under the aegis of the Security Council.

#### **E. Reports and communications from 21 December 1971 to 15 June 1972**

593. On 21 December (S/10466), the Secretary-General reported on the implementation of General Assembly resolution 2790 (XXVI) with a bearing on the implementation of Security Council resolution 307 (1971). He set forth the relevant developments in

East Pakistan and the United Nations humanitarian efforts there.

594. In a report dated 22 December (S/10467), the Secretary-General, in compliance with paragraphs 1 and 6 of Security Council resolution 307 (1971), set forth current information received from the Chief Military Observer of UNMOGIP and pointed out that he was not in a position to report to the Council on other areas under paragraph 1 because the United Nations had no military observation machinery in other parts of the subcontinent. In later reports in the same series issued on 29 December 1971, 4 January, 29 January, and 12 May 1972 (S/10467/Add.1-4), he supplied further details received from UNMOGIP. With regard to UNMOGIP, the acting representative of Pakistan in a letter dated 24 April 1972 (S/10620 and Corr.1) charged that India was refusing to permit UNMOGIP to discharge its functions.

595. By a letter dated 21 December 1971 (S/10468), the representative of Pakistan transmitted to the Secretary-General a letter from his President enclosing a copy of an appeal for approaches to India to urge prevention of killings and atrocities in East Pakistan.

596. In a series of letters beginning with that of 23 December 1971 (S/10472), the representative of Pakistan submitted to the Secretary-General complaints concerning various types of cease-fire violations by the armed forces of India. Later letters on the same subject were dated 18 January (S/10516), 24 January (S/10524), 21 January (S/10529), 23 February (S/10545), 28 February (S/10555), 13 March (S/10566), 15 March (S/10567), 21 March (S/10572), 25 March (S/10575), 31 March (S/10588), 27 April (S/10623), 8 May (S/10636), 18 May (S/10655), 30 May (S/10669), and 6 June 1972 (S/10685).

597. On 25 December 1971 (S/10473), the Secretary-General reported that, in accordance with paragraph 5 of Security Council resolution 307 (1971), he had appointed Mr. Vittorio Winspeare-Guicciardi as his Special Representative and asked him to proceed to the subcontinent immediately. By reports dated 17 January (S/10512) and 26 February 1972 (S/10512/Add.1/Corr.1), the Secretary-General informed the Council regarding the Special Representative's activities. In a letter dated 24 March (S/10576), the representative of Pakistan advanced certain modifications to the statement attributed to the President of Pakistan in the report of the Special Representative (S/10512/Add.1/Corr.1).

598. In letters of 24 December (S/10474) and 28 December 1971 (S/10476), the representative of China called for United Nations action to prevent Indian troops and East Pakistan rebels from violating Security Council resolution 307 (1971) by persecution and massacres in East Pakistan.

599. By a letter dated 27 December 1971 (S/10475), the representative of Pakistan transmitted the reply of his Foreign Secretary to a letter of 22 December from the Secretary-General, conveying the text of Security Council resolution 307 (1971). Pakistan welcomed the resolution but emphasized that only the ending of Indian aggression would restore peace and stability in the subcontinent.

600. By notes verbales dated 15 December (S/10485) and 16 December 1971 (S/10486) ad-

addressed to the Secretary-General but delayed in delivery, the representative of Pakistan complained of certain "deplorable aspects" of Indian actions against Pakistan. The first charged Indian disruption of United Nations relief operations in East Pakistan, and the second, Indian bombing of civilian populations.

601. In a letter to the Secretary-General dated 30 December 1971 (S/10487), the representative of Pakistan reported that his President had initiated direct discussions with Sheikh Mujibur Rahman regarding a political settlement in East Pakistan and said that the Government of Pakistan would consider a hostile act any action that prejudged or prejudiced the outcome of those discussions.

602. By a series of letters beginning with that of 30 December 1971 (S/10488), the representative of India submitted to the Secretary-General complaints concerning various cease-fire violations by the armed forces of Pakistan. Later letters of this series were dated 3 January (S/10493), 7 January (S/10497) and 12 January 1972 (S/10506).

603. By a letter dated 31 December 1971 (S/10490), the representative of Pakistan conveyed to the Secretary-General his Government's concern over press reports of official Indian statements contemplating a trial of high civilian officials of the East Pakistan Government and prisoners of war by "Bangladesh authorities". He called for United Nations action in the matter.

604. By a letter to the Secretary-General dated 10 January 1972 (S/10501), the representative of India transmitted certain additional comments by his Government regarding Security Council resolution 307 (1971). In the Western theatre India would open bilateral negotiations with Pakistan and the Indian troops would be withdrawn from Bangladesh as soon as the two Governments considered it practicable. India was abiding by the Geneva Conventions of 1949, and would co-operate with the Special Representative of the Secretary-General.

605. By a letter to the Secretary-General dated 14 January 1972 (S/10510), the representative of India responded to the letters of 21, 27 and 30 December 1971 (S/10468, S/10475 and S/10487, respectively) addressed to the Secretary-General by the representative of Pakistan. He stated that the allegations regarding large-scale activities and mass murders in Bangladesh were false and untenable. Various officials of the former Pakistan military régime in Bangladesh had, according to declarations of the Bangladesh Government, been guilty of repression, brutality and genocide and would be tried according to due process of law. Such persons were not entitled to immunity under the International Committee of the Red Cross, neutral zones under the aegis of the United Nations or any of the Geneva Conventions. The Government of Bangladesh was in effective control of its entire territory, and Indian forces were in Bangladesh at the request of that Government.

606. In a letter dated 24 January 1972 (S/10525), the representative of Pakistan called on the President to convene an urgent meeting of the Council to consider Indian violations of the cease-fire and the necessity of stationing United Nations observers to ensure implementation of resolution 307 (1971).

607. In reports dated 15 February (S/10539), 28 April (S/10539/Add.1, parts I and II) and 31 May 1972 (S/10539/Add.2), the Secretary-General continued to supply information in accordance with Security Council resolution 307 (1971) and General Assembly resolution 2790 (XXVI) regarding the United Nations relief efforts in India and in Bangladesh.

608. By a letter dated 8 March (S/10558), the representative of India forwarded the text of a statement made on 14 February by the Government of the People's Republic of Bangladesh, adding that 51 States had thus far recognized Bangladesh. The statement attacked as deceitful the letter to the Secretary-General from the representative of Pakistan dated 30 December 1971 (S/10487).

609. By a letter dated 10 March 1972 (S/10560 and Corr.1), the representative of Pakistan submitted to the Secretary-General a complaint concerning an attack by Indian guards on Pakistan prisoners of war, which, he said, was an outcome of the continued illegal detention of prisoners in an attempt to coerce Pakistan. India had secured the release of its own prisoners from Pakistan and was using the Pakistan prisoners for political ends, in violation of Article 188 of the Third Geneva Convention. The representative of Pakistan submitted similar complaints of mistreatment of Pakistan prisoners of war by Indian authorities in letters dated 25 March (S/10574) and 27 March (S/10579). In a letter dated 5 April (S/10589), he requested the President of the Security Council to intervene with India to forestall any attempts by the Bangladesh authorities to put Pakistan prisoners of war on trial and to allow their early return in compliance with the Geneva Conventions and Council resolution 307 (1971).

610. In letters to the Secretary-General dated 10 March (S/10562 and Corr.1) and 30 March 1972 (S/10581), respectively, the representative of the USSR requested that the Joint Declaration of the Soviet Union and the People's Republic of Bangladesh (dated 3 March) and the Joint Soviet-Pakistan communiqué (dated 19 March) be circulated as official documents of the Security Council.

611. In a letter dated 15 May (S/10648), the representative of India requested circulation of his letter of 12 May to the Secretary-General, which referred to a letter of 14 February in which India had expressed its readiness to have direct talks with Pakistan. The representative of India informed the Secretary-General of progress towards direct negotiations between the two countries and enclosed with his letter the text of the joint statement issued by the two Governments at Rawalpindi on 30 April. The letter further pointed out that India had refrained from sending lists of cease-fire violations by Pakistan in the firm belief that direct bilateral negotiations provided the best means of settling differences in a co-operative spirit. While Pakistan had alleged violations of the cease-fire, it had made no mention of the fact that many incidents had been satisfactorily settled at flag meetings between the local commanders.

612. By a letter dated 5 June 1972 (S/10681) to the Secretary-General, the representative of Pakistan referred to the Secretary-General's report of 12 May (S/10467/Add.4) and to a letter from the representative of India of 12 May (S/10648) and stated that no flag meetings between Pakistan and Indian

military commanders had been held with regard to incidents along the cease-fire line in Jammu and Kashmir. Such incidents should be investigated by UNMOGIP and flag meetings held under the auspices

of UNMOGIP. It was the Pakistan Government's view that activation of the machinery of UNMOGIP on the Indian side of the cease-fire line would serve to prevent incidents.

## *Chapter 8*

### **QUESTION CONCERNING THE ISLANDS OF ABU MUSA, THE GREATER TUNB AND THE LESSER TUNB**

613. In a letter dated 3 December 1971 addressed to the President of the Security Council (S/10409), the representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen requested an urgent meeting of the Security Council to consider the dangerous situation in the Arabian Gulf area arising from the occupation by the armed forces of Iran of the islands of Abu Musa, the Greater Tunb and the Lesser Tunb on 30 November.

614. By a letter dated 7 December (S/10434), the representative of Iraq transmitted to the Secretary-General the text of a telegram received by his Government from the ruler of Ras al-Khaima dated 30 November, in which the ruler charged that Iranian troops had invaded the two islands of Tunb, which were an indivisible part of the territory of his country. The ruler requested that Iraq take measures to repulse the aggression and submit the matter to the Security Council.

615. At its 1610th meeting, on 9 December, the Security Council included the question in its agenda, and the President, with the consent of the Council, invited the representatives of Algeria, Iraq, the Libyan Arab Republic, the People's Democratic Republic of Yemen, Kuwait, Iran and the United Arab Emirates, pursuant to their requests, to participate in the discussion without the right to vote.

616. Opening the discussion, the representative of Iraq recalled the telegram that his Government had received from the ruler of Ras al-Khaima on 30 November stating that the islands of the Greater Tunb and the Lesser Tunb had been occupied by Iranian forces and that in resisting the invasion four local policemen had been killed and two wounded. He stated that the invasion had been carried out by Iran in violation of the Charter and, in addition to reflecting that country's expansionist policy, it demonstrated collusion between Iran and the United Kingdom. One day prior to that occupation Iran had also occupied part of the island of Abu Musa under the pretext of an alleged agreement with the Sheikh of Al-Sharjah, of whose territory that island was a part. Although Iran had intermittently claimed the islands, he said, they had always been under Arab jurisdiction. Regarding the strategic importance of those islands cited in Iran's argument, he indicated that the other littoral countries in the Gulf also considered the islands to be of strategic importance to them inasmuch as they all were oil producers. Furthermore, the Gulf was Iraq's only outlet to the high seas for its commerce; therefore, Iran could not claim to be the only State concerned with security and stability in the area, which could be achieved only through co-operation of all the States involved. Charging Iran with trying to achieve hegemony in the area, he recalled that, in 1969, Iran had unilaterally abrogated its 1937 Treaty with Iraq. With

regard to the United Kingdom, he said that, although it was committed under treaties to preserve the territorial integrity of the Trucial States, it had reneged its international obligations. He appealed to the Council to take the necessary measures to condemn Iran as an aggressor and Britain as its collaborator and to ensure the withdrawal of the Iranian forces from the islands.

617. The representative of Kuwait recalled that his country had made many efforts to assist the nine Emirates of the Gulf area to form a federation, but that had been blocked by Iran, which had made its acceptance of the federation contingent upon its possession of the Arab islands of the Greater Tunb, the Lesser Tunb and Abu Musa. In order to ease tensions, his Government had suggested the demilitarization of the islands under the sovereignty of the Arab Emirates. However, Iran had rejected that proposal and had proceeded to occupy the islands under the pretext that they were vital to Iran. He charged the United Kingdom with failing its responsibility and deplored the British Government's failure to respond to the appeal for help made by the ruler of Ras al-Khaima. In the face of that situation, he concluded, the Council should call on Iran to withdraw its forces from the Arab islands immediately.

618. The representative of Algeria stated that, at the time that Iran had occupied the islands, the United Kingdom was still under treaty obligation to protect those territories until the States concerned were in a position to defend their own interests. The matter could not be settled between Iran and the United Kingdom; a solution must be reached by all the parties concerned.

619. The representative of the People's Democratic Republic of Yemen questioned the long-term objectives of Iran in occupying the islands and put the responsibility for the recent aggression on the United Kingdom, which had failed in its obligation to defend the territories until the end of 1971. It was his Government's firm belief that Iran must withdraw immediately from the three islands.

620. The representative of Iran rejected the charges against his country as baseless and said that the question was essentially a domestic matter. From the most ancient times, he said, the area had been known as the Persian Gulf. His country's policy was one based on creating conditions for peace and security, so that the riparian States might work together in a spirit of friendship and co-operation. He denied that his country entertained expansionist ambitions and added that, as had been shown in the case of Bahrain, its policy was to settle disputes by negotiation. Though there was no doubt that the islands of Abu Musa and the Tunbs belonged to Iran, his country had tried nevertheless to find a peaceful settlement of the problem. The Tunbs, he pointed out, were only 17 and 22 miles, respectively,

off the Iranian mainland but about 50 miles from Ras al-Khaima and thousands of miles from Libya, which had reportedly threatened to send its troops to occupy the islands. In the face of such threats, his country would not allow any violation of its territory or any infringement of its sovereign rights over the islands.

621. The representative of the United Kingdom of Great Britain and Northern Ireland recalled his Government's decision, announced on 1 March 1971, that the treaties between the United Kingdom and Bahrain, Qatar and the seven Trucial States would be terminated and the British forces would be withdrawn by the end of 1971. His Government's primary concern had been to ensure that stability was maintained in the area through a federation of the States of the Trucial Coast and the settlement of outstanding territorial conflicts in the area. That policy had succeeded with Bahrain and Qatar, which had become Members of the United Nations, and the United Arab Emirates which had also just become a Member. With regard to Abu Musa, he said, an agreement had been reached between Iran and the ruler of Sharjah on 29 November that represented a sensible compromise to conflicting claims. British efforts to reach a negotiated settlement with regard to the Tunbs had been unsuccessful. His country had tried to strike a balance between the conflicting claims of neighbouring States and the realities of the situation, and although agreed solutions to all problems were preferable, the over-all outcome represented a reasonable and acceptable basis for the future security of the area.

622. The representative of the Libyan Arab Republic noted that past deliberations in the Council had shown that big Powers could do anything they wished, while small States remained powerless. Iran's occupation of the islands with the connivance of the British

was an example. Therefore the small States should unify their efforts and make their voices heard.

623. The representative of the United Arab Emirates expressed deep regret at Iran's action in forcibly occupying the islands in the Gulf, as such action was contrary to the Charter and incompatible with the traditional friendship between the Arab and Iranian peoples. He charged that Iran had rejected all peaceful avenues and would accept nothing less than its sovereignty over the islands. It had even refused to negotiate with the United Arab Emirates and had tried to prevent the proclamation of the independence of the new Federation. He expressed his country's hope that Iran would reconsider its position and find it possible to settle the matter in a way that befitted neighbours.

624. The representative of Somalia, noting that throughout history complex situations had developed because of unresolved territorial disputes, said that inasmuch as the parties in the current situation were all concerned with the well-being of the people of the region, it was essential that they settle their dispute amicably in order to assure the peace, security and stability of the region. The Council must always act in strict conformity with the Charter in dealing with such sensitive questions, but he thought it premature at that stage for it to recommend any course of action under Article 36, because friendly States had initiated governmental contacts in an attempt to bring both sides together. Accordingly, his delegation suggested that the Council defer consideration of the matter to a later date, so as to allow sufficient time for those efforts of quiet diplomacy to work. Should they fail, the Council could then resume consideration of the complaint.

**Decision:** *The Council decided without objection to defer consideration of the matter to a later date to allow sufficient time for thorough third-party efforts to materialize.*

## Chapter 9

### THE CYPRUS QUESTION

#### A. Communications and reports received between 16 June and 13 December 1971

625. In a letter dated 21 June 1971 addressed to the Secretary-General (S/10230) the representative of Cyprus complained about recent statements by high officials of the Turkish Government regarding the question of Cyprus that had caused concern to his Government and were not likely to contribute to the progress of the intercommunal talks.

626. In a letter dated 24 June addressed to the Secretary-General (S/10239), the representative of Turkey rejected the assertions of the representative of Cyprus as inaccurate and designed to deny Turkey's role in the efforts to find a peaceful solution to the question.

627. On 14 July, the Secretary-General issued an appeal (S/10268/Rev.1) to States Members of the United Nations and members of the specialized agencies for voluntary contributions for the financing of the United Nations Peace-keeping Force in Cyprus (UNFICYP) for the period from 16 June to 15 December 1971.

628. On 30 November, the Secretary-General submitted to the Security Council his twentieth report

(S/10401) on the United Nations operation in Cyprus, covering developments from 20 May to 30 November 1971. The Secretary-General said that the period had been marked by a deterioration of the general situation. Communal tension had increased, and there had been a number of incidents. UNFICYP had so far managed to defuse tense situations but its task had become increasingly difficult, and it had been unable to achieve progress towards freedom of movement or deconfrontation. The prevailing uneasiness was due to the uncertainties of the intercommunal talks which were deadlocked. The rumoured presence of General Grivas and a related resurgence of the pro-*enosis* campaign had further diminished the prospects for a settlement.

629. The Secretary-General remained convinced that a negotiated agreement between the two communities on the constitutional aspects of the Cyprus problem represented the best way of achieving a solution. However, the intercommunal talks had reached an impasse in their current form which could not be overcome without a new impetus. With that in mind, on 18 October 1971, in an aide mémoire he had suggested to all interested parties that his Special Representative in Cyprus should take part in the talks and that the Greek and Turkish Governments should each

delegate a constitutional expert to participate in an advisory capacity. He added that the role of the Special Representative would be in the context of good offices on his behalf. Those suggestions remained under active discussion with the parties. The Secretary-General expressed the view that the Security Council should become more actively involved in assisting the parties in the search for a solution.

630. Regarding UNFICYP's financial situation, the Secretary-General said that he was concerned by the lack of sound and effective arrangements for adequate financing; the deficit had reached \$16.4 million. He reaffirmed his misgivings about financing such operations through voluntary contributions. In view of the current tension in Cyprus, the Secretary-General recommended a six-month extension of the mandate of the Force until 15 June 1972.

#### **B. Consideration at the 1612th and 1613th meetings (13 December 1971)**

631. At the 1612th meeting of the Security Council, on 13 December, the report of the Secretary-General (S/10401) was included in the agenda. The representatives of Cyprus, Greece and Turkey were invited, at their request, to participate in the debate without the right to vote.

632. The President of the Council announced that, as a result of prior consultations, an agreement had been reached on the text of the following draft resolution (S/10441):

*"The Security Council,*

*"Noting from the report of the Secretary-General of 30 November 1971 that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,*

*"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 December 1971,*

*"Noting also from the report the conditions prevailing in the island,*

*"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, 247 (1968) of 18 March, 254 (1968) of 18 June and 261 (1968) of 10 December 1968, 266 (1969) of 10 June and 274 (1969) of 11 December 1969, 281 (1970) of 9 June and 291 (1970) of 10 December 1970, and 293 (1971) of 26 May 1971, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 25 November 1967;*

*"2. Urges the parties concerned to act with the utmost restraint and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council; by availing themselves in a constructive manner of the present auspicious climate and opportunities;*

*"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1972, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."*

**Decision:** *At the 1612th meeting, on 13 December 1971, the Security Council adopted the draft resolution (S/10441) by 14 votes to none as resolution 305 (1971).*

633. The representative of China said that the Cyprus question was, fundamentally speaking, a question left over from the imperialist colonial rule. The Chinese Government had consistently maintained that the question should be settled in a reasonable way by the countries concerned through consultations on an equal footing. As for the question of the United Nations forces, the Chinese Government had always maintained its own principled stand. Therefore, the Chinese delegation would not participate in the voting.

634. The representative of Cyprus said that, on the whole, the Security Council's peace-keeping operation in Cyprus had been successful because it had been able to prevent the recurrence of major fighting; but it had not been successful in peace-making because, although Cyprus had been prepared to accept the report of the Mediator, the other side had not. The General Assembly had adopted a resolution on Cyprus that had not been implemented; nor had the Council's procedures for the Secretary-General's good offices. For the last three years Cyprus had tried to resolve its internal problems through the intercommunal talks, but, so far, there had been no results, inasmuch as there were important issues on which the parties could not agree. A realistic solution of the Cyprus problem required the acceptance of basic principles relating to the sovereignty, independence and unity of Cyprus. In order to facilitate implementation of those principles, the Secretary-General had suggested reactivation of the talks and the role of his Special Representative. Cyprus had expressed reservations on the content of those proposals, specifically on the question of participation of constitutional experts from Greece and Turkey; however, it would accept the initiative as it stood, since it desired to explore all ways for progress. It also accepted the Secretary-General's proposal concerning the involvement of the Council in the process of finding a solution. If, in the coming months, the efforts failed to produce the objectives envisaged, Cyprus would ask the Council to act in the spirit of the Secretary-General's suggestions.

635. The representative of Turkey said that the Turkish community in Cyprus continued to live under pressure and deprivation, unable to get their share of revenue from the State. Under such precarious circumstances, Turkish Cypriots could not relax their vigilance. Turning to the intercommunal talks, he said that they had provided a channel of communication and served as an outlet for tension. Although they had not produced concrete results, they provided some grounds for optimism. His Government was convinced that the continued contact with the Secretary-General by the parties would lead to a resumption of the talks. He felt that Turkey and Greece both had responsibilities in the search for peace and stability. His Government hoped that the parties would set aside futile arguments.

and concentrate on the solution of real problems, so that peace might be found soon.

636. The representative of Greece said that his Government had always supported a peaceful solution. Accordingly, it had accepted the proposals made by the Secretary-General, in the hope that a new phase in the talks might shortly be initiated. His Government also supported the proposals submitted by Mr. Clerides, which might provide the basis for agreement on local administration.

637. The representative of Belgium said that the report reflected apprehension at the deterioration of the situation in Cyprus; however, his delegation had full trust in the ability of UNFICYP to preserve calm in the island. Regarding the suggestions of the Secretary-General, he felt that, at that time, the role of the Special Representative in reactivating the talks could be more effective than a new initiative by the Council. He was confident that the presence of the Special Representative would offer a realistic basis for consultations to lead to a solution acceptable to the interested parties. He said that Belgium would again make a voluntary contribution to the maintenance of the Force.

638. The representative of Japan said that his delegation supported the extension of the UNFICYP mandate with some reluctance, in view of the justified criticism of its apparently indefinite perpetuation. He welcomed the Secretary-General's initiatives in the hope that they would give impetus to the future conduct of the intercommunal talks. He hoped that a solution would be found in a spirit of compromise, so that UNFICYP might be reduced in size.

639. The representative of Burundi said that his delegation was convinced that the two communities would work together to achieve Cypriot unity; therefore his delegation supported the search for a political entity which the two Cypriot communities could build together. Turning to the Secretary-General's report, he said that the prevailing calm should be used to work out a definitive solution, which must be arrived at and implemented by the Cypriots themselves.

640. The representative of the United Kingdom of Great Britain and Northern Ireland observed that, although a comparative calm had been maintained owing to the efforts of UNFICYP, there was increased tension between the two Cypriot communities. Even more serious than the deterioration of the situation was the fact that the intercommunal talks remained stalled. His Government would continue to support UNFICYP; but that material support should not be taken for granted or regarded as indefinite. In his view, there was a growing and general belief that it was high time that the problem was solved. That, he felt, was what had prompted the Secretary-General to suggest that the Council should assume a more active role in assisting the parties in their search for a solution. However, it would be premature for the Council to embark upon such an exercise, as the talks provided the best hope for progress. It was essential, however, that they should be given new life. Therefore, his delegation supported the initiative of the Secretary-General. Although the United Kingdom continued to respect the 1960 treaties, it recognized that some aspects might no longer reflect the wishes of all the parties. The intercommunal talks had been taking place precisely to adjust the internal aspects, and that was another reason for their continuation.

641. The representative of France said that the usefulness of UNFICYP in the prevailing circumstances could not be challenged, but that its perpetuation should not be permitted to crystallize an unsatisfactory situation. The Secretary-General had reported the deterioration of the general situation and had also made new proposals regarding the search for a settlement. A heightening of tension had accompanied the lack of progress in the intercommunal talks. He welcomed the Secretary-General's suggestions, which he felt the Council should support. He hoped that both sides would offer proof of their goodwill, especially their will to achieve the compromise and accommodation that would permit a resumption of the talks. Obviously, it was up to the parties to find a final solution, but the Council must ensure that no chance for achieving a peaceful settlement was overlooked.

642. The representative of Italy said that the Secretary-General's report, while stressing the difficulties hampering pursuit of a solution, indicated some positive prospects. He supported the Secretary-General's proposals, hoping that they could lead to a fresh start for the intercommunal talks. He warned that the situation might worsen, unless precautions were taken and there was progress towards a solution. The situation in Cyprus must be settled in such a way as to guarantee to the parties concerned respect for their own interest within the framework of the island's independence and unity.

643. The representative of the Union of Soviet Socialist Republics said that the previously stated position of his Government on the question remained valid. The problem must be settled peacefully, on the basis of respect for the independence, sovereignty and territorial integrity of Cyprus and without foreign interference. All foreign troops should be withdrawn and military bases eliminated. He shared the Secretary-General's views that the talks represented the best way of solving the differences and that the Council itself should be more actively engaged in the search for a solution. UNFICYP's operation must not go on indefinitely; the time had come for the Council to study all possibilities of a settlement. On that understanding and bearing in mind the position of the parties concerned, particularly the Government of the Republic of Cyprus, the USSR delegation would not at that stage raise the question of the withdrawal of the United Nations troops from the territory of Cyprus. His delegation had not opposed the adoption by the Security Council of the decision to extend the stationing in Cyprus of the United Nations troops until 15 June 1972, on the understanding that such extension was effected in full accordance with the provisions of resolution 186 (1964) and of subsequent resolutions of the Security Council on the Cyprus question—in other words, that the current functions of those troops and the existing method of financing them on a voluntary basis would be maintained.

644. The representative of Argentina said that the Secretary-General's report hardly permitted the Council to depict an optimistic picture of events on the island; hence, his delegation favoured extension of the UNFICYP mandate. He added, however, that the time had come for the Council to do more than merely decide on extension. For that reason he supported the Secretary-General's proposals.

645. At the 1613th meeting, on 13 December, the representative of Poland said that his delegation con-

sidered that the situation could only be normalized through full recognition and respect for the independence and territorial integrity of Cyprus, normalization based on the mutual understanding and agreement of all Cypriots and the cessation of all imperialist military influences. His delegation looked forward to early resumption of the talks between the Greek and the Turkish communities.

646. The representative of the United States of America said that UNFICYP had played an invaluable role by conducting an effective and indispensable peace-keeping operation. The Force's performance, however, was not a substitute for progress towards a settlement. He regretted the deterioration of the situation, specifically trends towards aggressive action and non-co-operation in an apparent effort to change the *status quo*. The best hope lay in reactivation of the intercommunal talks. His delegation welcomed the Secretary-General's proposal in that regard. He urged the parties to try to achieve progress in the area of normalization of relations between the two communities. Turning to the financial situation, he said that his Government had given consistent support to UNFICYP; he urged other Members to contribute their share and stated that his Government was consulting with other States on ways to end the deficit and put UNFICYP on a sound financial basis.

647. The representative of the Syrian Arab Republic said that the lack of progress in the intercommunal talks was due more to the complexity of issues than the absence of goodwill. The resumption of the talks was imperative, and he felt that conditions were good for bringing the two sides together and that they could benefit from the Secretary-General's suggestions.

648. The representative of Nicaragua said his delegation's vote in favour of the resolution had been cast in the hope that the conditions on the island in the near future would no longer require the presence of the Force. He hoped that both sides would continue their talks in a co-operative spirit.

649. The representative of Somalia said that when a peace-keeping operation planned for three months had been extended for seven years without obtaining peace, then the time was ripe to remove the need for it. Therefore, his delegation welcomed the suggestions of the Secretary-General for broadening the intercommunal talks. However, it was not appropriate for the Council to take any new initiative until the extended intercommunal talks had been given a chance to succeed. If, after six months, there had been no progress, then the Council should consider new initiatives. In any solution, however, Cyprus must maintain its status as an independent, sovereign and unitary State. In respect of that goal, Council could provide the modalities for a process of reconciliation.

650. The President, speaking as the representative of Sierra Leone, said that even though after eight years of peace-keeping a solution was still not in sight, the situation should not be allowed to deteriorate. He hoped that new ways would be devised to finance such important peace-keeping efforts. His delegation considered the intercommunal talks essential for progress and was disturbed at their apparent breakdown. He therefore appealed to both sides to reactivate the talks.

651. Following statements by the representatives of Cyprus and Turkey in exercise of the right of reply, the President, on behalf of the Council, appealed to

the parties to agree on the modalities for reactivation of the talks in accordance with suggestions made by the Secretary-General.

