



**TWELFTH REPORT OF THE SECURITY COUNCIL COMMITTEE  
ESTABLISHED IN PURSUANCE OF RESOLUTION 253 (1968)  
CONCERNING THE QUESTION OF SOUTHERN RHODESIA**

# **SECURITY COUNCIL OFFICIAL RECORDS**

**THIRTY-FIFTH YEAR  
SPECIAL SUPPLEMENT No. 2**

**Volume II**

**UNITED NATIONS  
New York, 1980**

#### 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.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

S/13750

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\* Annex V will be issued separately.



## EXPLANATORY NOTE

### General information on the cases

1. The first 11 reports of the Committee to the Security Council contained texts of reports and substantive parts of correspondence with Governments on 411 cases concerning suspected or actual violation of sanctions against Southern Rhodesia. Those reports were published as follows:

- First report: Official Records of the Security Council, Twenty-third Year, Supplement for October, November and December 1968, document S/8954, paragraph 9
- Second report: Ibid., Twenty-fourth Year, Supplement for April, May and June 1969, document S/9252/Add.1, annex XI
- Third report: Ibid., Twenty-fifth Year, Special Supplement No. 3 (S/9844/Rev.1), annex VII
- Fourth report: Ibid., Twenty-sixth Year, Special Supplement No. 2 (S/10229 and Add.1 and 2), annexes I-III
- Fifth report: Ibid., Twenty-seventh Year, Special Supplement No. 2 (S/10852/Rev.1), annexes I-III
- Sixth report: Ibid., Twenty-ninth Year, Special Supplement No. 2 (S/11178/Rev.1), annexes I-IV
- Seventh report: Ibid., Thirtieth Year, Special Supplement No. 2 (S/11594/Rev.1), annexes II-V
- Eighth report: Ibid., Thirty-first Year, Special Supplement No. 2 (S/11927/Rev.1), annexes II-V
- Ninth report: Ibid., Thirty-second Year, Special Supplement No. 2 (S/12265), annexes I-V
- Tenth report: Ibid., Thirty-third Year, Special Supplement No. 2 (S/12529/Rev.1), annexes I-V
- Eleventh report: Ibid., Thirty-fourth Year, Special Supplement No. 2 (S/13000), annexes I-V

2. Annexes I to IV to the present report contain accounts of the action taken on 53 of the cases previously reported, together with the texts of reports and substantive parts of correspondence with Governments received up to and including 5 December 1979 concerning 10 new cases brought to the Committee's attention since submission of the tenth report. The 10 new cases include six cases opened from information supplied by individuals and non-governmental organizations (INGO-series). No new case was opened from information supplied by the United States in its quarterly reports to the Committee (USI-series).

3. As of 15 December 1979, the cumulative number of cases on the Committee's list had reached 421. However, excluding the two reclassifications mentioned in the seventh report, the 46 cases closed in 1978, the 28 cases closed in 1977, the 18 cases closed in 1976, the 10 cases closed in 1975, the 5 cases closed in 1974, the 5 cases closed in 1973 and the 8 cases closed in 1972, the number of cases which were under consideration by the Committee during 1979 totals 299.

4. As will be indicated under each relevant case in the present report, 13 cases were closed by the Committee during 1979. Those cases are described below:

- |                  |  |
|------------------|--|
| Case No. 148     | <u>Southern Rhodesia and the Maccabiah Games</u>   |
| Case No. 221     | <u>Supply of electrical equipment</u>  |
| Case No. 243     | <u>Federal Republic of Germany trade with Southern Rhodesia</u>                                      |
| Case No. 249     | <u>Participation of a Southern Rhodesian yachtsman in Rio race, Brazil</u>                           |
| Case No. 253     | <u>Participation of Southern Rhodesians in the World Amateur Team Golf Championships in Portugal</u> |
| Case No. 267     | <u>Industrial sewing machine from Japan</u>  |
| Case No. 271     | <u>Southern Rhodesian soccer players participation in 1977 Greek soccer season</u>                   |
| Case No. 278     | <u>Participation of Southern Rhodesia in the Davis Cup Competition</u>                               |
| Case No. 285     | <u>Participation of a Southern Rhodesian team in the Eisenhower Trophy Tournament</u>                |
| Case No. 334     | <u>Southern Rhodesian team and the international 7,240 km Cape to Uruguay yacht race</u>             |
| Case No. INGO-4  | <u>IATA agreement with Air Rhodesia</u>  |
| Case No. INGO-27 | <u>Visit of Southern Rhodesian tobacco official to the Netherlands</u>                               |
| Case No. INGO-29 | <u>Supply of computers to Southern Rhodesia</u>  |

## COMPLETE LIST OF CASES CURRENTLY UNDER CONSIDERATION

In conformity with the usual practice, it has been considered useful to arrange all the general cases according to the commodities or subject-matter involved. But, in addition to the case numbers which follow the chronological order of the dates of their receipt by the Committee, the cases have also been serially numbered, for easy reference, according to the order of their appearance. For even greater ease of reference a further list is provided showing the chronological order of all the cases and their respective serial numbers, as well as the pages on which they are to be found in these annexes.

### 1. Serial list of all the general cases arranged chronologically according to the commodities or subject-matter involved

#### A. METALLIC ORES, METALS AND THEIR ALLOYS

Serial No.      Case No.

#### Ferro-chrome and chrome ores

- |      |    |  |
|------|----|--|
| (1)  | 7  | Ferro-chrome - <u>Catharina Oldendorff</u> : United Kingdom note dated 22 February 1969              |
| (2)  | 11 | Ferro-chrome - <u>Al Mubarakiah</u> and <u>Al Sabahiah</u> : United Kingdom note dated 24 April 1969 |
| (3)  | 17 | Ferro-chrome - <u>Gasikara</u> : United Kingdom note dated 19 June 1969                              |
| (4)  | 23 | Ferro-chrome - <u>Massimoemee</u> and <u>Archon</u> : United Kingdom note dated 8 July 1969          |
| (5)  | 25 | Ferro-chrome - <u>Batu</u> : United Kingdom note dated 14 July 1969                                  |
| (6)  | 31 | Chrome ore and ferro-chrome - <u>Ville de Nantes</u> : United Kingdom note dated 4 August 1969       |
| (7)  | 36 | Ferro-chrome - <u>Ioannis</u> : United Kingdom note dated 26 August 1969                             |
| (8)  | 37 | Ferro-chrome - <u>Halleren</u> : United Kingdom note dated 27 August 1969                            |
| (9)  | 40 | Ferro-chrome - <u>Ville de Reims</u> : United Kingdom note dated 29 August 1969                      |
| (10) | 45 | Ferro-chrome - <u>Tai Sun</u> and <u>Kyotai Maru</u> : United Kingdom note dated 20 September 1969   |

<u>Serial No.</u>	<u>Case No.</u>	
(11)	55	Ferro-chrome - <u>Guvnor</u> : United Kingdom note dated 10 November 1969
(12)	57	Chrome ore - <u>Myrtidiotissa</u> : United Kingdom note dated 17 November 1969
(13)	59	Shipments of ferro-chrome to various countries: United Kingdom note dated 4 December 1969
(14)	64	Chrome ore and ferro-chrome - <u>Birte Oldendorff</u> : United Kingdom note dated 24 December 1969
(15)	71	Ferro-chrome - <u>Disa</u> : United Kingdom note dated 2 April 1970
(16)	73	Chrome ore - <u>Selene</u> : United Kingdom note dated 13 April 1970
(17)	74	Chrome ore and concentrates - <u>Castasegna</u> : United Kingdom note dated 17 April 1970
(18)	76	Ferro-chrome - <u>Hodakasan Maru</u> : United Kingdom note dated 13 May 1970
(19)	79	Chrome ore - <u>Schutting</u> : United Kingdom note dated 3 June 1970
(20)	80	Chrome ore - <u>Klostertor</u> : United Kingdom note dated 10 June 1970
(21)	89	Chrome ore - <u>Ville du Havre</u> : United Kingdom note dated 18 August 1970
(22)	95	Ferro-chrome and ferro-silicon chrome - <u>Trautenfels</u> : United Kingdom note dated 11 September 1970
(23)	103	Chrome ore - <u>Anna Presthus</u> : United Kingdom note dated 30 October 1970
(24)	110	Chrome ores - <u>Kybfels</u> : United Kingdom note dated 13 January 1971
(25)	130	Chrome ore - <u>Agios Georgios</u> : information supplied by Somalia on 27 March 1972
(26)	135	Chrome ore - <u>Santos Vega</u> : information supplied by Somalia on 20 March 1972
(27)	165	Chrome ore - <u>Gemstone</u> : United Kingdom note dated 5 February 1974
(28)	212	Ferro-chrome - <u>Gerd Wesch</u> : United Kingdom note dated 9 July 1975

Case No.

- 291 Ferro-chrome and ferro-silicon - Chrome Goldbridge, Straat Holland and England Maru: United Kingdom note dated 16 March 1977
- 297 Chrome - Cantonad, Baikor, Santa Isabella, Nortrans Karen and Valle de Orozco: United Kingdom note dated 8 July 1977
- 300 Chrome - Gold Beetle and Shunkai Maru: United Kingdom note dated 21 July 1977
- 319 Mixed high and low-carbon ferro-chrome - Hazelbank: United Kingdom note dated 24 February 1978
- 320 Ferro-chrome - Straat Agulhas, Patagonia Argentina, and Santiago del Estero: United Kingdom note dated 1 March 1978
- 321 Ferro-chrome - United Kingdom note dated 30 March 1978
- 327 Ferro-chrome - Phenix I, Westar and Nortrans Tora: United Kingdom note dated 24 May 1978
- 331 Ferro-chrome - Mendoza, Pampa Argentina, Santiago del Estero and Patagonia Argentina: United Kingdom note dated 21 August 1978
- 332 Ferro-chromes: United Kingdom note dated 8 September 1978
- 
- 178 Silicon-chrome - Tsedek: United Kingdom note dated 7 June 1974
- 179 Silicon metal - Atlantic Fury: United Kingdom note dated 18 June 1974
- 326 Ferro-silicon chrome - Gold Mountain: United Kingdom note dated 24 May 1978
- 
- re
- 78 Tungsten ore - Tenko Maru and Suruga Maru: United Kingdom note dated 28 May 1970
- 306 Wolfram ore and antimony ore - Saronicos Gulf: United Kingdom note dated 28 October 1977
- 323 Wolfram ore - Malange: United Kingdom note dated 5 April 1978

Serial No.      Case No.

Copper

- (44)            12            Copper concentrates - Tjipondok: United Kingdom note dated 12 May 1969
- (45)            15            Copper concentrates - Eizan Maru: United Kingdom note dated 4 June 1969
- (46)            34            Copper exports: United Kingdom note dated 13 August 1969
- (47)            51            Copper concentrates - Straat Futami: United Kingdom note dated 8 October 1969
- (48)            99            Copper - various ships: United Kingdom note dated 9 October 1970
- (49)            315           Electrolyte copper rod - Manina Three: United Kingdom note dated 14 December 1977
- (50)            318           Copper rod - Varda: United Kingdom note dated 21 February 1978

Nickel

- (51)            193           Electrolytic nickel cathodes - Pleias: United Kingdom note dated 22 October 1974
- (52)            329           Electrolytic nickel cathodes - Laurelbank: United Kingdom note dated 7 July 1978
- (53)            336           Nickel cathodes - Condor: United Kingdom note dated 7 February 1979

Lithium ores

- (54)            20            Petalite - Sado Maru: United Kingdom note dated 30 June 1969
- (55)            24            Petalite - Abbekerk: United Kingdom note dated 12 July 1969
- (56)            30            Petalite - Simonskerk: United Kingdom note dated 4 August 1969
- (57)            32            Petalite - Yang Tse: United Kingdom note dated 6 August 1969
- (58)            46            Petalite - Kyotai Maru: United Kingdom note dated 24 September 1969
- (59)            54            Lepidolite - Ango: United Kingdom note dated 24 October 1969

<u>Serial No.</u>	<u>Case No.</u>	
(60)	86	Petalite ore - <u>Krugerland</u> : United Kingdom note dated 4 August 1970
(61)	107	Tantalite - <u>Table Bay</u> : United Kingdom note dated 26 November 1970
(62)	151	Petalite - <u>Merrimac</u> : United Kingdom note dated 30 July 1973
(63)	313	Tantalite ore - <u>Carvalho Araujo</u> : United Kingdom note dated 7 December 1977

Iron and steel in primary and semi-manufactured forms

(64)	29	Pig-iron - <u>Mare Piceno</u> : United Kingdom note dated 23 July 1969
(65)	70	Steel billets: United Kingdom note dated 16 February 1970
(66)	85	Steel billets - <u>Despinan</u> and <u>Birooni</u> : United Kingdom note dated 30 July 1970
(67)	114	Steel products - <u>Gemini Exporter</u> : United Kingdom note dated 3 February 1971
(68)	137	Steel billets - <u>Malaysia Fortune</u> : United Kingdom note dated 26 October 1972
(69)	138	Steel billets - <u>Aliakmon Pilot</u> : United Kingdom note dated 26 October 1972
(70)	140	Steel billets and maize - <u>Char Hwa</u> : United Kingdom note dated 9 April 1973
(71)	236	Steel billets - <u>Trianon</u> : United Kingdom note dated 23 December 1975
(72)	239	Steel billets - <u>Shinkai Maru</u> : United Kingdom note dated 14 January 1976
(73)	246	Steel billets - <u>Antje Schulte</u> : United Kingdom note dated 13 February 1976
(74)	265	Steel billets - <u>Alessandros Skoutaris</u> : United Kingdom note dated 19 May 1976
(75)	266	Steel billets - <u>Aristedes Xilas</u> : United Kingdom note dated 17 May 1976
(76)	284	Steel billets - <u>Alacrity</u> : United Kingdom note dated 26 January 1977

<u>Serial No.</u>	<u>Case No.</u>	
(77)	290	Steel billets - <u>Penmen</u> : United Kingdom note dated 16 March 1977
(78)	295	Steel billets - <u>Johnny B.</u> : United Kingdom note dated 30 May 1977
(79)	298	Steel billets - <u>Agios Nicolaos</u> : United Kingdom note dated 14 July 1977
(80)	308	Steel billets - <u>Markos, Fulster and Pytheas</u> : United Kingdom note dated 11 November 1977
(81)	309	Steel billets - <u>Aghios Gerassimos</u> : United Kingdom note dated 17 November 1977
(82)	311	Steel billets - <u>Tini P. and Charalambos N. Pateras</u> : United Kingdom note dated 23 November 1977
(83)	317	Steel billets - <u>Kosmas K., Great George, Melina Tsiris and Argolicos Gulf</u> : United Kingdom note dated 1 February 1978
(84)	322	Mild steel round bars - <u>Ifafa and Tugela</u> : United Kingdom note dated 22 March 1978
(85)	328	Steel wire rods - <u>Beechbank</u> : United Kingdom note dated 7 July 1978
(86)	330	Manufactured metal alloy grinding balls - <u>Beechbank</u> : United Kingdom note dated 7 July 1978
<u>Graphite</u>		
(87)	38	Graphite - <u>Kaapland</u> : United Kingdom note dated 27 August 1969
(88)	43	Graphite - <u>Tanga</u> : United Kingdom note dated 18 September 1969
(89)	62	Graphite - <u>Transvaal, Kaapland, Stellenbosch and Swellendam</u> : United Kingdom note dated 22 December 1969
<u>Others</u>		
(90)	324	Various minerals and metals - <u>Nortrans Karen, Elpis, Porto and Falcon</u> : United Kingdom note dated 19 April 1978
(91)	338	Chrysotile asbestos - <u>Bernardino Correa</u> : United Kingdom note dated 23 April 1979



B. MINERAL FUELS

<u>Serial No.</u>	<u>Case No.</u>	
(92)	172	Crude oil: United Kingdom note dated 7 May 1974
C. TOBACCO AND CIGARETTES		
(93)	10	Tobacco - <u>Mohasi</u> : United Kingdom note dated 29 March 1969
(94)	19	Tobacco - <u>Goodwill</u> : United Kingdom note dated 25 June 1969
(95)	26	Transactions in Southern Rhodesian tobacco: United Kingdom note dated 14 July 1969
(96)	35	Tobacco - <u>Montaigle</u> : United Kingdom note dated 13 August 1969
(97)	82	Tobacco - <u>Elias L.</u> : United Kingdom note dated 3 July 1970
(98)	92	Cigarettes believed to be manufactured in Rhodesia: United Kingdom note dated 21 August 1970
(99)	98	Tobacco - <u>Hellenic Beach</u> : United Kingdom note dated 7 October 1970
(100)	104	Tobacco - <u>Agios Nicolaos</u> : United Kingdom note dated 2 November 1970
(101)	105	Tobacco - <u>Montalto</u> : United Kingdom note dated 2 November 1970
(102)	196	Tobacco - <u>Streefkerk</u> and <u>Swellendam</u> : United Kingdom note dated 5 December 1974
(103)	262	Tobacco - <u>Pereira d'Eça</u> : United Kingdom note dated 26 April 1976
(104)	286	Trade in tobacco via a Liechtenstein company: United Kingdom note dated 12 January 1977
(105)	296	Tobacco - <u>Elpis</u> : United Kingdom note dated 30 June 1977
(106)	301	Tobacco - <u>Klipparen</u> and <u>Serpa Pinto</u> : United Kingdom note dated 21 July 1977
(107)	307	Tobacco - trade with Southern Rhodesia by a Paraguayan firm: United Kingdom note dated 10 November 1977

<u>Serial No.</u>	<u>Case No.</u>	
(108)	310	Tobacco - <u>Lendas</u> : United Kingdom note dated 18 November 1977
(109)	325	Cigarettes from Southern Rhodesia: United Kingdom note dated 19 April 1978
(110)	333	Tobacco - <u>Tokyo Venture</u> : United Kingdom note dated 22 September 1978
D. CEREALS		
(111)	18	Trade in maize: United Kingdom note dated 20 June 1969
(112)	39	Maize - <u>Fraternity</u> : United Kingdom note dated 27 August 1969
(113)	44	Maize - <u>Galini</u> : United Kingdom note dated 18 September 1969
(114)	47	Maize - <u>Santa Alexandra</u> : United Kingdom note dated 24 September 1969
(115)	49	Maize - <u>Zeno</u> : United Kingdom note dated 26 September 1969
(116)	56	Maize - <u>Julia L.</u> : United Kingdom note dated 13 November 1969
(117)	63	Maize - <u>Polyxene C.</u> : United Kingdom note dated 24 December 1969
(118)	90	Maize - <u>Virgy</u> : United Kingdom note dated 19 August 1970
(119)	91	Maize - <u>Master Daskalos</u> : United Kingdom note dated 19 August 1970
(120)	97	Maize - <u>Lambros M. Fatsis</u> : United Kingdom note dated 30 September 1970
(121)	106	Maize - <u>Corviglia</u> : United Kingdom note dated 26 November 1970
(122)	124	Maize - <u>Armonia</u> : United Kingdom note dated 30 August 1971
(123)	125	Maize - <u>Alexandros S.</u> : United Kingdom note dated 23 September 1971
(124)	139	Maize - <u>Pythia</u> : United Kingdom note dated 6 April 1971

Case No.