### C. Communications and reports received between 13 December 1971 and 15 June 1972

652. On 18 February 1972, the Secretary-General issued an appeal (S/10547) to States Members of the United Nations and members of the specialized agencies for voluntary contributions for the financing of UNFICYP for a further period ending 15 June 1972.

653. On 16 March, the Secretary-General submitted to the Council a special report (S/10564) on developments in Cyprus, which dealt with the importation of a quantity of arms by the Government of Cyprus in January 1972 and the efforts made by UNFICYP to minimize the resultant increase of tension in the island. The Secretary-General reported that the representatives of Greece and Turkey and the Vice-President of Cyprus, Mr. Küçük, had made representations to him on the matter, and, as a result, he had conveyed his concern to the President of Cyprus, Archbishop Makarios, and offered United Nations assistance in resolving the situation. He had also instructed his Special Representative to draw the attention of the Government to the difficulties created for UNFICYP by the importation of weapons. On 10 March, the Minister of Foreign Affairs of Cyprus and the Special Representative had worked out an arrangement concerning storage of the weapons and their inspection at any time by the Force Commander of UNFICYP. The Government, moreover, had undertaken not to distribute those or any other imported weapons. On 15 March 1972, the Secretary-General informed the Council, the weapons had been inspected by the Force Commander at the Cyprus Police Headquarters.

654. On 21 April, in an addendum to his special report (S/10564/Add.1), the Secretary-General said that his Special Representative and the Force Commander had continued discussions with President Makarios and Foreign Minister Kyprianon that had resulted in an improved arrangement for the storage and inspection of the weapons. Under the agreement, the weapons would be kept in a fenced area within the perimeter of the UNFICYP camp. The Secretary-General hoped that the improved agreement would contribute to the resumption of the intercommunal talks on the basis of his aide-mémoire of 18 October 1971.

655. In a second addendum to his special report, issued on 28 April (S/10564/Add.2), the Secretary-General stated that the improved arrangement for the storage and inspection of the weapons had been put into effect but that it had not so far been possible to remove the fuses from some of the high explosives. Accordingly, a solution that would meet safety requirements was being explored at the technical level.

656. In a letter dated 1 April addressed to the Secretary-General (S/10585 and Corr.1), the representative of Cyprus said that recent statements by the Prime Minister and by the Foreign Minister of Turkey concerning the possibility of military intervention represented a threat to the territorial integrity and independence of Cyprus and violated the provisions of the General Assembly and Security Council resolutions on Cyprus. By a letter dated 3 April addressed to the

Secretary-General (S/10586), he forwarded the text of a statement by President Makarios referring to a suggestion by the Prime Minister of Turkey that, for disarmament purposes, the Cypriot communities should hand over to the United Nations the arms in their possession. The President had stated that those recommendations were acceptable to the Cyprus Government, which was ready to discuss the reduction of the armed forces and general disarmament by stages.

657. In a letter dated 7 April addressed to the Secretary-General (S/10595), the representative of Turkey, in reply to the communication of the representative of Cyprus (S/10585), said that the negative policy of the Greek Cypriots had again been demonstrated by their illegal importation of weapons, which endangered not only the peace in the island but the resumption of the intercommunal talks as suggested by the Secretary-General on 18 October 1971.

658. In a letter dated 15 April addressed to the Secretary-General (S/10610), the representative of Cyprus, in reply to the note of the representative of Turkey (S/10595), said that any independent State had the right to acquire weapons for its security. He recalled that President Makarios had suggested the initiation of talks aimed at the general disarmament of Cyprus and expressed the hope that the resumption of local talks would provide an opportunity for reconciliation.

659. In a further letter dated 19 April to the Secretary-General (S/10613), the representative of Cyprus complained that Mr. R. Denktash, the Turkish Cypriot interlocutor in the intercommunal talks, had suggested, in an interview, that Greece and Turkey should temporarily take over the internal security of Cyprus, a step which, the letter stated, would nullify United Nations resolutions and place Cyprus under a Greek-Turkish condominium.

660. By a letter dated 21 April addressed to the Secretary-General (S/10618), the representative of Turkey transmitted the text of a message from the Vice-President of Cyprus, in which Mr. Küçük stated that the importation of arms had heightened tension in the island and delayed the start of the enlarged talks.

661. In a letter dated 27 April addressed to the Secretary-General (S/10625), the representative of Cyprus, referring to the message from Mr. Küçük, said that the arrangement agreed upon between his Government and UNFICYP concerning the storage and inspection of arms had created the right atmosphere for reactivation of the enlarged talks.

662. By a letter dated 2 May addressed to the Secretary-General (S/10629), the representative of Turkey transmitted the text of a further message from the Vice-President of Cyprus charging that the representative of Cyprus, in his letter of 19 April (S/10613), had quoted the statement by Mr. Denktash out of context.

663. By a letter dated 12 May addressed to the Secretary-General (S/10650), the representative of Turkey transmitted the text of a letter from the Vice-President of Cyprus concerning the Cyprus representative's letter of 15 April (S/10595). Mr. Küçük defended the validity of the Zurich and London Agreements and the free spirit in which those treaties had been negotiated. The allegations to the contrary by the Greek Cypriot administration were aimed at providing justification for attempts to abrogate the Cyprus Con-

stitution. He stressed the importance of the question of the illegal importation of weapons, which, he contended, were to be used against the Turkish Cypriot community.

664. By a letter dated 23 May addressed to the Secretary-General (S/10659), the representative of Turkey transmitted the text of a further letter from the Vice-President of Cyprus in reply to the Cyprus representative's letter of 27 April (S/10625) concerning President Makarios's proposal for disarmament. Mr. Küçük asserted that the proposal, made shortly after the clandestine importation of arms and war materials, was designed to serve propagandistic purposes and to obtain the eventual removal of the Turkish contingent from Cyprus. He added that, unless the Greek Cypriot administration ceased its policy of arms importation, it was unrealistic to speak about disarmament.

665. On 26 May, the Secretary-General submitted the twenty-first report (S/10664 and Corr.1) on the United Nations operation in Cyprus, covering developments from 1 December 1971 to 26 May 1972. With regard to the intercommunal talks and his good offices, the Secretary-General noted that the last meeting between the representatives of the two communities had taken place on 20 September 1971. However, during the meeting of the Security Council in December 1971, all the parties had expressed interest in resuming the talks on the basis of his predecessor's aide-mémoire of 18 October 1971. The Secretary-General had therefore continued efforts to reach an agreement and, in that connexion, had asked the Under-Secretary-General for Special Political Affairs to visit Nicosia, Athens and Ankara. As a result, agreement had been reached, in principle, on reactivation of the intercommunal talks on the basis of the aide-mémoire of 18 October 1971 under a United Nations formula applicable to all concerned. However, commencement of the talks had been delayed by developments that the Secretary-General had earlier reported to the Council, which had subsequently been overcome. Following further contacts with all the parties, on 18 May, the Secretary-General had submitted identical copies of an aide-mémoire to the representatives of Cyprus, Greece and Turkey, and, on the following day, copies had been handed to the President and Vice-President of Cyprus and to the interlocutors in the talks, Mr. Clerides and Dr. Denktash. In his aide-mémoire, the Secretary-General had called upon all the parties to reactivate the talks without delay and had expressed the understanding that it was the desire of all concerned that the talks should continue to be based on the equal status of the representatives of the two communities, should be exploratory in nature and should be limited to the internal situation in Cyprus and relevant constitutional matters. After the parties had informed the Secretary-General of their agreement to resumption of the talks, the Special Representative had been asked to undertake contacts on practical arrangements therefor.

666. The Secretary-General further informed the Council that because a series of political events had greatly increased tension in Cyprus, progress in the matters of deconfrontation, freedom of movement, economic co-operation and early reactivation of the intercommunal talks had not been possible. One of the major factors in the heightening of tension had been the importation of arms by the Cyprus Government in January. However, the Government had agreed to stor-

age of the arms under the supervision of UNFICYP, and efforts for reactivation of the talks had then been resumed. Those developments further demonstrated the unstable nature of the situation in the island. Distrust and suspicion remained strong; nevertheless, the parties had avoided pushing their disagreement to the point of conflict.

667. The Secretary-General considered that the agreement of all concerned to reactivate the talks had opened up new possibilities in the search for a settlement, but there were still many difficulties. He hoped that talks would be conducted in the spirit of the Charter and the Council's resolutions and that they would result in lessening tension and normalizing the general situation.

668. Regarding the financial situation, the Secretary-General pledged to continue his efforts to put the current financing of the peace-keeping operation on a sound basis and to liquidate the deficit. In view of the persistent tension, the Secretary-General recommended extension of the UNFICYP mandate until 15 December 1972.

669. In an addendum to his report issued on 8 June (S/10664/Add.1), the Secretary-General advised the Security Council that the inaugural meeting of the talks in their new form had been held that day in Nicosia and that he had attended that meeting.

#### **D. Consideration at the 1646th and 1647th meetings (15 June 1972)**

670. At the 1646th meeting of the Security Council, on 15 June, the report of the Secretary-General (S/10664 and Corr.1 and Add.1) was included in the agenda. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the debate without the right to vote.

671. The Secretary-General, reporting on results of his recent visit to Cyprus, Greece and Turkey, expressed the hope that when the working meetings of the talks began in July, the parties would tackle the problems with determination and urgency. Although reactivation of the talks was an encouraging development, the current situation in Cyprus was cause for serious concern. The lack of economic and social contact between the two communities and their deep suspicion of each other gave rise to an atmosphere of tension, which was dangerous in view of the large number of persons bearing arms and the wider geopolitical setting of the problem. The current situation, therefore, could not be allowed to continue; means must be found to assist the parties in reaching a peaceful, just and lasting settlement. The Secretary-General stated that, during his talks in Nicosia, Ankara and Athens, the Governments and parties concerned had shown their willingness to continue their search for a peaceful solution. He hoped that the Council would support his efforts to assist in finding that solution.

672. The President stated that, as a result of prior consultations, an agreement had been reached on the text of the following draft resolution (S/10699):

*"The Security Council,*

*"Noting from the report of the Secretary-General of 26 May 1972 (S/10664) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,*

*"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 June 1972,*

*"Noting also from the report the conditions prevailing in the island,*

*"1. Reaffirms its resolution 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, 247 (1968) of 18 March, 254 (1968) of 18 June and 261 (1968) of 10 December 1968, 266 (1969) of 10 June and 274 (1969) of 11 December 1969, 281 (1970) of 9 June and 291 (1970) of 10 December 1970, 293 (1971) of 26 May and 305 (1971) of 13 December 1971 and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 25 November 1967;*

*"2. Urges the parties concerned to act with the utmost restraint and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council by availing themselves in a constructive manner of the present auspicious climate and opportunities;*

*"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1972, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."*

**Decision:** *At the 1646th meeting, on 15 June 1972, the Security Council adopted the draft resolution (S/10699) by 14 votes to none, with 1 abstention (China), as resolution 315 (1972).*

673. In a statement after the voting, the representative of Cyprus said that the Secretary-General's visit to Nicosia, Ankara and Athens had been a wise gesture in an effort to smooth away differences and overcome obstacles. He felt that the policy of preventing any normal social or trade contacts between the two communities was counterproductive and tended to perpetuate a lack of confidence and spirit of conciliation. Resumption of the talks in their new form held out a positive premise, and his Government would do its utmost to ensure their success. However, they should be paralleled by the efforts of all parties to encourage a climate of conciliation and confidence through association. Accordingly, he emphasized that progress should be made in economic co-operation, deconfrontation and military disengagement. His Government had taken a series of measures aimed at pacification and had been willing to comply with the UNFICYP proposals for deconfrontation. Furthermore, his President had proposed disarmament by both sides and demilitarization of Cyprus. He noted that UNFICYP had been successful in peace-keeping but that the peace-making effort had run into difficulties. He hoped that the resumed talks would open new opportunities to lay a solid structure for an independent and unitary State, with due regard to the legitimate interests of all

concerned and the welfare of the people of Cyprus as a whole.

674. The representative of Turkey said that the Secretary-General's discussions in Ankara on matters of common interest had been conducted in a constructive atmosphere. He was glad to note that the period covered in the report had been one of the quietest in terms of intercommunal incidents; but he deplored the lack of progress towards normalization and the fact that the Turkish community continued to live under conditions of extreme hardship and deprivation. Because his Government was determined to promote a peaceful solution, it had, along with Greece, begun to explore the possibility of resuming the intercommunal talks and had agreed to the Secretary-General's suggestion of 18 October 1971. The inaugural meeting of 8 June 1972 had been a welcome development, but it could have come four months earlier, had it not been for the illegal importation of arms into the island by the Greek-Cypriot administration. However difficult the political conflict in Cyprus might be, positive results could be reached, if all the parties approached the problem in a spirit of accommodation and goodwill. He hoped to see Cyprus change from an island of intercommunal strife into a model of bi-communal society, and assured the Council that his Government would continue to spare no efforts to achieve those ends.

675. The representative of Greece said that it was encouraging that the parties had agreed that a solution could be reached only by negotiation. His Government had accepted the Secretary-General's memorandum of 18 October 1971 calling for a new effort to resolve the constitutional aspect of the problem, and in keeping with that position, Greece had also accepted the Secretary-General's proposal of 18 May 1972. He felt that the new stage of negotiations was a good omen and hoped that the calm in the island would be strengthened. He pledged a further contribution by his Government to the expenses of UNFICYP.

676. The representative of Belgium said that UNFICYP had fulfilled an important role in preserving the calm in the island and that its pacification mission had been particularly significant during the latest period. His delegation was comforted by two major political events that had recently taken place in Cyprus: first, the arrangements for storage of the imported arms, and, second, the opening meeting of the reactivated talks. He hoped that a solution would be found within the framework of a constitutional system which would ensure the security of both communities. Regarding the financial situation of UNFICYP, he said that Belgium was surprised that only four members of the Council were contributing to the expenses of the Force. For its part, Belgium would continue to contribute, but that could not be considered a routine gesture.

677. The representative of China expressed regret that the problem had remained unsettled for so long. He considered that dissension between the two communities had been caused by imperialist incitement and that the whole problem was an issue left over by former colonial rule. Consequently, it could be settled only by the elimination of imperialist meddling and by consultations among the parties concerned on an equal footing. As to the question of UNFICYP, China had its principled stand and had therefore abstained in the voting. China supported the Cyprus people in their just struggle to safeguard their independence and hoped that

they would settle their dispute in a spirit of mutual friendship.

678. The representative of the United Kingdom praised the Secretary-General's diplomatic efforts that had led to the resumption of the intercommunal talks. A great deal of patient work and understanding by all concerned had made that possible. However, the reactivation of those talks was not an end in itself; similarly, the presence of the Force in Cyprus must not become a substitute for efforts at peace-making. The United Nations could help preserve calm, but only the parties concerned could reach a lasting settlement. Turning to the financial situation, he said that his Government would continue its contribution to the costs of UNFICYP. However, the time had come when more members should contribute in order to put the financing of the operation on a sound basis.

679. The representative of Japan said that his delegation had voted to extend the mandate of UNFICYP, but not without reluctance and reservation. Regrettably, intercommunal tension and the threat of confrontation had persisted, and there had been no progress in area of deconfrontation. However, there were some hopeful signs in the willingness of the communities to co-operate with UNFICYP, as reflected in the agreement for UNFICYP supervision of the imported arms. Still, the most significant development had been the reopening of talks. Japan hoped that as a result of successful talks, a reduction in the size of UNFICYP, as well as a substantial financial economy, could be achieved. Thus, UNFICYP might be transformed into an observer group or some such small-scale peace-keeping machinery.

680. The representative of Argentina said that, although his delegation had not hesitated to vote for the resolution, it had done so without satisfaction, inasmuch as so little progress had been achieved towards a return to normal conditions or a solution of the problem. He welcomed the resumption of the intercommunal talks and hoped that once the machinery of negotiation was under way, progress would be made towards a solution. Moderation and a constructive spirit would be needed, and he hoped that the participation of the Special Representative would add vigour and a sense of urgency to the undertaking. A united, independent Cypriot State would constitute the best guarantee for its inhabitants.

681. The representative of the Union of Soviet Socialist Republics said that the Soviet Union was closely following developments in Cyprus. In that connexion he referred to the statement made by the President of the Presidium of the Supreme Soviet of the USSR in Ankara on 11 April 1972, in which it was stated that the Soviet Union was against *enosis* and favoured the resolution of the problem by peaceful means without external interference. His delegation noted with satisfaction the resumption of the intercommunal talks and the role of the Secretary-General in that regard. As the representative of a State having more than 100 nationalities and ethnic groups organized in a society based on friendship and fraternity where all nationalities enjoyed equal rights, he expressed the hope that the hostility between the Greeks and Turks in Cyprus would be eliminated and conditions created for national equality, mutual respect and co-operation between the two communities. The long stay of the United Nations Force on the island was not a normal situation under current international conditions. Ac-

cordingly, the Council should study the possibility of settling the Cyprus problem in order to achieve the withdrawal of UNFICYP. On that understanding, his delegation had not opposed the resolution extending its presence, since once again the decision was based on the provisions of Council resolution 186 (1964) of 4 March 1964 and preserved the existing functions of the Force and its system of financing on a voluntary basis.

682. At the 1647th meeting, on 15 June, the representative of India said that co-operation with the Secretary-General displayed by the parties in the reopening of talks was a factor for optimism. It was encouraging that the military situation had remained calm and that there had been improved co-operation with UNFICYP and development projects sponsored by the United Nations. India hoped that those trends would be further strengthened by the resumption of talks. The time had come when the people of Cyprus should seek solutions to their problems in a spirit of conciliation. India supported the independence and territorial integrity of Cyprus and felt that harmonious intercommunal relations were essential for safeguarding the peace in the area.

683. The representative of Italy said that his delegation was encouraged by the visit to Cyprus of the Secretary-General, who had been able to arrange for resumption of talks. A positive outcome under the United Nations formula would benefit the people of Cyprus and all countries, as it would pave the way for the final settlement of the Cyprus problem. The importation of arms had delayed the process of normalization, but the situation was currently under control, and there was reason to believe that the parties would seize the opportunity to make the talks successful.

684. The representative of Somalia said that his delegation considered the Cyprus problem a domestic one. In the settlement efforts, no attempts should be made to change the status of Cyprus as an independent and sovereign State; nor should there be any interference from outside. Inasmuch as the political conflict would not be resolved by the mere adoption of a resolution every six months, the Council should find practical means to assist the parties in finding a lasting solution, though the final responsibility rested with the people of Cyprus.

685. The representative of Guinea said that the problem should be solved by peaceful means, on the basis of independence and national unity. His Government would reject any attempt to violate the sovereignty of Cyprus or to solve the question in any way advantageous to outside interests. A way must be found for the gradual withdrawal of foreign troops from the island. He hoped that by the end of the six-month period there would be a positive change in the current conditions.

686. The representative of the United States congratulated the Secretary-General and the parties to the intercommunal talks for their statesmanlike efforts leading to the resumption of talks and appealed to both sides to use their best efforts to make progress towards a settlement. Shooting incidents had decreased, but there had been no progress towards normalization, particularly in areas of deconfrontation, freedom of movement, economic development and the resettlement of displaced persons. He hoped that the resumption of

talks would restore the confidence required for agreement on normalization measures. UNFICYP had prevented further outbreak of civil strife, but the Council could not afford to extend its mandate indefinitely. Therefore the parties should move swiftly towards a settlement. He regretted that the cost estimate for extending the UNFICYP mandate had increased by about \$400,000 and hoped that a reduction could be made as no United Nations agency could afford to operate on a deficit basis. His delegation pledged its support to the Secretary-General's efforts to put the financial situation on a sound basis.

687. The representative of Sudan said that Cyprus should be a united, independent country. His delegation was opposed to any sort of interference in the affairs of Cyprus and hoped that the relations between the two communities would be strengthened and the aims of the United Nations realized.

688. The representative of Panama stressed that Cyprus, as a Member of the United Nations, had a right to be respected as an independent country, without any undermining of its territorial integrity or sovereignty. His delegation was concerned about the Secretary-General's description of the situation there and hoped that the people of Cyprus would soon be able to enjoy all the fundamental freedoms to which all men aspired.

689. The representative of France recalled that his delegation had stated previously that extension of the UNFICYP mandate should not be regarded as a ritual but should be accompanied by assurances that a solution was being sought. Current developments indicated that that appeal had been heeded; accordingly, he expressed appreciation for the efforts of the three Governments concerned, as well as those of the Secretary-General. Assessing the events of the period under review, he said that the search for a settlement should be pursued without delay. The first step had been taken when the intercommunal talks resumed in Nicosia, but any further delay might set off a new crisis. In view of the Council's responsibilities, it should ensure that no stone be left unturned to achieve a settlement, and the parties must be convinced of the importance that the Council attached to the steady pursuit of the talks.

690. The President, speaking as the representative of Yugoslavia, said that the presence of UNFICYP had preserved peace, however fragile, in Cyprus. That was no small accomplishment. Yugoslavia had always extended and would continue to extend its steadfast support to the free, independent, sovereign and non-aligned Republic of Cyprus, an equal Member of the United Nations, and to its unity and territorial integrity. The Council should continue to support efforts to promote normalization and thus a final settlement of the problem. The mutual understanding and agreement of all the people of Cyprus, of its two communities, and the right of the people of Cyprus to decide on its internal affairs without pressure from outside, should constitute the only basis for solution. His delegation welcomed the reopening of the talks and stressed that no efforts should be spared to ensure their success, as the outcome would have a beneficial impact on the whole area. He hoped that Greece and Turkey would also make a major contribution to the solution of the problems still facing Cyprus. His delegation expected that the success of the talks would facilitate the termination of UNFICYP's functions in the island.

691. The representative of Cyprus, speaking in exercise of the right of reply, said that Cyprus, as a Member of the United Nations, had an inherent right to look after its national security. However, when the question of arms importation had arisen, his Government had agreed to satisfactory arrangements in co-operation with the United Nations. He hoped that Cyprus would become a link of unity between Greece and Turkey and throughout the world.

692. The representative of Turkey, also exercising his right of reply, shared the sense of urgency expressed by the representative of Cyprus regarding a return to normalcy, stressing that the Turkish community was the principal victim of the current situation. He was encouraged that so many Council members had recognized the importance of Cypriot independence and agreed that Cyprus should be a bridge of peace between Greece and Turkey.

## **Chapter 10**

### **CONSIDERATION OF QUESTIONS RELATING TO AFRICA WITH WHICH THE SECURITY COUNCIL IS CURRENTLY SEIZED AND IMPLEMENTATION OF THE COUNCIL'S RELEVANT RESOLUTIONS**

#### **A. Request of the Organization of African Unity (OAU) concerning the holding of meetings of the Council in an African capital**

##### **1. COMMUNICATIONS TO THE SECURITY COUNCIL AND REQUEST FOR A MEETING**

693. By a letter dated 13 July 1971 (S/10272), the Executive Secretary of OAU transmitted to the President of the Security Council the texts of a number of resolutions adopted by the Assembly of Heads of State and Government of OAU, at its eighth session, among them one entitled "Convening of a special session in Africa of the United Nations Security Council on decolonization problems". That resolution recommended that OAU, through the African group at the United Nations, introduce a request for the convening early in 1972 of a special session of the Security Council in Africa devoted solely to measures to be taken with a view to implementing the various United Nations resolutions on questions relating to Africa.

694. In a letter dated 23 December addressed to the President of the Security Council (S/10477), the representative of Guinea extended a formal invitation to the Security Council to hold a meeting in Conakry and offered to place at the Council's disposal all the technical and practical facilities that it would require for its meetings and to bear the costs involved.

695. By a letter dated 29 December (S/10480), the Secretary-General transmitted to the President of the Security Council the text of General Assembly resolution 2863 (XXVI) of 20 December 1971, drawing his attention, in particular, to paragraph 2, inviting the Security Council to consider the request of OAU concerning the holding of meetings of the Security Council in an African capital.

##### **2. CONSIDERATION AT THE 1624TH AND 1625TH MEETINGS (11 JANUARY 1972)**

696. At its 1624th meeting, on 11 January 1972, the Security Council included in its agenda an item entitled "Request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital".

697. The President stated that he had completed individual consultations with members of the Council concerning the holding of Council meetings in an African capital. In the course of those consultations, the majority of members had agreed to the following points: (a) the Council should accede to the request

of OAU to hold meetings in Africa during the early part of 1972, preferably towards the end of January and the beginning of February; (b) the Council should hold its meetings in one capital only and the period to be allotted for its stay in Africa should be no more than seven working days; (c) the capital chosen should be able to provide regular and frequent international air communications, efficient and adequate international telecommunications and adequate hotel accommodation; (d) it would be advantageous if the venue chosen were one where the majority of members had resident diplomatic representation; (e) in addition to the capitals of Senegal, Zambia and Guinea as possible venues for the meetings, consideration should be given to holding the meetings in Addis Ababa, which, besides having excellent conference facilities, was also the headquarters of OAU and the United Nations Economic Commission for Africa (ECA). Preliminary inquiries revealed that conference facilities would be available in Addis Ababa between 24 January and 4 February. In planning arrangements for the projected meetings in Africa, it was also agreed that (a) the Secretariat should be scrupulous in its regard for maintaining costs of conference services to their absolute minimum; (b) consecutive interpretation would not be required for the period; and (c) full conference services in all languages would be required. Inasmuch as the request of OAU could lead to requests from other regional organizations in the future for meetings of the Security Council in their areas, it would be desirable for the Council to establish a committee, under Article 29 of the Charter and rule 28 of the provisional rules of procedure of the Security Council, to set up general guidelines that could be applied in all such situations that might arise in future. The President suggested that the Committee should be convened immediately following the meeting of the Council, so that it might examine all questions relating to the projected visit of the Council to Africa and submit its report not later than 14 January. He urged the Council immediately to decide to accede, in principle, to the request of OAU that it hold meetings in an African capital early in 1972, preferably at the end of January and early in February, and to establish a committee composed of all members of the Security Council.

698. The representative of the United States of America said that, in principle, he favoured occasional meetings of the Security Council outside New York; but several factors required further consideration and, for that reason, he supported the suggestion that a

committee-of-the-whole be empowered to submit recommendations to the Security Council. The General Assembly's Fifth Committee had estimated the cost of Council meetings in an African capital at between \$150,000 and \$200,000. Before the Council took a final decision, a more detailed study was needed, based on a very careful itemization of the costs involved, including a precise identification of all practical arrangements. He also pointed out that any delegation that wished to observe the proceedings of the Council during its visit to Africa should be allowed to do so without restrictions.

699. The representative of the Sudan said that when the Assembly had determined that a special session of the Security Council should be held in Africa, it had shown its acute awareness of the current threat to world peace resulting from the colonialist presence in that continent. An awareness of that threat to world peace had to be made palpable to the members of the Council, inasmuch as the Council had primary responsibility for the maintenance of world peace.

700. The representative of China said that it was only natural that at its meetings in Africa the Council should concentrate on the discussion of important problems facing Africa, including the question of Southern Rhodesia, sanctions against Southern Rhodesia, the question of Namibia, the question of *apartheid* and support for the national independence of the peoples of Africa. The four countries mentioned as a site could all be considered, but Lusaka and Conakry were relatively ideal. He agreed that the meetings should be held between the latter part of January and the early part of February.

701. The representative of Japan said that Japan was in basic agreement with the idea of holding meetings of the Security Council in Africa. It was necessary to prepare and study most carefully all practical aspects of the question, such as the financial implications, conference and communication facilities, hotel accommodations and the agenda items. Japan favoured the establishment of a working group to study those questions.

702. The representative of Panama said that his country was in favour of convening Security Council meetings in Africa. It considered the practice of holding Council meetings away from Headquarters to be sound and would consider the possibility that next year meetings might be held somewhere in Latin America. For that purpose, Panama was offering its capital city as a site for such meetings.

703. The representative of the Union of Soviet Socialist Republics said that meetings of the Council in Africa would enable it to consider problems of great concern to the peoples of Africa which directly touched upon the problems of decolonization in Africa. Such meetings would go far towards stimulating the work of the Council, would give the Council an opportunity to acquaint itself more closely with the concerns and aspirations of the peoples of Africa and would enable the Council to hear at first hand the views of persons who could give the Council important and useful information for a better understanding of modern Africa. At its meetings in Africa, the Council should consider the general problems of colonialism, *apartheid* and racial discrimination. It should bear in mind that the United Nations had acknowledged the principle of the legitimacy of the struggle of peoples for their national liberation and independence, a principle that had be-

come a recognized norm. The main tasks in that area were the elimination of the racist minority régime in Southern Rhodesia and the immediate transfer of power to the lawful masters of the country, the Zimbabwe people; there must be an end to the inhuman policy of *apartheid* in South Africa, the people of South Africa and the people of Namibia must be liberated from the colonial yoke and there must be an end to Portuguese colonialism. He supported the appointment of a preparatory committee but suggested that a very tight time-limit should be established for its work, with the committee bearing in mind that a session of the Council must be held in Africa and avoiding any delay. The USSR was prepared to go to either Conakry or Lusaka, as mentioned by the President in his introductory statement.

704. The representative of Yugoslavia said that the time had come for a Council meeting in Africa—a continent whose numerous members' participation in and contribution to the United Nations were so great and whose problems had such an important place on the Council's agenda. The problems of decolonization and the struggle against *apartheid* and racial discrimination in Africa required the Council's undivided attention. There was no reason to postpone unduly the first session of the Council in Africa. Its meeting there would indicate a collective political will and the fact that the Council was ready to cope with African problems on African soil.

705. At the 1625th meeting, also on 11 January, the representative of India stated that a decision by the Security Council to meet in Africa early in 1972 would reaffirm the Council's deep concern for the special problems of Africa and their importance for the maintenance of international peace and security. He agreed that a committee should be charged with working out guidelines to establish a kind of precedent, not firm, not final, but a precedent to guide the work for other meetings of the Council held outside Headquarters. The financial burden to the United Nations should be lessened, and smooth functioning of the meetings should be ensured. Above all, the venue and timing of the meetings should be carefully selected to reflect the continued unity and solidarity of Africa in the face of the problems to be considered.

706. The representative of Italy said that his country was willing to go along with the proposal to hold a short session of the Council in an African capital, though with some reservations. Before the decision was taken to leave Headquarters, there must be a clear idea of how to solve a number of legal, technical and, especially, financial problems. In particular, it must be ensured that the Council would be able to meet any unforeseen or unexpected situation in the world, and, at the same time, the Council must be guaranteed the same conditions of operation in Africa that it had at Headquarters. Given the seriously deteriorating financial situation facing the United Nations, the utmost should be done to contain the costs of the meetings within the limits of indispensable minimum expenses. The Council should go to Africa only on the condition that those limits were not exceeded. The committee should give highest priority to establishment of the Council's agenda for its meeting in Africa. He was doubtful that, if the committee had to report back within three days, it would have enough time to recommend general guidelines for all meetings of the Council away from Headquarters. It would be wiser at that stage to

concentrate attention on the practical problems relating to the planned session in Africa.

707. The representative of France said that his country willingly accepted the principle of meetings of the Security Council in Africa and would participate in discussions for the implementation of that principle. He approved of appointing a committee to prepare for the meeting and emphasized the importance of adequate preparations, since success would depend very largely on the technical, administrative and political conditions under which the meetings took place.

708. The representative of Argentina said that it was from the African continent that most countries had emerged to independence in recent years and it was from that continent that the largest numbers of countries had become Members of the United Nations. Africa was the continent which, together with its brothers of Asia and Latin America, had the most problems in respect of economic development and access to full independent life. It was logical that meetings of the Security Council—the first away from Headquarters since 1951—should be held in Africa to allow a general review of African problems and to bring to the countries of that continent the feeling that the highest executive body of the Organization was fully aware of and interested in its problems.

709. The representative of Belgium said that his country accepted the principle of a Security Council session in Africa in 1972 and subscribed to the idea that a working group of the Council should consider the various aspects and problems raised by the session.

710. The representative of the United Kingdom of Great Britain and Northern Ireland said that he realized the importance of African problems to the United Nations and wanted to co-operate with OAU in its request to hold a session of the Security Council in Africa. However, there were difficult problems involved. There was the question of principle, which required the Council to be organized so that it might function continuously. It had to be in a position to deal with emergencies and could not afford to be immobilized. Certain incidents required emergency action, and that was a problem which could not be ignored. Guidelines should be drawn for the conduct of any meeting away from New York. Ground rules for a meeting in Africa, if well done, should be of general applicability. The question of finance was an important one, and the Security Council, as the most responsible body in the United Nations, should act responsibly and not waste money. No decisions should be made on meeting away from Headquarters until the committee examining the issues was heard from.

711. The representative of Guinea said that his delegation subscribed to the idea of setting up a committee to study the various aspects of holding meetings of the Security Council in Africa. Whatever the conclusions drawn by the committee, Guinea reaffirmed its invitation to the Council to come to Conakry, the headquarters of OAU's sub-committee for the liberation of Africa and of the PAIGC liberation movement, the capital of a country bordering on the Portuguese enclave where bloody repression existed and whence came continuing threats to the peace and security of Guinea and other African countries.

712. The President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the discussion without vote.

713. The representative of Saudi Arabia said that a session of the Council outside New York should not constitute a precedent, unless the country or group of countries that demanded another such session agreed to foot the entire bill. He suggested that the non-permanent members should contribute towards the expenses of meetings in Africa in accordance with their assessments in the United Nations and that the remainder of the cost should be distributed *pro rata* among them and the five permanent members. A precedent should not be created by meeting in Africa. There might next be a request for a meeting in Asia, Latin America or the Far East, and the Council would not be able to say no. A financial understanding should be reached before a meeting away from Headquarters was agreed to.

**Decisions:** *At the 1625th meeting, on 11 January 1972, the Security Council decided without objection: (a) to accede in principle to the request of the Organization of African Unity to hold meetings in an African capital early in 1972; (b) to hold the meetings preferably in a period between 20 January and 20 February 1972; and (c) to establish a committee composed of all members of the Security Council to be called the Security Council Committee on Council Meetings away from Headquarters, to examine the question in all its aspects and to draft general guidelines that could be applied in all similar situations that might arise in the future.*

### 3. REPORT OF THE SECURITY COUNCIL COMMITTEE ON COUNCIL MEETINGS AWAY FROM HEADQUARTERS

714. On 18 January 1972, the Security Council Committee on Council Meetings away from Headquarters submitted its report (S/10514) to the Security Council. The Committee had held eight meetings between 12 and 18 January and had agreed to strive to arrive at unanimous decisions on all matters before it, but, should that not prove possible, to have its report reflect the positions taken by all members. The Committee also had agreed to follow the usual practice of having the Chairmanship rotate on a monthly basis as was done with the Presidency of the Security Council, should its work continue beyond January 1972, as might be expected in the light of its task of trying to draft general guidelines that could also be applied in future. One chapter of the report dealt with the Committee's consideration of administrative and technical questions and another with legal and political questions. Annex I to the report contained a working paper on cost estimate, and annex II, a working paper on legal aspects of arrangements for the convening of meetings of the Security Council outside Headquarters.

715. The Committee reported that, at its first meeting, the Chairman had indicated that a questionnaire had been submitted by the President of the Security Council to the Governments of Ethiopia, Guinea, Senegal and Zambia, which had offered to act as host to the Council meetings in Africa, concerning the facilities available in their respective capitals to accommodate meetings of the Security Council.

716. At the Committee's request, the Secretariat had provided the Committee with data concerning the existing resident diplomatic representation of the members of the Security Council in the four places mentioned, the number of Council meetings held away from Headquarters in the past and the number of Council meetings devoted in recent years to questions concerning Africa.

717. In connexion with the discussion concerning the period of time which the Council should contemplate spending away from Headquarters, several representatives had emphasized the importance of the principle contained in Article 28, paragraph 1, of the Charter, which stipulated that, in view of its primary responsibility for the maintenance of international peace and security, the Security Council should be so organized as to be able to function continuously. Attention had been drawn to the importance of immediate access to the Council by all Members of the United Nations at all times, the necessity of having rapid communications readily available at all times, the possibility of the occurrence of unforeseen emergencies that might oblige the Council to return urgently to Headquarters and the importance of ensuring the success of the Council's first meetings in an African capital.

718. In the light of all relevant information gathered with regard to the expenses involved and the facilities available in each of the four capitals considered, the Committee had decided to recommend Addis Ababa, as the site for the Council's meetings, to be held from Friday, 28 January 1972 to no later than Friday, 4 February 1972.

719. The Committee had further decided to recommend to the Council that it request the Secretary-General to enter into immediate negotiations with the Government of Ethiopia with a view to concluding a conference agreement along the lines set out in the working paper.

720. In connexion with the provisional agenda for the meetings of the Security Council to be held in Africa, there had been unanimous agreement that any formulation should be in sufficiently general terms to permit all participants to address themselves to any matters related to Africa with which the Security Council was seized and which were of particular concern to them. Several members had referred to the wish expressed by OAU in its resolution requesting a session of the Security Council that such a session be devoted to specific African problems, and a number of formulations had been put forward for consideration. After extensive discussion and informal consultations, the Committee had reached a consensus that it included in the text of the draft resolution that it was recommending to the Security Council.

721. Another matter that had been raised was the procedure to be followed with regard to the anticipated requests to address the Council. After considerable discussion, the Committee had agreed to recommend that the Security Council establish, if necessary, a sub-committee of five of its members to examine and make recommendations on all invitations to be extended under rule 39 of the provisional rules of procedure of the Security Council.

722. Finally, the Committee had agreed to defer to a later stage its work on other aspects of its mandate, in particular, the Council's directive that the Committee should endeavour to draft general guidelines that could be applied in all similar situations that might arise in future in connexion with Article 28, paragraph 3, of the Charter.

723. The Committee's recommendations to the Council had been adopted unanimously and included the following draft resolution:

*"The Security Council,*

*"Having considered at the invitation of the General Assembly, the request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital (paragraph 2 of General Assembly resolution 2863 (XXVI); S/10480),*

*"Recalling the decisions taken at its 1625th meeting on 11 January 1972,*

*"Recalling in particular the decision to accede in principle to the request of the Organization of African Unity,*

*"Taking note, with gratitude, of the offers by the Governments of Ethiopia, Guinea, Senegal and Zambia to act as hosts to the Security Council in their respective capitals,*

*"Having discussed the report of the Committee on Council Meetings away from Headquarters (S/10514),*

*"Taking note, in particular, of the statements concerning cost estimates reproduced in annex I of the Committee's report,*

*"Bearing in mind the recommendations submitted by the Committee in chapter VI of its report,*

*"1. Decides to hold meetings in Addis Ababa, beginning on Friday, 28 January 1972 and ending not later than Friday, 4 February 1972, devoted to the 'Consideration of questions relating to Africa with which the Security Council is currently seized and the implementation of the Council's relevant resolutions';*

*"2. Expresses its gratitude to the Government of Ethiopia for its stated readiness to act as host to the Security Council meetings and to provide certain facilities without cost to the United Nations;*

*"3. Requests the Secretary-General to enter into immediate negotiations with the Government of Ethiopia with a view to concluding a conference agreement along the lines set out in annex II of the Committee's report."*

#### 4. CONSIDERATION AT THE 1626TH MEETING (19 JANUARY 1972)

724. The Security Council considered the report of the Committee on Council Meetings away from Headquarters (S/10514) at its 1626th meeting on 19 January.

**Decision:** *At the 1626th meeting, on 19 January 1972, the recommendations contained in paragraph 29 of the Committee's report (S/10514) and the draft resolution recommended in paragraph 30 were adopted without objection as representing the consensus of the views of the members of the Council. The draft resolution was adopted unanimously as resolution 308 (1972).*

725. In connexion with the Council's decision, statements were made by the representatives of France, the United States, China, Italy, the Sudan, the USSR, Guinea, Japan, India and the President, speaking as the representative of Somalia.

#### B. Meetings of the Security Council in Addis Ababa from 28 January through 4 February 1972

726. In accordance with its resolution 308 (1972), the Security Council held 13 meetings—1627th to

1639th—in Addis Ababa from 28 January to 4 February 1972. The provisional agenda for those meetings, as recommended by resolution 308 (1972), was “Consideration of questions relating to Africa with which the Security Council is currently seized and the implementation of the Council’s relevant resolutions”. During the course of these meetings, the Security Council received messages from the President of Egypt, the Prime Minister of India, the President of the Sudan and the President of Yugoslavia. These messages were read into the record of the Council by its President.

727. At its first meeting in Addis Ababa, the Council was addressed by the Emperor of Ethiopia, His Imperial Majesty Haile Selassie I, and by the President of Mauritania, His Excellency, Moktar Ould Daddah, in his capacity as Chairman of the Assembly of Heads of State and Government of OAU at its eighth session. At the same meeting, the Council also heard addresses by the Secretary-General and by the Secretary of State for Foreign Affairs of Somalia, speaking in his capacity as President of the Council.

728. In his address, Emperor Haile Selassie, after expressing his pleasure at having the Council hold meetings in Africa in the capital of his country, stated that the developments of the past few years in southern Africa had confirmed the fact that increased repression always created more resistance from the repressed people, thus bringing about a situation full of violence and a threat to peace. The Security Council, therefore, was duty-bound to take effective measures to remove the danger to international peace and security created by colonialism and racism and thereby serve the lasting interests of mankind.

729. Mr. Ould Daddah stated that the Security Council’s decision to meet in Africa to seek practical means to implement its numerous resolutions on decolonization and *apartheid* was timely, as the people of Africa had started to feel frustrated at the lack of progress by the United Nations in solving the various African problems entrusted to it. A new approach was needed that would place upon the Security Council, particularly its permanent members, the responsibility for supervising the full implementation of the Council’s decisions. In the case of Namibia, for example, a committee of the Security Council, composed primarily of its permanent members, should immediately find ways and means of taking charge of the administration of that Territory and leading it to independence.

730. The Security Council should similarly discharge its responsibility towards Rhodesia. Taking note of the failure of the so-called settlement efforts between the United Kingdom and the minority régime in Rhodesia, it should declare the agreement between them invalid. It was incumbent upon the United Kingdom to begin negotiations with the authentic representatives of the African people of Zimbabwe to bring about the majority rule in that Territory. The Council must also meet the challenges to its authority from South Africa and Portugal. It was time that those countries should be suspended from membership in the United Nations. Such a decision would have the advantage of immediate applicability in contrast to the application of economic sanctions, which were being subjected to capricious interpretations. It was the hope that the Council would be able to find solutions to the tragic situations imposed on 30 million Africans that had

motivated the Assembly of Heads of State and Government of OAU to invite the Security Council to meet in Africa and to wish it complete success in its task.

731. In his address, the Secretary-General stated that the Security Council’s session in Africa was not only a historical event for Africa but for the United Nations itself. For the first time, the Council had transferred itself closer to the scene of actual suffering from wounds inflicted on the body politic of Africa by colonialism and racism. In the course of a week, the Council might not be able to heal those wounds but could establish a plan of recovery and could mobilize forces from all parts of the world to help solve Africa’s problems.

732. The President said that by accepting the invitation of OAU to meet in Africa, the Council was carrying out not only an important function in accordance with Article 28, paragraph 3, of the Charter but was giving effect to the co-operation with regional organizations envisaged in Article 52 as an aid to the task of peace-keeping. The African problems with which the Council would currently be engaged were all problems that threatened the peace of Africa directly and were potential threats to international peace and security. By deciding to meet in Africa, the Council would be able to take a fresh look at those problems and to receive the views of a much wider cross-section of Africa. Moreover, the Council’s session would help in focusing world attention on the evils engendered by racism and colonialism in southern Africa. Thus, the Council, after further clarifying the issues that threatened international peace, could then determine the measures necessary for their solution.

733. At its 1628th meeting, held on the same day, the President, after drawing attention to a note by the Secretary-General (S/10600) concerning the decisions taken by three United Nations bodies to designate representatives to address the Council at its session in Africa, invited, with the consent of the Council, the representative of the Special Committee on *Apartheid*, 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 and the President of the United Nations Council for Namibia. With the consent of the Council, he also invited, pursuant to their request (S/10601), the representatives of Cameroon, Congo, Egypt, Ethiopia, Ghana, Kenya, Liberia, Malawi, Mauritius, Morocco, Senegal, Tunisia, Uganda, the United Republic of Tanzania, Zaire and Zambia to participate in the discussion without the right to vote.

734. At the same meeting, the representative of Egypt stated that his country, which also had suffered from the doctrine of exclusiveness, knew full well that the racial philosophy of “chosen people” or “white superiority” was the main cause of aggressive actions in southern Africa. The authorities in South Africa, Rhodesia and the Portuguese-occupied Territories, acting in collaboration with one another and with the support of foreign economic interests, were resorting to military operations to crush legitimate liberation movements. In those circumstances, the United Nations should reaffirm the legitimacy of the struggle for liberation; it should take effective measures under Chapter VII of the Charter to ensure the removal of South Africa from the Territory of Namibia and to secure the transfer of power to the people of Zimbabwe on the

basis of majority rule. The Council must also impose sanctions against the South African and Portuguese Governments, which had refused repeatedly to implement the Council's decisions and thus had violated Article 25 of the Charter.

735. The representative of Zambia stated that the United Kingdom settlement proposals for Southern Rhodesia had aroused the indignation of the people of Zimbabwe and that their spontaneous demonstration against the Pearce Commission had indicated clearly their total rejection of those proposals. In view of that rejection, the Council must ask the United Kingdom to recall the Pearce Commission and to convene immediately a constitutional conference representative of all the people of Zimbabwe to determine the future of that Territory. The Council must also assume direct and effective control of the Territory of Namibia, pending an early exercise by the Namibian people of their right to self-determination. In that respect, it might be recalled that the success achieved by the Ovambo people in Namibia was an important experience in their struggle for independence. The United Nations, its specialized agencies as well as its Member States, must continue to give all possible assistance to those fighting against *apartheid* and support the liberation movement in the Territories occupied by Portugal. The allies of Portugal in NATO must stop giving Portugal military assistance, which that country was using against the people in the Territories under its occupation.

736. The representative of Pakistan, speaking as President of the United Nations Council for Namibia, stated that the three major organs of the United Nations, the General Assembly, the Security Council and the International Court of Justice, had stated that the continued presence of South Africa in Namibia was illegal and that South Africa was under an obligation to withdraw its administration from that Territory. They had affirmed also that the United Nations had direct responsibility for Namibia. Since the United Nations had that responsibility, it was duty-bound to see that the integrity of the Territory was not destroyed by the application of the policies of *apartheid* by South Africa. The United Nations Council for Namibia was to administer the Territory until its independence. However, the effectiveness of the Council was seriously impaired by the fact that it had not had the support of all the permanent members of the Council. By its resolution 2781 (XXVI), the General Assembly had requested the Secretary-General to hold consultations with members of the Security Council in order to increase the efficiency of the United Nations Council for Namibia. He hoped that the Security Council, during its current session in Africa, would be able to provide the United Nations Council for Namibia with the appropriate means for fully discharging its responsibilities towards that Territory. Recalling that some 13,000 Namibian labourers had been striking for six weeks in defiance of the contract labour system, he stated that the Council for Namibia had called for an immediate end to that system and had also called upon all foreign corporations operating in the Territory to cease using it. The strike by Namibian labourers was the first crack in the oppressive régime erected by South Africa, and it was incumbent upon the Security Council to ensure that that movement was not crushed. One immediate step that the Security Council could take would be to call upon Member States whose nationals and corporations had economic or financial interests in Namibia to direct them to cease using the contract labour system

and to refuse to become parties to any agreement with South Africa in settling the strike. The United Nations Council for Namibia, he said, would also like the Security Council to consider another serious problem, namely, the plundering of Namibia's natural resources under the illegal occupation by South Africa. In conclusion, he stated that, in order to enable the United Nations to discharge its responsibilities towards Namibia, the Security Council should not hesitate to take appropriate measures under Chapter VII to compel South Africa to withdraw its administration and presence from the Territory.

737. The representative of Trinidad and Tobago, speaking as the representative of the Special Committee on *Apartheid*, recalled that in resolution 182 (1963), the Security Council had declared that the solution of the situation created by the pursuit of the policies of *apartheid* required the full application of human rights to all the inhabitants of South Africa, regardless of race, colour or creed. Instead of any improvement, he stated, the situation of the non-whites had grown progressively worse with the enactment of increasingly repressive legislation. The Special Committee had emphasized repeatedly the fact that military assistance to South Africa only strengthened the ability of the ruling circles of that country to continue their repressive policies. In spite of the Security Council's resolutions 181 (1963), 182 (1963) and 282 (1970) on arms embargo, violations of those resolutions had continued. Members of the United Nations were under obligation to accept and carry out the Council's mandatory decisions. The Special Committee was deeply concerned that South Africa should receive no more help to increase its military capability. In that respect, it might be recalled that the General Assembly, in its resolution 2775 (XXVI), had asked the Security Council to take further measures to secure full implementation by all States of Council resolution 282 (1970) on arms embargo. The General Assembly also had urged the Security Council to consider urgently the situation in South Africa with a view to adopting effective measures, including those envisaged under Chapter VII of the Charter.

738. At the 1629th meeting, on 29 January, the representative of Kenya stated that the so-called British proposals of settlement with the illegal Smith régime and the subsequent appointment of the Pearce Commission had not given any hope to the majority of people of Southern Rhodesia. A referendum of the people or national elections under the supervision of the United Nations would have met adequately the demands of the situation in Southern Rhodesia. Because of the overwhelming evidence that the Pearce Commission would not be able to come out with findings acceptable to the people of Southern Rhodesia, the United Kingdom Government should work towards a genuine solution of Southern Rhodesia's problems. Moreover, once an acceptable settlement was reached, its enforcement should be guaranteed by means of a British military presence in Southern Rhodesia.

739. In order to safeguard majority rule, it was essential that Africans be given representation at the decision-making levels in the Rhodesian armed forces and executive jobs in the civil service. What was needed was a round-table conference under the aegis of the United Nations to work out an equitable settlement of the Southern Rhodesian question. Turning to

South Africa, he said that that Government, in order to break its isolation from world community, had offered to hold dialogues with free African States. That offer, however, was not genuine, as all peaceful solutions had been spurned by South African authorities. Moreover, any dialogue would only result in disrupting the liberation movement and give encouragement not only to South African authorities but to Portugal and the illegal régime of Southern Rhodesia. In fact, the Security Council should seriously consider armed intervention, in accordance with the relevant Articles of the Charter, as the situation in Namibia gravely threatened international peace and security. Kenya would also appeal to the NATO allies of Portugal to desist from militarily assisting Portugal, as that help enabled it to hold on to its Territories in Africa.

740. The representative of Cameroon stated that, as a result of the powerful support given to them, South Africa, the Southern Rhodesian régime and Portugal had been able to maintain their hold on African Territories. Therefore, in its current session in Africa, the Security Council must take all necessary measures to restore the right of self-determination to the people of Namibia, and to end *apartheid* in South Africa and colonial rule in the Portuguese African Territories. At the same time, efforts must be made to reach a settlement in Zimbabwe in consultation with the representatives of the majority of the population of that Territory.

741. The representative of the United Republic of Tanzania, speaking as 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, stated that the grave situation in southern Africa had continued to deteriorate and posed a threat to international peace and security. It was in that part of Africa that over 18 million people remained under colonial domination, deprived of the most fundamental human rights. That situation prevailed because of the massive economic and military assistance that those régimes in southern Africa had been able to receive. The Special Committee already had made a number of concrete proposals to meet that situation. It would once again urge that the Security Council widen the scope of the sanctions against the illegal régime of Southern Rhodesia by declaring mandatory all the measures laid down in Article 41 of the Charter. It should also give serious consideration to imposing sanctions against South Africa and Portugal and to adopting measures to prevent the supply of arms to Portugal, which was using those arms, particularly those from its NATO partners, to suppress the liberation movements in the Territories under its occupation. The Council must urge all States to take all necessary measures to ensure the immediate withdrawal of the South African presence from Namibia, thereby making possible the full implementation of General Assembly resolution 1514 (XV) in respect of that Territory.

742. The representative of Senegal stated that the increasing number of African questions considered by the Security Council and the slow implementation of the Council's decisions concerning those problems had been the main reason for the OAU's request to have the Security Council meet in Africa. For example, Portugal's aggression against African States and denial of self-determination to the Territories it occupied had continued, despite the Security Council's unequivocal condemnations, the latest of which was contained in resolution 302 (1971) of 24 November 1971. That

defiance by Portugal had been helped by its NATO partners, as Portugal by itself was not capable of bearing the financial burden of its warfare in Guinea (Bissau), Mozambique and Angola. However, while Portugal continued its defiance of the Security Council's resolutions, the national liberation movements in the Territories under Portuguese control had continued their efforts to liberate and to reconstruct. In the liberated part of Guinea (Bissau), nation-building efforts had been going on and national elections were being held there. Africans expected the Council to give its full support to the liberation movements.

743. The representative of Congo stated that the African representatives were forced to repeat their charges and their demands, because despite the Security Council's numerous resolutions, the situations in the African Territories under Portuguese occupation, in Namibia, in Southern Rhodesia and in South Africa had not changed. It was, therefore, imperative to ask the Council to redouble its efforts to remedy those situations and to take measures for the liberation of the Territories dominated by colonialist and racist régimes. In that respect, Congo would support the proposal to set up a special fund to support the activities of the liberation movements.

744. The representative of Morocco stated that his country would like the Security Council to adopt practical measures whereby the objectives of its various resolutions could be achieved in the African Territories under colonial rule or oppressed by minority racist régimes. The Council should also put into effect the legality that majority rule, with full rights, should prevail in Zimbabwe. The defiance of the South African régime had reached the point where it threatened the territorial integrity of neighbouring African States. The policies of discrimination practised by South Africa and Portugal in Africa must be put to an end effectively by the Council.

745. At the 1630th meeting, on 31 January, the President, with the consent of the Council and pursuant to their requests, invited the representative of Algeria (S/10601/Add.1) and the representatives of Burundi and Libya (S/10601/Add.2) to participate in the discussion without the right to vote. He also drew attention to the text of a letter received from the representatives of Guinea, Somalia and the Sudan (S/10602/Rev.1), requesting that a number of individuals named therein be invited to address the Council under rule 39 of the provisional rules of procedure. After a brief procedural discussion, in which the representatives of the USSR, the United States and the President participated, the Council agreed in principle, to extend invitations, under rule 39 of its provisional rules of procedure, to the persons mentioned in the letter.

746. At the same meeting, the representative of Zaire stated that the majority of the 28 million people still under colonial domination lived in the Territories under Portuguese occupation. Most of the other colonial Powers had granted independence to their former African colonies, but Portugal had continued its defiance of the purposes and principles of the Charter and the various United Nations resolutions by claiming that its African colonies were an integral part of its territory. Moreover, as was evident from the recent complaints submitted to the Council, Portugal was even attacking the territories of the neighbouring independent African States. Zaire had paid particular attention

to the liberation movements in Angola, one of the African Territories occupied by Portugal. It had taken the initiative in reconciling the two liberation movements in that Territory, the MPLA and FNIA. There were more than 600,000 Angolans living in Zaire, which placed a very heavy economic burden on it. There was no way out but for Portugal to recognize the liberation movement and to negotiate with its leaders the transfer of power to the people of the Territories.

747. The representative of Uganda stated that the main purpose of the Council's session in Africa was to take measures towards translating the resolutions of the United Nations on decolonization and *apartheid* into action. For example, it was time that all Security Council resolutions on Southern Rhodesia be fully implemented, particularly resolution 288 (1970), which called upon the United Kingdom to take effective measures to bring to an end the illegal rebellion in Southern Rhodesia. The United Kingdom, therefore, must exercise its authority as an administering Power and take steps to grant a constitution that was acceptable to the majority of the people of Southern Rhodesia. On Namibia, the Council must take effective steps to enforce the advisory opinion of the International Court of Justice, which had declared the presence of South Africa in Namibia to be illegal. It should also establish political machinery that would enable the people of Namibia to attain independence through self-determination. The Council must dissuade Portugal's allies from assisting it militarily and economically, as that help enabled Portugal to suppress the liberation movements. Similarly, if the racial policies pursued by South Africa were not changed, a racial holocaust was inevitable. It was, therefore, imperative that the Council, charged with the task of maintaining international peace and security, take effective action to stop the outbreak of racial war in southern Africa.

748. The representative of the United Republic of Tanzania stated that there was no doubt that the people of Southern Rhodesia had rejected the United Kingdom settlement proposals. The only safe course for the United Kingdom was to withdraw the Pearce Commission and to take measures to have power transferred to the representatives of the majority of the people of Southern Rhodesia. As regards Namibia, the United Nations should immediately take over the administration of that Territory, and it would be appropriate that the Security Council should take such a decision while on African soil.

749. The representative of China said that the heroic African people had never yielded to imperialist and colonialist oppression, that they had launched wave upon wave of resistance against imperialist and colonialist invasion and rule, and had thus written brilliant chapters in the history of the anti-imperialist and anti-colonialist struggle of the people of the world. After the Second World War, the political consciousness of the African people had risen and the national independence movement on the African continent had mounted as it never had before, and a series of countries had won independence one after another. Africa, which had long been slanderously called the "dark continent" by the western colonialists, became now a forefront ablaze with the struggle against imperialism. The present situation in Africa was very good. Those countries that had won independence were waging persistent struggles to oppose imperialism, colonialism

and neo-colonialism and develop national economy and culture, and were winning continuous victories. More and more African countries were getting further united to jointly oppose the aggression, subversion, control, interference and bullying by imperialism, social-imperialism, colonialism and neo-colonialism. African countries were playing an increasingly important role in international affairs. The national liberation movement in Africa was converging with that in Asia and Latin America to form a powerful torrent of revolutionary struggle pounding the reactionary rule of imperialism. The development of the situation in Africa was eloquent proof of the irresistible historical trend of the present world that countries wanted independence, nations wanted liberation and the people wanted revolution. Imperialism, colonialism and neo-colonialism were not reconciled to their defeat in Africa and were trying to stage a come-back; and social-imperialism was actively infiltrating into Africa in an attempt to contend with colonialism and neo-colonialism for spheres of influence. Their scheming and disruptive activities were seriously threatening the independence and security of the African countries. Imperialism, colonialism and neo-colonialism were giving aid to the white racist régimes in South Africa and Rhodesia and to the Portuguese colonialist authorities for joint suppression of the national liberation struggles of the local peoples in an attempt to perpetuate their colonialist plunder of southern Africa and to direct military threats and armed provocations against neighbouring independent African countries. All these were urgent problems now facing Africa. According to the purposes and principles of the United Nations Charter, the United Nations should support the African peoples' just cause of opposing imperialism, colonialism and neo-colonialism and winning and safeguarding national independence. The Chinese Government firmly maintained that the scheming activities of imperialism, colonialism and neo-colonialism to undermine the independence and sovereignty of African countries must be checked effectively, and that the white racist régimes in South Africa and Rhodesia and the Portuguese colonialist rule must be brought to an immediate end, so that the peoples of Azania, Zimbabwe, Namibia, Angola, Mozambique, Guinea (Bissau), etc. could achieve national independence free from any outside interference.