E. COTTON AND COTTON SEEDS

- 53 Cotton seed - Holly Trader: United Kingdom note dated  
23 October 1969
- 96 Cotton - S. A. Statesman: United Kingdom note dated  
14 September 1970

F. MEAT

- 8 Meat - Kaapland: United Kingdom note dated  
10 March 1969
- 13 Meat - Zuiderkerk: United Kingdom note dated  
13 May 1969
- 14 Beef - Tabora: United Kingdom note dated 3 June 1969
- 16 Beef - Tugelaland: United Kingdom note dated  
16 June 1969
- 22 Beef - Swellendam: United Kingdom note dated  
3 July 1969
- 33 Meat - Taveta: United Kingdom note dated 8 August 1969
- 42 Meat - Polana: United Kingdom note dated  
17 September 1969
- 61 Chilled meat: United Kingdom note dated  
8 December 1969
- 68 Pork - Alcor: United Kingdom note dated  
13 February 1970
- 117 Frozen meat - Drymakos: United Kingdom note dated  
21 April 1971
- 314 Carriage of meat from Southern Rhodesia by Zairian  
aircraft: information obtained from communiqué issued  
by Government of Mozambique on 1 December 1977

G. SUGAR

- 28 Sugar - Byzantine Monarch: United Kingdom note dated  
21 July 1969
- 60 Sugar - Filotis: United Kingdom note dated  
4 December 1969

<u>Serial No.</u>	<u>Case No.</u>	
(140)	65	Sugar - <u>Eleni</u> : United Kingdom note dated 5 January 1970
(141)	72	Sugar - <u>Lavrentios</u> : United Kingdom note dated 8 April 1970
(142)	83	Sugar - <u>Angelia</u> : United Kingdom note dated 8 July 1970
(143)	94	Sugar - <u>Philomila</u> : United Kingdom note dated 28 August 1970
(144)	112	Sugar - <u>Evangelos M.</u> : United Kingdom note dated 22 January 1971
(145)	115	Sugar - <u>Aegean Mariner</u> : United Kingdom note dated 19 March 1971
(146)	119	Sugar - <u>Calli</u> : United Kingdom note dated 10 May 1971
(147)	122	Sugar - <u>Netanya</u> : United Kingdom note dated 13 August 1971
(148)	126	Sugar - <u>Netanya</u> : United Kingdom note dated 7 October 1971
(149)	128	Sugar - <u>Netanya</u> : United Kingdom note dated 11 February 1972
(150)	132	Sugar - <u>Primrose</u> : United Kingdom note dated 26 April 1972
(151)	147	Sugar - <u>Anangel Ambition</u> : United Kingdom note dated 27 June 1973

#### H. FERTILIZERS AND AMMONIA

(152)	2	Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969
(153)	48	Ammonia - <u>Butaneuvé</u> : United Kingdom note dated 24 September 1969
(154)	52	Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969
(155)	66	Ammonia - <u>Cérons</u> : United Kingdom note dated 7 January 1970
(156)	69	Ammonia - <u>Mariotte</u> : United Kingdom note dated 13 February 1970

Case No.

- 101 Anhydrous ammonia: United Kingdom note dated 12 October 1970
- 113 Anhydrous ammonia - Cypress and Isfonn: United Kingdom note dated 29 January 1971
- 123 Anhydrous ammonia - Zion: United Kingdom note dated 30 August 1971
- 129 Anhydrous ammonia - Kristian Birkeland: United Kingdom note dated 24 February 1972
- 204 Import of agricultural crop chemicals into Southern Rhodesia: United Kingdom note dated 13 March 1975

I. MACHINERY

- 50 Tractor kits: United Kingdom note dated 2 October 1969
- 58 Book-keeping and accounting machines: Italian note dated 6 November 1969
- 221 Supply of electrical equipment: United Kingdom note dated 1 September 1975
- 267 Industrial sewing machines from Japan - Straat Hong Kong: United Kingdom note dated 17 May 1976
- 305 Shipment of parts for diesel locomotives to Southern Rhodesia - Alcoutin: United Kingdom note dated 19 October 1977

J. TRANSPORT EQUIPMENT

and/or motor-vehicle spares

- 9 Motor vehicles: United States note dated 28 March 1969
- 145 Trucks, engines, etc.: information obtained by the Committee from published sources
- 180 Motor vehicles or motor-vehicle spares - Straat Rio: United Kingdom note dated 20 June 1974
- 195 Motor vehicles or motor-vehicle spares - Soula K.: United Kingdom note dated 28 November 1974
- 197 Trade in motor vehicles (and other commodities): United Kingdom note dated 6 December 1974

Aircraft and/or aircraft spares

<u>Serial No.</u>	<u>Case No.</u>	
(172)	41	Aircraft spares: United Kingdom note dated 5 September 1969
(173)	67	Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970
(174)	144	Sale of three Boeing aircraft to Southern Rhodesia; information obtained from published sources
(175)	162	Viscount aircraft: United Kingdom note dated 17 January 1974
(176)	232	Acquisition of DC-8 aircraft by Southern Rhodesia: United Kingdom note dated 28 November 1975

Others

(177)	88	Cycle accessories: United Kingdom note dated 13 August 1970
(178)	141	Locomotives - <u>Beira</u> : United Kingdom note dated 24 April 1973

K. TEXTILE FABRICS AND RELATED PRODUCTS

(179)	93	Shirts manufactured in Southern Rhodesia: United Kingdom note dated 21 August 1970
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L. SPORTING ACTIVITIES AND OTHER INTERNATIONAL COMPETITIONS

(180)	120	Southern Rhodesia and the Olympic Games: note from the Federal Republic of Germany dated 5 April 1971
(181)	148	Southern Rhodesia and the Maccabiah Games: information supplied to the Committee by the Sudan on 21 June 1973
(182)	167	Tour of Southern Rhodesian cricket player abroad: information obtained from published sources
(183)	181	Southern Rhodesia and the International Federation of Association Football (FIFA): information obtained from published sources
(184)	186	Southern Rhodesia and the International Chess Federation (FIDE): information obtained from published sources
(185)	191	Cricket club tour of Southern Rhodesia: information obtained from published sources

<u>Serial No.</u>	<u>Case No.</u>	
(186)	198	Southern Rhodesia and the golf championships in Colombia: information obtained from published sources
(187)	211	Tour of certain European countries by Southern Rhodesian hockey club: information obtained from published sources
(188)	217	Visit to Southern Rhodesia by Argentine hockey umpire: information obtained from published sources
(189)	219	Southern Rhodesia and the International Lawn Tennis Federation (ILTF): information obtained from published sources
(190)	220	Southern Rhodesia and the International Amateur Swimming Federation (FINA): information obtained from published sources
(191)	222	Participation of Southern Rhodesian yachtsmen in the World Fireball Regatta in France: information obtained from published sources
(192)	224	Participation of Southern Rhodesians in the World Ploughing Match in Canada: information obtained from published sources
(193)	230	Participation of Southern Rhodesian in the commemorative Marathon in Greece: information obtained from published sources
(194)	235	Participation of foreign jockeys in Salisbury's Plate Glass Jockey's International: information obtained from published sources
(195)	237	Participation of foreign sportsmen in Rhodesian Open Tennis Championships: information obtained from published sources
(196)	242	Southern Rhodesia and the International Sports Federations (ISF) Games: information obtained from published sources
(197)	244	Participation of Malawi in swimming association with Southern Rhodesia: information obtained from published sources
(198)	248	Cypriot soccer players in Southern Rhodesia: information obtained from published sources
(199)	249	Participation of a Southern Rhodesian yachtsman in Rio race (Brazil): information obtained from published sources

<u>Serial No.</u>	<u>Case No.</u>	
(200)	251	Participation of Southern Rhodesians in the British Women's Open Squash Championships: information obtained from published sources
(201)	252	English cricket team visit to Southern Rhodesia: information obtained from published sources
(202)	253	Participation of Southern Rhodesians in the World Amateur Team Golf Championships in Portugal: information obtained from published sources
(203)	254	Visit of the Gloucestershire Rugby team to Southern Rhodesia: information obtained from published sources
(204)	255	Participation of a baseball team from the United States in the test series against Southern Rhodesia: information obtained from published sources
(205)	257	English boys' hockey team tour to Southern Rhodesia: information obtained from published sources
(206)	260	Southern Rhodesian women's team and the Philadelphia Federation Cup international tennis tournament: information obtained from published sources
(207)	268	Junior golf team from the United States tour of Southern Rhodesia in 1977: information obtained from published sources
(208)	271	Participation of two Southern Rhodesian soccer players in the 1977 Greek soccer season: information obtained from published sources
(209)	277	Visit of a Uruguayan polo team to Southern Rhodesia: information obtained from published sources
(210)	278	Participation of Southern Rhodesia in the 1977 Davis Cup tennis tournament: information obtained from published sources
(211)	279	Participation of an Australian team in the international squash tournament in Southern Rhodesia: information obtained from published sources
(212)	280	Participation of a Southern Rhodesian team in the world combat pistol championships in Salzburg, Austria: information obtained from published sources
(213)	285	Participation of a Southern Rhodesian team in the Eisenhower trophy golf tournament in Portugal: information obtained from published sources



<u>Serial No.</u>	<u>Case No.</u>	
(214)	334	Southern Rhodesian team and the international 7,240 km Cape to Uruguay yacht race: information obtained from published sources
(215)	335	Participation of a Southern Rhodesian team in the World Ploughing Contest in the Federal Republic of Germany: information obtained from published sources
(216)	339	Visit by a United States squash racquet team to Southern Rhodesia: information supplied to the Committee by the Chairman

M. BANKING, INSURANCE AND OTHER RELATED FACILITIES

(217)	171	Rhodesia Iron and Steel Company (RISCO): information obtained from published sources
(218)	304	Transfer of personal funds to and from Southern Rhodesia

N. TOURISM AND OTHER RELATED MATTERS

(219)	143	Southern Rhodesian representational offices abroad: (a) Rhodesian Information Centre in Sydney, Australia (b) Rhodesian Information Office in Washington, D.C., United States of America  Information obtained from published sources and from non-governmental sources
(220)	227	Organized tours abroad for persons using Southern Rhodesian passports: information obtained from published sources

O. OTHER CASES

(221)	154	<u>Tango Romeo</u> - Sanctions-breaking activities via Gabon: information obtained from published sources and supplied to the Committee by the United Kingdom on 30 August 1973
(222)	155	Cameras from Switzerland: United Kingdom note dated 27 September 1973
(223)	158	Pine oil from the United States - <u>Charlotte Lykes</u> : United Kingdom note dated 19 October 1973

<u>Serial No.</u>	<u>Case No.</u>	
(224)	210	Supply of various items of miscellaneous equipment to Southern Rhodesia: United Kingdom note dated 24 June 1975
(225)	214	Swiss trade with Southern Rhodesia: information supplied by Switzerland
(226)	233	Supply of chemical substances to Southern Rhodesia: United Kingdom note dated 1 December 1975
(227)	243	Federal Republic of Germany trade with Southern Rhodesia: information supplied by the Federal Republic of Germany
(228)	261	Trade with Southern Rhodesia by an Italian firm: United Kingdom note dated 5 May 1976
(229)	276	Activities of Lonrho and other United Kingdom companies: information obtained from published sources and from non-governmental sources
(230)	293	Trade in Southern Rhodesian minerals via network of companies in southern Africa and Europe - <u>S. A. Kapland</u> , <u>Merwe Lloyd</u> , <u>Spaarnekerk</u> and <u>Leersum</u> : United Kingdom note dated 16 March 1977
(231)	302	Trade in chemicals via a Swiss company - <u>Rocadas</u> , <u>Phenix</u> , <u>Falcon</u> : United Kingdom note dated 10 August 1977
(232)	337	Supply of chemical products to Southern Rhodesia by two Belgian companies: United Kingdom note dated 28 March 1979

2. Chronological (or cumulative) list of all the general cases, their serial numbers and location in the annexes

(The chronological case numbers omitted indicate that those cases have either been reclassified, merged, withdrawn or closed by the Committee over the years)

<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>
2	(152)	97	37	(8)	28	66	(155)	97
7	(1)	27	38	(87)	69	67	(173)	103
8	(127)	88	39	(112)	86	68	(135)	89
9	(167)	100	40	(9)	28	69	(156)	97
10	(93)	74	41	(172)	103	70	(65)	59
11	(2)	27	42	(133)	89	71	(15)	28
12	(44)	47	43	(88)	69	72	(141)	96
13	(128)	88	44	(113)	86	73	(16)	28
14	(129)	88	45	(10)	28	74	(17)	29
15	(45)	47	46	(58)	56	76	(18)	29
16	(130)	88	47	(114)	86	78	(41)	41
17	(3)	27	48	(153)	97	79	(19)	29
18	(111)	86	49	(115)	86	80	(20)	29
19	(94)	74	50	(162)	98	82	(97)	75
20	(54)	56	51	(47)	47	83	(142)	96
22	(131)	88	52	(154)	97	85	(66)	59
23	(4)	27	53	(125)	88	86	(60)	57
24	(55)	56	54	(59)	56	88	(177)	104
25	(5)	27	55	(11)	28	89	(21)	29
26	(95)	75	56	(116)	87	90	(118)	87
28	(138)	95	57	(12)	28	91	(119)	87
29	(64)	59	58	(163)	98	92	(98)	75
30	(56)	56	59	(13)	28	93	(179)	104
31	(6)	27	60	(139)	95	94	(143)	96
32	(57)	56	61	(134)	89	95	(22)	29
33	(132)	89	62	(89)	70	96	(126)	88
34	(46)	47	63	(117)	87	97	(120)	87
35	(96)	75	64	(14)	28	98	(99)	75
36	(7)	27	65	(140)	95	99	(48)	47

<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>
101	(157)	97	151	(62)	57	233	(226)	134
103	(23)	29	154	(221)	117	235	(194)	107
104	(100)	75	155	(222)	134	236	(71)	60
105	(101)	75	158	(223)	134	237	(195)	108
106	(121)	87	162	(175)	103	239	(72)	60
107	(61)	57	165	(27)	30	242	(196)	108
110	(24)	29	167	(182)	105	243	(227)	134
112	(144)	96	171	(217)	114	244	(197)	108
113	(158)	97	172	(92)	74	246	(73)	60
114	(67)	59	178	(38)	39	248	(198)	108
115	(145)	96	179	(39)	39	249	(199)	108
117	(136)	89	180	(169)	100	251	(200)	109
119	(146)	96	181	(183)	105	252	(201)	109
120	(180)	104	186	(184)	105	253	(202)	109
122	(147)	96	191	(185)	105	254	(203)	110
123	(159)	98	193	(51)	50	255	(204)	110
124	(122)	87	195	(170)	101	257	(205)	110
125	(123)	87	196	(102)	75	260	(206)	110
126	(148)	96	197	(171)	103	261	(228)	134
128	(149)	96	198	(186)	105	262	(103)	77
129	(160)	98	204	(161)	98	265	(74)	60
130	(25)	29	210	(224)	134	266	(75)	60
132	(150)	96	211	(187)	105	267	(165)	98
135	(26)	30	212	(28)	30	268	(207)	110
137	(68)	59	214	(225)	134	271	(208)	110
138	(69)	60	217	(188)	105	276	(229)	136
139	(124)	88	219	(189)	105	277	(209)	110
140	(70)	60	220	(190)	107	278	(210)	110
141	(178)	104	221	(164)	98	279	(211)	111
143	(219)	114	222	(191)	107	280	(212)	111
144	(174)	103	224	(192)	107	284	(76)	60
145	(168)	100	227	(220)	115	285	(213)	111
147	(151)	97	230	(193)	107	286	(104)	77
148	(181)	104	232	(176)	104	290	(77)	60

<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>
291	(29)	30	331	(36)	37
293	(230)	136	332	(37)	38
295	(78)	60	333	(110)	84
296	(105)	77	334	(214)	111
297	(30)	30	335	(215)	111
298	(79)	61	336	(53)	51
300	(31)	32	337	(232)	137
301	(106)	78	338	(91)	73
302	(231)	136	339	(216)	112
304	(218)	114			
305	(166)	99			
306	(42)	41			
307	(107)	79			
308	(80)	64			
309	(81)	66			
310	(108)	81			
311	(82)	67			
313	(63)	57			
314	(137)	89			
315	(49)	48			
317	(83)	67			
318	(50)	50			
319	(32)	33			
320	(33)	33			
321	(34)	33			
322	(84)	69			
323	(43)	44			
324	(90)	70			
325	(109)	83			
326	(40)	39			
327	(35)	33			
328	(85)	69			
329	(52)	50			
330	(86)	69			

3. List of cases of imports of chrome, nickel and other materials from Southern Rhodesia into the United States (ship and country of registration)

Case No.

USI-1            La Chacra: United Kingdom

USI-2            Treutenfels: Federal Republic of Germany

USI-3            Bris: Norway

USI-4            African Sun, Moormacove, Moormacargo, African Moon, African Lightning, Moormacbay, African Mercury, African Dawn and Moormactrade: United States

USI-5            Hellenic Leader, North Highness, Venthisikimi and Ocean Pegasus: Greece

USI-6            S. A. Huguenot and Nederburg: South Africa

USI-7            Angelo Scinicarello and Alfredo Primo: Italy

USI-8            Marne Lloyd, Musi Lloyd and Merwe Lloyd: Netherlands

USI-9            Aktion, Pholegandros, Mexican Gulf and Trade Carrier: Liberia

USI-10           Trade Carrier: Liberia

USI-11           Hellenic Destiny: Greece

USI-12           Costas Frangos: Greece

USI-13           Adelfoi: Liberia

USI-14           Costas Frangos and Nortrans Unity: Greece

USI-15           Weltevreden: South Africa

USI-16           Steinfels: Federal Republic of Germany

USI-17           Nedlloyd Kingston: Netherlands

USI-19           Nedlloyd Kembla: Netherlands

USI-20           Morganstar: South Africa

USI-21           Hellenic Destiny, Ocean Pegasus, Venthisikimi, Costas Frangos and Nortrans Unity: Greece

USI-22           Sun River: Norway

Case No.

USI-24            Wildenfels and Steinfels: Federal Republic of Germany

USI-25            Hellenic Destiny: Greece

USI-26            Weser Express: Federal Republic of Germany

USI-27            Stockenfels: Federal Republic of Germany

USI-28            S. A. Huguenot: South Africa

USI-29            Hellenic Laurel: Greece

USI-32            Hellenic Carrier: Greece

USI-33            Nedlloyd Kyoto: Netherlands

USI-34            Diana Skou: Denmark

USI-35            Hellenic Sun: Greece

USI-36            New England Trapper: Liberia

USI-37            Ogden Sacramento: Panama

USI-38            Ascendant: Panama

USI-39            Safina-E-Rehmet: Pakistan

USI-40            Nedlloyd Kingston: Netherlands

USI-41            Ogden Missouri: Panama

USI-42            Platte: Panama

USI-43            Great Faith: Panama

USI-46            Phaedra E.: Greece

4. List of cases opened from information supplied by individuals and non-governmental organizations

Case No.