750. The representative of Yugoslavia stated that his country, in a concerted action with other non-aligned countries and within the framework of the United Nations, had striven for implementation of the principles of the Charter in Africa, in order to rid that continent of the evils of colonialism, racial discrimination and foreign occupation. The emancipation of Africa had, indeed, benefited the world community itself by the contribution of its leaders to world peace and their keeping a large part of that continent free of the rivalries of the bloc policies. In that respect, it must be recalled that almost all the African problems on the Council's agenda were either inflicted or aggravated from outside. The strategic military and economic interests of some colonial Powers were the root cause for their supporting the racist régime in South Africa and its illegal occupation of Namibia, the situation in Southern Rhodesia and the continuation of the Portuguese colonial rule in African Territories. Those racist and colonial régimes were aided by the monopolists in some of the most industrialized countries. The global aspects of the African

problems made it incumbent upon the Security Council to take effective action for the full implementation of all its relevant resolutions on African questions. Yugoslavia believed that the Council's decision to meet in Africa was an indication of its determination to continue its efforts in that respect until Africa was liberated from colonialism and racism. Furthermore, by meeting in Africa, the Council had the advantage of hearing the true representatives of Africa directly. The United Nations, which had long recognized the legitimacy of the liberation movement in southern Africa, had thus given them additional support by facilitating their participation in the Security Council's deliberations in Addis Ababa. At the same time, the Council should realize that some of its decisions, despite the obligations undertaken by Member States under Article 25, had been violated and should apply Articles 41 and 42 of the Charter against the colonialist and racist régimes in southern Africa, as their actions had been without doubt a threat to international peace and security. In order to make it possible for the Security Council to be effectively and continuously engaged in following the implementation of its own resolutions on African questions, it might consider establishing additional new procedure, for example, holding periodic meetings, sending missions to the areas and establishing special reporting and monitoring techniques. It could develop further the existing structure of co-operation between OAU and the various United Nations bodies dealing with African problems. The United Nations should, indeed, become the best instrument of achieving the objectives of the African people.

751. The representative of Argentina stated that the basis of all the African questions on the agenda of the Security Council was the question of decolonization. Today, colonization was considered a fortuitous and reprehensible institution. That, however, was not accepted universally without a struggle in which his country, together with other Latin American States, had actively participated. In fact, in the early years of the United Nations, when its membership was very different, the Latin American countries had been in the forefront of the movement against colonialism. Argentina's anti-colonial stand did not derive only from the manner in which it had been created but was further stimulated by the continuing presence in its territory of the remnants of imperialism—as was clear from the foreign occupation of Malvinas Islands. Argentina regretted that some colonial Powers had not yet understood the historical context of modern times. In that context, the Argentine delegation considered the Territories under Portuguese administration in southern Africa an anachronism and believed that only on the basis of full independence could a fraternal relationship exist between Portugal and the Territories in Africa. Very soon after achieving its independence, Argentina had taken legislative measures to guarantee full freedom to all persons living within its territory. In accordance with the traditions of those legal steps, Argentina had repudiated steadfastly the policies of *apartheid* and any other form of discrimination. Argentina had similarly supported the full application of the principles of self-determination and equal rights to the Territory of Southern Rhodesia and had implemented the General Assembly and Security Council resolutions concerning that Territory. Argentina could not conceive the future of Rhodesia in any form other than the gaining of full independence

based on majority rule. Argentina's position with regard to the Territory of Namibia was in conformity with the many decisions of the various organs of the United Nations, and it considered the presence of South Africa in Namibia illegal. In spite of the many resolutions of the United Nations and the advisory opinion of the International Court of Justice, however, the results so far obtained had not given any ground for optimism. Argentina, which was guided by the sole objective that Namibia should attain a full measure of independence and preserve its territorial integrity, was prepared to redouble its efforts to seek a solution to make that objective possible. It was for that reason that on 22 October 1971 the Argentine delegation, in consultation with the African members of the Council, had submitted the draft resolution contained in document S/10376/Rev.1.

752. At the 1631st meeting, on 31 January, the representative of Panama stated that his country commended the practice of holding meetings away from Headquarters and would like the Council to give thought to holding a meeting in a Latin American country. In keeping with its traditional policy of supporting all efforts towards international co-operation, Panama had associated itself to the fullest extent of its resources with OAU in the realization of that organization's regional objectives. Panama had always opposed all doctrines based on racial superiority and had condemned the policies of *apartheid*, which were detrimental to the interests of the vast national majorities of African peoples. Similarly, Panama supported the people of Zimbabwe and the people of the Territories under Portuguese administration in their struggle to establish their right to self-determination. As regards Namibia, Panama was in favour of the proposal of the President of OAU that a committee made up of members of the Security Council should take up its administration and adopt all necessary measures to ensure its success. It would be a mistake on the part of South Africa to try to maintain the *status quo*. Being a fervent believer in the need to have all problems arising out of colonialism solved through international effort, Panama would also like to refer the situation created by the presence of the United States in the Panama Canal Zone, which constituted a foreign enclave in Panama's national jurisdiction. In 1964, Panama and the United States had agreed to a Declaration that referred to the elimination of the causes of conflict. Although the danger of a violent confrontation increased with the passing of time, Panama still believed that negotiations, within the framework of international law, formed the most expeditious way of solving that problem.

753. At the same meeting, the representative of the Union of Soviet Socialist Republics stated that the Council's session in Africa had made it possible to see clearly the motivations of those who were actually responsible for not implementing the Security Council and other United Nations decisions on decolonization. In the statements of the African States before it, the Council had very detailed and very cogent information with regard to the struggle against colonialism and racism. The Soviet Union, together with other States, had always worked for the implementation of those principles of the Charter that were related to the eradication of colonialism and racism in the world. It was well known that the Soviet Union was pursuing a consistent policy aimed at the complete, unconditional and

final elimination of colonialism and racism in all their forms and manifestations. The peoples of the whole world also knew the outstanding role which the Soviet Union had played and was playing in the struggle for the national liberation of the colonial peoples. Nobody would ever succeed in distorting the Soviet Union's position of principle on questions relating to the national liberation movement or in casting suspicion on the outstanding role which the Soviet Union had played and was playing in the struggle against imperialism, colonialism and neo-colonialism or on the role which the heroic Soviet people had played in the defeat of the most reactionary imperialist forces. As a result of its initiative, the General Assembly had adopted the now historic Declaration on the Granting of Independence to Colonial Countries and Peoples. In the years following adoption of that Declaration, the national liberation struggle of the colonial peoples had achieved considerable success, bringing more than 30 sovereign States to membership in the United Nations. In spite of that success, a dangerous colonial-racist foothold remained in southern Africa, which was also being used as a beach-head for counter-attacks against the independent African States. In southern Africa, the actions of the colonialist and racist régimes were a direct threat to international peace and security, as had been repeatedly recognized in United Nations resolutions. Furthermore, by their actions, those régimes had also encroached upon the territory and sovereignty of neighbouring independent States and their armed attacks had been condemned by the Security Council. Often, criticism had been made with regard to the ineffectiveness of the Council's decisions. However, the main responsibility in that respect lay with the obstructionist policies of certain imperialist countries, particularly those that provided assistance to the colonialist and racist régimes in southern Africa. There were many examples of such assistance, for instance, the recent agreement between the United Kingdom and the illegal régime in Southern Rhodesia, the renewal of British arms deliveries to South Africa, the United States' decision to import chrome ore from Southern Rhodesia and the United States-Portugal agreement on military bases in the Azores and on the provision of economic assistance to Portugal totalling almost \$500 million. The Soviet Union had always condemned the colonial and racist régimes and the economic and military assistance given to them. At the same time, it had provided all possible assistance to the national liberation movements on the basis of the principle that had been reaffirmed by the United Nations that colonial peoples had the inalienable right to fight for their freedom. The Soviet Union had also supported the efforts of OAU towards liberation of the African Territories remaining under colonial and racist domination. During its current session in an African capital, the Council would be able to listen to the true voice of Africa and that alone justified the holding of the session. Taking into consideration its own past resolutions and having heard the statements of the representative of the African people, the Council must take effective measures in order to eliminate completely colonialism and racism from Africa. As regards Southern Rhodesia, it must reaffirm that the basis of any settlement should be the principle of universal suffrage and the transfer of power on the basis of majority rule. In that respect, the Council must also ensure strict compliance with its sanctions against the illegal régime of Southern Rhodesia and should extend application of the sanctions to South Africa under

Chapter VII, in order to force that régime to give up its racist policies. The Council must further take strict measures to put an end to the presence of Portugal in the continent of Africa and to halt its colonial wars against the peoples of Angola, Mozambique and Guinea (Bissau).

754. The representative of Japan stated that the problems that were being considered by the Council were important in terms of their relationship with the maintenance of international peace and security and in terms of human rights and fundamental freedoms. They also involved the moral values to which the entire international community subscribed, which were being violated in southern Africa. Japan shared the abhorrence felt by African nations with regard to racial discrimination and advocated its total elimination. It also supported the right of African Territories still under colonial domination to self-determination and independence. The most important decision of the Council with regard to the policies of *apartheid* had involved the arms embargo against South Africa, which should be strictly observed. For its part, Japan had carried out scrupulously all resolutions of the Security Council concerning the arms embargo against South Africa, with which Japan had no diplomatic relations. South Africa's policy with regard to the Territory of Namibia was also a negation of the right of self-determination. In that respect Japan had welcomed the advisory opinion of the International Court of Justice, which had confirmed the validity of the United Nations decision to terminate the South African mandate and to assume direct responsibility for the Territory until its independence. South Africa was under obligation to comply with the decisions of the Security Council in that respect. Japan also hoped that Portugal would recognize the necessity of granting the right of self-determination to the Territories of Angola, Mozambique and Guinea (Bissau). Portugal's policy in those Territories was not only contrary to the purposes and principles of the Charter but a threat to the territorial integrity and sovereignty of the neighbouring African States. As regards Southern Rhodesia, Japan held the view that a solution of its problems could be found in accordance with the principle of majority rule on the basis of universal suffrage. It considered that the proposals agreed upon between the United Kingdom and the régime of Southern Rhodesia were not likely to guarantee majority rule there in the near future. The Security Council, therefore, should reserve its position on those proposals, and, meanwhile, the economic sanctions decided upon by the Council should be fully implemented.

755. The representative of Guinea read out a message from the President of Guinea expressing confidence that the Security Council would take effective measures to ensure the elimination of hotbeds of war from the African continent. Such measures, he added, were needed to restore to the people of the Territories under Portuguese occupation and to the peoples of Zimbabwe and Namibia their right to self-determination and full independence. The African people urged the current session of the Security Council to ensure the strengthening of General Assembly resolution 1514 (XV) by fixing a time-limit for its full implementation. As far as Guinea was concerned, its people and Government were determined to give every assistance to the liberation of peoples still under colonial and racist régimes in Africa. It was also convinced that, if all African States were united, the defeat of imperialism in Africa was inevitable.

756. The representative of Nigeria stated that, in spite of its many resolutions, the Security Council had made no decisive impact in the settlement of the problems resulting from colonialism and racialism in southern Africa. It was therefore imperative that the Council effectively apply its authority in accordance with the relevant provisions of the Charter. There was no doubt that, in southern Africa, a situation continued to exist that was a threat to international peace and security. To it was added the violence by Portugal against the territorial integrity and sovereignty of independent African States. Thus, the African countries, instead of devoting their entire energies to their economic growth, were constrained to allocate their scarce resources towards defence against the colonial and racist forces. The Council must take effective measures to force South Africa to abandon its policies of *apartheid* and to withdraw its administration from Namibia. It should also urge Portugal to seek a negotiated settlement with the African nationalist forces in the Territories occupied by it. Similarly, the United Kingdom should be urged to give maximum co-operation to the efforts of the United Nations to promote a just and durable path to self-determination and independence for the people of Zimbabwe.

757. The representative of Ghana stated that in all African questions of which the Security Council was seized the basic issue was one of race and human rights. In spite of the façade of liberalism and progress often assumed in southern Africa, it was nevertheless a fact that the whites there remained race oriented and that they denied fundamental human rights on racial grounds to the blacks. Such a situation could only lead to a racial conflict, and that was the danger that the Security Council was being called upon to prevent. To meet that situation the Council must take effective and co-ordinated measures against South Africa, Portugal and the illegal régime of Southern Rhodesia. Separate or piecemeal steps had already failed. In that respect, the representative of Ghana suggested a number of measures that the Council could take.

758. The representative of Algeria stated that all efforts of the African States towards the development of their resources would remain hampered as long as part of their continent continued to suffer from colonial domination, racial segregation and economic exploitation. Although world public opinion had repeatedly condemned policies of colonialism and racial discrimination, as was clear from numerous United Nations resolutions, the actions taken by international community had remained ineffective because of the support given to South Africa, Portugal and the illegal régime in Southern Rhodesia by some of its members. It was as a result of that support that a small country like Portugal was able not only to maintain its colonial rule but to commit aggressive acts against independent African States. Similarly, it was not with Ian Smith, the head of the illegal régime in Southern Rhodesia, that the United Kingdom could reach a satisfactory agreement but with the African politicians and true representatives of Southern Rhodesia. It was hardly necessary to state that the struggle by the southern Africans to realize their fundamental human rights would continue with the support of other African States. That struggle should be recognized as legitimate by the Security Council and should be given all assistance.

759. The representative of Senegal stated that the struggle which the Africans were waging against colo-

nialist and racist régimes must be supported internationally. The creation of an international fund to reinforce the efforts of the liberation movements suggested by the President of OAU was a timely proposal, as it would provide the United Nations with the means to implement its resolutions. Senegal would support another OAU proposal, that calling for the creation of a committee, consisting of members of the Security Council, entrusted with the task of assuming the administration of Namibia and applying measures by which that Territory could gain full sovereignty and independence. Instead of the British agreement with the Ian Smith régime, the Council should also try to find a new framework whereby all the population of Southern Rhodesia could have freedom of expression.

760. The representative of the United States, referring to the statement of the representative of Panama, said that the situation in the Panama Canal Zone was not at all analogous to the situation in Southern Rhodesia, which was a result of colonialism, racism and the policy of a denial of the right of self-determination and other basic human rights. Moreover, as the representative of Panama had pointed out himself, negotiations were continuing to resolve existing differences between Panama and the United States in that matter. As regards the allegations made by certain speakers with regard to the so-called United States assistance to colonialist and racist régimes, the United States categorically rejected those charges.

761. At the 1632nd meeting, on 1 February, the President, with the consent of the Council and in accordance with rule 39 of the provisional rules of procedure of the Council, invited the persons mentioned in documents S/10602/Rev.2 and S/10604, as orally amended, to make statements.

762. The representative of Liberia stated that the defiance of South Africa and Portugal had continued because the Council had failed to take effective measures against those two States. It was therefore essential that the Council, without yielding to external forces, should meet the challenge to its authority. At the same time, it should take up the administration of Namibia and, in accordance with Article 2, paragraph 5, of the Charter, it should take steps to compel South Africa to carry out its obligations with regard to Namibia. In Southern Rhodesia, a plebiscite held under international auspices, preferably supervised by a commission appointed by the Security Council, could put to the test the acceptability of the terms of the Anglo-Rhodesian settlement by all the peoples of Southern Rhodesia.

763. Mr. El-Bedewi, the first of the individuals heard under rule 39, stated that the Co-ordination Committee for the Liberation of Africa, of which he was Chairman, had been established by OAU to co-ordinate and harmonize assistance to the liberation struggle. The Council must expressly ask all Member States, especially the great Powers, not to give any direct or indirect support to the colonialist and racist régimes that might be used to suppress the national liberation movements. Furthermore, all countries should be called upon to grant to the liberation movements recognized by OAU all necessary moral and material assistance. The Council must also affirm that any settlement of the questions with which the Council was currently seized must be negotiated with the representatives of the national liberation movements. In

conclusion, he stated that he had been asked by his Committee to invite the Security Council to send a mission to the liberated areas in Guinea (Bissau), Mozambique and Angola.

764. Mr. Cabral stated that the so-called multiracial society professed by Portugal was nothing more than gross attempts to perpetuate its colonial domination. Portugal, militarily a weak power, was able to maintain its domination through the support of its allies. It was, therefore, essential that the United Nations should give full support to the liberation movement and recognize his party, the PAIGC, as the only legitimate representatives of the people of Guinea and the Cape Verde Islands. The Security Council could help by fixing a time-limit by which Portugal should withdraw from the African Territories, and to that end it should enter into negotiations with the representatives of the national liberation movement.

765. Mr. Luvualo stated that, because of the strategic importance of the African Territories under its control, Portugal was receiving military assistance from its NATO allies. A recent United States State Department decision to provide \$400 million in credit to Portugal in exchange for the renewal of the agreement on the American base at Lajas was another example of such assistance. United States assistance to Portugal was not incidental, as its suppression of the freedom movement in Indo-China was similar to Portugal's attempts to suppress the national liberation movements in Angola, Mozambique and Guinea (Bissau). However, in spite of that suppression, the national liberation movement in Angola (MPLA), which he represented, and those in Guinea (Bissau) and in Mozambique had made progress in their struggle against Portuguese colonialism. If Portugal was interested in the restoration of peace in those Territories, it would have to start negotiations with the authentic representatives of the people of Angola, the MPLA.

766. Mr. Dos Santos stated that under its national liberation movement, the Mozambique Liberation Front, the combat area in Mozambique extended over more than one third of the country and the liberated zones were growing continually. The Portuguese colonialists were trying hard to prevent the extension of liberation to the Tete province as they were building a large dam there with the help of South Africa and some west European nations. But the national liberation front of Mozambique had made progress there and its forces were already only a few kilometres from the work area. Besides its military actions against the armed forces of the Portuguese colonies and its allies, the national liberation movement was carrying out extensive reconstruction work in the liberated areas—in education, medicine and agriculture. It was therefore all the more necessary that no assistance, military or economic, be given to Portugal, as such aid only enabled it further to suppress the national liberation movement in the territory it still occupied.

767. At its 1633rd meeting, on the same day, the Security Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Johny Eduardo, in accordance with a request contained in document S/10605.

768. At the same meeting, the representative of the Libyan Arab Republic stated that, at his country's invitation, the Co-ordination Committee for the Liberation of Africa had met in January 1972 in Benghazi and

that at that time, his country had renewed its full support for all liberation movements in the various African Territories under foreign domination. Libya wished to reiterate that any resolution adopted by the Council would be meaningless, unless it was coupled with vigorous action to achieve its full implementation. In that connexion a heavy responsibility lay on the big Powers, which should give up the policy of dividing the world into areas of influence and, instead, give full support to implementation of the Council's resolutions.

769. The Council then resumed hearing statements from individuals under rule 39 of its provisional rules of procedure.

770. Mr. Mueshihange noted that he was not the first representative of SWAPO to address the Council. He stated that, contrary to the decisions of the Security Council, some major trading partners of South Africa had continued to give that State military assistance, which enabled it to suppress the Africans in Namibia and to give protection to foreign investments there. Although the United States had indicated its willingness to uphold Security Council resolution 283 (1970), American companies had continued to participate in exploitation of Namibian national wealth. The African workers in Namibia, however, had risen and were demanding the withdrawal of South Africa from Namibian Territory. He said that foreign companies operating in Namibia would be doing so at their own risk. The South African Government had admitted the existence of armed revolt in Namibia and had even threatened to take military action against neighbouring independent African States. In the circumstances, the Council must take action under Chapter VII of the Charter and should strengthen the United Nations Council for Namibia, in order that it might discharge its responsibilities to prepare Namibia for independence.

771. Mr. Hamadziripi quoted the text of the letter addressed to the Security Council by the President of his Party, Mr. N. Sithole, who was in prison for his opposition to the Smith régime. The President of ZANU had affirmed that the people of Zimbabwe had rejected the so-called settlement between the United Kingdom and the illegal Smith régime in Southern Rhodesia and had urged the withdrawal of the Pearce Commission. That demand had also been made by the Zimbabwe African Trade Union and by the African National Council. The Security Council should urge the British Government to release all political prisoners in Zimbabwe, enter into negotiations with the true representatives and withdraw the Pearce Commission.

772. Mr. Leballo stated that, since its very inception, the United Nations had dealt with the question of the denial of fundamental human rights to the people of Azania by the South African racist régime. In the view of the Pan-Africanist Congress of Azania, for which he was spokesman, however, all United Nations efforts to remedy the situation had proved ineffective, and the oppression of the Azanian people had intensified. The ineffectiveness of the United Nations was due primarily to the military and economic assistance given to South Africa by its Western allies. There was also an attempt to break the unity of the liberation movement, and that was being done by the USSR through the Afro-Asian People's Solidarity Organization. He would, therefore, appeal, on behalf of the Pan Africanist Congress to all other organizations, especially the African National Congress, to unite in

the effort to fight the racist régime of South Africa. At the same time, he would appeal to the United Nations to extend all political, material and financial support to the Azanian liberation movement.

773. Mr. Nzo stated that the collaboration between the racist régime in South Africa and international imperialism had enabled that régime to annex Namibia and to defy the United Nations. In the view of his organization, the African National Congress, the so-called "dialogue with South Africa" policy would result only in weakening OAU and the resistance movement in South Africa. The Security Council must therefore take urgent steps to ensure full implementation of all its previous decisions and adopt military sanctions against South Africa. Those sanctions should be enforced under the strict supervision of the Security Council.

774. Mr. Silundika stated that he represented the Zimbabwe African People's Union (ZAPU) which considered that the United Kingdom had deliberately created a crisis in Zimbabwe. Instead of condemning the murderous acts of the illegal Smith régime, the British Secretary of State for Foreign Affairs had stated that his Government could not question the right of the Rhodesian régime to use the minimum of force to bring about law and order. In view of that statement, it was clear that the United Kingdom could not act impartially in Zimbabwe. The people of that Territory had rejected the British moves, and the Council should also reject the Anglo-Rhodesian constitutional proposal.

775. Mr. Diallo Telli, on behalf of the secretariat of OAU, welcomed the first meeting of the Security Council in an African capital. He added that it was quite clear from the statements made before the Council that, for effective action, it was necessary for the Security Council to assume direct responsibility for the application of all its decisions. In that respect, the permanent members of the Security Council, who alone possessed the necessary political, diplomatic, economic and military resources, bore special responsibility. If the Council were to agree to undertake supervision of the implementation of its decisions, the African people's confidence in its authority would be restored. The need of the hour was a determination on the part of the Security Council to implement its decisions. It would be tragic, particularly for the Security Council, if its session in Africa were to fail to achieve its objectives because of a lack of political will.

776. At the 1634th meeting, on 2 February, the Council heard Mr. Abdul Minty, Canon Burgess Carr and Mr. Johnny Eduardo, under rule 39 of its provisional rules of procedure.

777. Mr. Minty stated that he had been sent to Africa to express the views of the International Defence and Aid Fund and the British Anti-Apartheid movement, which held that the main result of the policies of France, the United Kingdom and the United States with regard to the African questions on the Council's agenda was to block all meaningful efforts by the Council to resolve those questions satisfactorily. It was therefore appropriate to know whether those three Western Powers were allies of Portugal and South Africa or of the African people. If those Powers could make a commitment on the side of the African people, then the Council would be able to begin to discharge its responsibilities. He would suggest that the Security Council should appoint a new committee charged with

considering all the questions on its agenda relating to Africa in the context of their being a threat to international peace and security.

778. Canon Carr stated that the All-Africa Conference of Churches fully supported the demand for the restoration of fundamental human rights and the right of self-determination to the 30 million Africans who were being denied those rights. The Conference also endorsed the position of the African Governments that, within the over-all context of southern Africa, the situation in Namibia and Southern Rhodesia should be given priority. As regards Namibia, the Council should immediately take over its administration and appoint a control commission, consisting of the five permanent members of the Council, to prepare that Territory for self-determination and independence. With respect to Southern Rhodesia, the Council should urge the United Kingdom to reaffirm its commitment to pursue negotiations that should be designed to ensure majority rule in Southern Rhodesia within the immediate future.

779. Mr. Eduardo stated that the Territory of Angola was experiencing a period of great upheaval and violence, as the people of that Territory had begun an armed struggle for national liberation. Those Powers which were still supporting Portuguese colonialism were only increasing the threat to international peace and security. A heavy responsibility, therefore, lay on the Council, which should assist in the liberation of Portuguese-occupied Territories. That was the message that he brought from the National Liberation Front of Angola (FNLA).

780. At the same meeting, the representative of Tunisia stated that international action against the policies of racial discrimination and colonialism prevailing in southern Africa would only complement the essential action that must be undertaken by the peoples directly affected by those policies. It was for that reason that Tunisia considered that the liberation movements in those areas were waging a legitimate struggle that deserved the support of the international community.

781. The representative of Belgium stated that his country had long recognized the inalienable right to self-determination of the people in the Territories under Portuguese administration and also had reaffirmed that the sovereignty and territorial integrity of African States adjacent to Portuguese-occupied Territories must be fully respected. As regards Southern Rhodesia, the Belgian Government believed that the initiative taken by the United Kingdom to ascertain the wishes of the people of Southern Rhodesia should be welcomed, and it hoped that the United Kingdom, as the administering Power, would be able to prepare the way for a new régime in Southern Rhodesia based on the principle of majority rule. After expressing his delegation's opposition to the policies of *apartheid* of the Government of South Africa, the representative of Belgium stated that, although his Government had faithfully carried out the Security Council's resolution on arms embargo against South Africa, it would not favour a move to isolate South Africa such as might result from applying sanctions under Chapter VII of the Charter. Belgium also hoped that it would be possible to obtain the agreement of South Africa on arrangements to permit the Namibian people to exercise freely their right to self-determination.

782. The representative of Italy stated that his country fully supported the demand of the independent

African States for the full realization of the right of self-determination and the fundamental human rights, as those principles stemmed out of the cultural heritage of western civilization. It was for that reason that it had supported the demand of the people of the Territories under Portuguese administration to exercise their right to self-determination and the measures adopted by the Security Council to bring the illegal régime in Southern Rhodesia to an end. Unfortunately, those measures had not brought about the desired results. In those circumstances, the United Kingdom proposals for a test of acceptability might provide an opportunity to reach individuals and groups throughout Southern Rhodesia. The test of acceptability could not, however, be considered a substitute for the exercise of the right of self-determination, and therefore the ultimate aim of the United Nations efforts in Southern Rhodesia continued to remain the attainment of independence based on majority rule. With regard to Namibia, Italy had welcomed the advisory opinion of the International Court of Justice and had supported Security Council resolution 301 (1971), which had reaffirmed that the Territory of Namibia was the direct responsibility of the United Nations and that that responsibility included the obligation to promote the rights of the people of Namibia to self-determination and independence. Italy had also supported all United Nations measures to counteract the consequences of the policies of *apartheid* of the Government of South Africa, including the measures concerning embargo on the sale of arms to South Africa. In the solution of the problems relating to southern Africa, although there was general agreement on the fundamental principles of decolonization and equality among races, it remained to be determined how the United Nations could best be used in the implementation of those principles. In that respect, the foremost thing was that the Council should be united in its deliberations and, at the same time, flexible in its approaches. It was for that reason that Italy had suggested that all avenues be left open for contacts with the South African Government and, in that respect, considered that the Argentine draft resolution (S/10376/Rev.1) might serve a useful purpose.

783. The representative of the Union of Soviet Socialist Republics stated that the representatives of the national liberation movements of southern Africa who had spoken under rule 39 of the Council's rules of procedure had given a very valuable account of their struggle against colonialism and racism in their respective Territories, and the Soviet delegation was pleased to note their appreciation of the support that they had received from the Soviet Union. However, one person, who represented no one but himself, had indulged in slanderous attacks against the Soviet Union. He had obviously been repeating the slanderous attacks authored by imperialists and other sources that had clearly produced the policy of splitting the united anti-imperialist and anti-colonialist front of the States and peoples of Africa from the peoples and countries of the socialist commonwealth.