INGO-2            Joba/Etb. Zephr Co., Amsterdam: information supplied by the Anti-Apartheids Beweging Nederland, Amsterdam, Netherlands

INGO-4            Air Rhodesia and IATA agreements: information supplied by the Center for Social Action of the United Church of Christ, New York, United States of America

INGO-5            Ferro-chrome imported into Spain: information obtained from non-governmental sources

INGO-6            Tobacco: report submitted by the Anti-Apartheids Beweging Nederland, Amsterdam, Netherlands

INGO-9            Cargo Air Transport (CAT): information supplied by the Comité contre le colonialisme et l'apartheid, Brussels, Belgium

INGO-11           Tour to Southern Rhodesia organized by a United Kingdom travel agency: information supplied by the Women's International League for Peace and Freedom (WILPF), British Section, London

INGO-12           Trading activities and other relations with Southern Rhodesia: information supplied by the Mouvement contre le racisme, l'antisémitisme et pour la paix, Paris, France

INGO-13           Mining operations in Southern Rhodesia by Canadian-owned companies: information supplied by the Taskforce on the Churches and Corporate Responsibility, Toronto, Canada

INGO-14           Export of military aircraft to Southern Rhodesia by New Zealand: information received from the President of the Citizens' Association for Racial Equality (CARE), New Zealand

INGO-17           Supply of oil and oil products to Southern Rhodesia: information supplied by the Anti-Apartheid Movement, United States of America, and the Center for Social Action of the United Church of Christ, New York

INGO-18           French trade and other relations with Southern Rhodesia: information supplied by the Mouvement contre le racisme, l'antisémitisme et pour la paix, Paris, France

INGO-20           Promotion of tourism to Southern Rhodesia by a United States firm: information supplied by the Executive Associate of the American Committee on Africa, New York



Case No.

- INGO-21      Loan to Southern Rhodesia by a Canadian bank: information supplied by an individual in Toronto, Canada
- INGO-22      Possible acquisition of 20 Cessna F-337 "Milirole" aircraft by Southern Rhodesia: information supplied by a staff member with the American Friends Service Committee, Inc., in Philadelphia, Pennsylvania, United States
- INGO-23      Gun-smuggling to Southern Rhodesia by United States nationals: information supplied by the co-ordinator of the Committee to Oppose Bank Loans to South Africa, New York
- INGO-24      Package tour to Southern Rhodesia by a Japanese travel company: information provided by the Japan Anti-Apartheid Committee
- INGO-25      Scheduled flights to and from Southern Rhodesia and facilities provided by British Airways: information received from the Executive Secretary of the Anti-Apartheid Movement, London, United Kingdom
- INGO-26      Shipments of arms from Antigua to Southern Rhodesia via South Africa: information received from the American Committee on Africa, United States
- INGO-27      Visit of Southern Rhodesian tobacco official to the Netherlands and the Federal Republic of Germany: information received from the Holland Committee on Southern Africa (Angola Comité), Netherlands, through the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
- INGO-28      Package tours to Southern Rhodesia organized from the Netherlands: information received from three non-governmental organizations in the Netherlands, the Boycott Outspan Action, the Holland Committee on Southern Africa and the Working Group Kairos
- INGO-29      Supply of computers to Southern Rhodesia: information received from the Anti-Apartheid Movement, London, United Kingdom
- INGO-30      Acquisition of military aircraft by Southern Rhodesia during 1976-1978; information supplied by Sean Gervasi
- INGO-31      Military and related equipment captured from the forces of the illegal régime in Southern Rhodesia: information received from Anti-Apartheid Movement, London, United Kingdom

Case No.

- INGO-32      Participation of Southern Rhodesians in the World Ploughing Championships in Northern Ireland, United Kingdom: information received from the Anti-Apartheid Movement, Dublin, Ireland
- INGO-33      Reported official activities in Southern Rhodesia by a representative of the Netherlands Government: information received from the Holland Committee on Southern Africa (Angola Comité)
- INGO-34      Supply of military aircraft to Southern Rhodesia - Siai Marchetti 260 aircraft: information obtained from a documentary film provided by the producers of the BBC programme, "Panorama"
- INGO-35      Transactions in tobacco via Antwerp, Belgium: information obtained from a documentary film provided by the producers of the BBC programme, "Panorama"

Annex I

CASES CARRIED OVER FROM PREVIOUS REPORTS AND NEW CASES

A. METALLIC ORES, METALS AND THEIR ALLOYS

Ferro-chrome and chrome ores

- (1) Case No. 7. Ferro-chrome - "Catharina Oldendorff": United Kingdom note dated 22 February 1969

There is no new information concerning this case in addition to that contained in the third report.

- (2) Case No. 11. Ferro-chrome - "Al Mubarakiah" and "Al Sabahiah": United Kingdom note dated 24 April 1969

There is no new information concerning this case in addition to that contained in the third report.

- (3) Case No. 17. Ferro-chrome - "Gasikara": United Kingdom note dated 19 June 1969

There is no new information concerning this case in addition to that contained in the fourth report.

- (4) Case No. 23. Ferro-chrome - "Massimoemee" and "Archon": United Kingdom note dated 8 July 1969

There is no new information concerning this case in addition to that contained in the eighth report.

- (5) Case No. 25. Ferro-chrome - "Batu": United Kingdom noted dated 14 July 1969

There is no new information concerning this case in addition to that contained in the fourth report.

- (6) Case No. 31. Chrome ore and ferro-chrome - "Ville de Nantes": United Kingdom note dated 4 August 1969

There is no new information concerning this case in addition to that contained in the seventh report.

- (7) Case No. 36. Ferro-chrome - "Ioannis": United Kingdom note dated 26 August 1969

There is no new information concerning this case in addition to that contained in the seventh report.

- (8) Case No. 37. Ferro-chrome - "Halleren": United Kingdom note dated 27 August 1969

There is no new information concerning this case in addition to that contained in the third report.

- (9) Case No. 40. Ferro-chrome - "Ville de Reims": United Kingdom note dated 29 August 1969

There is no new information concerning this case in addition to that contained in the fifth report.

- (10) Case No. 45. Ferro-chrome - "Tai Sun" and "Kyotai Maru": United Kingdom note dated 20 September 1969

There is no new information concerning this case in addition to that contained in the third report.

- (11) Case No. 55. Ferro-chrome - "Guvnor": United Kingdom note dated 10 November 1969

There is no new information concerning this case in addition to that contained in the fifth report.

- (12) Case No. 57. Chrome ore - "Myrtidiotissa": United Kingdom note dated 17 November 1969

There is no new information concerning this case in addition to that contained in the ninth report.

- (13) Case No. 59. Shipments of ferro-chrome to various countries: United Kingdom note dated 4 December 1969

There is no new information concerning this case in addition to that contained in the fourth report

- (14) Case No. 64. Chrome ore and ferro-chrome - "Birte Oldendorff": United Kingdom note dated 24 December 1969

There is no new information concerning this case in addition to that contained in the third report.

- (15) Case No. 71. Ferro-chrome - "Disa": United Kingdom note dated 2 April 1970

There is no new information concerning this case in addition to that contained in the fifth report.

- (16) Case No. 73. Chrome ore - "Selene": United Kingdom note dated 13 April 1970

There is no new information concerning this case in addition to that contained in the ninth report.

(17) Case No. 74. Chrome ore and concentrates - "Castasegna": United Kingdom note dated 17 April 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(18) Case No. 76. Ferro-chrome - "Hodakasan Maru": United Kingdom note dated 13 May 1970

There is no new information this case in addition to that contained in the fourth report.

(19) Case No. 79. Chrome ore - "Schutting": United Kingdom note dated 3 June 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(20) Case No. 80. Chrome ore - "Klostertor": United Kingdom note dated 10 June 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(21) Case No. 89. Chrome ore - "Ville du Havre": United Kingdom note dated 18 August 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(22) Case No. 95. Ferro-chrome and ferro-silicon - "Trautenfels": United Kingdom note dated 11 September 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(23) Case No. 103. Chrome ore - "Anna Presthus": United Kingdom note dated 30 October 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(24) Case No. 110. Chrome ores - "Kybfels": United Kingdom note dated 13 January 1971

There is no new information concerning this case in addition to that contained in the fifth report.

(25) Case No. 130. Chrome ore - "Agios Georgios": information supplied by Somalia on 27 March 1972

See annex II below.

- (26) Case No. 135. Chrome ore - "Santos Vega": information submitted by Somalia on 20 March 1972

See annex II below.

- (27) Case No. 165. Chrome ore - "Gemstone": United Kingdom note dated 5 February 1974

There is no new information concerning this case in addition to that contained in the seventh report.

- (28) Case No. 212. Ferro-chrome - "Gerd Wesch": United Kingdom note dated 9 July 1975

There is no new information concerning this case in addition to that contained in the tenth report.

- (29) Case No. 291. Ferro-chrome and ferro-silicon chrome - "Goldbridge", "Straat Holland" and "England Maru": United Kingdom note dated 16 March 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic reports, which were issued as press releases on 25 May and 9 November 1979, respectively.

- (30) Case No. 297. Chrome - "Cantonad", "Santa Isabella", "Baikor", "Nortrans Karen" and "Valle de Orozco": United Kingdom note dated 8 July 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered by the Working Group on Cases at its ninth meeting on 3 August 1979, at which it was decided to make the following recommendations to the Committee:

(a) That the case should not be pursued any further with respect to Singapore;

(b) That a note should be sent to the Federal Republic of Germany requesting the authorities there to obtain information from the charter company in Hamburg on the origin of the cargo carried aboard the Santa Isabella on the pertinent voyage;

(c) That a further note should be sent to Spain requesting the authorities there to obtain any additional and more acceptable documentary evidence attesting to the non-Southern Rhodesian origin of the cargo carried aboard the Spanish-registered vessels, Cantonad, Baikor, and Valle de Orozco;

(d) That a further note should be sent to Norway, pointing out the apparent discrepancy between the earlier reply from that Government dated 13 October 1977 (tenth report, S/12529/Rev.1, annex II (45) Case No. 297, para. 7(b)) and the latest reply dated 28 September 1978 (eleventh report, S/13000, vol. II, annex II, (36) Case No. 297, para. 20) as to the nature of the merchandise transported by the vessel Nortrans Karen. The earlier reply had admitted to a cargo of chrome [also corroborated by the reply from the Netherlands dated 30 September 1977 (tenth report, Ibid., para. 7(a))], while the latest reply spoke of a cargo of nickel, which, rightly, was not the object of the Committee's request for investigations, and

(e) That a further note should be sent to Switzerland requesting clarification on the content of that Government's reply of 9 May 1978 (eleventh report, Ibid., para. 9), bearing in mind the new federal legislation since January 1978 prohibiting triangular commercial transactions of no benefit to Switzerland; in view of the fact the transactions in the present case had taken place before the coming into force of the new law, the proposed note would also inquire whether the new law had retroactive effect.

4. Pursuant to the recommendations of the Working Group, and in accordance with the Committee's no-objection procedure, notes as indicated above were sent to the Federal Republic of Germany, Norway, Spain and Switzerland on 5 October 1979.

5. Replies were received from Switzerland, the Federal Republic of Germany and Norway, the substantive parts of which read as follows:

(a) Note dated 19 November 1979 from Switzerland

"The Permanent Observer of Switzerland to the United Nations ... in reply to [the Secretary-General's] note PO 230 SORH (1-2-1) of 5 October 1979 concerning Case No. 297, has the honour to communicate to him the following:

"Since the Ordinance on Transactions with Southern Rhodesia of 12 December 1977 is penal in character, its retroactive application would run counter to the principle nulla poena sine lege and hence would be incompatible with the Swiss legal order.

"Consequently, the Ordinance in question does not apply to acts committed prior to 1 January 1978, the date on which it entered into force."

(b) Note dated 6 December 1979 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ..., with reference to [the Secretary-General's] note of 5 October 1979, PO 230 SORH (1-2-1) Case No. 297, has the honour to communicate the following observations of the Federal Government:

"The thorough investigations conducted in 1978 by the Federal Customs Agency failed to produce any indication that the chrome shipments in question were of Southern Rhodesian origin. A Southern Rhodesian origin could be conclusively proved only by documents attesting to the transport of the goods from Southern Rhodesia to South Africa. If at all, such evidence could be obtained only at the Grundstoffgesellschaft, Zurich, as the original buyer of the goods. Such an audit is, however, beyond the jurisdiction of the authorities of the Federal Republic of Germany."

(c) Note dated 10 December 1979 from Norway (also bearing relevance to Case No. 324)

"The Permanent Representative of Norway to the United Nations ... has the honour to communicate to [the Secretary-General] the following in reference to his note dated 5 October 1979 (PO 230 SORH (1-2-1) Case No. 297):

"Various communications from the Secretary-General at the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia have dealt with the question of approximately 6,000 tonnes of chrome, reported to have been unloaded by the Norwegian vessel Nortrans Karen in the port of Rotterdam on 20 November 1976 (PO 230 SORH (1-2-1) Case No. 297). Weight certificates issued by Rennies Consolidated (East London (Pty) Ltd.) on 2 November 1976 were submitted to the Secretary-General by the Permanent Representative of Norway in a note dated 13 October 1977.

"Pursuant to further communications from the Secretary-General regarding this matter, including the Secretary-General's above-mentioned note dated 5 October 1979, Norwegian authorities have continued their investigations with a view to obtaining the certificates of origin. So far it has not been possible to obtain such certificates since the shipping company involved has terminated its activities with South Africa. The investigations are still under way, however. The Permanent Representative of Norway will consequently revert to this matter as soon as these further investigations have been concluded.

"The above-mentioned note dated 5 October 1979, from the Secretary-General refers also to various communications between the Secretary-General and the Permanent Representative of Norway regarding the transport of 15 metric tonnes of nickel aboard the same Norwegian vessel, Nortrans Karen, reported to have been discharged also in the port of Rotterdam on 20 November 1976, as mentioned in the Secretary-General's note dated 1 May 1978 (PO 230 SORH (1-2-1) Case. No. 324). In his note dated 28 September 1978, the Permanent Representative of Norway pointed out as regards this case concerning the reported transport of nickel that available documentation to Norwegian authorities appears to suggest that the reported shipment of nickel was not transported aboard Nortrans Karen. The Permanent Representative of Norway was, therefore, instructed to ask for the assistance of the Secretary-General in furnishing available information which might shed further light on this case relating to the alleged transport of nickel. The Permanent Representative of Norway reiterates his readiness to co-operate with the Secretary-General in this respect."

6. A first reminder was sent to Spain on 12 December 1979.

(31) Case No. 300. Chrome - "Gold Beetle" and "Shunkai Maru": United Kingdom note dated 21 July 1977

1. There is no new information concerning this case in addition to that contained in the eleventh report.



(32) Case No. 319. Mixed high and low-carbon ferro-chrome - "Hazelbank": United Kingdom note dated 24 February 1979

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A note dated 12 November 1979 was sent to the United Kingdom inquiring whether the investigations by the appropriate authorities had been completed and the results could be transmitted to the Committee.

(33) Case No. 320. Ferro-chrome - "Straat Agulhas", "Patagonia Argentina", and "Santiago del Estero": United Kingdom note dated 1 March 1978

There is no new information concerning this case in addition to that contained in the eleventh report.

(34) Case No. 321. Ferro-chrome: United Kingdom note dated 30 March 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Zaire within the prescribed period of two months, the Committee included that Government in the eighteenth and again in the nineteenth periodic lists, both of which were issued as press releases on 25 May and 5 November 1979, respectively.

(35) Case No. 327. Ferro-chrome - "Phenix I", "Westar", and "Nortrans Tora": United Kingdom note dated 24 May 1979

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Replies were received from Greece and the Netherlands the substantive parts of which read as follows:

(a) Note dated 18 December 1978 from Greece

"The Permanent Representative of Greece to the United Nations ... with reference to [the Secretary-General's] note PO SORH (1-2-1) Case 327 dated 1 December 1978, has the honour to communicate, further to [his own] note F.6152.61/AS 2412 of 29 September 1978, that the Greek competent authorities have not yet been able to conclude the investigation in question, because the examination of witnesses from the crew of the vessel "Westar" has not yet become possible since such witnesses travel at sea abroad. Evidence produced to the authorities so far is judged inadequate for drawing conclusions on this case.

"The Permanent Representative of Greece will not fail to communicate to the Secretary-General any further information which will become available in this regard and kindly requests His Excellency to bring the aforesaid information to the attention of the Security Council Committee established in pursuance of resolution 253 (1968).

(b) Note dated 16 January 1979 from the Netherlands

"The investigation into the case undertaken by the Netherlands authorities had to be limited to those documents concerning the shipments, that were in the hands of Netherlands shipping and forwarding agents. Documents that were directly transmitted to those who are responsible for the shipments, could not be traced.

"The investigation of the records of Netherlands shipping and forwarding agents yielded no indication that the goods in question were of Southern Rhodesian origin.

"In this context it may be pointed out, that documents can be transmitted directly by the original sender to the eventual receiver of the goods. Therefore, other than the country of final destination, the country of transit has limited possibilities of verification."

4. A note dated 27 February 1979 was also received from the representative of the United Kingdom on the Committee, the text of which is reproduced below:

"With reference to the certificate of origin forwarded by France [in the present case] (see the eleventh report, S/13000, vol. II, annex II, (42) Case No. 327, paras. 11 and 12(b)), I would like to propose that the Secretariat should draft a note to the delegation of the Commission of the European Communities to the United Nations. The purpose of this note, which should of course be circulated in draft under the no-objection procedure, will be to ask the Commission on what evidence they issued a South African certificate of origin for the cargo of ferro-chrome in question."

5. Pursuant to the proposal of the United Kingdom representative and in accordance with the Committee's no-objection procedure, a letter dated 9 May 1979 was sent to the Head of the Delegation of the Commission of the European Communities to the United Nations, the text of which is reproduced below:

"At the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, I have the honour to bring to your attention, and to seek the assistance of your good offices in dealing with a matter on which the Committee has been engaged for some time now. The Committee is primarily entrusted with the task of assisting Governments in implementing the sanctions established by the Security Council against the illegal régime in Southern Rhodesia.

"The matter in question concerns the nature of certificates of origin or other documentary evidence which investigating Governmental authorities are required to examine in order to satisfy themselves that the goods that such certificates describe for importation into their territories do not come from Southern Rhodesia. In a series of cases involving importations by certain countries of steel billets, which the Committee has had reason to suspect of

being the produce of the Rhodesia Iron and Steel Company, and marketed abroad by interested companies in the Federal Republic of Germany and Switzerland, some Governments responding to the Committee's inquiries have produced photocopies of certificates of origin issued by the Federal Republic company, Klöckner AG of Duisberg, under the auspices of the European Communities, declaring South Africa to be the origin of the goods in question. In another case involving the importation of a consignment of ferro-chrome, also suspected by the Committee to be of Southern Rhodesian origin, the Government of France transmitted photocopy of a similar certificate of origin issued by an authority in Duisberg, under the auspices of the European Communities, and declaring South Africa to be the origin cargo in question. A photocopy of that document is herewith attached for your ease of reference.

"The Committee wishes to remain in no doubt that no goods of Southern Rhodesian origin are imported by countries on the basis of fraudulent documents or on bona fide documents used fraudulently. It has therefore hesitated in the past to accept, by themselves alone, the European Communities documents described above as sufficient evidence of the goods to which they are attached, believing that, in normal international trade practice, such documents must more properly either be issued, or supplemented by those issued, by the authorities of the country from which the goods are claimed to originate.

"Accordingly, the Committee would be greatly obliged if the appropriate authorities of the Commission of the European Communities would assess the nature and use of the Communities' certificates referred to above and, in particular, indicate the evidence upon which the determination was made that the goods in question were indeed of South African origin.

"In view of the urgent desire of the Committee to deal with the relevant pending cases conclusively and in order to advise Governments as to the appropriate course of action in the future, the Committee expressed the hope that it might receive a reply to the foregoing at the earliest convenience, if possible within a month."

6. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth periodic list, which was issued as a press release on 25 May 1979.
7. A reminder dated 31 August 1979 was sent to the Head of the Delegation of the Commission of the European Communities to the United Nations to inquire whether the information requested from the Commission of the European Communities was now available and might be forwarded to the Committee for its urgent use.
8. A letter dated 3 October 1979 addressed to the Chairman was received from the Head of the Delegation of the Commission of the European Communities to the United Nations, the substantive part of which is reproduced below:

"In reply to the letter which you addressed to me on behalf of and at the request of the Security Council Committee established in pursuance of resolution 253 (1968), I have the honour to transmit herewith the information which the Commission of the European Communities has obtained on the above subject.

"Within the framework of the powers conferred upon it by the treaties establishing the European Communities, the Commission of the European Communities bases its actions on respect for the rules and practices of the international community and, in particular, those of the United Nations. Thus, the Commission attaches the greatest importance to the implementation of the pertinent resolutions of the Security Council and especially of resolution 253 (1968) with regard to the general problem of the sanctions to be applied to Southern Rhodesia.

"In response to the request for verification by the Security Council Committee of the certificates of origin of certain goods imported into the Community, the Commission has approached the member State concerned and is satisfied that all the procedures for verification had been properly observed. In this case, the evidence that the goods originated in South Africa has not given rise to serious doubts and, in accordance with international practice, the certificate of origin was accepted. The Chamber of Commerce of Duisberg was able to issue "replacement" certificates of origin on the basis of the original certificate of origin whose authenticity there were no valid reasons for doubting.

"Within the European Economic Community the preparation of certificates of origin is the responsibility of the customs authorities and, under governmental supervision, of the bodies which are authorized by the Governments and which present the necessary guarantees.

"Furthermore, since this was a shipment of ferro-chrome, the German authorities made a particularly careful check and also conducted chemical tests without being able to detect any irregularity or having cause to doubt the South African origin of the goods in question.

"This 'replacement' procedure of certificates of origin is in conformity with the Geneva Convention of 3 November 1923 on the Simplification of Customs Formalities and in particular of article 11, concerning the issue and acceptance of certificates of origin.

"The Commission of the European Communities hopes that this information constitutes a satisfactory reply to the question raised by the members of the Security Council Committee and is ready to co-operate further should the Committee have additional requests."

9. Further to paragraph 6 above, the Committee again included Liberia in the nineteenth quarterly list, which was issued as a press release on 5 November 1979.

10. A reply dated 11 December 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... with reference to his note sub No. F.6152.61/AS3115 of 18 December 1978, has the honour to inform [the Secretary-General] that the testimonies received by the Greek authorities so far have produced no evidence substantiating a breach of sanctions against Southern Rhodesia."

(36) Case No. 331. Ferro-chrome - "Mendoza", "Pampa Argentina", "Santiago del Estero" and "Patagonia Argentina": United Kingdom note dated 21 August 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered by the Committee at the 346th meeting, and in pursuance of the Committee's decision at that meeting a further note dated 20 August 1979 was sent to Argentina, the substantive part of which is reproduced below:

"At its 346th meeting recently, the Committee considered the above-mentioned case, which concerns shipments to Argentina of low carbon ferro-chrome suspected to be of Southern Rhodesian origin. It had before it His Excellency's reply of 24 October 1978 for which it expressed its appreciation, noting in particular the exemplary efforts undertaken by the Argentinian investigating authorities to establish the actual origin of the ferro-chromes in question. But the Committee also wished His Excellency's Government to note that, bearing in mind the proper documentary evidence of origin recommended to all States in the Secretary-General's note of 18 September 1969, the documentary evidence submitted with His Excellency's note is not considered sufficient to determine the actual origin of the goods claimed. The Committee recalled that it had closed a number of similar cases involving Argentina in which similar documentary evidence had been proffered. It felt, however, that in the present case there appeared to be additional or latent information which could be used by the Argentinian authorities to increase or diminish the veracity of the South African origin claimed.

"In the first place the Committee noted that the evidence expected from the firm Tradimex of Buenos Aires had not yet been received by the Argentinian authorities; the Committee would appreciate being informed of the evidence from that source. The Committee also requested the Argentinian authorities to examine carefully the chemical analyses of the relevant shipments of ferro-chromes contained in the commercial invoices submitted by Arnold Wilhelmi and Co., (chromium content: 71.2 per cent, Hochmetal Africa (Pty) Ltd. (chromium content 66 per cent and Industrial Base Minerals (Pty) Ltd. (chromium content 63-75 per cent). Normally the Committee does not regard as entirely reliable information supplied by private South African companies, because such companies automatically tend to adduce evidence of South African origin of commodities so as to accommodate Southern Rhodesian exports. In the above three instances, however, the Committee invited the Argentinian authorities to note that the chromium content of the relevant shipments was suspiciously high, well over the usual chromium content for South African ferro-chrome and well within the range of Southern Rhodesian ferro-chrome. The Committee also wondered whether the Argentinian importing companies concerned had their own analytical records for the consignments not covered by the analyses indicated above.

"In view of the foregoing the Committee felt that His Excellency's Government should be requested to examine the pertinent aspects of the present case and forward its comments thereon at the earliest convenience, if possible within a month."

4. A first reminder was sent to Argentina on 22 August 1979.

5. A reply dated 30 October 1979, enclosing documentary evidence, was received from Argentina, the substantive part of which reads as follows:

"The Permanent Mission of the Argentine Republic to the United Nations ... has the honour to refer to notes PO 230 SORH (1-2-1) - Case No. 331 - of 8 September 1978, 20 August 1979 and 22 October 1979 respectively, in which, at the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, the Government of Argentina was invited to co-operate in the investigation of alleged purchases of Rhodesian ferro-chrome by the Argentine company TRADIMEX S.A.I. and Company.

"In this connexion, the Permanent Mission is pleased to transmit to the Committee the documentation enclosed herewith. This documentation states that the ferro-chrome the origin of which is in question is of South African origin.

"Furthermore, with reference to the third paragraph of the above-mentioned note of 20 August 1979, the Permanent Mission wishes to inform the Committee that, as a reaffirmation of its determination to ensure by all the means at its disposal the effective application of the sanctions imposed by the Security Council against Southern Rhodesia, the Government of Argentina is currently considering the adoption of additional controls which will make it possible to determine with the greatest possible accuracy the origin of shipments of ferro-chrome imported by Argentine companies from South Africa."

6. The documentary evidence submitted by Argentina consisted of copies of the following:

(a) Invoice No. 8589 issued by Arnold Wilhelmi and Company in respect of 24 drums of low carbon ferro-chrome for shipment to Tradimex S.A.I. and Company of Buenos Aires, Argentina, from Durban, South Africa, aboard the vessel Santiago del Estero. The invoice declared South Africa to be the origin of the shipment.

(b) Bill of lading No. 1 dated 9 April 1978 ... (other entries on the document were illegible).

(c) Certificate stamp-dated 22 September 1978 issued by the (Argentine) Ministry of External Relations and Culture ... (other entries on the document were illegible).

(37) Case No. 332. Ferro-chrome: United Kingdom note dated 8 September 1978

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. The case was considered by the Committee at the 343rd meeting on 18 June 1979, at which the Committee took note of the reply from Zaire dated 29 November 1978, which appeared to confirm that the complained-of transactions by the Zairian company, Gecamines, had indeed taken place, albeit without the knowledge of the Government. It was decided that a further note should be sent to Zaire requesting details of the measures promised by the Zairian authorities, if already taken, in the circumstances.

4. In accordance with the Committee's decision, a note dated 7 September 1979 was sent to Zaire, the substantive part of which is reproduced below.

"At its 343rd meeting recently, the Committee considered the above-mentioned case, which concerns reports of imports by a Zairian company of ferro-chrome suspected to be of Southern Rhodesian origin. The Committee had before it His Excellency's reply dated 29 November 1978, in which it was apparently confirmed that the transactions complained of had indeed taken place, albeit without the knowledge of the Government. The Committee expressed its appreciation for the co-operation shown by the Zairian authorities and noted that the authorities were preparing to take the necessary measures in fulfillment of the obligations laid down by Security Council resolution 253 (1968).

"The Committee decided that a further note should be sent to His Excellency's Government, requesting details of the measures announced in His Excellency's note mentioned above, if already taken, in view of the acts apparently done by the Zairian company, Gecamines, in violation of Security Council resolution 253 (1968). The Committee expressed the hope that it might receive the comments of His Excellency's Government on the matter at the earliest convenience, if possible within a month."

#### Silicon

(38) Case No. 178. Silicon chrome - "Tsedek": United Kingdom note dated 7 June 1974

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

(39) Case No. 179. High-grade silicon metal - "Atlantic Fury": United Kingdom note dated 18 June 1974

There is no new information concerning this case in addition to that contained in the tenth report.

(40) Case No. 326. Ferro-silicon chrome - "Gold Mountain": United Kingdom note dated 24 May 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia the Committee again included that Government in the eighteenth periodic list, which was issued as a press release on 25 May 1979.

4. The case was considered at the Committee's 346th meeting on 26 July 1979 and in accordance with the Committee's decision at that meeting a further note dated 17 October 1979 was sent to Japan, expressing the Committee's appreciation for the co-operation already received from that Government in the present case, but pointing out that none of the documents cited in the Government's reply of 16 August 1978 was considered sufficient to determine the actual origin of the goods in question. The note also referred to the declared intention of Japan to institute additional measures requiring chemical analysis of certain commodities imported from the southern African region, and inquired whether those measures had been invoked by the Japanese authorities in investigating the present case.
5. A first reminder was sent to Japan on 22 October 1979.
6. An interim reply dated 29 October 1979 was received from Japan indicating that the Secretary-General's notes had been conveyed to the home Government and that, although the necessary investigations by the authorities were still under way, the results would be communicated to the Committee in the near future.
7. Further to paragraph 3 above, the Committee again included Liberia in the nineteenth periodic list which was issued as a press release on 5 November 1979.
8. A further reply dated 8 November 1979 was received from Japan, the substantive part of which reads as follows:

"The Permanent Representative of Japan to the United Nations ... has the honour to inform the Secretary-General of the following information and comments of the Government of Japan.

"1. The Government of Japan, noting the fact that chrome of South African origin and Southern Rhodesian origin are of different grades, has required that a chemical analysis of samples of chrome ore and ferro-chromium imported from South Africa be made at the time of customs clearance for each cargo in order to ensure that the chrome imported from South Africa is not in fact of Southern Rhodesian origin.

"As of 1 December 1978, the Government of Japan, taking the initiative in this area, introduced the same requirement to cover the importation of silicon chrome from South Africa in order to ensure that it is not in fact importing Southern Rhodesian chrome. In fact, if the iron ratio in a shipment of chrome ore or silicon chrome is found to exceed 2.1, it will be required that one entire shipment be returned on the suspicion that it is of Southern Rhodesian origin.

"2. With regard to Case No. 326, the silicon chrome in question cleared customs in March 1978 before the chemical analysis of silicon chrome, as explained above, was required. Therefore, no results of the chemical analysis were obtained from this particular case. Nevertheless, as contained in Japan's note to the Secretary-General (SC/78/232) of 16 August 1978, the Japanese Government, based on careful examinations of the relevant documents, has concluded that those documents were lawfully and duly issued and that the consignment in question is of South African origin.



"3. The Government of Japan, having extended the maximum possible co-operation to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia in order to clarify suspected Japanese involvement, strongly hopes that the Committee will be able to close this case as soon as possible."

Tungsten ore

(41) Case No. 78. Tungsten ore - "Tenko Maru" and "Suruga Maru": United Kingdom note dated 28 May 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(42) Case No. 306. Wolfram ore and antimony ore - "Saronicos Gulf": United Kingdom note dated 28 October 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A reply dated 28 March 1979, enclosing documentary evidence, was received from the Permanent Representative of Belgium to the United Nations, the substantive part of which reads as follows:

"I have the honour to refer to your note of 8 December 1978, informing me of a request by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia with regard, in particular, to Case No. 306, concerning African Shipping S.A. of Antwerp.

"The authorities have instructed me to transmit to you the following reply:

"Through the co-operation of African Shipping, Antwerp, the Belgian authorities have been able to establish that the consignments of ore referred to under Case No. 306, namely 36,870 kg of antimony ore and 8,179 kg of wolfram were marketed by Sudamin of Brussels, directly in the case of the antimony and as agents in the case of the wolfram.

"In Sudamin's letter, which is attached hereto, the company provides information as to the identity of the French (not German) consignees and the dates of transportation of the consignments."

Enclosures

Letter dated 13 March 1979 addressed to the Ministry of Foreign Affairs, External Trade and Development Co-operation of Belgium by the Managing Director of Sudamin, SA, Brussels

"Re: Committee on Sanctions against Rhodesia. Your ref.: PO9

"We refer to your letter of 9 March concerning the following consignments of ore: 36,870 kg of antimony ore and 8,179 kg of wolfram.

"The above consignments were marketed by us, directly in the case of the antimony and as agents in the case of the wolfram.

"Their destination was France and not the Federal Republic of Germany.

"The antimony ore was invoiced by us to SICA S.A., Rue Géo-Lufbéry, Chauny (Aisne) France, as per our final invoices Nos. 13,353 of 15 July 1977 and 13,505 of 5 July 1977, copies of which please find enclosed, together with copies of our provisional invoices Nos. 13,237 and 13,239 of 18 February 1977.

"We also enclose the inspection certificate issued by J. Nieberding and Fils of Antwerp on 21 March 1977, certifying that the merchandise was inspected at the works of the consumer and client, SICA of Chauny, on 17 March 1977.

"In addition, you will also find enclosed the certificates of receipt from our client confirming the arrival of the merchandise at their premises on 17 March 1977.

"We cannot tell from our files the exact date of transportation, but in accordance with practice it would probably have been the same day, or at the earliest the day before, i.e., 16 March 1977.

"The wolfram was sold to Société Commerciale de Minerai de Tungstène et de Ferro-tungstène, 2 Rue de la Baume, 75008 Paris, France.

"We acted as agents, on behalf of CONIBERO of Panama.

"The sale was 'ex-warehouse Antwerp', so that we are not in a position to inform you exactly as to the date of transportation; however, we assume that the merchandise was loaded for carriage by ATRAMEF, Antwerp, on 4 April 1977.

"We hope that this meets your request for information, and we remain, etc."

4. An analytical summary of the documentary evidence submitted by Belgium was prepared by the expert consultant in three tables circulated to the Committee on 21 August 1979. He pointed out that the documents in question could not be regarded as sufficient proof of origin in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

5. An interim reply dated 20 June 1979 was also received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... further to this Mission's note F.6152.61/AS 1600 of 29 June 1978, has the honour to inform His Excellency that the investigating authority in Greece has completed and submitted the relevant record to the competent public prosecutor. Further information on the follow-up to the matter in question will be communicated to the Security Council Committee established in pursuance of resolution 253 (1968) in due time."

6. With regard to the previous presumption that the Federal Republic of Germany was the destination of the consignments of antimony and wolfram ores in question (see the eleventh report, S/13000, vol. II, (51) Case No. 306, para. 12), the attention of the Committee was drawn to the final findings of the Belgian authorities that the consignments were actually sold and transported to customers in France, which thus appeared to be consistent with the preliminary findings of the Federal Republic authorities (see the eleventh report, S/13000, vol. II, annex II, (51) Case No. 306, para. 4). It was therefore proposed, on the basis of the Belgian findings, to send a note to the Federal Republic of Germany, as was done in a similar situation concerning another case (see the eleventh report S/13000, vol. II, annex II, (52) Case No. 323, paras. 7 and 11 (b)), advising the authorities there not to pursue any further investigations of the case, unless and until any other information comes to light necessitating reactivation of those investigations. In view of the inability of the Belgian authorities again to divulge the nature of documentary evidence supporting the declared South African origin of the consignments handled by the Belgian company Sudamin, SA, of Brussels, it was also proposed to send notes of inquiry in that connexion to France and Panama.

7. Accordingly, under the Committee's no-objection procedure, notes dated 10 September 1979 were sent to the Federal Republic of Germany and France, and a note dated 11 September 1979 was sent to Panama, the substantive parts of which are reproduced below.

(a) Note to the Federal Republic of Germany

"The attention of the Committee has been drawn to the above-mentioned case, following the receipt of a reply from Belgium dated 28 March 1979, concerning that case. According to that reply the investigations by the Belgian authorities have disclosed that the consignments of antimony and wolfram ores in question had actually been handled by the Belgian firm, Sudamin, in transit to firms established in France, and not to the firm Staarck, of Goslar, in the Federal Republic of Germany, as reported in the original United Kingdom note.

"Recalling the preliminary findings of the investigating authorities of the Federal Republic communicated to the Committee in His Excellency's note dated 9 February 1978 under reference Pol.410.41 RHO No. 61, the Committee felt that it should bring the above information from Belgium to the attention of His Excellency's Government with the advice that no further action in this case need be continued by the Federal authorities unless and until any other information comes to light necessitating reactivation of those investigations.

"The Committee expressed its appreciation for the co-operation it had already received in this case and for the understanding it hopes that the Federal authorities will be disposed to show in the light of the new findings."

(b) Identical note to France and Panama

"Since October 1977 the Committee has been considering the above-mentioned case, based on a United Kingdom note, according to which quantities of wolfram and antimony ores, suspected to be of Southern Rhodesian origin, were transported from Durban, aboard the vessel Saronicos Gulf, to Europe for delivery to a company in the Federal Republic of Germany. A copy of the United Kingdom note is herewith enclosed for ease of reference.

"In response to the Committee's requests for investigations into the matter the Belgian authorities have stated that the shipments in question were marketed by the Belgian firm Sudamin of Brussels, directly in the case of the antimony and as agents of a Panamanian company, CONIBERO, in the case of the wolfram, for final consignees in France and not in the Federal Republic of Germany. A copy of the relevant portion of the letter from Sudamin of Brussels addressed to the Ministry of Foreign Affairs, External Trade and Development Co-operation of Belgium is herewith enclosed for further ease of reference.

"The Committee wishes to remain in no doubt that the shipments in question were not of Southern Rhodesian origin. It therefore decided to request His Excellency's governmental authorities to investigate the matter, on the basis of the above information, so as to determine the actual origin of those shipments. The Committee would be greatly obliged to receive the findings of the investigating authorities, including copies of relevant documentary evidence, at the earliest convenience, if possible within a month."