784. At the 1635th meeting, on the same day, the representative of the United Kingdom stated his delegation's belief that the principal aim of the Council's deliberations in Africa should be to get a deeper understanding of each member's point of view with regard to the problems on the Council's agenda, so that when the Council resumed detailed discussion of

those problems in New York, it could do so in a spirit of constructive dialogue. There were no doubt differences between the methods that his delegation would wish to suggest and those suggested by other delegations, and it was all the more necessary to understand each other's point of view before taking final decisions. Seeing no differences as far as the aims of the Council's deliberations were concerned, the United Kingdom delegation would emphasize the importance of dialogue and negotiation as the best means of solving those problems. It would also emphasize the need of economic development as a basis for real independence. He would not discuss in detail all the problems relating to Africa that were on the Council's agenda, but his delegation wished to comment on the situation in Southern Rhodesia. With respect to that Territory, the United Kingdom Government wanted a settlement that would provide guaranteed progress towards majority rule on a basis acceptable to the people of Rhodesia as a whole. On 25 November 1971, it had submitted to the Security Council the proposals that were being considered by all sectors of the Southern Rhodesian community and that, in the opinion of his Government, represented the best available means of making progress towards the common goal of majority rule in that Territory. The means of ascertaining the wishes of the people of Southern Rhodesia would be the Pearce Commission, which his Government had dispatched to the Territory for that purpose. It would not be advisable to change that course, and his Government hoped that the attitude of other Governments would not hinder the task assigned to the Pearce Commission to obtain a true verdict from the people of Southern Rhodesia.

785. The representative of the United States said that his country, in keeping with its traditions, had always upheld the principles of racial equality and self-determination and had supported the United Nations efforts in the application of those principles to southern Africa. However, it must be pointed out that the United Nations was but one instrument in freeing southern Africa from racial and colonial injustice. The primary factor in that endeavour was the people of southern Africa themselves. Furthermore, it must be realized that, despite agreement on principles, the Security Council was not unified as to how best those principles might be implemented. Any resolutions adopted with little prospects of implementation could lead only to the weakening of the Council's authority. On the other hand, the impact of agreed Security Council resolutions should not be underestimated. It was for that reason that the United States had felt that resolutions imposing sanctions would not bring about the desired changes. In the case of Namibia, for instance, the Council could discuss practical ways to initiate contacts with all the parties concerned to establish the necessary conditions to enable the people of Namibia to exercise their right to self-determination. There was, however, no doubt, as also stated by the International Court of Justice, that South Africa, by persisting in its illegal presence in Namibia, remained accountable for any violations of its international obligations, as well as of any violations of the rights of the people of Namibia. As regards Southern Rhodesia, the United Kingdom would be justified to dispatch the Pearce Commission to that territory and to let it finish its assigned task to ascertain the wishes of the people of Southern Rhodesia. The right of self-determination

must also be realized by the people in the Territories under Portuguese control.

786. The representative of India stated that the visit of the Security Council to Africa was a pilgrimage of atonement, and it was a measure of the greatness of the people of that continent that instead of attempting to show the outside world hostility, they had greeted the Council with warmth and hospitality. He said that the statements made before the Council by representatives of the African States and the various liberation movements had made it clear that increased racial hostility and armed conflict would be the consequences of failure to take speedy and effective measures. Having met in Africa and having had the benefit of the evidence provided by the African representatives, the Council, in order to make a success of its session in Addis Ababa, must break new ground to meet the challenge faced by it in southern Africa. The most important element in that challenge was the white Government of South Africa. That Government was responsible for spreading the policies of *apartheid*, for enabling Portugal to maintain its colonial hold over the African Territories it occupied and for the situations prevailing in Rhodesia and Namibia. The Council must therefore take effective steps to bring about a change in the policy of the Government of South Africa. As regards individual questions, the Security Council's Committee on sanctions against the illegal régime of Southern Rhodesia should be asked to be more vigorous and to make public all violations of the sanctions. All communications systems to and from Rhodesia should be cut off, and that boycott should extend to all cultural, social, sports or religious activities. Measures should be taken to ensure that the South African army was withdrawn from Southern Rhodesia. On the question of Namibia, the representatives of India suggested that the United Nations Council for Namibia should assess taxes on foreign companies operating in Namibia and that those taxes should be paid to a United Nations fund which could be utilized for the benefit of the Namibian people. At the same time, consideration should be given to stationing a ship outside the territorial waters of Namibia, with her captain having the authority to issue licences for fishing in Namibian territorial waters and in the seas adjoining Namibia. More publicity could be directed towards South Africa, including broadcasting and the dropping of leaflets. To bring an end to Portuguese colonialism over the Territories held by it, he suggested an immediate declaration by the United Nations that those Territories were independent States. He concluded by stating that the essence of the problems in southern Africa was that they were a threat to international peace and security, and the Security Council, having specific responsibility in that respect, must decide on appropriate measures to meet that situation.

787. The representative of France stated that the Security Council, through its session in Africa, should try to find new paths to break the stalemate in the process of decolonization which had set in after the accession to independence of 16 African States. Since 1960, the Security Council and the General Assembly had adopted 128 resolutions and appointed numerous committees. Those resolutions had remained unimplemented, and the committees had exhausted themselves. Part of the blame could be attributed to the immobility of the Governments concerned; but it should be re-

membered also that the United Nations resolutions had remained unimplemented mainly because they were incapable of being implemented. That situation had made it quite clear that decolonization could only be carried out successfully under Chapters XI and XII of the Charter. Under Chapter XI, the administering Powers had agreed to develop the Territories under their administration to self-government, and Chapter XII had created the trusteeship system, which had successfully brought so many States to independence with the full co-operation of the administering Powers. It was regrettable that Portugal had not followed the example of the other administering Powers. There was general agreement that the African Territories under Portugal's control must exercise their right to self-determination, that the illegal régime in Southern Rhodesia must be brought to an end, the policies of *apartheid* be abandoned and the situation in Namibia be resolved. However, to make real progress in all those directions, the participation of Portugal and South Africa was necessary, and, in the case of Southern Rhodesia, the co-operation of the United Kingdom, the administering Power, was equally necessary. In the latter Territory, a process of consultation was under way, and the result of those consultations should be awaited. In the case of Namibia, also, consultations could play a vital role. The new Secretary-General of the United Nations, under a mandate from the Security Council, and in constant consultation with its five permanent members, should establish immediately the necessary contacts so as to create the conditions permitting the Namibian people freely to exercise their right to self-determination.

788. At the 1636th meeting, on 3 February, the representative of Burundi stated that his delegation, in various organs of the United Nations, particularly in the Security Council and its *Ad Hoc* Sub-Committee on Namibia, had stressed the relationship between racism and colonialism. In that respect, his delegation would suggest the holding of a world conference under the auspices of the Security Council to bring about the total liquidation of colonialism and the evils of racism. At the same time, OAU should prepare a plan for a liberated Africa which, upon completion, should be submitted to the Security Council. The Council should remain seized of it until each and every part of Africa had acquired full independence. Integral to that plan must be the elimination of the policies of *apartheid*.

789. The representative of Somalia stated that a tendency had developed within the United Nations to belittle the efforts of those demanding that the struggle against racism and colonialism should continue undiminished. The criticism of those efforts invariably originated from States whose economic and strategic ties with the minority régimes in southern Africa were a contributory cause of the ineffectiveness of the United Nations. Those States had offered no alternative, and the result was that the Security Council was unable to carry out its decisions. The Namibian question was the most blatant example of that malaise. In spite of the opinion of the highest juridical body in the world and the subsequent Security Council resolution, South Africa still maintained its illegal presence in Namibia. It was, therefore, time that the Security Council should declare that any further refusal of South Africa to withdraw from Namibia would constitute an act of aggression within the context of Chapter VII of the Charter. Furthermore, the Council must give all nec-

essary assistance to the liberation forces in the Territory. As a result of the opinion of the International Court of Justice, there developed on all Member States an obligation to accept and carry out the provisions of Article 25 of the Charter, and no Member State could exclude itself from carrying out the Council's resolutions on Namibia. As regards Southern Rhodesia, the African people of that Territory had rejected categorically the United Kingdom settlement proposals. Those proposals had ignored the cardinal principle of no independence before majority rule. Moreover, they had been concluded without any consultation with the representatives of the African people, particularly the representatives of the liberation movements. It appeared that the sole aim of the United Kingdom Government in submitting the so-called settlement proposals was to find a face-saving formula and to confer legal independence on the minority régime, contrary to all United Nations resolutions. It was with those considerations in mind that Somalia, together with Guinea and the Sudan, was submitting the following draft resolution (S/10606) concerning the situation in Southern Rhodesia:

*"The Security Council,*

*"Having heard the statements by His Imperial Majesty Haile Selassie I and President Ould Daddah, Chairman of the Assembly of Heads of State and Government of the Organization of African Unity,*

*"Gravely concerned by the dangerous political situation in Southern Rhodesia, including the recent killings, woundings and detention of many Africans by the security forces of the illegal régime,*

*"Noting 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 and 288 (1970) of 17 November 1970,*

*"Noting further General Assembly resolution 2877 (XXVI) of 20 December 1971,*

*"Recognizing the legitimacy of the struggle of the people of Southern Rhodesia to secure the enjoyment of their rights as set forth in the Charter and in conformity with the objectives of General Assembly resolution 1514 (XV),*

*"Noting with grave concern that the measures taken so far have failed to bring the rebellion in Southern Rhodesia to an end,*

*"Further noting with grave concern that some States, contrary to Security Council resolutions 232 (1966) and 253 (1968) and to their obligations under Article 25 of the Charter, have failed to prevent trade with the illegal régime of Southern Rhodesia,*

*"Considering the overwhelming opposition of the African people of Southern Rhodesia to the proposals for a "settlement" relating to the future of the Territory of Southern Rhodesia agreed upon between the Government of the United Kingdom of Great Britain and Northern Ireland and the illegal régime of Southern Rhodesia,*

*"Reaffirming the primary responsibility of the Government of the United Kingdom to enable the people of Zimbabwe to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations and in conformity with General Assembly resolution 1514 (XV),*

*"1. Reaffirms that the present situation in Southern Rhodesia constitutes a threat to international peace and security;*

*"2. Regrets the failure of the United Kingdom, as the administering Power, to bring the rebellion in Southern Rhodesia to an end;*

*"3. Condemns the recent killings, woundings and detention of civilians carried out by the illegal régime in Southern Rhodesia;*

*"4. Calls upon the United Kingdom, as the administering Power, to take all appropriate measures to safeguard the lives and welfare of the African people of Southern Rhodesia against further brutal acts and repressive measures by the illegal rebel régime;*

*"5. Urges the United Kingdom Government, as a matter of urgency, to desist from implementing the "settlement" proposals agreed upon between the United Kingdom Government and the illegal rebel régime, taking into account the overwhelming African opposition to those proposals;*

*"6. Firmly believes that a solution to the situation in Southern Rhodesia requires that a constitutional conference should be convened, without delay, in which the African people, through their genuine representatives, would be able to participate in the formulation of new proposals for the political and constitutional advancement of their country;*

*"7. Urges the United Kingdom Government to convene such a constitutional conference as a matter of urgency;*

*"8. Calls upon Member States to take more stringent measures in order to assure full implementation of sanctions and to prevent any circumvention by their nationals, organizations, companies and other institutions of their nationality, of the decisions taken by the Security Council in resolutions 232 (1966) and 253 (1968), all provisions of which shall remain fully in force;*

*"9. Calls upon South Africa to withdraw immediately its police and armed forces from the Territory of Southern Rhodesia;*

*"10. Decides to maintain this item on its agenda for further action as appropriate in the light of developments."*

790. At the 1637th meeting, on the same day, the Secretary-General stated that the Security Council's session in Africa had demonstrated most dramatically the usefulness of the United Nations in providing a voice for the aspirations of the people for which the Organization had been created. He hoped that the United Nations would be equally able to demonstrate its usefulness in finding solutions to the problems before it. If it were to fail in that aim, then it would be opportune to scrutinize the distance between the aspirations and rights of the people and the value and effectiveness of the Organization. In that respect, it would not be enough to condemn the United Nations; it would be necessary to analyse thoroughly the causes of that state of affairs.

791. At the same meeting, the representative of Guinea introduced a draft resolution (S/10607) concerning the Territories under Portuguese control, sponsored by Guinea, Somalia and the Sudan, under the operative paragraphs of which the Security Council would (1) reaffirm the inalienable right of the people

of Angola, Mozambique and Guinea (Bissau) to self-determination and independence, as recognized by the General Assembly in resolution 1514 (XV) of 14 December 1960, and the legitimacy of their struggle to achieve that right; (2) condemn the persistent refusal of the Government of Portugal to implement resolution 1514 (XV) and all other relevant resolutions of the Security Council; (3) again affirm that the situation resulting from the policies of Portugal in its colonies and in its constant provocations against the neighbouring States seriously disturbed international peace and security; (4) reaffirm its urgent demand to Portugal for (a) the immediate recognition of 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) the immediate cessation of colonial wars and all acts of repression against the people of Angola, Mozambique and Guinea (Bissau) and the withdrawal of all military and other forces employed for that purpose, (c) the promulgation of an unconditional political amnesty and the restoration of democratic political rights, (d) negotiations, on the basis of the recognition of the right to self-determination and independence, with the genuine representatives of the people of the Territories with a view to the transfer of power to political institutions freely elected and representative of the peoples, in accordance with General Assembly resolution 1514 (XV) and (e) the granting of independence immediately thereafter to all the Territories under its administration, in accordance with the aspirations of the peoples; (5) again call upon Portugal to refrain from any violations of the sovereignty and territorial integrity of African States; (6) call upon all States to refrain forthwith from offering the Portuguese Government any assistance that would enable it to continue its repression of the people 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 that 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) invite all States and the specialized agencies and other organizations within the United Nations system, in consultation with OAU, to render to the peoples of the Territories under Portuguese administration, in particular, the population in the liberated areas of those Territories, all the moral and material assistance necessary to continue their struggle for the restoration of their inalienable right to self-determination and independence; (8) further urge all States to take all appropriate measures to prevail upon the Government of Portugal to abide by the provisions of the resolutions; and (9) request the Secretary-General to follow the implementation of the resolution and report to the Security Council from time to time.

792. The representative of Argentina introduced a revised text (S/10376/Rev.2) of his delegation's draft resolution, which had originally been introduced in the Security Council on 20 October 1971. He explained that, since the original submission of that draft, his delegation had engaged in extensive consultations with the African group and other parties concerned, the President of the United Nations Council for Namibia and the Secretary-General. His delegation, in submitting the revised text, had only one end in mind, and that was to bring the people of Namibia to the state

of self-determination and independence as soon as possible. It was in no way incompatible with all the other resolutions the Security Council had already adopted, which continued in full force and had the total support of his delegation. Under the operative part of the Argentine draft resolution, the Security Council would (1) invite the Secretary-General, in consultation and close co-operation with a group of the Security Council, the membership of which remained to be determined, to initiate as soon as possible contacts with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations; (2) call on the Government of South Africa to co-operate fully with the Secretary-General in the implementation of the resolution; and (3) request the Secretary-General to report to the Security Council on the implementation of the resolution not later than 31 July 1972.

793. At the same meeting, the representative of Yugoslavia introduced a draft resolution (S/10608) concerning the situation in Namibia, sponsored by Guinea, Somalia, the Sudan and Yugoslavia. Under the operative part of this draft resolution, the Security Council would (1) strongly condemn the refusal of South Africa to comply with the resolutions of the General Assembly and Security Council pertaining to Namibia; (2) reaffirm that the continued occupation of the South African Authorities in Namibia was illegal and detrimental to the interests of the people of Namibia; (3) declare that the defiant attitude of South Africa towards the Council's decisions undermined the authority of the United Nations; (4) strongly condemn the recent repressive measures against the African labourers in Namibia, and call upon the Government of South Africa to end immediately those repressive measures and to abolish the system of labour which might be in conflict with basic provisions of the Universal Declaration of Human Rights; (5) call upon all States whose nationals and corporations were operating in Namibia, notwithstanding the relevant provisions of Security Council resolution 283 (1970), to ensure that such nationals and corporations conformed in their policies of hiring Namibian workers to the basic provisions of the Universal Declaration of Human Rights; (6) consider that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant United Nations resolutions and of the Charter created conditions detrimental to the maintenance of peace and security in the region and had grave consequences as concerns international peace and security; (7) call upon South Africa to withdraw immediately its police and military forces and its civilian personnel from the Territory of Namibia; (8) decide that, in the event of failure on the part of the Government of South Africa to comply with the resolution, the Security Council would meet immediately to determine upon effective measures, in accordance with the relevant Chapters of the Charter, to secure the full and speedy implementation of the resolution; and (9) request the Secretary-General to report to the Security Council on the implementation of the resolution not later than 31 July 1972.

794. The representative of India introduced a draft resolution (S/10609) concerning the policies of

*apartheid* of the Government of South Africa, sponsored by Guinea, India, Somalia, the Sudan and Yugoslavia. Under the terms of its operative paragraphs, the Security Council would (1) condemn the Government of South Africa for continuing its policies of *apartheid* in violation of its obligations under the Charter; (2) reiterate its total opposition to the policies of *apartheid* of the South African Government; (3) recognize the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights, as set forth in the Charter of the United Nations and the Universal Declaration of Human Rights; (4) urgently call upon the Government of South Africa to release all persons imprisoned, interned or subjected to other restrictions as a result of the policies of *apartheid*; (5) call upon all States to observe strictly the arms embargo against South Africa and to deny all military co-operation to the South African Government; (6) urge Governments and individuals to contribute generously and regularly to the United Nations Funds that were being used for humanitarian and training purposes to assist the victims of *apartheid*; (7) commend the intergovernmental organizations, non-governmental organizations and individuals for assisting with the education and training of South Africans and urge those who did not to begin and those who did to expand their efforts in that field; (8) decide to establish a Committee of the Security Council to study and report urgently, not later than 30 April 1972, on ways and means to secure implementation of the resolutions of the Security Council on the question; and (9) request the Secretary-General to provide all necessary assistance to the Committee in the discharge of its task.

795. The representative of the Union of Soviet Socialist Republics noted that the African representatives who had addressed the Council in Addis Ababa had adduced many facts testifying to the protection and assistance rendered the colonial and racist régimes of southern Africa by certain Western countries and imperialist monopolies that enabled those régimes to flout the United Nations decisions on decolonization. Those representatives of certain Western Powers who called upon the enslaved peoples for patience were also ignoring the decisions recognizing the legitimacy of the struggle of those peoples for their freedom and national independence. The voting on the draft resolutions before the Security Council, in favour of which his delegation intended to vote, would show who was whose ally and friend, as only by their adoption and implementation would the Council justify the hopes and aspirations placed in its visit to Africa.

796. The representative of China said that in their speeches the United States and British representatives had tried hard to dress up their Governments as if the latter were much concerned for the sufferings of the African people, and as if they were consistently opposed to colonialism and racism. Such hypocritical rhetoric could deceive no one. The Chinese representative condemned their preachings about pacifism and non-violence, pointing out that their aim was to force the African people still under colonialist rule to accept submissively the colonialists' perpetual enslavement.

797. The President, speaking as the representative of the Sudan, stated that the long discussion of the situation in Namibia in the various organs of the United Nations, the adoption of numerous resolutions and the advisory opinion of the International Court of Justice had established categorically that South Africa's pres-

ence in Namibia was illegal and that the Member States were under an obligation to desist from any intercourse with South Africa in which that Government purported to speak for Namibia. Furthermore, the Security Council was duty-bound to take energetic measures to carry out the resolutions of the United Nations. As proposed by the current Chairman of OAU, the Security Council should be entrusted with the administration of Namibia and should make all arrangements to that effect. As regards Southern Rhodesia, the African States could not accept the so-called consultations, which would be carried out under restrictions imposed by Ian Smith régime; indeed, there was no alternative but to convene a constitutional conference. That procedure would not only meet the wishes of the people of Zimbabwe but would be in accord with the publicly declared position of the United Kingdom.

798. At its 1638th meeting, on 4 February, the Security Council proceeded to vote on the five draft resolutions before it. At the suggestion of the President, the Council decided first to take up the two draft resolutions concerning the situation in Namibia (S/10376/Rev.2 and S/10608).

799. The representative of China said that the Chinese Government had consistently stood for the immediate achievement of national independence by the people of Namibia free from any outside interference. However, the content of the draft resolution (S/10376/Rev.2) failed to reflect that basic principle. The adoption of such a draft resolution would in effect mean a retrogression of the Security Council from its original stand on the question of Namibia. The South African authorities had all along defied and violated all the resolutions adopted by the United Nations General Assembly and the Security Council on Namibia. In those circumstances, if the Secretary-General was to be entrusted with such a mission of dialogue, the United Nations and the Security Council might again meet with contempt and humiliation before the South African authorities. The Chinese representative added that since there was already a relatively comprehensive draft resolution on the question of Namibia sponsored by Guinea and three other countries, he doubted whether there was any need to adopt the said draft resolution. Subsequently, when the draft resolution was put to the vote, the Chinese representative stated that in the light of the above statement the Chinese delegation would not participate in the voting on the draft.

800. The representative of Italy proposed that the group mentioned in operative paragraph 1 of the Argentine draft resolution (S/10376/Rev.2) should be composed of the representatives of Argentina and Somalia. The representative of the Union of Soviet Socialist Republics proposed the addition of Guinea, India and Yugoslavia to the group. Subsequently, the President announced that, after consultations, it had been agreed that the group mentioned in operative paragraph 1 of the Argentine revised draft resolution would be composed of Argentina, Somalia and Yugoslavia. Accordingly, the draft resolution was amended to read as follows:

*"The Security Council,*

*"Having examined further the question of Namibia, and without prejudice to other resolutions adopted by the Security Council on this matter,*

*"Recognizing the special responsibility and obligation of the United Nations towards the people and Territory of Namibia,*

*"Reaffirming once again the inalienable and imprescriptible right of the people of Namibia to self-determination and independence.*

*"Reaffirming also the national unity and the territorial integrity of Namibia,*

*"1. Invites the Secretary-General, in consultation and close co-operation with a group of the Security Council, composed of the representatives of Argentina, Somalia and Yugoslavia, to initiate as soon as possible contacts with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations;*

*"2. Calls on the Government of South Africa to co-operate fully with the Secretary-General in the implementation of this resolution;*

*"3. Requests the Secretary-General to report to the Security Council on the implementation of this resolution not later than 31 July 1972."*

**Decision:** *At the 1638th meeting, on 4 February 1972, the revised draft resolution submitted by Argentina (S/10376/Rev.2) was adopted by 14 votes to none, with no abstentions and China not participating in the vote, as resolution 309 (1972).*

801. At the same meeting, the representative of Yugoslavia introduced the revised text of the four-Power draft resolution concerning Namibia (S/10608/Rev.1) which incorporated certain suggestions submitted to the sponsors in the course of consultations. The revised draft resolution read as follows:

*"The Security Council,*

*"Taking note of the statement of the President of Mauritania, in his capacity as current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity,*

*"Taking note of the statement of the President of the United Nations Council for Namibia,*

*"Gravely concerned over the present situation in Namibia and the repressive measures of the South African Government, following the strike of the African contract labourers in the country and the widespread and increasing manifestations of African resistance to the illegal occupation of the Territory by the South African Government,*

*"Convinced that the Security Council, as a matter of urgency, should find ways and means to enable the people of the Territory to achieve self-determination and independence,*

*"Conscious of the need for full co-operation of all Member States, in particular, the permanent members of the Security Council and the main trading partners of South Africa, for this purpose,*

*"Recalling its previous resolutions and those of the General Assembly pertaining to Namibia,*

*"Conscious of the special responsibilities of the United Nations towards the people and Territory of Namibia,*

*"Mindful of its responsibility to take necessary action to secure strict compliance with the obligations*

*entered into by States Members of the United Nations under the relevant provisions of the Charter of the United Nations,*

*"Reaffirming the inalienable rights of the people of Namibia to self-determination and independence, in accordance with the General Assembly resolution 1514 (XV) of 14 December 1960,*

*"Reaffirming also the national unity and territorial integrity of Namibia,*

*"1. Strongly condemns the refusal of South Africa to comply with the resolutions of the General Assembly and Security Council pertaining to Namibia;*

*"2. Reaffirms that the continued occupation of the South African Authorities in Namibia is illegal and detrimental to the interests of the people of Namibia;*

*"3. Declares that the defiant attitude of South Africa towards the Council's decisions undermines the authority of the United Nations;*

*"4. Strongly condemns the recent repressive measures against the African labourers in Namibia and calls upon the Government of South Africa to end immediately these repressive measures and to abolish any system of labour which may be in conflict with basic provisions of the Universal Declaration of Human Rights;*

*"5. Calls upon all States whose nationals and corporations are operating in Namibia, notwithstanding the relevant provisions of Security Council resolution 283 (1970), to use all available means to ensure that such nationals and corporations conform in their policies of hiring Namibian workers to the basic provisions of the Universal Declaration of Human Rights;*

*"6. Considers that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant United Nations resolutions and of the Charter creates conditions detrimental to the maintenance of peace and security in the region;*

*"7. Calls upon South Africa to withdraw immediately its police and military forces, as well as its civilian personnel from the Territory of Namibia;*

*"8. Decides that, in the event of failure on the part of the Government of South Africa to comply with this resolution, the Security Council will meet immediately to determine upon effective steps or measures, in accordance with the relevant Chapters of the Charter, to secure the full and speedy implementation of this resolution;*

*"9. Requests the Secretary-General to report to the Security Council on the implementation of this resolution not later than 31 July 1972."*

**Decision:** *At the 1638th meeting, on 4 February 1972, the revised draft resolution sponsored by Guinea, Somalia, the Sudan and Yugoslavia (S/10608/Rev.1) was adopted by 13 votes to none, with 2 abstentions (France and United Kingdom of Great Britain and Northern Ireland), as resolution 310 (1972).*

802. At the 1639th meeting, on the same day, the representative of Yugoslavia stated that he supported the three-Power draft resolution (S/10606) on Southern Rhodesia. His delegation could not subscribe to the view that the people of Zimbabwe must either accept the proposals for a settlement as established in the Home-Smith agreements or else face the horrors of *apartheid* in their territory. He fully understood the

unwillingness of the Zimbabwe people to entrust their whole future to the findings of the Pearce Commission and to the interpretation of those findings by the British Government and the Smith régime. He reaffirmed that Member States were under obligation to continue to apply political, economic and diplomatic sanctions against the illegal racist régime in Southern Rhodesia until it was brought to an end.

803. The representative of China stated that his delegation had reservations about operative paragraphs 6 and 7 of the three-Power draft resolution concerning Southern Rhodesia (S/10606), by which the Council would urge the United Kingdom to convene a constitutional conference. China believed that the United Kingdom should, instead, take immediate steps to end the colonialist rule of the white racist régime. Since the people of Zimbabwe was fighting for their independence, the Council must call upon the Government and peoples of all countries to give them active support. In addition, the Council must also condemn the United States and other States for violating the sanctions against Southern Rhodesia.

804. The representative of the Union of Soviet Socialist Republics stated that his delegation did not consider the three-Power draft resolution (S/10606) adequate, as it contained many gaps, particularly its failure to mention the United Kingdom's responsibility for the current situation in Southern Rhodesia and for the non-attainment of the right of self-determination and independence by the people of Zimbabwe. The Soviet Union was opposed to any deal between the United Kingdom and the racist régime of Ian Smith, which had usurped power in Southern Rhodesia. Therefore, the Council should adopt, at that stage, the most effective and efficient measures to eliminate the racist régime in Southern Rhodesia and to ensure the transfer of power to the people of Zimbabwe. However, taking into account the fact that the draft resolution was being submitted by three African representatives on the Security Council and had the support of an overwhelming number of African delegations, the Soviet delegations would vote in its favour.

805. The representative of the United Kingdom stated that his delegation had hoped that the Council would realize that his Government could not accept a directive to change its policies at a time when they were in the process of being worked out. The three-Power draft resolution (S/10606) would not only prejudice the results of the investigation entrusted to the Pearce Commission but would seriously jeopardize the work of that Commission. Inasmuch as the draft resolution recommended the course that in current circumstances were impracticable, his delegation could not accept it.