8. A reply dated 7 November 1979 was received from France, the substantive part of which reads as follows:

"The Permanent Mission of France to the United Nations ... has the honour to refer to the note PO 230 SORH (1-2-1) Case No. 306 of 10 September 1979 concerning the importation of antimony.

"The Société Industrielle et Chimique de l'Aisne (S.I.C.A.) confirms that it purchased 35 tons of antimony ore from the firm Sudamin of Brussels. Delivery was made from Antwerp in two consignments. According to the consignment note drawn up by the forwarding agent, Steinmann and Cie., the ore was indeed of South Africa origin."

9. A first reminder was sent to Panama on 14 November 1979.

10. A note dated 14 November 1979 was sent to Greece inquiring whether the final result of the completed investigations could be communicated to the Committee.

(43) Case No. 323. Wolfram ore - "Malange": United Kingdom note dated 5 April 1978

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. First reminders were sent to Belgium and Portugal on 13 February and second reminders on 16 March 1979.

4. Meanwhile, a reply dated 15 March 1979, enclosing copies of documentary evidence was received from the Permanent Representative of Belgium to the United Nations, the substantive part of which reads as follows:

"The Belgian authorities have asked me to communicate the following reply to you.

"The answer given by the Belgian authorities, dated 25 September 1978, was based in part on information supplied by Sudamin. The documents forwarded by Sudamin are attached to this note.

"The Belgian reply was also based on the findings of the inquiry conducted by the Belgian customs authorities. The customs authorities examined the normal documents, including the certificate of registry, but were unable to determine whether in this case there had been a transit operation in the port of Antwerp in violation of the Ministerial Order of 22 April 1969, which was issued in pursuance of the decisions of the Security Council."

Enclosure

Letter dated 19 April 1978 from Sudamin, Ltd., Brussels, Belgium, addressed to the Director-General, Division of Foreign Trade and Development Co-operation, Ministry of Foreign Affairs, Brussels, Belgium

Re: Your reference No. B05-10-00326

"Dear Sir:

"We have received your letter of 13 April and have given it our close attention.

"We wish to inform you that, after making inquiries, we have found the transaction in question in our books.

"The material was sold by us, Sudamin, to the commercial firm Minerai de Tungstène et de Ferro Tungstène, 11 bis, rue Portalis, 75008, Paris, in the capacity of agent, and not to the firm of Starck as you stated.

"The material was provided by Hochmetals Africa (Pty), Ltd., of Johannesburg. Copies of the invoices are attached.

"As you will note, we have had no dealings whatever with Metex, Ltd., of Salisbury, a firm of which we have absolutely no knowledge.

"We should also like to call your attention to the fact that the firm of Transimex Trading is not a subsidiary of our company.

"We hope that this answers all your questions."

5. An analytical summary of the documentary evidence submitted by Belgium was prepared by the expert consultant in two tables circulated to the Committee on 24 May 1979. He pointed out that the documents in question could not be regarded as sufficient proof of origin in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

6. A reply dated 9 April 1979, enclosing copies of documentary evidence, was also received from the Permanent Representative of Portugal to the United Nations, the substantive part of which reads as follows:

"I have the honour to refer to Your Excellency's note, Case No. 323, dated 16 March 1979, requesting further information on the origin of the goods carried aboard the Portuguese vessel Malange on 30 November 1977.

"I enclose herewith copies of the manifest as well as of the bill of lading which seem to confirm that the ore loaded in Durban was shipped by African Indents Ltd., Durban, to African Shipping and Weber Building in Antwerp; as no further evidence has been established concerning the origin of that consignment, my Government would consider the matter closed."

7. An analytical summary of the documentary evidence submitted by Portugal was prepared by the expert consultant in two tables circulated to the Committee on 24 May 1979. He pointed out that the documents in question could not be regarded as sufficient proof of origin in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

8. In view of the reply received from Belgium and in accordance with the Committee's no-objection procedure, a note dated 6 June 1979 was sent to France, the substantive part of which is reproduced below.

"Since April 1978 the Committee has been considering the case of a shipment of wolfram ore discharged at Antwerp on 26 January 1978 from the Portuguese registered and owned vessel Malange. The shipment was suspected by the Committee to be of Southern Rhodesian origin. The above information was drawn to the attention of the Committee in a note from the United Kingdom dated 5 April 1978, a copy of which is herewith attached for ease of reference.

"According to the findings of the Belgian investigating authorities, at the Committee's request, the shipment in question was handled by the Belgian firm of Sudamin Ltd., Brussels, acting as agent, in transit for the French commercial firm of Minerai de tungstène et de ferro-tungstène, 11 bis rue Portalis, 75008, Paris, and not for a German firm in Goslar, Federal Republic of Germany, as reported in the original United Kingdom note. Accordingly, the Committee would be greatly obliged if the French authorities could investigate the shipment of wolfram ore referred to above with a view to determine the origin of that shipment. Copies of the relevant communications exchanged between the Belgian and French companies concerned, as received from Belgium, are herewith enclosed for the benefit of the investigating authorities.

"The Committee expressed the hope that in conducting the requested investigations, the French authorities would take into account the recommended documentary evidence of origin transmitted to all States in the Secretary-General's note of 18 September 1969, and that copies of any relevant documents that might be examined by the authorities would be forwarded to the

Committee. The Committee would also appreciate receiving the requested information at the earliest convenience if possible within a month."

9. A reply dated 18 July 1979 was received from France, the substantive part of which reads as follows:

"The Permanent Mission of France to the United Nations ... has the honour to communicate the following:

"The Société commerciale de minerai de tungstène et de ferro-tungstène (11 bis, rue Portalis, 75008 Paris) has confirmed that in September-October 1977 it ordered 25 tons of ore from the SUDAMIN company, which has its headquarters in Brussels and is one of the major world dealers in ores. According to the documents in its possession, the shipment delivered to it had indeed been discharged at Antwerp from the vessel Malange and originated in South Africa. The company emphasizes that it had no reason to doubt the good faith of the supplier, particularly as Southern Rhodesia, unlike South Africa, is not a major producer of tungsten ore and is even believed to have discontinued the mining of it. It points out that it is not possible to determine the origin of the ore by chemical analysis.

"The Permanent Mission of France to the United Nations hopes that this information will be found satisfactory ...".

#### Copper

(44) Case No. 12. Copper concentrates - "Tjipondok": United Kingdom note dated 12 May 1969

There is no new information concerning this case in addition to that contained in the fourth report.

(45) Case No. 15. Copper concentrates - "Eizan Maru"; United Kingdom note dated 4 June 1969

There is no new information concerning this case in addition to that contained in the third report.

(46) Case No. 34. Copper exports: United Kingdom note dated 13 August 1969

There is no new information concerning this case in addition to that contained in the third report.

(47) Case No. 51. Copper concentrates - "Straat Futami": United Kingdom note dated 8 October 1969

There is no new information concerning this case in addition to that contained in the third report.

(48) Case No. 99. Copper - various ships: United Kingdom note dated 9 October 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(49) Case No. 315. Electrolyte copper rod - "Manina Three": United Kingdom note dated 14 December 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the issuance of that report is given below.
3. A first reminder dated 27 February 1979 and a second reminder of the same date were sent to Thailand and Panama, respectively.
4. A reply dated 27 February 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to communicate that the Greek competent authorities have undertaken and completed a preliminary inquiry on the case in question. However, they have concluded that there is no vessel in the Greek registry in the name of Marina Three, a/ taking into account the information provided by the Security Council Committee established in pursuance of resolution 253 (1968).

"It should therefore be appreciated if the Committee could supply additional information in this regard, e.g., the port and number of registration of the ship, etc., since such data are necessary for further investigation of this case by the Greek authorities."

5. The attention of the representative of the United Kingdom, the source of the original information, was drawn to the reply from Greece, in the event that the United Kingdom Government might have different or corrective information which might facilitate further investigations of the case.
6. Second reminders were sent to Panama and Thailand on 9 April 1979.
7. A reply dated 26 April 1979, enclosing documentary evidence, was received from Thailand, the substantive part of which reads as follows:

"The Permanent Representative of Thailand to the United Nations ... with reference to the [Secretary-General's] note dated 9 April 1979 regarding the purchase of electrolyte copper rod allegedly originating in Rhodesia by a company in Thailand (Phelps Dodge Thailand Ltd.), has the honour to request the Secretary-General kindly to transmit to the Committee ... two copies of relevant documentary evidence confirming the South African origin of the electrolyte copper rod in question. It should be noted that these imports had been made before the Thai Government imposed the ban on all trade with South Africa in compliance with the relevant resolutions of the United Nations."

8. The documentary evidence submitted by Thailand was summarized and analysed by the expert consultant in two tables circulated to the Committee on 6 July 1979. He pointed out that the documents in question could be regarded as sufficient proof of origin in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

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a/ The name of the vessel given in the original United Kingdom note was Manina Three.



9. A third reminder was sent to Panama on 7 May 1979.

10. In the absence of a reply from Panama within the prescribed period of two months the Committee included that Government in the eighteenth periodic list, which was issued as a press release on 25 May 1979.

11. A reply dated 14 August 1979 was received from Panama, the substantive part of which reads as follows:

"I have the honour to enclose a copy of note No. DOI-2397 of 18 July 1979 signed by Mr. Carlos Ozores, the Minister for Foreign Affairs of the Republic of Panama.

"As you can see, the Government of Panama investigated case No. 315 referred to in your note PO 230 SORH (1-2-1) of 7 May 1979. The results of this investigation, which was carried out pursuant to Security Council resolution 253 (1968), are as follows:

"1. The vessel Manina Three is not registered in the Republic of Panama;

"2. The vessel Manina Three is registered in Greece and belongs to the Greek-based Manina Shipping Company.

"Accordingly, my Government trusts that the allegation made against Panama in Case No. 315 will be withdrawn."

Enclosure

Note dated 18 July 1979 addressed to the Deputy Permanent Representative of Panama to the United Nations by the Minister for Foreign Affairs of Panama

"I have the honour to refer to your note MPP No. 238 of 8 June 1979 forwarding a copy of note PO 230 SORH (1-2-1), Case No. 315, from the Secretary-General of the United Nations, concerning the alleged violation of Security Council resolution 253 (1968) by the vessel Manina Three.

"Specifically, I wish to inform you that the investigations carried out prove that the vessel is not registered in the Republic of Panama.

"According to the official records of Lloyd's register of shipping, the vessel is registered in Greece under the ownership of the Manina Shipping Company, S.A., a Greek-based company.

"I request you to bring this information to the attention of the Secretary-General of the United Nations."

12. A further reply dated 26 November 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Mission of Greece to the United Nations ... has the honour to inform His Excellency [the Secretary-General] that the Greek authorities have confirmed that Manina Three is indeed a vessel registered in Greece.

They subsequently ordered a preliminary investigation of Case No. 315, the results of which will be communicated in due time.

"The Permanent Mission apologizes for the delay caused in the investigations because of the fact that the name of the vessel was erroneously reported as Marina Three.

"The Permanent Mission would appreciate the transmittal of this information to the Security Council Committee established in pursuance of resolution 253 (1968)."

(50) Case No. 318. Copper rod - "Varda": United Kingdom note dated 21 February 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A first reminder was sent to Israel on 6 November 1979.
4. In the absence of a reply from Israel within the prescribed period of two months, the Committee included that Government in the nineteenth periodic report, which was issued as a press release on 5 November 1979.
5. A note dated 12 November 1979 was also sent to the United Kingdom inquiring whether the investigations by the appropriate Government authorities had been completed and the results could be forwarded to the Committee.

#### Nickel

(51) Case No. 193. Electrolytic nickel cathodes - "Pleias": United Kingdom note dated 22 October 1974

There is no new information concerning this case in addition to that contained in the ninth report.

(52) Case No. 329. Electrolytic nickel cathodes - "Laurelbank": United Kingdom note dated 7 July 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. First and second reminders were sent to Thailand on 27 February and 9 April 1979.
4. A reply dated 26 April 1979, enclosing documentary evidence, was received from Thailand, the substantive part of which reads as follows:

"The Permanent Representative of Thailand to the United Nations ... with reference to the [Secretary-General's] note dated 9 April 1979 regarding the purchase by the Siam Iron and Steel Company Ltd., of electrolytic nickel cathodes allegedly originating in Southern Rhodesia, has the honour to request

the Secretary-General of the United Nations kindly to transmit to the Committee established in pursuance of Security Council resolution 253 (1968) concerning the question of Southern Rhodesia two copies of relevant documentary evidence confirming the southern African origin of the said electrolytic nickel cathodes. It should be noted that these imports had been made before the Thai Government imposed the ban on all trade with South Africa in compliance with the relevant resolutions of the United Nations."

5. The documentary evidence submitted by Thailand was summarized and analysed by the expert consultant in two tables circulated to the Committee on 16 August 1979. He pointed out that the documents in question could not be regarded as sufficient proof of origin in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

6. A note dated 12 November 1979 was sent to the United Kingdom inquiring whether the investigations by the competent Government authorities had been completed and the result could be forwarded to the Committee.

(53) Case No. 336. Nickel cathodes - "Condor": United Kingdom note dated 7 February 1979

1. By a note dated 7 February 1979 the United Kingdom reported information concerning a shipment of nickel cathodes aboard the above-mentioned vessel. The text of that note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Swiss company is dealing in goods of Southern Rhodesian origin.

"The information is as follows: the vessel Condor was at South Africa in early May 1978 where she took on board a consignment of approximately 20 metric tonnes of nickel cathodes, packed in 80 steel drums. The Condor, which is registered in Panama, is owned by the Rea Shipping Company Ltd of Monrovia, Liberia. The consignment, which originated in Rhodesia, was sold via the agency of John T. Rennie and Sons (Pty) Ltd of Johannesburg to Mehr-Treuhard AG of Zurich, who, it is understood, are the European distributors for John T. Rennie.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Switzerland, Panama and Liberia, so that they can launch investigations into the possibility that firms within their jurisdiction have imported goods of Southern Rhodesian origin or assisted in the export of goods from Southern Rhodesia."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 27 February 1979 were sent to Liberia, Panama and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

3. First and second reminders were sent to Liberia, Panama and Switzerland on 2 May 1979.

4. In the absence of replies from Liberia, Panama and Switzerland within the prescribed period of two months, the Committee included those Governments in the eighteenth periodic list, which was issued as a press release on 25 May 1979.

5. Second reminders were sent to Liberia, Panama and Switzerland on 5 June 1979.
6. An interim reply dated 11 June 1979 was received from Liberia, the substantive part of which reads as follows:

"The Permanent Representative of the Republic of Liberia to the United Nations ... further to [the Secretary-General's] note dated 5 June 1979 regarding the Government of Liberia's violations of United Nations sanctions against Rhodesia has the honour to advise that the appropriate authorities of the Liberian Government are thoroughly investigating these alleged violations. Their findings will be forwarded to the Secretary-General's office when the investigations are completed."

7. Third reminders were sent to Panama and Switzerland on 21 August 1979. A note of the same date was also sent to Liberia inquiring whether the investigations had been completed and the results could be forwarded to the Committee.
8. Meanwhile a reply dated 17 August 1979 was received from Panama, the substantive part of which reads as follows:

"In my note MPP No. 206 of 26 May 1979, I informed you that I was in contact with the Ministry of Foreign Affairs of Panama concerning Case No. 336, reported by the Committee established in pursuance of Security Council resolution 253 (1968) concerning the question of Southern Rhodesia.

"I am now pleased to inform you that according to a note from the Minister for Foreign Affairs of Panama, 'it has been established that the vessel Condor which allegedly violated resolution 253 (1968) is not the ship registered in Panama, but another ship of the same name, registered in Liberia'.

"In order to comply with the requirements of the Committee on sanctions and ensure that Panama is absolved of all responsibility in connexion with Case No. 336, reported in note RL22/5 of 7 February 1979, I am enclosing a copy of the following documents:

- "1. Note No. DOI-2246 of 5 July 1979, signed by the Minister for Foreign Affairs of Panama, Dr. Carlos Ozores T.
- "2. Note No. 614-171-ALCN of 25 June, addressed to Mr. Leonardo Kam, Director-General of the Department of International Organizations, Conferences and Treaties by Dr. Sergio Quirós F., Director-General of the Consular Affairs and Shipping Board of the Ministry of Finance and Treasury of the Republic of Panama.
- "3. A note dated 30 April 1979 from Quijano and Associates, Panamanian lawyers, in which, as the legal representatives of the shipping company Edna, S.A., which owns the tugboat Condor, they state that the above-mentioned report is unfounded.

"The vessel Condor, which allegedly violated the sanctions against Southern Rhodesia, is registered in Liberia and belongs to the Rea Shipping Company Ltd., of Monrovia, Liberia.

"The tugboat Condor, belonging to the shipping company Edna, S.A. which is based in Panama, has nothing to do with the vessel of the same name described above.

"For the above reasons, I would request that you ask the Committee on sanctions against Southern Rhodesia to withdraw all accusations against Panama in Case No. 336."

#### Enclosures

- (a) Note dated 5 July 1979 addressed to the Permanent Representative of Panama to the United Nations by the Minister for Foreign Affairs of Panama

"I have the honour to refer to your note MPP No. 202 of 26 May 1979 regarding a suspected violation of Security Council resolution 253 (1968) by the vessel Condor, registered in Panama.

"In this connexion I am able to inform you that, by means of the investigation made by the competent government authorities, it has been established that the vessel Condor which allegedly violated resolution 253 (1968) is not the ship registered in Panama, but another ship of the same name, registered in Liberia.

"For your information I am enclosing a copy of note No. 614-171-ALCN of 25 June 1979, signed by the Director-General of the Consular Affairs and Shipping Board, as well as the information provided by the owners of the vessel Condor, registered in Panama."

- (b) Note dated 25 June 1979 addressed to the Director of the Department of International Organizations, Conferences and Treaties, Ministry of Foreign Affairs, by the Director-General of Consular Affairs and Shipping, Ministry of Finance and Treasury, Panama

"With reference to your note DOI-1835 of 5 June 1979 accompanying a copy of note MPP No. 202 of 26 March 1979, signed by Dr. Jorge E. Illueca, Permanent Representative of Panama to the United Nations concerning a suspected violation of resolution 253 (1968) by the vessel Condor, registered in Panama, I am writing to inform you of the results of our investigations regarding this case.

"Before receiving Dr. Illueca's note we received a note from the British Government indicating that it would shortly submit to the United Nations Committee on sanctions charges against the vessel Condor, registered in Panama, respecting violation of the Security Council resolution prohibiting States Members of the United Nations from trading with Southern Rhodesia.

"In note No. 614-67-ALCN of 5 March 1979, we gave the representatives of the vessel Condor, registered in Panama, a time-limit of 30 calendar days in which to reply to the charges.

"Subsequently, on 30 April, we received a reply from Quijano and Associates, representatives of the vessel Condor, stating that the owners of that vessel had informed them that there was some mistake since the vessel Condor referred to in the note from the British Embassy is registered in Liberia as the property of the Rea Shipping Company Ltd., while the vessel Condor registered in Panama is a small tug-boat belonging to the shipping company Edna S.A.

"We are enclosing photocopies of the information we have received so that you may be fully acquainted with the arguments put forward by the owners of the vessel Condor, registered in Panama."