**Decision:** *At the 1639th meeting, on 4 February 1972 the three-Power draft resolution sponsored by Guinea, Somalia and the Sudan (S/10606) received 9 votes in favour to 1 against (United Kingdom of Great Britain and Northern Ireland), with 5 abstentions (Belgium, France, Italy, Japan and the United States of America) and was not adopted, owing to the negative vote of a permanent member of the Security Council.*

806. The representative of India then introduced a revised draft resolution (S/10609/Rev.1) sponsored by Guinea, India, Somalia, the Sudan and Yugoslavia concerning the policies of *apartheid* of the Government of South Africa, which read as follows:

*"The Security Council,*

*"Noting with grave concern the aggravation of the situation in South Africa resulting from the continued intensification and expansion of the policies of apartheid and repression by the Government of South Africa,*

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

*"Taking note of the statement of the representative of the Special Committee on Apartheid,*

*"Deploping the persistent refusal of the Government of South Africa to implement the resolutions adopted by the Security Council in order to promote a peaceful solution in accordance with the Charter,*

*"Gravely concerned that the situation in South Africa seriously disturbs international peace and security in southern Africa,*

*"Noting the continued military build-up and strengthening of its military capability by the South African Government,*

*"Convinced that urgent measures must be taken by the Security Council to secure implementation of its resolutions and thereby promote a solution of the grave situation in South Africa and southern Africa,*

*"1. Condemns the Government of South Africa for continuing its policies of apartheid in violation of its obligations under the Charter;*

*"2. Reiterates its total opposition to the policies of apartheid of the South African Government;*

*"3. Recognizes the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights, as set forth in the Charter of the United Nations and the Universal Declaration of Human Rights;*

*"4. Urgently calls upon the Government of South Africa to release all persons imprisoned, interned or subjected to other restrictions as a result of the policies of apartheid;*

*"5. Calls upon all States to observe strictly the arms embargo against South Africa;*

*"6. Urges Governments and individuals to contribute generously and regularly to the United Nations funds which are used for humanitarian and training purposes to assist the victims of apartheid;*

*"7. Commends the intergovernmental organizations, non-governmental organizations and individuals for assisting with the education and training of South Africans and urges those who do not to begin and those who do to expand their efforts in this field;*

*"8. Decides, as a matter of urgency, to examine methods of resolving the present situation arising out of the policies of apartheid of the Government of South Africa."*

**Decision:** *At the 1639th meeting, on 4 February 1972, the five-Power revised draft resolution (S/10609/Rev.1) was adopted by 14 votes to none, with 1 abstention (France), as resolution 311 (1972).*

807. The representative of Guinea then introduced a revised text (S/10607/Rev.1) of the draft resolution concerning the Territories under Portuguese administration sponsored by Guinea, Somalia and the Sudan. The sponsors agreed to incorporate an amendment to paragraph 4 (c) proposed orally by the representative of Japan. As amended, the three-Power revised draft resolution (S/10607/Rev.1) 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 made by 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 people of Angola, Mozambique and Guinea (Bissau), in order to suppress the legitimate aspirations of the peoples for self-determination and independence,*

*"Deploping 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 people of Angola, Mozambique and Guinea (Bissau) to self-determination and independence, as recognized by the General Assembly in 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 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 on 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 people of Angola, Mozambique and Guinea (Bissau);*

*"(c) To withdraw all its armed forces as presently employed for the purpose of the repression of*

*the people 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 people 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 this resolution and report to the Security Council from time to time."*

**Decision:** *At the 1639th meeting, on 4 February 1972, the three-Power revised draft resolution (S/10607/Rev.1) was adopted by 9 votes to none, with 6 abstentions (Argentina, Belgium, France, Italy, United Kingdom of Great Britain and Northern Ireland and United States of America), as resolution 312 (1972).*

808. The President of the Council concluded the session of the Security Council in Addis Ababa by making a statement, which the Council had approved by consensus, expressing gratitude to the host country. The Minister for Foreign Affairs of Ethiopia made a statement in response to the remarks of the President and assured the members of the Council that his Sovereign, Government and people had considered it a privilege to play host to the historic session of the Security Council in Africa.

### C. Other communications

809. By a letter dated 27 January 1972 (S/10603), the Minister for Foreign Affairs of the German Democratic Republic welcomed the Council's decision to hold a meeting in Addis Ababa to deliberate on more effective ways and means to implement its decisions relating to colonialism and racism in Africa.

810. By a letter dated 27 January 1972 (S/10528), the representative of China forwarded the text of a letter of the Minister for Foreign Affairs of China of the same date, with four annexes, stating the position taken by his Government since its inception in support of the people of Africa against colonialism and racial discrimination.

811. In a letter dated 7 February 1972 (S/10533), the representative of the United Kingdom, after referring to the Security Council resolution 311 (1972) adopted in Addis Ababa on 4 February 1972, stated that although his Government had voted in favour of that resolution, there had been no change in its policy with regard to the point made in paragraph 5 of the resolution. He recalled that, at the time of the adoption

of resolution 191 (1964), the then Permanent Representative of his Government had made an express reservation concerning its interpretation. Similar res-

ervations had also been made by his Government recently, although it had further restricted voluntarily the range of arms that it had been prepared to export.

## Part II

### OTHER MATTERS CONSIDERED BY THE SECURITY COUNCIL

#### Chapter 11

#### ADMISSION OF NEW MEMBERS

##### A. Application of Bahrain

812. In a letter dated 15 August 1971 (S/10291), the Emir of the State of Bahrain submitted the application of Bahrain for admission to membership in the United Nations, together with a declaration, signed by the Emir, accepting the obligations contained in the Charter of the United Nations.

813. At the 1574th meeting, on 16 August, the President of the Security Council referred the application of Bahrain for membership in the United Nations to the Committee on the Admission of New Members for examination and report, as provided in rule 59 of the Security Council's provisional rules of procedure.

814. At its 1575th meeting, on 18 August, the Security Council considered the Committee's report on the application of Bahrain (S/10294).

815. The draft resolution recommended by the Committee, as amended at the suggestion of the representative of the Syrian Arab Republic, read as follows:

*"The Security Council,*

*"Having examined the application of Bahrain for admission to the United Nations (S/10291),*

*"Recommends to the General Assembly that Bahrain be admitted to membership in the United Nations."*

**Decision:** *At the 1575th meeting, on 18 August 1971, the draft resolution, as amended, was unanimously adopted as resolution 296 (1971).*

##### B. Application of Qatar

816. In a letter dated 4 September 1971 (S/10306), the Emir of Qatar submitted the application of Qatar for admission to membership in the United Nations. He stated that his Government endorsed the purposes and principles of the United Nations Charter and declared that it accepted the obligations contained therein.

817. At the 1577th meeting held on 14 September, the President referred the application of Qatar for membership in the United Nations to the Committee on the Admission of New Members for examination and report, as provided in rule 59 of the provisional rules of procedure.

818. The Security Council, at its 1578th meeting, on 15 September, considered the Committee's report on the application of Qatar (S/10318) and invited the representative of Yemen, at his request (S/10316), to participate in the discussion. In its report, the Committee recommended to the Security Council the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of Qatar for admission to the United Nations (S/10306),*

*"Recommends to the General Assembly that Qatar be admitted to membership in the United Nations."*

**Decision:** *At its 1578th meeting, on 15 September 1971, the Security Council decided to have recourse to the last paragraph of rule 60 of the provisional rules of procedure and unanimously adopted the draft resolution contained in the Committee's report (S/10318) as resolution 297 (1971).*

##### C. Application of Oman

819. At the 1574th meeting of the Security Council, on 16 August, the President referred the application of Oman for admission to membership in the United Nations, submitted on 24 May (S/10216), to the Committee on the Admission of New Members for examination and report, as provided in rule 59 of the provisional rules of procedure.

820. In a report dated 16 August (S/10294), the Committee stated that, at its 36th meeting on that date, it had decided to defer its examination of that application and recommended without objection that the Security Council have recourse later to the last paragraph of rule 60 of the provisional rules of procedure.

821. The Security Council, at its 1587th meeting, on 30 September, considered the Committee's subsequent report dated 30 September on the application of Oman (S/10345). The Council invited the representative of Yemen, at his request (S/10348), to participate in the discussion. The Committee's report contained the following draft resolution:

*"The Security Council,*

*"Having examined the application of Oman for admission to the United Nations (S/10216),*

*"Recommends to the General Assembly that Oman be admitted to membership in the United Nations."*

**Decision:** *At its 1587th meeting, on 30 September 1971, the Security Council decided to have recourse to the last paragraph of rule 60 of the provisional rules of procedure and unanimously adopted the draft resolution contained in the Committee's report (S/10345) as resolution 299 (1971).*

##### D. Application of the United Arab Emirates

822. In a letter dated 2 December (S/10420), the President of the United Arab Emirates submitted the application of the United Arab Emirates for admission to membership in the United Nations, together with a declaration signed by the President accepting the obligations contained in the Charter of the United Nations.

823. At the 1608th meeting, on 6 December, the President of the Security Council referred the application of the United Arab Emirates for membership in the United Nations to the Committee on the Admission of New Members for examination and report, as provided in rule 59 of the provisional rules of procedure.

824. At its 1609th meeting, on 8 December, the Security Council considered the Committee's report on the application of the United Arab Emirates (S/10430), which contained the following draft resolution:

*"The Security Council,*

*"Having examined the application of the United Arab Emirates for admission to the United Nations (S/10430),*

*"Recommends to the General Assembly that the United Arab Emirates be admitted to membership in the United Nations."*

**Decision:** *At its 1609th meeting, on 8 December 1971, the Security Council decided to have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure and unanimously adopted the draft resolution contained in the Committee's report (S/10430) as resolution 304 (1971).*

## **Chapter 12**

### **RECOMMENDATION FOR THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS**

825. At its 1618th, 1619th and 1620th meetings, held in private on 17, 20 and 21 December 1971, respectively, the Security Council considered the question of its recommendation for the appointment of the Secretary-General of the United Nations.

**Decision:** *At the 1620th meeting on 21 December 1971, the Security Council adopted resolution 306 (1971).*

826. The resolution read as follows:

*"The Security Council,*

*"Having considered the question of the recommendation for the appointment of the Secretary-General of the United Nations,*

*"Recommends to the General Assembly that Mr. Kurt Waldheim be appointed Secretary-General of the United Nations."*

827. By a letter dated 21 December 1971 (A/8496), the President of the Security Council transmitted the Council's recommendation to the President of the General Assembly.

## **Chapter 13**

### **QUESTION CONCERNING THE HOLDING OF MEETINGS OF THE COUNCIL AWAY FROM HEADQUARTERS**

828. In the course of its consideration of the request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital (see chapter 10) the Security Council decided, at its 1625th meeting on 11 January 1972, to establish a committee composed of all members of the Security Council, to be called the Security Council Committee on Council Meetings Away from Headquarters, to examine the question in all its aspects and to draft general guidelines that could be applied in all similar situations arising in the future.

829. On 18 January, the Committee on Council Meetings Away from Headquarters submitted to the Security Council a report (S/10514) describing the points considered by it in the course of eight meetings, including the technical, financial, legal and political implications arising from its recommendation that the Security Council hold meetings in Addis Ababa between 28 January and 4 February 1972. In view of the Council's directive to it to study all aspects of the question of convening meetings in an African capital and report by 17 January, the Committee stated that it had agreed to defer to a later stage its work on other aspects of its mandate, in particular, the drafting of the general guidelines.

## **Part III**

### **THE MILITARY STAFF COMMITTEE**

#### ***Chapter 14***

#### **WORK OF THE MILITARY STAFF COMMITTEE**

830. The Military Staff Committee functioned continuously under the draft rules of procedure during the period under review and held a total of 26 meetings without considering matters of substance.

## Part IV

### MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED IN THE COUNCIL DURING THE PERIOD COVERED

#### Chapter 15

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

831. By a letter dated 25 June 1971 (S/10243), the Secretary-General transmitted to the President of the Security Council the text of Economic and Social Council resolution 1591 (L) entitled "Policies of *apartheid* and racial discrimination", adopted on 21 May, in paragraph 1 of which that Council requested the Security Council to find means of rigidly enforcing its own resolutions in which all Member States were called upon not to supply arms to South Africa.

832. By a letter dated 13 July addressed to the President of the Security Council (S/10272), the Executive Secretary of the Organization of African Unity (OAU) in New York transmitted, for the information of the Security Council in accordance with Article 54 of the Charter, the texts of the resolutions adopted by the Assembly of Heads of State and Government of OAU at its eighth session, which met in Addis Ababa from 21 to 23 June. One of the resolutions related to the questions of *apartheid* and racial discrimination and reaffirmed OAU's full and unconditional support of the oppressed people of South Africa in their legitimate struggle to eliminate *apartheid* and achieve majority rule; another contained a Declaration on the Question of Dialogue, which concluded that no basis existed for a meaningful dialogue with the minority racist régime of South Africa.

833. In a letter dated 8 September addressed to the President of the Security Council (S/10311), the Acting Permanent Observer of Switzerland referred to a statement contained in the letter dated 7 May from the Chairman of the Special Committee on *Apartheid* (S/10190), stating that it might lead some to infer that Switzerland was continuing to supply war materials to South Africa. In that connexion, he recalled that, in December 1963, his Government had prohibited the export of war materials to South Africa. Although a Swiss company had acted without the knowledge of his Government and in violation of the embargo had supplied war materials to South Africa, those responsible had been sentenced to imprisonment by the highest judicial body of Switzerland.

834. By a letter dated 23 September addressed to the President of the Security Council (S/10331), the Chairman of the ninth Joint Meeting of the Special Committee on *Apartheid*, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Council for Namibia transmitted the text of a consensus adopted on 13 September.

835. In a letter dated 6 October addressed to the President of the Security Council (S/10354), the Chairman of the Special Committee on *Apartheid* stated that the Committee had been informed that an agreement had been concluded between the Armaments Development and Production Corporation of South Africa, Ltd., and a French aviation company for the manufacture in South Africa of Mirage III and F-1 aircraft. The Special Committee had expressed its concern to the Government of France through the French Permanent Representative and had emphasized that the Security Council's arms embargo had not made any distinction between arms for internal repression and arms for external defence. The position of the Government of France on that point had been communicated orally to the Chairman of the Special Committee and was set forth in an annex to his letter.

836. The spokesman of the French delegation recalled that, on 7 August 1963, the representative of France had announced his Government's decision to prohibit the sale to South Africa of weapons that could be used for internal police operations dictated by racist prejudices and that, on 4 December 1963, France had informed the Council that it would also prohibit the sale of equipment and material that could be used for the manufacture of those weapons. In establishing the list of prohibited arms, France had been guided by the fundamental distinction between arms that could be used for anti-guerrilla operations and arms that could be used for defence against external threats. The French statement maintained that the distinction between the different categories of weapons according to their use had been implicitly admitted by the Security Council in its resolution 181 (1963) and that the Council had subsequently noted with satisfaction the assurances given by Governments within the framework of resolution 181 (1963), including that of the French delegation, which made a distinction between the two types of weapons. It was the firm opinion of the French spokesman that the sale of Mirage aircraft and the licensing of their production in South Africa would not strengthen the anti-guerrilla potential of South Africa or assist it in any possible operations of internal repression; accordingly, any criticism in that regard against the French Government was unfounded.

837. The Special Committee on *Apartheid* approved its report to the Security Council and the General Assembly on 6 October (S/10366). The report contained a review of the work of the Special Committee since the adoption of its previous report in September

1970, including an annex reviewing developments in South Africa in the preceding year. It also contained information on the activities of specialized agencies and other organizations in the campaign against *apartheid* and described the work of the Special Committee in consulting experts and participating in meetings with other bodies interested in its area of activity. The concluding chapter of the report contained a summary of the Special Committee's recommendations, the majority of which were addressed to the General Assembly. One recommendation, however, was addressed to both the General Assembly and the Security Council and dealt with the embargo on the supply of arms to South Africa. The Special Committee stated that the General Assembly and the Security Council should reaffirm Security Council resolution 282 (1970) and General Assembly resolution 2624 (XXV); deplore and condemn the actions of Governments which had contributed assistance in any form for the military build-up of the South African régime; reaffirm that the resolutions of the Security Council and the General Assembly did not admit distinctions between arms for external defence and arms for internal repression or provide for any exceptions to the arms embargo; declare that no justifications for continuing military co-operation with South Africa, such as commitments under earlier agreements or understandings with the South African régime, could be accepted; request all States to exert all their influence on the Powers concerned to dissuade them from violating the arms embargo; and launch a solemn appeal to all organizations and to public opinion to denounce all military collaboration with South Africa and to support the United Nations efforts to implement an effective arms embargo against the South African régime. The Special Committee further recommended that the Security Council should declare that the arms embargo against South Africa was mandatory.

838. The Security Council considered the question concerning the policies of *apartheid* of the Government of South Africa in the course of its meetings away from Headquarters, held in Addis Ababa from 28 January to 4 February 1972. For an account of those proceedings see chapter 10, section B, above.

839. By a letter dated 9 February 1972 (S/10536), the Secretary-General transmitted to the Security Council the texts of General Assembly resolution 2775 A and F (XXVI), adopted on 29 November 1971, on the policies of *apartheid* of the Government of South Africa. He drew attention to the fact that the Assembly had invited the Security Council to consider the situation in the light of the reports and communications addressed to it by the Special Committee on *Apartheid*

and the above resolution, with a view to securing the full implementation by all States of Security Council resolution 282 (1970), and, further, had again recommended that the Council should consider urgently the situation in South Africa and in southern Africa as a whole, with a view to adopting effective measures against South Africa, including those under Chapter VII of the Charter of the United Nations.

840. In a note dated 17 March addressed to the Secretary-General (S/10568), the Permanent Mission of the Union of Soviet Socialist Republics expressed the support of the Soviet Union, in connexion with Security Council resolution 311 (1972) and General Assembly resolution 2775 A-H (XXVI) on *apartheid*, for the speedy and final elimination of colonial and racist régimes. The note added that the Soviet Union, guided by Leninist foreign policy principles, expressed strong and consistent support in the United Nations for the just and courageous struggle of the African peoples for freedom and national independence and was providing them with moral, political, diplomatic and material assistance in that struggle.

841. In a telegram dated 27 March 1972 addressed to the President of the Security Council and circulated at his direction (S/10577), the Minister for Foreign Affairs of the German Democratic Republic drew attention to a statement issued by the Ministry of Foreign Affairs on the occasion of the International Day for Action to Combat Racism and Racial Discrimination, expressing the view that the pertinent decisions of the United Nations should be immediately implemented and strictly observed by all States.

842. In a letter dated 5 June addressed to the Secretary-General (S/10680), the Chairman of the Special Committee on *Apartheid* requested submission to the Security Council of a note on recent developments concerning the military build-up in South Africa that permitted the South African régime not only to intensify its oppressive racist policies against the non-white citizens of that country but to extend those policies to Namibia, to violate the integrity of neighbouring territories and to pose a serious threat to the security of independent African countries. The letter added that the evidence of large-scale expansion of the manufacture of arms, military vehicles and ammunition within South Africa with the assistance of foreign Governments and companies was creating a new situation by which the whole object of the arms embargo might be lost. The Committee therefore expressed the view that the Security Council should consider specific measures to ban the transfer to South Africa of advanced technology and scientific military information that could be used in such manufacture.

## Chapter 16

### COMMUNICATIONS CONCERNING THE SITUATION IN TERRITORIES UNDER PORTUGUESE ADMINISTRATION

843. In a letter dated 10 September 1971 (S/10312), the Acting 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, transmitted to the Security Council the text of a resolution (A/AC.109/383) adopted by the Special Committee on 9 September 1971. In paragraph 5 of the resolution the Special

Committee drew the attention of the Security Council to the urgent need to take effective measures to put an end to the grave situation created through the continued defiance by the authorities in Southern Rhodesia, Namibia and the Territories under Portuguese administration, of their obligations under the Charter of the United Nations, which threatened international peace and security.

844. In a letter dated 14 September (S/10320), the Acting Chairman of the Special Committee transmitted to the Security Council the text of a resolution (A/AC.109/384) adopted by the Special Committee on 14 September. In paragraph 10 of the resolution the Special Committee drew the attention of the Security Council to the need for taking, as a matter of urgency, all effective measures, in accordance with the relevant provisions of the Charter of the United Nations, to secure the implementation by Portugal of General Assembly resolution 1514 (XV) and of the decisions of the Security Council concerning the Territories under Portuguese domination, in particular, resolution 180 (1963) of 31 July 1963, 183 (1963) of 11 December 1963, and 218 (1965) of 23 July 1965.

845. In a letter dated 18 January 1972 (S/10521), the Secretary-General transmitted to the Security Council the text of resolution 2795 (XXVI) concerning the question of Territories under Portuguese administration, adopted by the General Assembly on 10 December 1971. By operative paragraph 14 of that resolution, the Assembly drew the Council's attention, in view of the further deterioration of the situation in the Territories of Angola, Mozambique and Guinea (Bissau) which seriously disturbed international peace and security, to the urgent necessity to consider taking all effective steps, in accordance with the relevant provisions of the Charter, to secure the full and speedy implementation by Portugal of resolution 1514 (XV) and of the decisions of the Security Council concerning the Territories under Portuguese domination.

846. In a letter dated 16 April 1972 (S/10624) the Chairman of the Special Committee transmitted the text of a resolution (A/AC.109/400) adopted by the Committee on 13 April 1972, as well as other documents pertaining to the Committee's Special Mission to the Liberated Areas of Guinea (Bissau). By paragraph 8 of the resolution the Committee decided to draw the Council's attention, for appropriate action, to the serious situation obtaining in the Territory.

847. In a letter dated 8 May 1972 (S/10633), the Chairman of the Special Committee transmitted to the President of the Security Council the text of a resolution (A/AC.109/402) adopted by the Special Committee on 20 April 1972.

848. In paragraph 10, the Special Committee drew the attention of the Security Council to the urgent need for taking, as a matter of priority, further effective measures to obtain the compliance by the Government of Portugal with relevant resolutions of the United Nations, particularly Security Council resolution 312 (1972).

## *Chapter 17*

### COMMUNICATION FROM MALTA

849. By a letter dated 30 June 1971 to the President of the Security Council (S/10246), the representative of Malta transmitted the text of a statement by his Government concerning certain recent reports which had appeared in the foreign press regarding Maltese relations with the United Kingdom of Great Britain and Northern Ireland, the United States of America and the North Atlantic Treaty Organization (NATO).

850. In its statement, the Maltese Government denied accusations of unilateral abrogation of the 1964 Defence Agreement on the grounds that that agreement was no longer in being; the position of British forces in Malta would henceforth be governed by fresh arrangements. As for the position of NATO forces, Malta stated that NATO had only a provisional and limited permission. As regards the United States Sixth Fleet, it had no right by treaty or agreement to take shelter in Maltese harbours, and the Maltese Government did not consider visits by the fleet to be in the interests of Malta for the time being.

## *Chapter 18*

### COMMUNICATIONS FROM THE KHMER REPUBLIC

851. During the period under review, the Government of the Khmer Republic addressed five communications to the President of the Security Council complaining of violations of its sovereignty and territorial integrity by armed units of Viet-Cong and North Vietnamese forces. The most frequent complaints were of armed incursions into its territory, attacks upon Khmer military posts, clashes with Khmer defence forces and the occupation of several points in the country. As a result of those attacks, it was stated, scores of Khmer nationals, both military and civilian, including women and children, had died. Several Buddhist monks were reported to have been killed, and many were missing; hundreds of buildings had been set on fire and destroyed.

In some of the letters, it was asserted that the invading forces had been equipped with modern weapons by foreign States friendly to them.

852. In all the communications, the representative of the Khmer Republic expressed his Government's firm protest against the illegal attacks and the occupation of its territory as flagrant violations of the Charter of the United Nations, international law and the 1954 Geneva Agreements. The Government of the Khmer Republic held the Government of the Democratic Republic of Viet-Nam and the so-called Provisional Revolutionary Government of South Viet-Nam entirely responsible for the very serious consequences resulting from those acts and reserved the right to take any action necessary.

sary to defend the independence, neutrality, sovereignty and territorial integrity of the Khmer Republic.

853. Listed below are the letters that the representative of the Khmer Republic addressed to the President of the Security Council between 16 June 1971 and 15 June 1972.

Letter dated 1 July 1971 (S/10248), charging attacks and harassment from 19-20 May to 1 June.

Letter dated 23 August (S/10302), charging acts of systematic persecution against Khmer Buddhist monks on 6 December 1970, 3 April and 8 and 30 May 1971.

Letter dated 27 September (S/10349), charging Viet-Cong and North Viet-Nameese forces with the murder of a Khmer monk and other persons on 24 August.

Letter dated 8 December (S/10450), charging North Viet-Nameese and Viet-Cong forces with using poison gas shells against Khmer positions in Kompong Thom province on 29-30 October.

Letter dated 10 April 1972 (S/10596), charging Viet-Cong and North Viet-Nameese forces with committing criminal acts against the Khmer civilian and religious population from 1 to 24 January 1972.

## Chapter 19

### COMMUNICATIONS CONCERNING VIET-NAM

854. By a letter dated 30 November 1971 (S/10406) the representative of the Union of Soviet Socialist Republics transmitted the text of a joint Soviet and Viet-Nameese statement concerning "the unshakable brotherhood of the USSR and the Democratic Republic of Viet-Nam" signed on 7 October 1971 by N. Podgorny, member of the Politburo of the Central Committee of the Communist Party of the Soviet Union and President of the Presidium of the Supreme Soviet of the USSR, who headed the Soviet Party-Government delegation, and by Le Duan, First Secretary of the Central Committee of the Workers' Party of Viet-Nam, who headed the Viet-Nameese Party-Government delegation, following talks during the visit by the Soviet delegation in that country from 4 to 8 October. One section of the communiqué dealt with the situation in Viet-Nam and on the Indo-Chinese peninsula and condemned the United States imperialists who were prolonging, intensifying and expanding the aggressive war in Indo-China and violating the 1954 Geneva Agreements on Indo-China and the 1962 Geneva Agreements on Laos. Both parties strongly demanded that the United States Government halt its interference and aggression, completely withdraw its troops, advisers and military personnel from South Viet-Nam, Laos and Cambodia and halt all United States military operations on the Indo-China peninsula, so as to permit each of the countries of Indo-China to settle its internal affairs without outside interference. Furthermore, both parties considered that the seven-point proposals put forward by the Provisional Revolutionary Government of the Republic of South Viet-Nam provided a reasonable and fair basis for settling the Viet-Nameese question. Those proposals contained two main points: the United States Government must put an end to the war of aggression, withdraw all its forces from South Viet-Nam and dismantle the United States military bases there and also end its support of the puppet régime in Saigon.

855. By a letter dated 4 January 1972 (S/10494), the representative of the USSR transmitted a statement of 30 December 1971 by the Soviet Government, in which it was charged that the United States had recently committed fresh acts of aggression against the Democratic Republic of Viet-Nam by sending hundreds of military aircraft to bomb and strafe its territory. Despite its repeated statements concerning "peaceful settlement" and the "winding down of American participation" in the Indo-Chinese conflict, the statement said, the United States continued to stake its hopes on

a military settlement of the Viet-Nameese question. Condemning the aggressive course followed by the United States in Indo-China, the Soviet Union fully supported the Democratic Republic of Viet-Nam and would continue to extend to it the necessary assistance to repulse any assault on its sovereignty and independence.

856. By a letter dated 24 February (S/10544), the representative of the USSR transmitted a statement of 11 February by the Soviet Government complaining that United States propaganda organs had been carrying on a noisy campaign in connexion with the United States Government's proposals for an Indo-China settlement, which had been referred to as the "eight-point peace plan". According to the statement, an objective analysis of those proposals made it clear that Washington refused to set a specific date for the withdrawal of all United States troops from South Viet-Nam and was trying to force the people of South Viet-Nam to agree to the continued existence of the pro-United States puppet régime in Saigon and to eliminate the Provisional Revolutionary Government from the political structure of South Viet-Nam. The statement expressed strong condemnation of United States aggression in Viet-Nam and reaffirmed that the Soviet Government would continue to support the peoples of Viet-Nam, Laos and Cambodia in their efforts to achieve a settlement of the problems of Indo-China favourable to their interests.

857. With a note dated 7 April (S/10592), the President of the Security Council circulated a letter dated 6 April from the Permanent Observer of the Republic of Viet-Nam enclosing the text of a proclamation dated 4 April by his Government's National Assembly concerning "Communist North Viet-Nam's open invasion of the Republic of Viet-Nam" and a communiqué issued on 3 April by his Ministry of Foreign Affairs. The proclamation charged that in the last few days, the North Viet-Nameese communists had invaded the Republic of Viet-Nam at the border zone, with a view to the military take-over of the country. The National Assembly of the Republic of Viet-Nam therefore strongly condemned the act of open aggression committed by the North Viet-Nameese communists, in flagrant violation of the 1954 Geneva Agreements, and appealed to the United Nations and to the peoples of the world to support their legitimate struggle for self-defence and to force the North Viet-Nameese communists to stop their invasion and to withdraw north of the 17th parallel. The communiqué issued by the

Ministry of Foreign Affairs of the Republic of Viet-Nam protested the attack on the Republic's outposts in the demarcation area, which it described as part of the enemy's offensive and attempt to occupy the territory of the Republic of Viet-Nam below the demarcation area. It added that North Viet-Nam no longer disguised itself as the "National Liberation Front of South Viet-Nam" but had used its regular forces to attack South Viet-Nam. The Republic of Viet-Nam strongly condemned the North Viet-Nameese policy of armed aggression and its recent invasion and appealed to all peoples and Governments to condemn the action of the communist aggressors and to demand that North Viet-Nam immediately withdraw its armed forces back to the north.

858. By a letter dated 20 April (S/10621) the representative of the USSR transmitted a TASS statement concerning renewed attacks by United States war planes, which had bombed and strafed the port of Haiphong and the suburbs of Hanoi on 16 April, causing casualties and extensive material damage. The statement said that the Soviet people denounced those acts of aggression, which amounted to the perpetration and escalation of United States crimes against the peoples of Indo-China. The only path to a solution of the problems of Indo-China was that of negotiation.

859. By a letter dated 8 May (S/10631), the representative of the United States of America transmitted the text of an announcement made that day by the President of the United States concerning his instructions to United States forces, together with those of the Republic of Viet-Nam, to take additional measures, including mining of the entrances to the ports of North Viet-Nam, in response to recent armed attacks launched by North Viet-Nam. The letter stated that those measures of collective self-defence were being reported to the Security Council, as required by Article 51 of the United Nations Charter. According to the announcement, beginning some five weeks previously, the armies of North Viet-Nam had launched a massive invasion of South Viet-Nam, made possible by tanks, artillery and other advanced offensive weapons supplied to Hanoi by the Soviet Union and other communist nations. In order to deny Hanoi the weapons needed to continue that aggression, the President had ordered that all entrances to North Viet-Nameese ports be mined to prevent access to, and North Viet-Nameese naval operations from, those ports and that appropriate measures be taken to interdict the delivery of any supplies. The President also announced that those measures were not directed against any other nation and that countries with ships currently in North Viet-Nameese ports had already been notified that their ships would have three daylight periods to leave in safety before the mines became active, after which any ship attempting to leave or enter those ports would do so at its own risk. The measures would cease when all American prisoners of war were returned and there was an internationally supervised cease-fire throughout Indo-China. Once those conditions had been met, the United States would stop all acts of force throughout Indo-China and, at that time, would proceed with a complete withdrawal of all American forces from Viet-Nam within four months.

860. In a letter dated 11 May (S/10638), the representative of China stated that the new measures in Viet-Nam announced by the President of the United States, including the mining of the entrances to the

ports of the Democratic Republic of Viet-Nam, constituted a further expansion of the war of aggression against Viet-Nam and an open violation of freedom of international navigation. Those acts were absolutely impermissible under international law and the United Nations Charter. The Viet-Nam question had nothing to do with the United Nations; therefore, the request of the United States representative for circulation of his letter and the announcement by the President of the United States as a Security Council document was devoid of any legal basis.

861. By a letter dated 11 May (S/10640), the representative of Yugoslavia transmitted the text of a statement by the Federal Executive Council of the Socialist Federal Republic of Yugoslavia concerning developments in Viet-Nam. According to the statement, Yugoslavia sharply condemned the decision of the United States to mine all the approaches to the ports of the Democratic Republic of Viet-Nam and to bomb the country on a large scale, which constituted expansion of the war and destruction in that region, directly imperilled peace and international security and might lead to a new world conflict. The statement added that the only solution to the Viet-Nam problem lay in the complete and undelayed withdrawal of American troops from all of Indo-China.

862. In a letter dated 11 May (S/10642), the representative of Cuba stated that the illegal blockade by the United States of the Democratic Republic of Viet-Nam constituted a serious violation of the Charter of the United Nations and the most fundamental rules of international law. Had the United States accepted the proposals put forward by the delegation of the Provisional Revolutionary Government of South Viet-Nam peace would long ago have been guaranteed in Viet-Nam. The Cuban Government rejected the contention that the United States was acting in compliance with the Charter of the United Nations, under the right of "collective self-defence" contained in Article 51, and vigorously condemned the escalation of imperialism.

863. In a letter dated 11 May (S/10643), the representative of the USSR stated, in connexion with the United States letter dated 8 May (S/10631), that the mining of the entrances to the ports of the Democratic Republic of Viet-Nam and the attempts to prevent foreign vessels from entering its territorial and inland waters were creating a direct threat to the vessels of many States that were engaged in carrying cargo for the population of the Democratic Republic of Viet-Nam and to the lives of their sailors. That action was a most flagrant violation of the universally recognized principle of freedom of navigation. Moreover, the reference to Article 51 of the Charter of the United Nations was completely unfounded.

864. By a letter dated 12 May (S/10644), the representative of China transmitted the text of a statement issued on 11 May by the Government of the People's Republic of China, concerning the new military measures announced by the President of the United States. According to the statement, the adoption of such measures grossly violated the freedom of international navigation and trade, wantonly trampled upon the United Nations Charter and international public law and was a provocation not only against the Viet-Nameese people but against the people of the whole world that the Chinese Government and people strongly condemned. The United States had described its aggres-

sion as resistance to North Viet-Nameese invasion, but the Chinese Government supported the stand taken by the Government of the Democratic Republic of Viet-Nam in its statement of 10 May and reaffirmed that the Chinese people provided a powerful backing for the Viet-Nameese people and that the vast expanse of China's territory was their reliable rear area.

865. By a letter dated 15 May (S/10649), the representative of the USSR transmitted a statement by the Soviet Government dated 11 May, concerning the escalation of United States military action in Viet-Nam. The statement said that the Soviet Union considered inadmissible the actions of the United States, which jeopardized the freedom of navigation and security of Soviet and other ships in the area. Such action violated generally recognized principles of freedom of navigation and the 1958 Geneva Conventions on the Law of the Sea, of which the United States was a signatory. A new escalation of aggressive actions could not solve the problems of Indo-China and could not break the will of the Indo-Chinese people fighting for freedom and independence. The only way to solve the Viet-Nameese problem was to respect the rights of the Viet-Nameese people to decide their own destiny without any outside interference. If the United States was prepared for that, it should return to the negotiating table in Paris.

866. By a letter dated 2 June (S/10676), the representative of the Syrian Arab Republic transmitted the text of a statement made on 16 May by the official

spokesman of the Ministry of Foreign Affairs of the Syrian Arab Republic, concerning the recently announced military measures taken by the United States in Viet-Nam. According to the statement, such naked aggression and violation of the United Nations Charter threatened peace not only in Asia but throughout the world. The Syrian Arab Republic condemned such aggression against the Democratic Republic of Viet-Nam, declared its full solidarity with the Viet-Nameese people and demanded the immediate cessation of American aggression and withdrawal of all imperialist colonialist forces from that region, leaving the Viet-Nameese people to choose the régime they wanted in accordance with their own free will.

867. By a letter dated 13 May (S/10651), the representative of Mongolia transmitted the text of a statement issued on 12 May by the Government of Mongolia, charging that United States ruling circles had taken new steps in the escalation of the armed aggression in Viet-Nam and further aggravated the situation in South-East Asia by its latest actions. The statement called for the immediate unconditional withdrawal of United States and allied armed forces and for granting the Viet-Nameese people the opportunity to decide their own destiny without outside interference. It also demanded that the United States rescind all steps taken to block the sea coasts and to bomb the land communications of the Democratic Republic of Viet-Nam, cease all acts of war, observe its commitments under international treaties and respect the right to freedom of international navigation and trade.

## Chapter 20

### COMMUNICATIONS FROM LAOS

868. By a letter dated 7 January 1972 addressed to the Secretary-General (S/10499 and Corr.1), the representative of Laos transmitted a letter addressed to the Secretary-General on 25 December 1971 from the Prime Minister and Chairman of the Council of Ministers of the Kingdom of Laos, enclosing copies of the Prime Minister's messages of the same date to the Co-Chairmen of the 1962 Geneva Conference. The representative requested the circulation of those texts in view of the gravity of the situation in his country resulting from the deliberate attacks on Laotian forces by troops of the Democratic Republic of Viet-Nam in flagrant violation of the 1962 Agreements. In the enclosed letter to the Secretary-General, the Prime Minister of Laos stated that the Hanoi Government had, for years, been committing grave violations of international law by its attacks on Laos. Although nothing had been done, despite his Government's denunciations in the United Nations, the people of Laos continued to believe that the Organization could take action in support of peace-loving peoples and that it would be possible for it to find means, in accordance with the principles of the Charter, to promote peace. In his letters to the Co-Chairmen of the 1962 Geneva Conference, the Prime Minister stated that, since 17 December 1971, the Plain of Jars had been under

attack by three North Viet-Nameese divisions seeking to control the Plain, and he protested most strongly against the latest violations of Laotian territory and escalation of the war in Laos. He urged that all measures provided for in the 1962 Agreements be given effect, including allowing the International Control Commission to verify the facts and halt the mass invasion. His Government was also lodging a protest at the United Nations and did not consider the fact that North Viet-Nam was not a member of the United Nations to be a valid counter-argument. The Geneva Agreements and the Charter of the United Nations provided many varied opportunities for action, provided that an equitable approach was taken and respect shown for the sovereignty of nations great and small.

869. By a letter dated 25 February addressed to the Secretary-General (S/10548), the representative of Laos transmitted a memorandum concerning the presence in Laos of North Viet-Nameese regular troops and their recent attacks on Government posts, in violation of the 1962 Geneva Agreements relating to Laos. The memorandum gave details of the numbers of North Viet-Nameese forces employed and the areas of Laos that had been attacked and overrun in the period between 18 December 1971 and 21 January 1972.

## Chapter 21

### COMMUNICATIONS CONCERNING THE STATUS OF OKINAWA

870. In a letter dated 10 May 1972 (S/10641), the representative of the United States of America informed the Secretary-General that on 15 May the United States would relinquish, and Japan assume, all authority over the territory and inhabitants of the Ryukyu and Daito Islands in accordance with an agreement signed by both Governments on 17 June 1971.

871. In a letter dated 20 May to the Secretary-General and the President of the Security Council (S/10653), the representative of China stated that the Japanese-United States agreement of 17 June 1971 concerning the Ryukyu and Daito Islands openly included Chinese territory, the Tiaoyu and other islands, in the "reversion zone", an action which constituted a serious violation of the territory and sovereignty of the People's Republic of China. Those islands had been Chinese territory since ancient times, and it was entirely illegal and null and void for the United States and Japanese Governments to make an illicit transfer of them.

872. In a letter dated 24 May to the President of the Security Council (S/10661) the representative of Japan stated that the allegations of the Chinese Government concerning the Senaku Islands (Tiaoyu and other islands) were totally groundless. Those islands had always been a part of Japan, a fact which had never been contested by any country until very recently.

## Chapter 22

### REPORTS ON THE STRATEGIC TRUST TERRITORY OF THE PACIFIC ISLANDS

873. The report of the Trusteeship Council on the Trust Territory of the Pacific Islands, covering the period from 20 June 1970 to 18 June 1971, was communicated to the Security Council in document S/10237 (*Official Records of the Security Council, Twenty-sixth Year, Special Supplement No. 1*).

874. Pursuant to paragraph 3 of Security Council resolution 70 (1949) of 7 March 1949, the Secretary-General, on 18 May 1972, transmitted to members of the Security Council the report (S/10652) of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period from 1 July 1970 to 30 June 1971.

## Chapter 23

### COMMUNICATION CONCERNING RELATIONS BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED STATES OF AMERICA

875. By a letter dated 2 June 1972 addressed to the President of the Security Council (S/10674), the representatives of the Union of Soviet Socialist Republics and of the United States of America transmitted two documents concerning the Soviet-American negotiations that took place in Moscow from 22 to 30 May during the course of an official visit to the Soviet Union by the President of the United States and Mrs. Nixon. The first document, entitled "Basic principles of relations between the USSR and the United States", set forth 12 principles agreed upon by the two heads of State. Included among these principles were the following points: (a) there was no alternative in the nuclear age to conducting their mutual relations on the basis of peaceful coexistence; (b) the two States would do their utmost to avoid military confrontations, prevent the outbreak of nuclear war and settle differences by peaceful means; efforts to obtain unilateral advantage at the expense of the other, directly or indirectly,

were inconsistent with those objectives; the prerequisites for maintaining and strengthening peaceful relations between the United States of America and the USSR were the recognition of the security interests of the parties based on the principle of equality and the renunciation of the use or threat of force; (c) permanent members of the Security Council had a special responsibility to do everything in their power so that conflicts or situations that served to increase international tensions did not arise; (d) efforts would be continued to limit armaments on a bilateral, as well as on a multilateral, basis and to limit strategic armaments; the United States of America and the USSR regarded as the ultimate objective of their efforts the achievement of general and complete disarmament and the establishment of an effective system of international security in accordance with the purposes and principles of the United Nations; (e) neither State would make any claim for itself nor recognize the claims of anyone

else to any special rights or advantages in world affairs, as both States recognized the sovereign equality of all States and did not direct their relations against third countries and their interests.

876. The second document was a joint Soviet-United States communiqué, which included the following points: (a) the provisions of the basic principles mentioned above opened new possibilities for the development of peaceful relations and co-operation between the two States, which firmly intended to act in accordance with those provisions; (b) in reducing the danger of nuclear war, both States believed that curbing competition in strategic arms would make a significant contribution and attached great importance to the treaty on the limitation of anti-ballistic missile systems and the interim agreement on measures for the limitation of strategic offensive arms that they had concluded; (c) both States intended to continue active negotiations for the limitation of strategic offensive arms in a spirit of respect for each other's legitimate interests and observance of the principal of equal security; (d) both States took note of favourable developments in the relaxation of tensions in Europe and intended to make further efforts to ensure a peaceful future for that continent, based on respect for the territorial integrity of all States in Europe; (e) they cited the quadripartite agreement of 3 September 1971 relating to the western sectors of Berlin as a good example of fruitful co-operation and welcomed the treaty signed on 12 Au-

gust 1970 between the USSR and the Federal Republic of Germany as a contribution to confidence among European States; (f) both were prepared to contribute to the positive trends towards a genuine *détente* in Europe and co-operation on the basis of the principles of territorial integrity and inviolability of frontiers, non-interference in internal affairs, sovereign equality, independence and renunciation of the use of force; (g) they were agreed that a conference on security and co-operation in Europe should be carefully prepared and that consultations looking towards that conference could begin shortly; (h) they reaffirmed their support for a peaceful settlement in the Middle East, in accordance with Security Council resolution 242 (1967), and confirmed their desire to contribute to the success of the mission of the Special Representative of the Secretary-General; (i) each side set forth its respective standpoint with regard to the continuing war in Viet-Nam and the situation in the area of Indo-China as a whole; (j) both States agreed to participate actively in negotiations aimed at working out new measures to curb and end the arms race, and they indicated that at an appropriate time a world disarmament conference could play a role in the attainment of general and complete disarmament; (k) they indicated that they regarded the United Nations as an instrument for maintaining world peace and security, discouraging conflicts and developing international co-operation, and that they would do their best to support United Nations efforts in the interests of international peace.

## Chapter 24

### COMMUNICATION CONCERNING RELATIONS BETWEEN POLAND AND THE UNITED STATES OF AMERICA

877. By a letter dated 9 June 1972 (S/10693), the Permanent Representatives of Poland and the United States of America transmitted to the President of the Security Council the text of the joint Poland-United States communiqué resulting from the talks held in Warsaw on 31 May and 1 June 1972 between the President of the United States and top Polish officials.

878. Among the points made in the joint communiqué were the following: (a) both sides agreed that the development of peaceful co-operation among States must be based on principles of territorial integrity and inviolability of frontiers, non-interference in internal affairs, sovereign equality, independence and renunciation of the use or threat of use of force; (b) they affirmed that broadening of relations among all States interested in European security was of major importance for world peace and welcomed the expansion of co-operation in Europe as a whole; (c) they welcomed the treaty signed on 7 December 1970 be-

tween Poland and the Federal Republic of Germany, including its border provisions, which was significant in contributing to confidence among European States; (d) they agreed that a reciprocal reduction of armed forces and armaments, first of all in central Europe, would contribute to the goal of ensuring European security and stability and towards the objective of general and complete disarmament; (e) they expressed the belief that a European conference on security and co-operation might constitute an important step forward in the process of *détente* in Europe, that it should be carefully prepared, that multilateral consultations in that regard should begin without undue delay and that they were ready to co-operate to achieve that aim; (f) both sides presented their known positions on war in Viet-Nam and the situation in Indo-China, which were essentially divergent, and took note with satisfaction of increasing ties between Poland and the United States, which the two Governments would encourage and support.

## Chapter 25

### COMMUNICATIONS CONCERNING RELATIONS BETWEEN IRAN AND IRAQ

879. In a letter dated 18 April 1972 (S/10615), the representative of Iraq charged that Iran had been pursuing a policy of provocation and aggression against his country since April 1969. On 11 April 1972, he

stated, a border incursion had taken place and on 12/13 April an exchange of fire had occurred. He charged Iran with having unilaterally and illegally abrogated the Iraqi-Iranian Boundary Treaty of 1937

and with entertaining expansionist ambitions at the expense of Iraqi territory.

880. In a reply dated 1 May (S/10627), the representative of Iran denied the Iraqi charges, stating that it was Iraq that was continuously committing various acts of aggression in Iranian border areas. The border incidents of 10-13 April had been initiated by Iraqi infiltrators, who had forcibly abducted three Iranian gendarmes. Thereafter, Iraqi troops had attacked Iranian border posts for three days with tanks and artillery. Iraqi provocations, he added, were not confined to subversive activities and border incidents but included the mass expulsion of Iranian nationals, lawfully living for generations in Iraq, a matter which had been discussed at length by the Commission on Human Rights at its twenty-eighth session.

881. In a letter dated 10 May (S/10645), the representative of Iraq reiterated his Government's charges against Iran, adding that on 20 April a unit of the

Iranian armed forces had infiltrated the province of Wasit in Iraq and attempted to attack a police post. That action further threatened peace and security in the area and constituted another blatant violation of the principles of the Charter. Iran's reference to the so-called mass expulsion of Iranian nationals from Iraq was misleading, for the Commission on Human Rights had in no way been critical of the legitimate measures taken by the Iraqi authorities.

882. In a reply dated 22 May (S/10657) the representative of Iran reiterated his Government's position on the Iraqi charges, stating that Iraq continued to present a distorted version of the incidents which had occurred, as a result of the hostile attitude of the Iraqi authorities towards Iran and the constant provocation of the Iraqis along the border. As for the Commission on Human Rights, it had decided to defer consideration of the item concerning the mass expulsions of Iranians from Iraq owing to lack of time.

## *Chapter 26*

### **COMMUNICATIONS CONCERNING RELATIONS BETWEEN OMAN AND THE PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN**

883. By a letter dated 12 May 1972 addressed to the Secretary-General (S/10647), the representative of the People's Democratic Republic of Yemen transmitted for circulation a statement in which charges of military provocation and infiltration were made against the Government of Oman and British military forces stationed in Oman. The statement pointed out that such acts of aggression had been carried out ever since the People's Democratic Republic of Yemen had achieved independence but had escalated since the middle of April 1972. The latest incident was an attack on Yemeni border posts and forces on 4 May, in which aerial bombing, artillery and medium and light weapons had been used.

884. In a letter dated 24 May addressed to the Secretary-General (S/10658), the representative of Oman charged that the forces of the People's Democratic Republic of Yemen had invaded the territory of the Sultanate of Oman and destroyed a border checkpoint. As a result, his Government felt itself obliged to undertake all necessary action to protect its sovereignty and borders.

## *Chapter 27*

### **COMMUNICATIONS CONCERNING DISARMAMENT**

885. By a letter dated 23 June 1971 addressed to the Secretary-General (S/10236), the representative of the Union of Soviet Socialist Republics transmitted a statement of his Government on the question of convening a conference of the five nuclear-weapon Powers in which it proposed the convocation as early as possible of a conference of the USSR, the United States of America, the People's Republic of China, France and the United Kingdom of Great Britain and Northern Ireland to consider the question of nuclear disarmament as a whole. The understanding to be reached as a result of the negotiations at that conference could cover both the whole range of nuclear disarmament measures and individual measures leading gradually to that goal.

886. By a letter dated 28 June addressed to the Secretary-General (S/10250), the representative of the USSR transmitted the text of the reply dated 4 January from the Supreme Soviet of the USSR to the Mexican

Senate regarding the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America. In the reply, it was stated that the Soviet Union was ready to undertake a commitment to respect the status of Mexico as a completely nuclear-weapon-free zone, inasmuch as other nuclear Powers were undertaking a commitment to respect that status, and, further, that the Soviet Union would give the same respect to the status of other Latin American States which followed Mexico's example in turning their territories into completely nuclear-weapon-free zones.

887. By a letter dated 6 July addressed to the Secretary-General (S/10252), the representative of Czechoslovakia transmitted the text of a statement of his Government of 24 June, expressing appreciation of the initiative of the USSR in proposing the convocation of a conference of nuclear-weapon Powers to consider questions of nuclear disarmament, which it

hoped would take place within the shortest possible time.

888. By a letter dated 22 July addressed to the Secretary-General (S/10275), the representative of Mexico transmitted the text of a memorandum, summarizing some basic facts concerning the Treaty for the Prohibition of Nuclear Weapons in Latin America and Additional Protocol II thereto. The memorandum was designed to summarize the most important of the basic facts concerning the Treaty and Additional Protocol II, in order that a correct view might be formed of the question as a whole, in connexion with the USSR letter issued in document S/10250 and the anticipated discussion of the question by the General Assembly at its twenty-sixth session.

889. By a letter dated 24 November addressed to the Secretary-General (S/10397), the representative of China transmitted the text of a statement dated 30 July issued by his Government in connexion with the USSR proposal to convene a conference of the five nuclear-weapon Powers to consider the problems of nuclear disarmament as a whole. The statement of the Chinese Government said that it could not accept the Soviet proposal on the convening of such a conference, because it could never agree to participate in nuclear disarmament talks among the nuclear Powers behind the backs of the non-nuclear countries. Rather, the Chinese Government stood consistently for the complete prohibition and thorough destruction of nuclear weapons, would never be the first to use such weapons and consistently advocated the convocation of a summit conference of all countries to discuss the question of the complete prohibition and thorough destruction of

nuclear weapons and to agree, as a first step, on their non-use.

890. By a letter dated 11 January 1972 addressed to the Secretary-General (S/10503), the representative of China transmitted the text of a news release of his Government's news agency dated 9 January, announcing the successful conduct of a new nuclear test by China on 7 January and reiterating the Chinese Government's stand for the complete prohibition and thorough destruction of nuclear weapons.

891. In a letter dated 25 April addressed to the President of the Security Council (S/10619), the representatives of Poland, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia requested a meeting of the Security Council to consider an attached draft resolution in connexion with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, which had been commended by the General Assembly in its resolution 2826 (XXVI). The letter noted that the Convention had been opened for signature on 10 April and had already been signed by more than 70 States. In the attached draft resolution, which the three representatives who had signed the letter intended to submit formally to the Council, the Security Council would declare its readiness to consider immediately any complaints lodged under article VI of the Convention, to take all necessary measures for the investigation of a complaint and to inform the States Parties to the Convention of the results of the investigation. It would further call upon all States Parties to the Convention to co-operate for the purpose of implementing the provisions of the resolution.

## *Chapter 28*

### **COMMUNICATION CONCERNING THE SITUATION CREATED BY INCREASING INCIDENTS INVOLVING THE HIJACKING OF COMMERCIAL AIRCRAFT**

892. In a note dated 12 June 1972 (S/10692), the Secretary-General circulated the contents of telegrams he had exchanged with the International Federation of Air Line Pilots Associations (IFALPA).

893. In a telegram dated 8 June 1972, the governing body of the IFALPA requested that the Security Council convene no later than 16 June to determine necessary action to implement previous United Nations and International Civil Aviation Organization decisions and, in particular, enforcement measures against States offering sanctuary and failing to prosecute hijackers and saboteurs. Otherwise, IFALPA would institute a world-wide 24-hour stoppage of air services on 19 June.

894. The Secretary-General, in a reply telegram dated 11 June 1972 addressed to the President of IFALPA, expressed his concern at the trend of unlawful interference with civil aviation and assured IFALPA that he would make every possible effort to help solve the problem. He informed IFALPA that he had immediately relayed its message to the President of the Security Council and that consultations concerning the subject were being conducted among members of the Council. He also offered to discuss the possibility of useful United Nations action in the matter with IFALPA representatives.

# COMMUNICATIONS CONCERNING IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

895. By a letter dated 20 December 1971 addressed to the Secretary-General (S/10464), the representative of Poland transmitted the text of a resolution of the Sixth Polish United Workers' Party Congress, stressing the importance of the consolidation of peace, security and co-operation in Europe. The resolution advocated early ratification by the Federal Republic of Germany of its treaties with the Union of Soviet Socialist Republics and Poland, favourable conclusion of the negotiations between Czechoslovakia and the Federal Republic of Germany, the early convening of a conference on security and co-operation in Europe and the building of an all-European system of collective security.

896. By a letter dated 15 December addressed to the Secretary-General (S/10469), the representatives of Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the USSR transmitted the text of a communiqué issued by the Conference of Foreign Ministers of States Parties to the Treaty of Warsaw. The communiqué stated that favourable developments, which indicated a further positive movement towards an improved political situation in Europe, had led to the conclusion that an auspicious situation was forming for an all-European conference to take place during 1972 on questions of security and co-operation. It would be desirable to hold multilateral preparatory consultations, for which purpose the participating States had decided to designate plenipotentiary representatives. The States urged the Governments of all European States and the Governments of the United States and Canada to proceed without delay to the practical preparations for an all-European conference, in order that it might be convened in 1972.

897. In a letter dated 10 February 1972 addressed to the Secretary-General (S/10537), the representative of Czechoslovakia transmitted the text of the Declaration on Peace, Security and Co-operation in Europe, which had been adopted at the Conference of the Political Advisory Committee of the States Parties to the Warsaw Treaty held in Prague on 25 and 26 January 1972. The Declaration noted with satisfaction that further progress had been made in the direction of peace and co-operation in Europe. The Conference participants called for settlement without further delay of the question of the admission of the German Democratic Republic and the Federal Republic of Germany into the United Nations. They expressed their support for the convening as soon as possible of an all-European conference on questions of security and co-operation, to be attended on a basis of equality by all European States, as well as the United States and Canada; and they favoured the recognition and implementation of the following principles, which should form the basic subject-matter of the agenda of the all-European conference: inviolability of frontiers, non-use of force, peaceful coexistence, foundations of good-neighbour relations and co-operation in the interests of peace, mutually beneficial ties between States, disarmament and support for the United Nations.

898. By a letter dated 14 March addressed to the Secretary-General (S/10562), the representative of

the USSR requested circulation of the joint Declaration of the Governments of the Soviet Union and the People's Republic of Bangladesh, arising from the visit of Prime Minister Sheikh Mujibur Rahman to the Soviet Union from 1 to 5 March 1972. The Declaration stated that the two Governments, having noted with satisfaction that friendly co-operation between the Soviet Union and Bangladesh was successfully developing and strengthening, agreed that experts of the two countries would meet in the near future to work out specific proposals for the further development of co-operation in economic, cultural and other endeavours. The participants also agreed that a genuine political settlement on the India/Pakistan subcontinent could only be achieved through negotiations between the States directly concerned, without outside interference and having regard to the actual situation, on the basis of the legitimate rights and interests of its people. They were convinced that the achievement of a genuine political settlement would contribute to normalization of the situation on the subcontinent and would be an important contribution to ensuring international peace and security. The Government of Bangladesh supported the efforts of the Soviet Union and other socialist countries to convene an all-European conference on security and co-operation in Europe, as well as the decision to convene a World Disarmament Conference, adopted by the United Nations General Assembly on the initiative of the USSR. The Soviet leaders noted with satisfaction the statement by the Prime Minister of Bangladesh to the effect that his Government completely agreed with the principles and purposes of the Charter of the United Nations and assumed all the obligations that the Charter imposed on States. In view of that, the Soviet Union would support the request of the People's Republic of Bangladesh for admission to United Nations membership.

899. On 31 March, the President of the Security Council addressed a letter to the members of the Security Council (S/10583), advising them of a note dated 25 February 1972 received from the Secretary-General in connexion with General Assembly resolution 2880 (XXVI), concerning the implementation of the Declaration on the Strengthening of International Security. Inasmuch as paragraph 11 of that resolution requested the Secretary-General to report on measures adopted in pursuance of the Declaration, the Secretary-General had stated that he would appreciate receiving information from the Security Council on that question before 31 July 1972. In his letter, the President stated that, after consultations with the members of the Council, he had drafted a summary which had drawn no opposition from the members of the Council. The summary noted that the question of the strengthening of international security was of great importance, that a reply should be given to the letter from the Secretary-General and that the Council members agreed that concrete steps should be taken on the question without prejudging the form of a reply to the letter of the Secretary-General or the procedure for its preparation. The President's letter concluded by stating that, in accordance with the above summary, the question was subject to further consideration by the Security Council.

## **Chapter 30**

### **COMMUNICATIONS RELATING TO THE PRACTICES FOLLOWED IN CIRCULATING DOCUMENTS OF THE SECURITY COUNCIL**

900. On 29 January 1972, Security Council document S/10603 was issued, containing the text of a letter dated 27 January from the Minister of Foreign Affairs of the German Democratic Republic addressed to the President of the Security Council. The document contained a foot-note stating that it had been circulated at the direction of the President of the Security Council.

901. On 13 March and 28 March, respectively, Security Council documents S/10563 and S/10577 were issued, containing telegrams dated 6 and 27 March addressed to the President of the Security Council by the Minister of Foreign Affairs of the German Democratic Republic. Both these documents contained a foot-note stating that they had been circulated at the direction of the President of the Security Council.

902. In a letter dated 9 May addressed to the President of the Security Council (S/10637), the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America recalled their letter of 29 September 1970 to the President of the Security Council (S/9974) concerning previous instances wherein Presidents of the Security Council had directed the Secretariat to circulate communications from the authorities of East Germany as documents of the Security Council. Referring to the latest such instances—documents S/10603, S/10563 and S/10577 mentioned above—the three representa-

tives restated their view that such documents should not be circulated by the presiding officer of a United Nations body acting in that capacity.

903. In a letter dated 23 May addressed to the President of the Security Council (S/10660), the representative of the Union of Soviet Socialist Republics stated that in their letter (S/10637) the representatives of France, the United Kingdom and the United States, flouting the principles of the United Nations Charter and the principle of the Organization's universality, were seeking, once again, to call into question the circulation as official Council documents of official statements addressed to the Council by the Government of the German Democratic Republic. Circulation on the President's instructions, as Council documents, of communications received from States, including the statements of a sovereign State—the German Democratic Republic—was wholly in accord with established practice and procedure as adopted in the Security Council and in other United Nations bodies, more particularly a number of the Committees of the General Assembly. The USSR representative also stated that the President of the Security Council had the clear right to circulate as Council documents letters from Governments of States both Members and non-members of the United Nations on matters within the competence of the Council.