- (c) Note dated 30 April 1979 addressed to the Director, Consular Affairs and Shipping Board, by Quijano and Associates

"With reference to your note No. 614-67-CN dated 5 March 1979 regarding an alleged violation of Security Council resolution 253 (1968) by the vessel Condor, holding Permanent Sea Letter No. 288-66 and belonging to the Shipping Company Edna, S.A., we wish to inform you that the owners of this vessel have notified us that there has been some mistake, since the vessel Condor referred to in note 122/1 from the British Embassy is registered in Liberia as the property of the Rea Shipping Company, Ltd."

#### Attachments

- (i) Letter dated 17 April 1979 addressed to Quijano and Associates by the Operations Manager of Robin Shipyards (Pty) Ltd., Singapore

"We have today received from our Hong Kong associates documents in relation to the alleged violation of United Nations Security Council's resolution by MV Condor.

"Please note that we are not the owners/agents of the above-mentioned vessel. Its owner is the Rea Shipping Co. Ltd. of Monrovia, Liberia, as clearly stated in the British Government's note. Our Condor (unfortunately, of the same name) is a small motor tug owned by Compania de Transporte Edna S.A., Panama, as evidenced by an enclosed copy of Patente Permanente de Navegacion. Informatively, our MT Condor has been in a laid-up condition since January 1977, and she still is, this very date.

"As such, we must refute your allegation against us, and suggest that you approach the right owner of the MV Condor, i.e. the Rea Shipping Co., Ltd., Monrovia, Liberia.

"Once again, we affirm that we are not the owners/agents of the MV Condor as mentioned in the British Government's note and would appreciate if you could clarify this matter with the British Government and acknowledge receipt of this letter."

(ii) Permanent Sea Letter issued by the National Merchant Marine of Panama in respect of the vessel "Condor"

"Registry No.  
288-66EXT.

Traffic 1/  
INTERNATIONAL

"The undersigned Port Inspector, Head of the National Coast Guard of ...

"Considering:

"That, by its decision 2/ No. 187 of 22 June 1966, the Ministry of Finance approved the nationalization of the vessel Condor,

"That, if the vessel is to go to sea, the captain or master of the vessel must be provided with the necessary Certificate or Sea Letter establishing the vessel's nationality and confirming its registration,

Decides:

"To issue in respect of: 3/ TUGBOAT

Name of vessel

Name of owner

CONDOR

Shipping Company Edna, S.A.

this Sea Letter authorizing its to fly the Panamanian flag, sail under it, and operate to the extent of its capacity and subject to the legal and administrative provisions in force, both within the Republic of Panama and to and from all established ports of the world.

"The Inspector of the port of Panama, R.P., accordingly requests all commanding officers and ship's captains, port inspectors and other civilian and military authorities, both Panamanian and foreign, to refrain from impeding the passage of this vessel, to assist it in obtaining free access to and from ports, and to allow it to take on the provisions and supplies necessary to ensure the proper functioning of the vessel and to cater to the needs of its passengers and crew.

"Issued, signed and sealed by the undersigned Port Inspector on 23 (?) June 1966.

"Inspector of the Port of Panama (signature illegible) (seal)"

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- "Notes: 1/ Indicate whether vessel is to be used for coastal or international shipping.
- 2/ State the number and date of the decision and its content.
- 3/ Indicate type of vessel: steamship, motor or motor-sailing vessel, yacht, launch, dredger, etc.
- 4/ Indicate whether the vessel will carry cargo or passengers or both. No Panamanian vessel may engage in any type of trade other than that indicated in its Sea Letter.]

9. A second reminder was sent to Liberia on 5 October 1979.
10. A reply dated 6 November 1979 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations states that the investigation which was carried out produced no proof of the allegations contained in the note from the Committee on sanctions. A representative of the firm Mehr-Treuhand AG states that the firm has never engaged in trade in nickel and maintains no relations with the firm John T. Rennie and Sons (Pty) in Johannesburg.

"The Observer also states that, without supporting evidence, the competent Swiss authorities are not in a position to continue the investigation in question."

11. A third reminder was sent to Liberia on 12 November 1979.

Lithium ores

- (54) Case No. 20. Petalite - "Sado Maru": United Kingdom note dated 30 June 1969

There is no new information concerning this case in addition to that contained in the third report.

- (55) Case No. 24. Petalite - "Abbekerk": United Kingdom note dated 12 July 1969

There is no new information concerning this case in addition to that contained in the third report.

- (56) Case No. 30. Petalite - "Simonskerk": United Kingdom note dated 4 August 1969

There is no new information concerning this case in addition to that contained in the third report.

- (57) Case No. 32. Petalite - "Yang Tse": United Kingdom note dated 6 August 1969

There is no new information concerning this case in addition to that contained in the fourth report.

- (58) Case No. 46. Petalite - "Kyotai Maru": United Kingdom note dated 24 September 1969

There is no new information concerning this case in addition to that contained in the fourth report.

- (59) Case No. 54. Lepidolite - "Ango": United Kingdom note dated 24 October 1969

There is no new information concerning this case in addition to that contained in the third report.



(60) Case No. 86. Petalite ore - "Krugerland": United Kingdom note dated 4 August 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(61) Case No. 107. Tantalite - "Table Bay": United Kingdom note dated 26 November 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(62) Case No. 151. Petalite - "Merrimac": United Kingdom note dated 30 July 1973

There is no new information concerning this case in addition to that contained in the sixth report.

(63) Case No. 313. Tantalite ore - "Carvalho Araujo": United Kingdom note dated 7 December 1977

1. Previous information concerning this case is contained in the tenth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A second reminder was sent to the Federal Republic of Germany on 18 December 1978.
4. An interim reply dated 29 December 1978 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"At its meeting on 14 December 1978, the Federal Government's Interministerial Committee on Southern Rhodesia dealt with the request of the Sanctions Committee for more conclusive evidence of the non-Rhodesian origin of the ore shipments in question. It was decided to pass the request on to the Staarck company in Goslar and to impress upon its management the need for, and desirability of, compliance.

"The Secretary-General will be informed of further developments in this matter as they become known."

5. A note dated 23 April 1979 was sent to the Federal Republic of Germany asking whether the inquiries initiated by the Federal authorities with the Staarck company in Goslar had been concluded and the results could be communicated to the Committee.
6. The case was considered by the Committee at the 346th meeting on 28 June 1979, at which it was decided that, while awaiting a substantive reply from the Federal Republic of Germany, further notes should be sent to Belgium and Portugal, asking those Governments to forward copies of the certificates of origin examined by the investigating authorities concerned.
7. In accordance with the Committee's decision the proposed notes were sent to Belgium and Portugal on 6 September 1979.
8. A second reminder was sent to the Federal Republic of Germany on the same day.

9. A reply dated 28 October 1979 was received from the Permanent Representative of Belgium to the United Nations, the substantive part of which reads as follows:

"I have the honour to refer to the request contained in your note PO 230 SORH (1-2-1) of 6 September 1979.

"Please find enclosed, for the attention of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, the reply dated 16 March 1978 from the firm Sudamin concerning Case No. 313."

Enclosure

Letter dated 16 March 1978 from Sudamin SA, addressed to the Ministry of Foreign Affairs, Foreign Trade and Development Co-operation of Belgium

"Your ref:

"Our ref: RP/yi

"For the attention fo Mr. J. GROOThAERT

"Sir,

"Your reference No. B05-93.10-00326

"We acknowledge receipt of your letter of 27 February and have given the contents our careful attention.

"In reply, we should like to inform you that our firm does not have and has not had trade relations with Southern Rhodesia, either direct or indirect. The firm Metex Ltd., Salisbury, is unknown to us.

"With regard to the shipment aboard the vessel Carvalho Araujo of 1.5 tons of tantalite ore which was delivered to the firm of Hermann C. Starck, Goslar (Federal Republic of Germany), referred to in your above-mentioned letter, according to our knowledge this tantalite ore was of South African origin.

"At the time of the conclusion of the transaction, we were convinced that the ore was of South African origin, and no doubt that was also true of the consignee in the Federal Republic of Germany.

"Since that time, no document (invoice, bill of lading, insurance certificate, etc.) has indicated otherwise.

"We might add that at the beginning of January 1978, in other words after the arrival of the consignment in the Federal Republic of Germany, the firm Hermann C. Starck, Goslar, asked us whether we could present a certificate of South African origin for the shipment. We transmitted this request to the firm Hochmetals Africa, Johannesburg, which replied immediately that such a certificate of origin was available and then sent it to us.

"On its receipt, this certificate of origin (from the Chamber of Commerce of Durban) was transmitted by us to the firm Hermann C. Starck, Goslar.

"Accept, Sir, the assurances of our highest consideration.

"p.p. SUDAMIN S.A."

10. A first reminder was sent to Portugal on 12 November 1979.

Iron and steel in primary and semi-primary forms

(64) Case No. 29. Pig-iron - "Mare Piceno": United Kingdom note dated 23 July 1969

There is no new information concerning this case in addition to that contained in the third report.

(65) Case No. 70. Steel billets - United Kingdom note dated 16 February 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(66) Case No. 85. Steel billets - "Despinan" and "Birooni": United Kingdom note dated 30 July 1970

.. Previous information concerning this case is contained in the eleventh report.

.. Additional information regarding the action taken on the case since the submission of that report is given below.

.. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979.

(67) Case No. 114. Steel products - "Gemini Exporter": United Kingdom note dated 3 February 1971

There is no new information concerning this case in addition to that contained in the tenth report.

(68) Case No. 137. Steel billets - "Malaysia Fortune": United Kingdom note dated 26 October 1972

.. Previous information concerning this case is contained in the eleventh report.

.. Additional information regarding the action taken on the case since the submission of that report is given below.

.. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979.

(69) Case No. 138. Steel billets - "Aliakmon Pilot": United Kingdom note dated 26 October 1972

There is no new information concerning this case in addition to that contained in the third report.

(70) Case No. 140. Steel billets and maize - "Char Hwa": United Kingdom note dated 9 April 1973

There is no new information concerning this case in addition to that contained in the ninth report.

(71) Case No. 236. Steel billets - "Trianon": United Kingdom note dated 23 December 1975

(72) Case No. 239. Steel billets - "Shinkai Maru": United Kingdom note dated 14 January 1976

There is no new information concerning this case in addition to that contained in the eleventh report.

(73) Case No. 246. Steel billets - "Antje Shulte": United Kingdom note dated 13 February 1976

There is no new information concerning this case in addition to that contained in the eleventh report.

(74) Case No. 265. Steel billets - "Alesandros Skoutaris": United Kingdom note dated 19 May 1976

There is no new information concerning this case in addition to that contained in the eleventh report.

(75) Case No. 266. Steel billets - MV "Aristides Xilas": United Kingdom note dated 17 May 1976

There is no new information concerning this case in addition to that contained in the eleventh report.

(76) Case No. 284. Steel billets - "Alacrity": United Kingdom note dated 26 January 1977

There is no new information concerning this case in addition to that contained in the eleventh report.

(77) Case No. 290. Steel billets - "Penmen": United Kingdom note dated 16 March 1977

There is no new information concerning this case in addition to that contained in the eleventh report.

(78) Case No. 295. Steel billets - "Johnny B": United Kingdom note dated 30 May 1977

There is no new information concerning this case in addition to that contained in the eleventh report.

(79) Case No. 298. Steel billets - "Agios Nicolaos": United Kingdom note dated 14 July 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A reply dated 20 February 1979 was received from the Deputy Permanent Representative of Panama to the United Nations, the substantive part of which reads as follows:

"I have the honour to enclose a copy of note No. 614-08-ALCN from the Consular Affairs and Shipping Board of the Ministry of Finance and Treasury of the Republic of Panama.

"The above-mentioned note, dated 23 January 1979, refers to the serious steps taken by the Panamanian Government in relation to the vessel Agios Nicolaos (Case No. 298), which is the subject of a report of an alleged violation of Security Council resolution 253 (1968).

"I request you to bring this document to the attention of the Committee on sanctions against Southern Rhodesia.

"This is further evidence that the Government of Panama is complying fully, in all respects, with the sanctions imposed by the Security Council on the illegal régime in Southern Rhodesia."

Enclosure

Text of the note from the Consular Affairs and Shipping Board of the Ministry of Finance and Treasury addressed to the Director of the Department of International Organizations, Conferences and Treaties, Ministry of Foreign Affairs of Panama

"I have the honour to refer to your note DOI-6817 of 12 December 1978, forwarding a note from the Secretary-General of the United Nations referring to the violation of Security Council resolution 253 (1968) by the vessel Agios Nicolaos.

"On being advised of the complaint made by the United Nations, the Board proceeded to conduct an investigation of this case, from which the following facts were ascertained:

"1. In April 1969, the above-mentioned vessel applied for authorization to cancel its registry, on the grounds that it was being scrapped. Authorization was granted by the Consular Affairs and Shipping Board.

"2. Despite the granting of authorization, the cancellation sought was never completed, and the vessel is still on the National Mercantile Marine register.

"3. Despite its not having cancelled its Panamanian registry, the ship has been seen on occasion to be flying either the Greek or Honduran flags.

"4. The vessel in question is in default to the National Treasury in the estimated amount of 13,695.65 balboas as at 18 January 1979.

"5. According to statements on our files, the vessel was seized by the Italian Coastguard Service in 1977 when, under the Honduran flag, it was engaged in cigarette smuggling.

"In view of the irregular status of this vessel, the Board has decided to take the following steps:

"(a) To ask the competent authorities of the Governments of Greece and Honduras to explain what the status of the Agios Nicolaos is and what reasons they had for granting it their nationality without demanding proof of the cancellation of its Panamanian registry;

"(b) To institute proceedings to recover the sum which the vessel owes to the National Treasury, through recourse to enforcement procedure, by taking any precautionary measures that may be deemed necessary;

"(c) Finally, once the sums of money owed by the vessel have been recovered through the courts, the Board, in accordance with the provisions of the resolutions of the United Nations prohibiting trade with the Southern Rhodesian régime, will cancel the registry of the vessel Agios Nicolaos, thereby depriving it of use of the Panamanian nationality.

"We accordingly request you to transmit the contents of this note to the Secretary-General of the United Nations, in compliance with his request.

"I take this opportunity to renew to you the assurances of our highest consideration."

4. A second reminder was sent to the Ivory Coast on 6 March 1979.
5. A third reminder was sent to the Ivory Coast on 9 April 1979.
6. A reply of the same date, transmitting documentary evidence, was received from the Ivory Coast, the substantive part of which reads as follows:

"The Permanent Representative of the Ivory Coast to the United Nations ... in response to the request of the Committee (Case No. 298) and to letter No. PO 230 SORH dated 7 September 1978, has the honour to transmit ... the enclosed copies of the documents on the origin of the goods referred to in the above-mentioned request.

"In the hope that this will permit the Committee to close this case ..."

7. The documentary evidence submitted by the Ivory Coast was analysed by the expert consultant in the three tables circulated to the Committee on 9 May 1979. He pointed out that the documents in question could not be considered as sufficient proof of the origin of the commodity concerned in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

8. The case was considered by the Committee at the 346th meeting on 26 July 1979, at which the Committee decided that a further note should be sent to the Ivory Coast, pointing out the inadequacy of the documentary evidence submitted

and requesting whether the authorities could obtain any additional and more acceptable documentary evidence of the South African origin of the commodities claimed. The proposed note would also draw the attention of the Ivory Coast authorities to the irregular and questionable status of the vessel Agios Nicolaos, used in transporting the merchandise in question, as described to the Committee in the note from Panama dated 20 February 1979. It was also decided that a further note should be sent to the Federal Republic of Germany, pointing out the outstanding explanation of the involvement of the company Klockner and Co., in the steel billets (RISCO) cases and requesting the Federal authorities to obtain from Klockner and Co. information accompanied by documentary evidence, if any, indicating the basis upon which that company had issued a certificate of origin declaring South Africa to be the origin of the steel billets in the present case.

9. The proposed notes were sent to the Federal Republic of Germany and to the Ivory Coast on 23 August 1979.

10. A further reply dated 17 August 1979 was received from Panama, the substantive part of which reads as follows:

"I have the honour to enclose a copy of note No. DOI-2359 of 13 July 1979 signed by the Minister for Foreign Affairs of Panama, Mr. Carlos Ozores T.

"I believe I should draw your attention to note MPP No. 067 of 20 February 1979 addressed to you by the Deputy Ambassador at this Mission, Mr. Didimo Rios.

"Following the investigations concerning the vessel Agios Nicolaos (Case No. 298) the Government of Panama declares that this vessel obtained authorization to cancel its Panamanian registry in April 1969 and that, despite its failure to comply with the statutory provisions for cancellation, it is registered in Honduras and is currently going through the formalities with the authorities of that country to change its name to Sea Lord.

"In the light of the preceding, I request that Panama should be exonerated once and for all from all liability for the activities of the vessel Agios Nicolaos (case No. 298)."

Enclosure

Letter dated 13 July 1979 addressed to the Deputy Permanent Representative of Panama to the United Nations by the Minister for Foreign Affairs of Panama

"I have the honour to write to you in reference to the request by the Secretary-General of the United Nations concerning the report promised by the Consular Affairs and Shipping Board on the alleged violation of Security Council resolution 253 (1968) by the vessel Agios Nicolaos.

"Specifically, I wish to inform you that the relevant investigations have established that the vessel Agios Nicolaos obtained authorization to cancel its Panamanian registry in April 1969 and that, although it did not obtain the certificate of definitive cancellation of Panamanian registry, it is now registered in Honduras and is going through the formalities with the authorities of that country to change its name to Sea Lord.

"I should be grateful if you would inform the Secretary-General of the United Nations of this, so that the request in question may be addressed to the Government of Honduras."

(80) Case No. 308. Steel billets - "Markos", "Fulstar" and "Pytheas": United Kingdom note dated 11 November 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A further reply dated 5 January 1979, also covering Case Nos. 309, 311 and 317, was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Acting Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the [Secretary-General's] note Case Nos. 308, 309 and 317 of 10 April, 21 April, 26 May, 12 June, 17 July, 27 July and 31 August 1978 as well as with reference to Case No. 311, and further to his own note of 13 October 1978, has the honour to communicate the following:

"As additional proof of the South African origin of the steel billets in question the Klöckner AG of Duisburg produced twelve (12) consignment notes issued by the South African Railways and Harbours. These documents show that the steel billets were transported from the I.S.C.O.E. steel works in Newcastle to the port of Durban. A careful examination of the premises of the company failed to substantiate the suspicion that there had been violations of sanctions against Southern Rhodesia on the part of Klöckner AG."

4. In accordance with the no-objection procedure a further note dated 22 May 1979 was sent to the Federal Republic of Germany, the substantive part of which reads as follows:

"The Committee has seen His Excellency's reply of 5 January 1979 concerning the above-mentioned cases, all dealing with transactions in steel billets suspected to have been manufactured in Southern Rhodesia. It has expressed its appreciation for co-operation shown by His Excellency's Government in the matter and has noted with interest that the Federal authorities, after examining certain documents issued by the South African authorities, confirmed their findings that the commodities in question had originated in South Africa.