## **Chapter 31**

### **COMMUNICATION CONCERNING GENERAL ASSEMBLY RESOLUTION 2787 (XXVI)**

904. By a letter dated 3 April 1972 to the President of the Security Council (S/10591), the Secretary-General transmitted the text of resolution 2787 (XXVI), adopted by the General Assembly on 6 December 1971, on the item entitled "Importance of the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

905. In paragraph 8 of the resolution, the General Assembly urged the Security Council, as well as States Members of the United Nations or members of specialized agencies, to take effective steps to ensure the implementation of the relevant United Nations resolutions on the elimination of colonialism and racism and to report to the General Assembly at its twenty-seventh session.

## APPENDICES

### I. Membership of the Security Council during the years 1971 and 1972

1971	1972
Argentina	Argentina
Belgium	Belgium
Burundi	China
China	France
France	Guinea
Italy	India
Japan	Italy
Nicaragua	Japan
Poland	Panama
Sierra Leone	Somalia
Somalia	Sudan
Syrian Arab Republic	Union of Soviet Socialist Republics
Union of Soviet Socialist Republics	United Kingdom of Great Britain and Northern Ireland
United Kingdom of Great Britain and Northern Ireland	United States of America
United States of America	Yugoslavia

### II. Representatives and deputy, alternate and acting representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives were accredited to the Security Council during the period covered by the present report:

<i>Argentina</i>	<i>Guinea<sup>b</sup></i>
Mr. Carlos Ortiz de Rozas	Mr. El Hadj Abdoulaye Touré
Mr. Ernesto de la Guardia	Mr. Mamadou Diop
Mr. Julio César Carasales	<i>India<sup>b</sup></i>
Mr. Gastón de Prat Gay	Mr. Samar Sen
Mr. Carlos Augusto Massa <sup>a</sup>	Mr. N. P. Jain
<i>Belgium</i>	<i>Italy</i>
Mr. Edouard Longestaey	Mr. Piero Vinci
Mr. Michel Van Ussel	Mr. Alberto Cavaglieri
<i>Burundi<sup>c</sup></i>	Mr. Giovanni Migliuolo
Mr. Nsanzé Térance	Mr. Massimo Castaldo
Mr. Felix Magenge	<i>Japan</i>
<i>China<sup>a</sup></i>	Mr. Toru Nakagawa
Before adoption of General Assembly resolution 2758 (XXVI)	Mr. Motoo Ogiso
Mr. Liu Chieh	Mr. Nagao Yoshida
Mr. Chun-Ming Chang	<i>Nicaragua<sup>c</sup></i>
After adoption of General Assembly resolution 2758 (XXVI)	Mr. Guillermo Sevilla-Sacasa
Mr. Huang Hua	Mr. Guillermo Lang
Mr. Chen Chu	Mr. José Roman
Mr. Yu Pei-wen <sup>a</sup>	<i>Panama<sup>b</sup></i>
<i>France</i>	Mr. Aquilino E. Boyd
Mr. Jacques Kosciusko-Morizet	Mr. Narciso E. Garay
Mr. Louis de Guiringaud	Mr. Didimo Rios
Mr. François de la Gorce	<i>Poland<sup>c</sup></i>
Mr. Guy Scalabre	Mr. Eugeniusz Kulaga
Mr. Paul Blanc <sup>a</sup>	Mr. Leszek Kasprzvk
	Mr. Zdzislaw Ludwiczak

**Sierra Leone<sup>a</sup>**

Mr. Davidson S. H. W. Nicol  
 Mr. Ismael Byne Taylor-Kamara  
 Mr. Freddie B. Savage  
 Mr. Charles E. Wyse

**Somalia**

Mr. Abdulrahim Abby Farah  
 Mr. Hussein Nur Elmi  
 Mr. Hassan Kaid Abdulleh

**Sudan<sup>b</sup>**

Mr. Mohamed Fakhreddine  
 Mr. Rahmatalla Abdulla  
 Mr. Salah Ahmed Ibrahim  
 Mr. Izzeldin Hamid  
 Mr. Omer Elsheikh  
 Mr. Osman Nafie<sup>c</sup>  
 Mr. Farouk Abdel Rahman<sup>a</sup>

**Syrian Arab Republic<sup>c</sup>**

Mr. George J. Tomeh  
 Mr. Rafic Jouejati

**Union of Soviet Socialist Republics**

Mr. Yakov Aleksandrovich Malik  
 Mr. Aleksei Vasilyevich Zakharov

Mr. Viktor Levonovich Issraelyan  
 Mr. Vasily Stepanovich Safronchuk  
 Mr. Nikolai Konstantinovich Tarassov

**United Kingdom of Great Britain and Northern Ireland**

Sir Colin Crowe  
 Mr. K. D. Jamieson  
 Mr. M. S. Weir  
 Mr. J. R. Freeland  
 Mr. P. C. Petrie  
 Mr. M. C. S. Weston  
 Mr. Alan H. Campbell<sup>a</sup>

**United States of America**

Mr. George Bush  
 Mr. Christopher H. Phillips  
 Mr. W. Tapley Bennett, Jr.  
 Mr. William S. Schaefe, Jr.<sup>a</sup>

**Yugoslavia<sup>b</sup>**

Mr. Lazar Mojsov  
 Mr. Miljan Komatina  
 Mr. Cvijeto Job

<sup>a</sup> Appointed for the meetings in Addis Ababa.

<sup>b</sup> Beginning 1 January 1972.

<sup>c</sup> Ending 31 December 1971.

<sup>d</sup> See Introduction, paras. 4-6.

**III. Presidents of the Security Council**

The following representatives served as President of the Security Council during the period covered by the present report:

**China<sup>a</sup>**

Mr. Liu Chieh (16 to 30 June 1971)

**France**

Mr. Jacques Kosciusko-Morizet (1 to 31 July 1971)

**Italy**

Mr. Piero Vinci (1 to 31 August 1971)

**Japan**

Mr. M. Toru Nakagawa (1 to 30 September 1971)

**Nicaragua**

Mr. Guillermo Sevilla-Sacasa (1 to 31 October 1971)

**Poland**

Mr. Eugeniusz Kulaga (1 to 30 November 1971)

**Sierra Leone**

Mr. S. A. J. Pratt (1 to 31 December 1971)  
 Mr. Ismael Byne Taylor-Kamara

<sup>a</sup> See Introduction, paras. 4-6.

**Somalia**

Mr. Omer Arteh Ghalib (1 to 31 January 1972)  
 Mr. Abdulrahim Abby Farah

**Sudan**

Mr. Mansour Khalid (1 to 29 February 1972)  
 Mr. Rahmatalla Abdulla  
 Mr. Mohamed Fakhreddine

**Union of Soviet Socialist Republics**

Mr. Yakov Aleksandrovich Malik (1 to 31 March 1972)

**United Kingdom of Great Britain and Northern Ireland**

Sir Colin Crowe (1 to 30 April 1972)

**United States of America**

Mr. George Bush (1 to 31 May 1972)

**Yugoslavia**

Mr. Lazar Mojsov (1 to 15 June 1972)

**IV. Meetings of the Security Council during the period from 16 June 1971 to 15 June 1972**

Meeting	Subject	Date
1569th	Complaints by Senegal: Letter dated 6 July 1971 from the Permanent Representative of Senegal addressed to the President of the Security Council (S/10251)	12 July 1971

Meeting	Subject	Date
1570th	Ditto	13 July 1971
1571st	Ditto	14 July 1971
1572nd	Ditto	15 July 1971
1573rd	Complaint by Guinea: Letter dated 3 August 1971 from the Permanent Representative of	3 August 1971

Meeting	Subject	Date	Meeting	Subject	Date
	Guinea addressed to the President of the Security Council (S/10280)		1582nd	Ditto	25 September 1971
1574th	Admission of new Members:	16 August 1971	1583rd	The situation in Namibia:	27 September 1971
	(a) Letter dated 24 May 1971 from the Prime Minister and Minister for Foreign Affairs of the Sultanate of Oman addressed to the Secretary-General (S/10216)			(a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Upper Volta and Zambia (S/10326)	
1575th	Admission of new Members:	18 August 1971		(b) Report of the <i>Ad Hoc</i> Sub-Committee on Namibia (S/10330)	
	Report of the Security Council Committee on the Admission of New Members concerning the applications of Oman and Bahrain for membership in the United Nations (S/10294)		1584th	Ditto	27 September 1971
1576th	Complaint by Guinea:	26 August 1971	1585th	Ditto	28 September 1971
	Special Mission to the Republic of Guinea in accordance with paragraph 2 of resolution 295 (1971)		1586th	Complaints by Senegal:	29 September 1971
1577th	Admission of new Members:	14 September 1971		Report of the Special Mission of the Security Council established under resolution 294 (1971) (S/10308 and Corr.1)	
	Letter dated 4 September 1971 from the Emir of Qatar addressed to the Secretary-General (S/10306)			Complaint by Guinea:	
1578th	Admission of new Members:	15 September 1971		Report by the Security Council Special Mission to the Republic of Guinea established under resolution 295 (1971) (S/10309)	
	Report of the Security Council Committee on the Admission of New Members concerning the application of Qatar for membership in the United Nations (S/10318)		1587th	The situation in Namibia:	30 September 1971
1579th	The situation in the Middle East:	16 September 1971		(a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal,	
	(a) Letter dated 13 September 1971 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/10313)				
	(b) Reports of the Secretary-General (S/8052, S/8146, S/9149 and Add.1, S/9537, S/10124 and Add.1 and 2)				
1580th	Ditto	16 September 1971			
1581st	Ditto	17 September 1971			

Meeting	Subject	Date
	Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Upper Volta and Zambia (S/10326)	
	(b) Report of the <i>Ad Hoc</i> Sub-Committee on Namibia (S/10330)	
1588th	Ditto	5 October 1971
1589th	Ditto	6 October 1971
1590th	Complaint by Zambia: Letter dated 6 October 1971 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council (S/10352)	8 October 1971
1591st	Ditto	11 October 1971
1592nd	Ditto	12 October 1971
1593rd	The situation in Namibia: (a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Dahomey, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Upper Volta and Zambia (S/10326) (b) Report of the <i>Ad Hoc</i> Sub-Committee on Namibia (S/10330)	13 October 1971
1594th	Ditto	14 October 1971
1595th	Ditto	15 October 1971
1596th (private)	Consideration of the report of the Security Council to the General Assembly	19 October 1971
1597th	The situation in Namibia: (a) Letter dated 17 September 1971 addressed to the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon,	19 October 1971

Meeting	Subject	Date
	Central African Republic, Chad, Congo (Democratic Republic of), Dahomey, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Upper Volta and Zambia (S/10326)	
	(b) Report of the <i>Ad Hoc</i> Sub-Committee on Namibia (S/10330)	
1598th	Ditto	20 October 1971
1599th	Complaints by Senegal: Report of the Special Mission of the Security Council established under resolution 294 (1971) (S/10308)	23 November 1971
1600th	Ditto	24 November 1971
1601st	Ditto	24 November 1971
1602nd	Question concerning the situation in Southern Rhodesia: (a) Letter dated 24 November 1971 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/10396) (b) Fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)	25 November 1971
1603rd	Complaint by Guinea: Report by the Security Council Special Mission to the Republic of Guinea established under resolution 295 (1971) (S/10309) Question concerning the situation in Southern Rhodesia: (a) Letter dated 24 November 1971 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations	30 November 1971

Meeting	Subject	Date	Meeting	Subject	Date
	addressed to the President of the Security Council (S/10396)			cease-fire line in Kashmir (S/10412)	
	(b) Fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)		1608th	Admission of new Members:	6 December 1971
1604th	Question concerning the situation in Southern Rhodesia:	2 December 1971		Letter dated 2 December 1971 from the President of the United Arab Emirates addressed to the Secretary-General (S/10420)	
	(a) Letter dated 24 November 1971 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/10396)			(a) Letter dated 4 December 1971 from the Permanent Representatives of Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Somalia, United Kingdom of Great Britain and Northern Ireland and United States of America addressed to the President of the Security Council (S/10411)	
	(b) Fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)			(b) Report of the Secretary-General (S/10410 and Add.1)	
1605th	Ditto	2 December 1971		(c) Report by the Secretary-General on the situation along the cease-fire line in Kashmir (S/10412 and Add.1)	
1606th	(a) Letter dated 4 December 1971 from the Permanent Representatives of Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Somalia, United Kingdom of Great Britain and Northern Ireland and United States of America addressed to the President of the Security Council (S/10411)	4 December 1971	1609th	Admission of new Members:	8 December 1971
	(b) Report of the Secretary-General (S/10410)			(a) Letter dated 2 December 1971 from the President of the United Arab Emirates addressed to the Secretary-General (S/10420)	
1607th	(a) Letter dated 4 December 1971 from the Permanent Representatives of Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Somalia, United Kingdom of Great Britain and Northern Ireland and United States of America addressed to the President of the Security Council (S/10411)	5 December 1971		(b) Report of the Security Council Committee on the Admission of New Members (S/10430)	
	(b) Report of the Secretary-General (S/10410 and Add.1)			Question concerning the situation in Southern Rhodesia:	
	(c) Report by the Secretary-General on the situation along the			(a) Letter dated 24 November 1971 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/10396)	
				(b) Fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)	
				(c) Interim report of the Committee established in pursuance of Security Council	

Meeting	Subject	Date
	resolution 253 (1968) (S/10408)	
1610th	Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, Libyan Arab Republic and People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council (S/10409)	9 December 1971
1611th	Letter dated 12 December 1971 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/10444)	12 December 1971
1612th	Letter dated 26 December 1963, from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488) Report by the Secretary-General on the United Nations operation in Cyprus (S/10401)	13 December 1971
1613th	Ditto Letter dated 12 December 1971 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/10444)	13 December 1971
1614th	The situation in the India/Pakistan subcontinent	14 December 1971
1615th	Ditto	15 December 1971
1616th	Ditto	16 December 1971
1617th	Ditto	16 December 1971
1618th	Appointment of the Secretary-General	17 December 1971
1619th	Ditto	20 December 1971
1620th	Ditto	21 December 1971
1621st	The situation in the India/Pakistan subcontinent	21 December 1971
1622nd	Question concerning the situation in Southern Rhodesia: (a) Letter dated 24 November 1971 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/10396) (b) Fourth report of the Committee estab-	29 December 1971

Meeting	Subject	Date
	lished in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)	
	(c) Interim report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10408)	
1623rd	Ditto	30 December 1971
1624th	Request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital (paragraph 2 of General Assembly resolution 2863 (XXVI)) Letter dated 29 December 1971 from the Secretary-General to the President of the Security Council (S/10480)	11 January 1972
1625th	Ditto	11 January 1972
1626th	Request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital (paragraph 2 of General Assembly resolution 2863 (XXVI)) Report of the Security Council Committee on Council meetings away from Headquarters (S/10514)	19 January 1972
1627th	Consideration of questions relating to Africa with which the Security Council is currently seized and the implementation of the Council's relevant resolutions	28 January 1972
1628th	Ditto	28 January 1972
1629th	Ditto	29 January 1972
1630th	Ditto	31 January 1972
1631st	Ditto	31 January 1972
1632nd	Ditto	1 February 1972
1633rd	Ditto	1 February 1972
1634th	Ditto	2 February 1972
1635th	Ditto	2 February 1972
1636th	Ditto	3 February 1972
1637th	Ditto	3 February 1972
1638th	Ditto	4 February 1972
1639th	Ditto	4 February 1972
1640th	Question concerning the situation in Southern Rhodesia: (a) Letter dated 15 February 1972 from the representatives of Guinea, Somalia, and Sudan addressed to the President of the Security Council (S/10540) (b) Fourth report of the Committee established in pursuance	16 February 1972

Meeting	Subject	Date	Meeting	Subject	Date
	of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)			(a) Letter dated 15 February 1972 from the representatives of Guinea, Somalia and Sudan addressed to the President of the Security Council (S/10540)	
	(c) Interim report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10408)			(b) Fourth report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10229 and Add.1 and 2)	
1641st	Ditto	24 February 1972		(c) Interim report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/10408)	
1642nd	Ditto	25 February 1972			
1643rd	The situation in the Middle East:	26 February 1972			
	(a) Letter dated 25 February 1972 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/10546)				
	(b) Letter dated 25 February 1972 from the Acting Permanent Representative of Israel to the United Nations addressed to the President of the Security Council (S/10550)		1646th	Letter dated 26 December 1963, from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	15 June 1972
1644th	Ditto	27 February 1972		Report by the Secretary-General on the United Nations operation in Cyprus (S/10664 and Corr.1 and Add.1)	
1645th	Question concerning the situation in Southern Rhodesia:	28 February 1972	1647th	Ditto	15 June 1972

**V. Resolutions adopted by the Security Council during the period from 16 June 1971 to 15 June 1972**

Resolution No.	Date of adoption	Subject
294 (1971)	15 July 1971	Complaints by Senegal
295 (1971)	3 August 1971	Complaint by Guinea
296 (1971)	18 August 1971	Admission of new Members to the United Nations (Bahrain)
297 (1971)	15 September 1971	Admission of new Members to the United Nations (Qatar)
298 (1971)	25 September 1971	The situation in the Middle East
299 (1971)	30 September 1971	Admission of new Members to the United Nations (Oman)
300 (1971)	12 October 1971	Complaint by Zambia
301 (1971)	20 October 1971	The situation in Namibia
302 (1971)	24 November 1971	Complaints by Senegal
303 (1971)	6 December 1971	The situation in the India/Pakistan subcontinent
304 (1971)	8 December 1971	Admission of new Members to the United Nations (United Arab Emirates)
305 (1971)	13 December 1971	The Cyprus question
306 (1971)	21 December 1971	Appointment of the Secretary-General
307 (1971)	21 December 1971	The situation in the India/Pakistan subcontinent
308 (1972)	19 January 1972	Request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital
309 (1972)	4 February 1972	The situation in Namibia
310 (1972)	4 February 1972	The situation in Namibia
311 (1972)	4 February 1972	The question of race conflict in South Africa resulting from the policies of <i>apartheid</i> of the Government of the Republic of South Africa
312 (1972)	4 February 1972	Question concerning the situation in Territories under Portuguese administration
313 (1972)	28 February 1972	The situation in the Middle East
314 (1972)	28 February 1972	Question concerning the situation in Southern Rhodesia
315 (1972)	15 June 1972	The Cyprus question

## VI. Meetings of subsidiary bodies of the Security Council during the period from 16 June 1971 to 15 June 1972

### 1. Security Council Committee on the Admission of New Members

Meeting	Date
36th	16 August 1971
37th	14 September 1971
38th	30 September 1971
39th	7 December 1971

### 2. Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia

Meeting	Date
59th	16 June 1971
60th	6 July 1971
61st	22 November 1971
62nd	29 November 1971
63rd	3 December 1971
64th	13 March 1972
65th	15 March 1972
66th	16 March 1972
67th	20 March 1972
68th	22 March 1972
69th	24 March 1972
70th	27 March 1972
71st	29 March 1972
72nd	30 March 1972
73rd	3 April 1972
74th	4 April 1972
75th	5 April 1972
76th	6 April 1972
77th	7 April 1972
78th	10 April 1972
79th	12 April 1972
80th	13 April 1972
81st	17 April 1972
82nd	18 April 1972
83rd	19 April 1972
84th	19 April 1972
85th	20 April 1972
86th	21 April 1972
87th	24 April 1972
88th	24 April 1972
89th	25 April 1972
90th	25 April 1972
91st	26 April 1972
92nd	27 April 1972
93rd	28 April 1972

Meeting  
94th  
95th  
96th  
97th  
98th  
99th  
100th  
101st  
102nd

Date  
28 April 1972  
1 May 1972  
1 May 1972  
3 May 1972  
4 May 1972  
5 May 1972  
5 May 1972  
8 May 1972  
14 June 1972

### 3. Ad Hoc Sub-Committee on Namibia

Meeting	Date
5th	8 July 1971
6th	9 July 1971
7th	17 August 1971
8th	1 September 1971
9th	8 September 1971
10th	11 September 1971
11th	14 September 1971
12th	18 September 1971
13th	20 September 1971
14th	21 September 1971
15th	22 September 1971
16th	22 September 1971
17th	23 September 1971
18th	25 February 1972
19th	4 April 1972
20th	10 May 1972
21st	22 May 1972

### 4. Committee on Council Meetings away from Headquarters

Meeting	Date
1st	12 January 1972
2nd	12 January 1972
3rd	13 January 1972
4th	13 January 1972
5th	14 January 1972
6th	14 January 1972
7th	17 January 1972
8th	18 January 1972

### 5. Committee of Experts Established by the Security Council at its 1506th Meeting

No meeting of the above Committee has been held during the period. The last (11th) meeting was held on 23 April 1971.

## VII. Representatives, chairmen and principal secretaries of the Military Staff Committee

### A. REPRESENTATIVES OF EACH SERVICE IN RESPECT OF EACH DELEGATION

16 June 1971 to 15 June 1972

#### Chinese delegation<sup>a</sup>

Before adoption of General Assembly resolution 2758 (XXVI)

General Wang Shu-ming, Chinese Air Force

Rear Admiral Hsiung Teh-shu, Chinese Navy

Colonel Hwang Hsiung-shang, Chinese Air Force and Acting Army Representative

After adoption of General Assembly resolution 2758 (XXVI)

Mr. Lim Fang, Army Representative and head of delegation

16 June 1971 to 25 October 1971

16 June 1971 to 25 October 1971

16 June 1971 to 25 October 1971

6 April 1972 to present

<sup>a</sup> See Introduction, paras. 4-6.

Mr. Yang Ming-liang, Naval Representative and Secretary	6 April 1972 to present
Mr. Chi Shu-jiang, Assistant to head of delegation	6 April 1972 to present
<i>French delegation</i>	
Brigadier-General R. J. Pessey, French Army	16 June 1971 to 25 September 1971
Brigadier-General E. de Grasset, French Army	25 September 1971 to present
Colonel J. Faberes, French Air Force	16 June 1971 to 26 August 1971
Colonel M. J. Espieux, French Air Force	26 August 1971 to present
Lieutenant-Commander P. Andrieu, French Navy	16 June 1971 to present
<i>USSR delegation</i>	
Major-General V. S. Tovma, Soviet Army	16 June 1971 to present
Captain 1st Rank N. I. Roshchin, USSR Navy	16 June 1971 to present
Colonel V. I. Pereverzev, USSR Air Force	16 June 1971 to present
<i>United Kingdom delegation</i>	
Air Marshal Sir John Lapsley, Royal Air Force	16 June 1971 to present
Rear-Admiral C. C. H. Dunlop, Royal Navy	16 June 1971 to 3 September 1971
Rear-Admiral W. D. S. Scott, Royal Navy	3 September 1971 to present
Brigadier G. H. Mills, British Army	16 June 1971 to present
<i>United States delegation</i>	
Lieutenant General A. J. Russell, US Air Force	16 June 1971 to present
Lieutenant General R. G. Stilwell, US Army	16 June 1971 to present
Vice Admiral A. F. Schade, US Navy	16 June 1971 to 1 September 1971
Vice Admiral H. L. Harty, Jr., US Navy	1 September 1971 to present

#### B. CHAIRMEN AT MEETINGS

16 June 1971 to 15 June 1972

Meeting	Date	Chairman	Delegation
679th	17 June 1971	Colonel V. S. Tovma, Soviet Army	USSR
680th	1 July 1971	Air Marshal Sir John Lapsley, Royal Air Force	UK
681st	15 July 1971	Air Marshal Sir John Lapsley, Royal Air Force	UK
682nd	29 July 1971	Air Commodore C. W. Coulthard, Royal Air Force	UK
683rd	12 Aug. 1971	Vice Admiral A. F. Schade, US Navy	USA
684th	26 Aug. 1971	Lieutenant General A. J. Russell, US Air Force	USA
685th	9 Sept. 1971	General Wang Shu-ming, Chinese Air Force	China <sup>a</sup>
686th	23 Sept. 1971	General Wang Shu-ming, Chinese Air Force	China <sup>a</sup>
687th	7 Oct. 1971	Brigadier-General E. de Grasset, French Army	France
688th	21 Oct. 1971	Brigadier-General E. de Grasset, French Army	France
689th	18 Nov. 1971	Captain 1st Rank N. I. Roshchin, USSR Navy	USSR
690th	2 Dec. 1971	Air Commodore C. W. Coulthard, Royal Air Force	UK
691st	16 Dec. 1971	Air Marshal Sir John Lapsley, Royal Air Force	UK
692nd	30 Dec. 1971	Brigadier G. H. Mills, British Army	UK
693rd	13 Jan. 1972	Vice Admiral H. L. Harty, Jr., US Navy	USA
694th	27 Jan. 1972	Lieutenant General A. J. Russell, US Air Force	USA
695th	10 Feb. 1972	Colonel L. R. Follain, French Army <sup>b</sup>	France
696th	24 Feb. 1972	Brigadier-General E. de Grasset, French Army <sup>b</sup>	France
697th	9 Mar. 1972	Brigadier-General E. de Grasset, French Army	France
698th	23 Mar. 1972	Brigadier-General E. de Grasset, French Army	France
699th	6 April 1972	Colonel V. I. Pereverzev, USSR Air Force	USSR
700th	20 April 1972	Major-General V. S. Tovma, Soviet Army	USSR
701st	4 May 1972	Air Marshal Sir John Lapsley, Royal Air Force	UK
702nd	18 May 1972	Air Marshal Sir John Lapsley, Royal Air Force	UK
703rd	1 June 1972	Lieutenant General A. J. Russell, US Air Force	USA
704th	15 June 1972	Colonel G. M. Adams, US Air Force	USA

#### C. PRINCIPAL SECRETARIES AT MEETINGS

16 June 1971 to 15 June 1972

Meeting	Date	Chairman	Delegation
679th	17 June 1971	Colonel R. N. Soupriagin, Soviet Army	USSR
680th	1 July 1971	Colonel C. H. M. Toye, British Army	UK
681st	15 July 1971	Colonel A. G. H. Jukes, Royal Marines	UK
682nd	29 July 1971	Colonel C. H. M. Toye, British Army	UK

<sup>a</sup> See Introduction, paras. 4-6.

<sup>b</sup> Assumed the chairmanship at this meeting in the absence of the Chinese delegation and at the request of the other delegations.

<i>Meeting</i>	<i>Date</i>	<i>Chairman</i>	<i>Delegation</i>
683rd	12 Aug. 1971	Colonel A. A. Olson, US Army	USA
684th	26 Aug. 1971	Colonel G. M. Adams, US Air Force	USA
685th	9 Sept. 1971	Colonel Hwang Hsiung-shang, Chinese Air Force	China <sup>a</sup>
686th	23 Sept. 1971	Colonel Hwang Hsiung-shang, Chinese Air Force	China <sup>a</sup>
687th	7 Oct. 1971	Lieutenant-Colonel L. R. Follain, French Army	France
688th	21 Oct. 1971	Lieutenant-Colonel B. E. Amiet, French Army	France
689th	18 Nov. 1971	Colonel R. N. Soupriagin, Soviet Army	USSR
690th	2 Dec. 1971	Colonel C. H. M. Toye, British Army	UK
691st	16 Dec. 1971	Colonel A. G. H. Jukes, Royal Marines	UK
692nd	30 Dec. 1971	Group Captain H. A. Caillard, Royal Air Force	UK
693rd	13 Jan. 1972	Captain B. T. Douglas, US Navy	USA
694th	27 Jan. 1972	Colonel A. A. Olson, US Army	USA
695th	10 Feb. 1972	Lieutenant-Commander P. Andrieu, French Navy <sup>c</sup>	France
696th	24 Feb. 1972	Colonel M. J. Espieux, French Air Force <sup>b</sup>	France
697th	9 Mar. 1972	Lieutenant-Colonel B. E. Amiet, French Army	France
698th	23 Mar. 1972	Colonel L. R. Follain, French Army	France
699th	6 Apr. 1972	Colonel R. N. Soupriagin, Soviet Army	USSR
700th	20 Apr. 1972	Colonel R. N. Soupriagin, Soviet Army	USSR
701st	4 May 1972	Group Captain H. A. Caillard, Royal Air Force	UK
702nd	18 May 1972	Group Captain H. A. Caillard, Royal Air Force	UK
703rd	1 June 1972	Colonel A. A. Olson, US Army	USA
704th	15 June 1972	Colonel G. M. Adams, US Air Force	USA

<sup>a</sup> See Introduction, paras. 4-6.

<sup>b</sup> Assumed the chairmanship at this meeting in the absence of the Chinese delegation and at the request of the other delegations.

<sup>c</sup> Served as Secretary at this meeting in the absence of the Chinese delegation and at the request of the other delegations.



---

#### **HOW TO OBTAIN UNITED NATIONS PUBLICATIONS**

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

#### **COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES**

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre librairie ou adressez-vous à: Nations Unies, Section des ventes, New York ou Genève.

#### **КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ**

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

#### **COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS**

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o dirijase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.

---