"As His Excellency may be well aware the cases cited above are part of a series of similar cases on the Committee's list, which have for some time now occupied the Committee's attention as to the exact origin of the commodities involved. Conclusive documentary evidence to that effect would enable to review all those cases in the proper manner. The Committee is therefore greatly interested in the South African Railways and Harbours consignment notes examined by the Federal investigating authorities. Accordingly, the Committee would be greatly obliged if copies of those consignment notes could be obtained and forwarded to the Committee, or if His Excellency could permit a member of the Committee Secretariat to visit the Permanent Mission of



the Federal Republic of Germany to the United Nations, as was done on previous occasions, in order to obtain the necessary details relating to the documents in question.

"The Committee expressed the hope that it might receive the requested information at the earliest convenience, if possible within a month."

5. A second reminder was also sent to Greece on 23 May 1979.

6. An interim reply dated 30 June 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to inform the Secretary-General of the following as regards the investigations carried out by the Greek competent authorities on the case in question:

"A. Vessel "Markos"

"It has not been possible to examine witnesses from the crew of the vessel in relation to the alleged transportation of 5,000 tons of steel billets 'from Durban to Tripoli, Lebanon' in March 1977. However further orders have been issued for the examination of such witnesses and submission of the records of the investigation to the competent public prosecutor.

B. Vessel "Fulstar"

"The examination of witnesses from the crew of this vessel has also been impossible in connexion with the alleged transportation of 5,000 steel billets from Durban to the Lebanese port of Tripoli in April 1977. Additional orders have been issued by the competent authorities for the examination of witnesses and submission of the records of the investigation to the public prosecutor.

"C. Vessel "Pytheas"

"Seven witnesses have been examined and a number of documents not including a certificate of origin. The conclusions drawn so far by the investigating authorities show that the ship left Port Elizabeth (and not Durban) on 23 March 1977 with a cargo of 5,000 tons of steel billets. She was time-chartered by Hansa Maritime Reiderei K.G., Joannis Bollwerk 20, 2000 Hamburg 11. Her captain, Mr. Charalambos Gerassimou, testified that he had no information proving that this cargo 'of iron', as he stated was of South Rhodesian origin.

"The Permanent Representative will not fail to provide to the Secretary-General any further information on this matter.

"The Permanent Representative would appreciate the transmittal of the contents of this note to the Security Council Committee established in pursuance of resolution 253 (1968)."

7. A further interim reply dated 16 July 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to inform HIS Excellency [the Secretary-General] that according to the information received by the investigating service of the Central Port Authority of Piraeus the relevant record of MV Pytheas has been submitted to the competent public prosecutor.

"The Permanent Representative will not fail to provide to the Secretary-General any further information on this matter.

"The Permanent Representative would appreciate the transmittal of the content of this note to the Security Council Committee established in pursuance of resolution 253 (1968)."

8. First and second reminders were sent to the Federal Republic of Germany on 23 July and 24 August 1979.

9. An interim reply dated 27 August 1979, also covering Case Nos. 309, 311 and 317, was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... has the honour to confirm receipt of the [Secretary-General's] note PO 230 SORH (1-2-1) Case Nos. 308, 309, 311 and 317 of 23 July 1979 concerning the case of suspected violations of the trade embargo against Southern Rhodesia involving the firm of Klöckner and Co., Duisburg.

"The request for documentary evidence, dated 22 May 1979, was promptly forwarded to the Federal Government and a reply will be transmitted to the Secretary-General as soon as it is received."

10. A note dated 1 November 1979 was sent to the Federal Republic of Germany inquiring whether the expected reply had been received and could be transmitted to the Committee.

(81) Case No. 309. Steel billets - "Aghios Gerassimos": United Kingdom note dated 17 November 1977

1. Previous information concerning this case is contained in the eleventh report.

2. For additional information regarding the action taken on the case since the submission of that report see paragraphs 3, 4 and 8-10 of (80) Case No. 308, above.

3. A reply dated 14 December 1979 was received from Greece the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations with reference to his note sub No. F.6152.61/AS1726 of 29 June 1978, has the honour to inform [the Secretary-General] that the preliminary investigation which has been carried out by the Greek authorities has not so far produced any evidence substantiating the Southern Rhodesian origin of the steel billets regarding Case 309."

(82) Case No. 311. Steel billets - "Tini P." and "Charalambos N. Pateras": United Kingdom note dated 23 November 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A note dated 23 May 1979 was sent to Greece inquiring whether the reported investigations had been concluded and the results could be forwarded to the Committee.
4. An interim reply dated 30 June 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to inform the Secretary General that the investigating authorities in Greece have examined a substantive witness regarding the case in question, namely Mr. Andreas Zoulis, the second in command of the vessel Charalambos Pateras, and they have concluded that the ship took on board 9,500 tons (not 9,000) at Durban in December 1976. The vessel completed off-loading the cargo in Rotterdam (not in Antwerp) on 23 January 1977. She was not time-chartered and orders for transporting the consignment in question had been received from the company Lyras Bros Ltd, London. Mr. A. Zoulis was not in a position to give any other information on this matter. The authorities in Greece have again issued summonses for the examination of witnesses from the crew, including the captain of the vessel. The records of the investigation will be submitted to the competent public prosecutor when they have been completed.

"The Permanent Representative will not fail to communicate to the Secretary-General any further information on this matter.

"The Permanent Representative would appreciate the transmittal of the contents of this note to the Security Council Committee established in pursuance of resolution 253 (1968)."

5. For further information regarding the action taken on the case see paragraphs 8-10 of (80) Case No. 308, above.

(83) Case No. 317. Steel billets - "Kōsmas K", "Great George", "Melina Tsiris" and "Argolicos Gulf"

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A further reply dated 31 January 1979 was received from the Federal Republic of Germany for the substantive part of which see paragraph 3 of (80) Case No. 308, above.
4. A note dated 6 February 1979 was sent to Greece inquiring whether the investigations by the appropriate authorities had been completed and the results could be forwarded to the Committee.

5. A reply dated 27 February 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to inform the Secretary-General that the Greek competent authorities have continued their inquiry on the case in question and examined five witnesses of Greek nationality from the total crew of ten Greeks serving on board the vessel Argolicos Gulf. Among the five witnesses were the captain of the ship, Mr. S. Katopodis, and the second in command, Mr. S. Agrabara. However, from this examination no proof has been produced which would substantiate that the cargo in question was of Southern Rhodesian origin. On the other hand, the authorities have not been able to identify either the loading agent in Port Elizabeth or the consignee in Tripoli. It should be noted, nevertheless, that efforts are made for the conclusion of this preliminary inquiry as soon as possible.

"The Permanent Representative would appreciate the transmittal of the above information to the Security Council Committee."

6. For further information regarding the action taken on the case see paragraph 4 of (80) Case No. 308, above.

7. An interim reply dated 20 June 1979 was received from Greece, indicating that the investigating authorities in Greece had completed and submitted the relevant record regarding the present case to the public prosecutor, and that further information on the follow-up to the matter would be communicated to the Committee in due course of time.

8. For further information regarding the action taken on the case see paragraphs 8 and 9 of (80) Case No. 308, above.

9. A further note dated 24 August 1979 was sent to Greece inquiring whether the results of the completed investigations could be communicated to the Committee.

10. A further interim reply dated 8 October 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... with reference to [the Secretary-General's] note PO 230 SORH (1-2-1) Case No. 317 of 24 August 1979 has the honour to inform him that the Public Prosecutor has started the investigation proper of the case. However, the short period of time that has elapsed since the submission to him of the relevant record, has not permitted the completion of the investigation. It is estimated that this process will require some time and will be delayed because of the absence of certain key witnesses, who serve as seamen on board transoceanic vessels. Additional difficulties are caused by the fact that the vessel in question has been confiscated abroad, for reasons which escape the responsibility of its owners.

"The Permanent Representative of Greece would appreciate the transmittal of this information to the Security Council Committee established in pursuance of resolution 253 (1968)."

11. For further information regarding the action taken on the case see paragraph 10 of (80) Case No. 308, above.

(84) Case No. 322. Mild steel round bars and angles - "Ifafa" and Tugela":  
United Kingdom note dated 22 March 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The proposed note, the substantive part of which is reproduced below, was sent to the Seychelles on 20 December 1978:

"The attention of the Committee was recently drawn to the above-mentioned case which concerns reports of importation of goods suspected to be of Southern Rhodesian origin by a company in the Seychelles. The Committee took note of the reply dated 6 June 1978 from His Excellency in connexion with the Committee's inquiries into the exact origin of the importations in question. The Committee expressed its appreciation for those replies and for the co-operation of the Seychelles authorities in the matter; it wished its sentiments in that regard to be communicated to His Excellency's Government. Nevertheless, the Committee also wished the attention of the Seychelles authorities to be drawn to its portion that bills of lading or other certificates of origin issued solely by South African companies are not normally regarded as constituting sufficient evidence of origin of the goods to which they may be attached. The Committee therefore urged His Excellency's Government to exercise greater vigilance in the future in dealing with any goods, if full information regarding the origin of such goods is not disclosed."

(85) Case No. 328. Steel wire rods - "Beechbank": United Kingdom note dated  
7 July 1978

- .. Previous information concerning this case is contained in the eleventh report.
1. Additional information regarding the action taken on the case since the submission of that report is given below.
1. A note dated 12 November 1979, also covering Case Nos. 330 and 339, was sent to the United Kingdom inquiring whether the investigations by the appropriate Government authorities had been completed and the results could be forwarded to the Committee.

(86) Case No. 330. Manufactured metal alloy grinding balls - "Beechbank": United  
Kingdom note dated 7 July 1978

- .. Previous information concerning this case is contained in the eleventh report.
1. For additional information regarding the action taken on the case since the submission of that report see paragraph 3 of (85) Case No. 328, above.

Graphite

(87) Case No. 38. Graphite - "Kaapland": United Kingdom note dated 27 August 1969

(88) Case No. 43. Graphite - "Tanga": United Kingdom note dated 18 September 1969

(89) Case No. 62. Graphite - "Transvaal", "Kaaoland", "Stellenbosch" and "Swellendam": United Kingdom note dated 22 December 1969

See annex III.

(90) Case No. 324. Various minerals and metals - "Nortrans Karen", "Elpis", "Porto" and "Falcon": United Kingdom note dated 19 April 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A reply dated 19 December 1978 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to refer to [the Secretary-General's] note of 1 May 1978 concerning Case No. 324, in which the Secretary-General informed him that the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia wanted an investigation to be made in order to ascertain whether the company Inkoop had in fact been a party to a transaction involving Rhodesian nickel.

The Observer wishes to state that the investigations carried out failed to find any evidence concerning the allegations set out in the note of the Sanctions Committee. The firm Inkoop states that it does not handle trade in metals and that, moreover, it did not act on behalf of the Rhodesian company in question."

4. A third reminder was sent to Liberia on 26 February 1979.
5. An interim reply dated 2 May 1979 was received from Norway indicating that the matter was still under investigation by the Norwegian authorities and that the Committee would be informed promptly as soon as those investigations were completed.
6. Following the Committee's decision in Case No. 196 (see (102) Case No. 196 para. 6, below), similar action was taken with regard to the present case as a result of which a communication dated 27 March 1979 was received from the Permanent Mission of the Netherlands to the United Nations, the substantive part of which is reproduced in paragraph 4 of that case. Accordingly, it was proposed not to include in the Committee's future, public documents, the full details of the information received from the Netherlands on a confidential basis. It was similarly proposed that, before preparing the draft notes for transmission to France and the Federal Republic of Germany, the Committee might wish to consider how to treat any information that may subsequently be received from those two Governments, with particular regard to the reporting of the case in the Committee's future, public documents.
7. An interim reply dated 7 May 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to inform ... [the Secretary-General] that the Greek competent authorities have pursued their investigation of the case in question and

examined witnesses from the crew of the vessel Elpis, including her captain. However, they have not been able to substantiate the origin of the cargo in question on the basis of the testimonies given so far. It should also be pointed out that the captain of the Elpis was carrying out the instructions of the time-charterer of the ship, namely of the company Lima Navigation of Hamburg. The investigating authorities expect to receive the testimony of an additional substantive witness and they will then submit the relevant record to the competent public prosecutor.

"The Permanent Representative of Greece will not fail to inform the Secretary-General of the results of this inquiry."

8. The case was considered at the 342nd meeting on 22 May 1979, the proceedings concerning which are reported in paragraph 6 of (102) Case No. 196, below, with regard to the reply from the Netherlands.

9. In the absence of a reply from Liberia within the prescribed period of two months, the Committee included that Government in the eighteenth periodic list, which was issued as a press release on 25 May 1979.

10. A further interim reply dated 22 June 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to inform ... [the Secretary-General] that the investigating authority in Greece has completed and submitted the relevant record to the competent public prosecutor. Further information on the follow-up to the matter in question will be communicated to the Security Council Committee established in pursuance of resolution 253 (1968) in due time."

11. In accordance with the Committee's decision at the 342nd meeting, as indicated above, the proposed notes were sent to France and the Federal Republic of Germany on 8 August 1979, transmitting the information received from the Netherlands and requesting appropriate investigations to be undertaken thereon.

12. A note dated 8 August 1979 was also sent to Norway inquiring whether the investigations had been completed and the results could be forwarded to the Committee.

13. A further interim reply dated 8 August 1979 was received from Norway, the substantive part of which reads as follows:

"The Acting Permanent Representative of Norway wishes to inform the Secretary-General, in reference to his aforementioned note, that Norwegian authorities are still investigating this matter. As soon as the necessary documentation has been acquired, and the investigation completed, the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia will be promptly informed."

14. First reminders were sent to France and the Federal Republic of Germany on 9 October 1979.

15. An interim reply dated 15 October 1979 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... has the honour to communicate the following:

"The Federal authorities have launched an investigation to try to determine the origin of the cargo of nickel squares unloaded from the vessel Nortrans Karen in November 1976 in Rotterdam and subsequently transported in part to a firm in the Federal Republic of Germany.

"This firm, the Montan GmbH of Melle, is not, however, its own purchasing agent and was, therefore, unable to produce any shipping papers that might have shed light on the question of origin of the nickel squares. The investigation has since shifted to the shipping agent, the firm of Zietschmann GmbH, Duisburg. As soon as the result becomes known it will be transmitted, through the Secretary-General, to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

16. A second reminder was sent to Norway on 31 October 1979.
17. Further to paragraph 9, above, the Committee again included Liberia in the nineteenth periodic list, which was published as a press release on 5 November 1979.
18. A reply dated 7 November 1979 was received from France, the substantive part of which reads as follows:

"The Permanent Mission of France to the United Nations ... with reference to ... note 230 SORH (1.2.1) Case No. 324 of 9 October 1979, has the honour to inform ... that it has proved impossible for the competent French authorities to identify the firm 'Société Ampère de Rouelles' mentioned in the note under reference.

"Further information would be necessary to carry out the investigation requested."

19. A note dated 16 November 1979 was sent to the Federal Republic of Germany inquiring whether the investigations had been completed and the result could be communicated to the Committee.
20. A second reminder was sent to Greece on 28 November 1979.
21. Replies were received from Norway and Greece, the substantive parts of which read as follows:
  - (a) Note dated 10 December 1979 from Norway  
(see (30) Case No. 297, para. 5 (c))
  - (b) Note dated 14 December 1979 from Greece

"The Permanent Representative of Greece to the United Nations ... with reference to [the Secretary-General's] note PO 230 SORH (1-2-1), Case 324 of 28 November 1979, has the honour to inform him that the public prosecutor has summoned the accused to present his statement of defence. This procedure is pending because the person involved serves as seaman on board a transoceanic vessel."



(91) Case No. 338. Chrysotile asbestos - "Bernardino Correa": United Kingdom note dated 23 April 1979

1. By a note dated 23 April 1979 the United Kingdom reported information concerning a shipment of chrysotile asbestos aboard the above-mentioned vessel. The substance of the note is reproduced below:

"The Permanent Representative of the United Kingdom ... wishes to inform the Committee that the Government of the United Kingdom has information of sufficient reliability to merit further investigation that Portuguese companies have been dealing with goods of Southern Rhodesian origin.

"The information is as follows:

'The Portuguese registered vessel Bernardino Correa took on board two consignments of Rhodesian chrysotile asbestos, each of 200 metric tonnes. The first consignment was loaded at Durban in late December, and the second at Port Elizabeth in early January. The material was shipped to Leixoes, arriving in early February. The purchaser was the Portuguese company Fibrolite Empresa de Fibrocimentos, Apartado 11, Vila das Aves, who bought it through the two Johannesburg mineral agencies, Heering International (Pty) Ltd and SA Asbestos Trading (Pty) Ltd. The asbestos originated from the latter's mines in Rhodesia. The Bernardino Correa is owned by CIM Cia. Portuguesa de Transportes Maritimos S.a.r.l. of Lisbon.'

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Portugal so that they can investigate the possibility that firms within their jurisdiction have imported goods of Southern Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 2 May 1979 was sent to Portugal, transmitting the United Kingdom note and requesting comments thereon.

3. A first reminder was sent to Portugal on 10 October 1979.

4. A reply dated 25 October 1979, enclosing documentary evidence, was received from Portugal, the substantive part of which reads as follows:

"From the investigations carried out by the Portuguese Government it has not been established that the chrysotile asbestos, carried from Durban and Port Elizabeth to Leixoes in December 1978 and January 1979 aboard the Portuguese vessel SS Bernardino Correa, is of Rhodesian origin. A copy of the manifest presented by the owner of the vessel is herewith attached for due consideration by the members of the Security Council Committee established in pursuance of resolution 253 (1960).

"Should however the Committee deem it necessary, the Portuguese Mission will do its best to supply the Committee with further documentation to substantiate the allegations of the owner of the vessel."

5. The documentary evidence submitted by Portugal was summarized and analysed by the expert consultant in a table circulated to the Committee on 13 November 1979.

It consists of two pages from the ship's manifest showing South Africa to be the origin of two consignments of 109 tons each of chrysotile asbestos destined to a consignee in Portugal, but showing no origin of two other consignments of 200 tons each of the commodity destined for another consignee in Portugal. The expert consultant pointed out that the document in question could be regarded as sufficient proof of origin in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

6. In accordance with the Committee's no-objection procedure a further note dated 26 November 1979 was sent to Portugal, the substantive part of which is reproduced below.

"The Committee has seen His Excellency's reply of 25 October 1979, enclosing relevant documentary evidence, in connexion with the above-mentioned case, for which it has expressed its appreciation. It welcomed the readiness of the Portuguese authorities to try and obtain more acceptable documentary evidence than the ship's manifest claiming to attest to other than Southern Rhodesian origin of the shipment of chrysotile asbestos in question.

"In connexion with the certificate of origin submitted, anyhow, the Committee wished to point out that the quantities of chrysotile asbestos entered as being of South African origin were not the ones complained of in the United Kingdom note of 23 April 1979. There was no indication in the document of the origin of the two consignments of 200 tons each suspected by the United Kingdom to have come from Southern Rhodesia. Consequently, the Committee decided that the Portuguese authorities should be requested to continue their investigations with a view to obtaining more reliable and more acceptable documentary evidence of origin of the merchandise reported by the United Kingdom.

"The Committee expressed the hope that it might receive the requested information at the earliest convenience, if possible within a month."

#### B. MINERAL FUELS

(92) Case No. 172. Crude oil: United Kingdom note dated 7 May 1974

There is no new information concerning this case in addition to that contained in the seventh report.

#### C. TOBACCO AND CIGARETTES

(93) Case No. 10. Tobacco - "Mohasi": United Kingdom note dated 29 March 1969

There is no new information concerning this case in addition to that contained in the third report.

(94) Case No. 19. Tobacco - "Goodwill": United Kingdom note dated 25 June 1969

There is no new information concerning this case in addition to that contained in the third report.

(95) Case No. 26. Transactions in Southern Rhodesia tobacco: United Kingdom note dated 14 July 1969

There is no new information concerning this case in addition to that contained in the third report.

(96) Case No. 35. Tobacco - "Montaigle": United Kingdom note dated 13 August 1969

There is no new information concerning this case in addition to that contained in the fourth report.

(97) Case No. 82. Tobacco - "Elias L.": United Kingdom note dated 3 July 1970

1. Previous information concerning this case is contained in the fourth report.

2. For additional information regarding the action taken on the case since the submission of that report see paragraph 3 of (178) Case No. 9, below.

(98) Case No. 92. Cigarettes believed to be manufactured in Rhodesia: United Kingdom note dated 21 August 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(99) Case No. 98. Tobacco - "Hellenic Beach": United Kingdom note dated 7 October 1970

There is no new information concerning this case in addition to that contained in the eighth report.

(100) Case No. 104. Tobacco - "Agios Nicolaos": United Kingdom note dated 2 November 1970

There is no new information concerning this case in addition to that contained in the ninth report.

(101) Case No. 105. Tobacco - "Montalto": United Kingdom note dated 2 November 1970

There is no new information concerning this case in addition to that contained in the ninth report.

(102) Case No. 196. Tobacco - "Streefkerk" and "Swellendam": United Kingdom note dated 5 December 1974

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. In accordance with the Committee's decision at the 313th meeting, verbal communication was made by the Secretariat with the Permanent Mission of the Netherlands to the United Nations in order to seek the Mission's clearance for use

of the information received by the Committee on a confidential basis by transmitting the same to the Governments concerned for further investigations.

4. A communication dated 27 March 1979 was received by the Secretariat from the Permanent Mission of the Netherlands to the United Nations, the substantive part of which reads as follows:

"I have the honour to inform you that the Netherlands Government has no objections to the request of the ... Committee to transmit to Governments concerned confidential information concerning the cases No. 196: Streefkerk and Swellendam and No. 324: Nortrans Karen and Elpis.

"In doing so, the Netherlands Government wishes to stipulate, however, that the names of neither the countries concerned, nor of the firms in question are to be made public by the Committee. A very general wording in the pertinent chapters of the Committee's annual report, such as the one we discussed, would in this respect be satisfactory to my Government."

5. Following the Committee's decision to honour the Netherlands' request for confidentiality (see S/13000, vol. II, annex II, (111) Case No. 196, para. 5) and in accordance with the Committee's wish, at the above-mentioned meeting, it was required to send a note to Switzerland, transmitting the information from the Netherlands on a confidential basis and requesting further appropriate investigations by the authorities concerned. However, in view of the restrictions requested by the Netherlands and accepted by the Committee, the Committee was invited to determine how any information that might subsequently be received from Switzerland was to be treated, particularly with regard to the reporting of the case in the Committee's future public documents.

6. The case was considered by the Committee at the 342nd meeting on 22 May 1979, at which the communication from the Netherlands also covering Case No. 324, was discussed. The Committee welcomed the co-operation shown by the Netherlands authorities and decided that the confidential information thus received should be forwarded to the Governments concerned with a request for appropriate investigations to be undertaken, with a view to determine the actual origin of the merchandise in question. On the basis of the replies expected from those Governments it would then be decided how best to handle such information which might necessitate, for instance, establishing a new category of confidential documents for use only between the Committee and the particular Governments concerned.

7. In the absence of a reply from South Africa, the Committee again included that Government in the eighteenth periodic list, which was issued as a press release on 25 May 1979.

8. In accordance with the Committee's decision indicated in paragraph 6 above, a note dated 10 August 1979 was sent to Switzerland taking note of that Government's earlier reply of 29 July 1975 concerning another aspect of the case, and transmitting to it the information received from the Netherlands with a request for further similar investigation to be undertaken thereon.

9. Further to paragraph 7 above, the Committee again included South Africa in the nineteenth periodic list, which was issued as a press release on 5 November 1979.

10. A reply dated 6 November 1979 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations states that the investigation which was undertaken reveals that the cargo of 13.6 tons of Rhodesian tobacco confiscated in the Netherlands in 1974 and subsequently imported into Switzerland by the firm Wiedmer Söhne AG in 1976 was the subject of an import permit drawn up by the competent Swiss authorities under the autonomous Swiss régime based on the 'normal flow' for the years 1964-1966. The tobacco in question was intended to meet the needs of the Swiss firm and, accordingly, was not re-exported to a third country."

(103) Case No. 262. Tobacco - "Pereira d'Eça": United Kingdom note dated 26 April 1976

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A note dated 17 January 1979 was sent to Portugal, inquiring whether the investigations by the competent authorities had been completed and the results could be forwarded to the Committee.
4. Second and third reminders were sent to Portugal on 29 March and 1 May 1979.

(104) Case No. 286. Trade in tobacco via a Liechtenstein company: United Kingdom note dated 12 January 1977

There is no new information concerning this case in addition to that contained in the eleventh report.

(105) Case No. 296. Tobacco - "Elpis": United Kingdom note dated 30 June 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Replies were received from the Federal Republic of Germany and Greece, the substantive parts of which read as follows:

(a) Note dated 12 April 1979 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... has the honour to communicate the following:

"The investigation of the above-mentioned case has been concluded; no additional information which might have thrown new light on the case has been uncovered."

(b) Note dated 13 April 1979 from Greece

"The Permanent Representative of Greece to the United Nations ... has the honour to inform [the Secretary-General] that the Greek competent authorities

have pursued their investigation of the case in question and examined witnesses from the crew of the vessel Elpis including her captain. However, they have not been able to substantiate the origin of the cargo in question on the basis of the testimonies given so far. It should be also pointed out that the captain of Elpis was carrying out the instructions of the time-charterer of the ship, namely of the company Lima Navigation of Hamburg. The investigating authorities expect to receive the testimony of an additional substantive witness and they will then submit the relevant record to the competent public prosecutor.

"The Permanent Representative of Greece will not fail to inform the Secretary-General of the results of this inquiry."

4. The case was considered by the Committee at the 344th meeting on 28 June 1979 at which it was decided that a further note should be sent to the Federal Republic of Germany inquiring the basis upon which the Federal investigating authorities had concluded their investigations, yielding no additional pertinent information. The note would draw attention to the information from Greece that, during the pertinent voyage, the Elpis was carrying out the instructions of the time-charterer of the ship, namely Lima Navigation of Hamburg, a company very similar to another one also named by Greece in Case No. 310 on tobacco, Deraldo Perreira Lima Navigation Ltd.

5. The proposed note was sent to the Federal Republic of Germany on 27 August 1979.

6. A further reply dated 14 December 1979 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... with reference to his note F.6152.61/AS695 of 13 April 1979, has the honour to inform [the Secretary-General] that the testimony of the additional key witness mentioned in the said note has not yet been received, because this witness serves as seaman on board a transoceanic vessel. Consequently the investigating authority has been unable to complete and submit the relevant record to the public prosecutor."

(106) Case No. 301. Tobacco - "Klipparen" and "Serpa Pinto": United Kingdom note dated 21 July 1977

1. Previous information concerning this case is contained in the eleventh report

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. A note dated 26 January 1979 was received from the representative of the United Kingdom on the Committee, the substantive part of which reads as follows:

"My delegation is concerned at the possibility that fake Mozambique certificates of origin might have been produced outside the country to cover some of the shipments of tobacco referred to in this case.

"I would therefore be grateful if the Secretariat would prepare a note for the Government of Mozambique, to be circulated under the no objection procedure to all members of the Committee, asking them:

- "(a) Whether the exporters named in table 2 [of the document prepared by the expert consultant] can confirm that they were in fact responsible for these shipments from Mozambique;
- "(b) If so, whether they can name the vessels concerned and provide copies of the bills of lading;
- "(c) Whether the exporters can name the tobacco growers or marketing boards from whom they bought the tobacco and if so whether the sellers can confirm its Mozambique origin;
- "(d) If the curers named in table 3 of the same document can be identified and if so whether it can be ascertained that they had the capacity to cure these large quantities in the short time that was available."

4. A note dated 26 February 1979 was sent to Portugal inquiring whether the investigations by the Portuguese authorities had been completed and the results could be forwarded to the Committee.

5. A second reminder was sent to Portugal on 2 April 1979.

6. With regard to the note from the representative of the United Kingdom, the attention of the Committee was drawn to the fact that a reply concerning another aspect of the case was still pending from Mozambique even after three reminders and after the inclusion of that Government in the last periodic list of Governments failing to respond to the Committee's inquiries within the prescribed period of two months. The name of Mozambique was already on the Chairman's list of those Governments with the Permanent Representatives of which he was routinely scheduled to meet personally to discuss the resulting situation. Consequently, it was proposed and agreed under the Committee's no-objection procedure, that the Chairman should be requested to include the points raised in the note of the United Kingdom representative among the topics to be discussed by him, in due course, with the Permanent Representative of Mozambique.

7. In the absence of a reply from Mozambique, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979.

(107) Case No. 307. Import of tobacco from and export of tobacco products to Southern Rhodesia: United Kingdom note dated 10 November 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A second reminder was sent to Paraguay on 7 March 1979.
4. A reply dated 14 March 1979 was received from Paraguay, the substantive part of which reads as follows:

"The Permanent Mission of Paraguay to the United Nations ... refers to [the Secretary-General's] note of 7 March 1979 concerning the import of tobacco from South Africa by Paraguayan companies.

"In this connexion, the Mission wishes to inform the Secretary-General that the Paraguayan Government, through the relevant authorities, has conducted careful investigations to determine the actual origin of the imports in question, and has confirmed that they did originate in South Africa.

"The Paraguayan authorities came to this conclusion after carefully examining the documents accompanying the merchandise which, they found, had been legally issued by the competent South African authorities.

"The Mission trusts that the slight delay in replying to the previous communication on the same subject has not hindered the work of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, and also hopes that this reply will be sufficient to clear up the matter completely."

5. In accordance with the Committee's no-objection procedure a further note dated 17 May 1979 was sent to Paraguay, the substantive part of which is reproduced below.

"The Committee has seen His Excellency's reply dated 14 March 1979 concerning the above-mentioned case and has expressed its appreciation for the co-operation shown by His Excellency's Government. It noted with interest the conclusive findings of the investigating authorities that the tobacco imported into Paraguay directly by the Paraguayan firm, La Vencedora, SA, had definitely originated in South Africa. The Committee wishes to proceed speedily to a conclusive consideration of this case, a desire also expressed in His Excellency's note. It would therefore be greatly obliged if the Paraguayan authorities could divulge the nature of the documents issued by the competent South African authorities, copies of which would be welcome, on the basis of which the Paraguayan authorities had reached their conclusion on the origin of the tobacco in question.

"The Committee expressed the hope that it might receive His Excellency's response to the foregoing at the earliest convenience, if possible within a month."

6. A reply dated 2 July 1979, enclosing copies of documentary evidence, was received from Paraguay, the substantive part of which reads as follows:

"The Permanent Mission of Paraguay to the United Nations ... refers to [the Secretary-General's] note of 17 May 1979 concerning Case No. 307, which is being considered by the Security Council Committee ...

"In that connexion, the text of a communication dated 18 June 1979, received from the firm La Vencedora, S.A. by the Ministry of Foreign Affairs of Paraguay and relating to this case, is reproduced below.

"In reply, I hereby inform you that La Vencedora, S.A. acquires the raw materials and inputs for its cigarette and cigar manufacturing industry on the supply market that is most advantageous in terms of both cost and quality and, as can be seen from the attached documents, the prices of South Africa tobacco, in view of its quality are very competitive and are not offered in other areas. If the Committee responsible for considering this case should happen to know of even more



advantageous prices for tobacco of the same quality in other countries, La Vencedora S.A. would greatly appreciate having such information and would gladly import tobacco from the area indicated.

'Therefore, to enable the Security Council Committee fully to clarify the question of the origin of the tobacco in question, we are enclosing documents giving proof of such origin, namely: (1) photocopy of the certificate of origin sent by the Chamber of Commerce of Durban, South Africa, showing that the tobacco imported by La Vencedora, S.A., is in fact of South African origin; (2) photocopy of the consular invoice, certified by the Chamber of Commerce of Durban, South Africa, and endorsed by the Paraguayan Consul at Johannesburg, South Africa; (3) photocopy of the consular invoice endorsed by the Paraguayan Consul at Johannesburg, South Africa; and (4) photocopy of the bill of lading of Jupiter Lines (Pty) Ltd. of Durban, South Africa, endorsed by the Paraguayan Consul in South Africa.'

"The Mission is also transmitting to the Secretary-General of the United Nations photocopies of documents mentioned in the communication transcribed above, so that they may be placed at the disposal of the Committee concerned."

7. The documentary evidence submitted by Paraguay was analysed by the expert consultant in three tables circulated to the Committee on 7 September 1979. The documents consisted of photocopies of the following:

(a) Two certificates of origin issued by the Durban Chamber of Commerce;

(b) One commercial invoice issued by Agport (Proprietary), Ltd., of South Africa, and endorsed by the Paraguayan Consulate, Johannesburg, South Africa;

(c) One bill of lading issued by Jupiter Lines (Pty), Ltd., Durban, South Africa. The bill of lading referred to one shipment only, 265 bales of unmanufactured tobacco, while the other two certificates gave two shipments, 330 and 265 bales of unmanufactured tobacco. The expert consultant pointed out that the documents in question could not be considered as sufficient proof of origin of the commodities in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

(108) Case No. 310. Tobacco "Omalos" (formerly "Lendas"): United Kingdom note dated 18 November 1977

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. A reply dated 31 January 1979 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Acting Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the [Secretary-General's] note of 4 December 1978 - Case No. 310 - and further to the Permanent Representative's note of 7 July 1978, has the honour to communicate the following:

"According to the customs authorities in Bremen, no tobacco was unloaded in that port from the MV Lendas for destinations outside the Federal Republic of Germany.

"As to the tobacco of Zambian origin unloaded from this vessel and delivered to the Johann Kriete company in Bremen, photocopies of a certificate of origin issued by the Tobacco Board of Zambia and a phytosanitary certificate issued by the Zambian Ministry of Rural Development are herewith enclosed.

"The Federal authorities regret being unable to comment on the question propounded in the Secretary-General's note as to the loading in Durban of Zambian tobacco during the period in question."

4. The documentary evidence submitted by the Federal Republic of Germany consists of:

(a) A phytosanitary certificate issued by the Government of Zambia on 2 March 1977 in respect of 166 cases (33,190 kg) of unmanufactured Zambian flue-cured tobacco for export to the Federal Republic of Germany;

(b) A certificate of origin No. 097 issued by the Tobacco Board of Zambia on 2 March 1977 in respect of 166 cases (33,190 kg net) of unmanufactured Zambian flue-cured tobacco for export to the Federal Republic of Germany.

5. A first reminder was sent to Zambia on 7 May 1979.

6. The documentary evidence received from the Federal Republic of Germany was analysed by the expert consultant in two tables circulated to the Committee on 9 May 1979.

7. The case was considered at the 344th meeting on 28 June 1979, at which the representative of Zambia made a statement, informing the Committee that he had not yet received from his Government the information required by the Committee, namely assessment of the authenticity of the documents of Zambian origin submitted by the Federal Republic of Germany, he requested that the case should be kept open for the time being. It was decided that the case should be kept open pending receipt of the information requested from Zambia.

8. A note dated 28 August 1979 was sent to Zambia inquiring whether the requested information was available and could be forwarded to the Committee.

9. A reply dated 10 September 1979 was received from Zambia, the substantive part of which reads as follows:

"The Permanent Representative of the Republic of Zambia to the United Nations wishes to inform the Secretary-General that the investigations carried out by the Tobacco Board of Zambia revealed that the certificate of origin No. 097 and the signature thereon was a forgery. The tobacco, therefore, could not have been sent by the Tobacco Board of Zambia."

10. In accordance with the Committee's no-objection procedure a further note dated 6 November 1979 was sent to Zambia, the substantive part of which reads as follows:

"The Committee saw the reply contained in His Excellency's note of 10 September 1979 concerning the above-mentioned case, for which it expressed its appreciation. The Committee was particularly interested in the findings of the Zambian investigating authorities that the Tobacco Board of Zambia certificate No. 097 and the signature thereon were forgeries, which bore out the Committee's suspicion that quite often other countries' otherwise bona fide certificates of origin are used fraudulently by agents of the illegal régime in Southern Rhodesia in order to facilitate the sale abroad of the prohibited commodities from that Territory.

"With regard to the commodity involved in the present case, tobacco, the Committee would like to advise the authorities in the countries of transit and final destination concerned of the fraudulent nature of the documentation used, so that reliance may not be placed upon such documentation and its suppliers in the future. Before doing so the Committee would like to receive the assessment of the Zambian authorities of the other certificate of origin also, the phytosanitary certificate, said to have been issued under authority of the Zambian Government. A photocopy of that certificate is herewith attached for ease of reference. It would also be greatly beneficial for future reference if the authorities of His Excellency's Government could possibly find out and let the Committee know how those certificates came to be acquired by unscrupulous agents, who deceptively used them to circumvent the application of Security Council sanctions.

"The Committee expressed the hope that it might receive the comments of His Excellency's Government on the foregoing at the earliest convenience, if possible within a month."

109) Case No. 325. Cigarettes from Southern Rhodesia: United Kingdom note dated 19 April 1978

- . Previous information concerning this case is contained in the eleventh report.
- . Additional information regarding the action taken on the case since the submission of that report is given below.
- . A reply dated 11 July 1979, also covering Case No. INGO-19, b/ was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to refer to the Secretary-General's notes of 1 May 1978 concerning Case No. 325 and 30 May 1978 concerning Case No. INGO-19.

"The Observer wishes to state that the investigations carried out have yielded no proof of the allegations contained in the above-mentioned notes. An official of the INTABEX company has made the following statements:

"1. The investigations carried out have confirmed that the company INTABEX S.A. did indeed purchase 'in warehouse Antwerp' the tobacco which was subsequently seized by the British customs authorities. Since the purchase

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b/ This case was closed by the Committee in 1978 (see the eleventh report, /13000, vol. II, annex V, Case No. INGO-19, para. 13).

was made 'in warehouse Antwerp', the ownership of the tobacco passed to INTABEX S.A. at that time, and it was after the purchase that the tobacco was unloaded into warehouses in the port of Antwerp. Consequently, the company bears no responsibility for events prior to the purchase. Furthermore, it is quite unable to provide any information or documentation regarding what happened prior to the purchase, particularly regarding the transportation of the merchandise in question.

"2. A certificate of origin, the authenticity of which has apparently not been questioned, certified that the tobacco purchased by INTABEX S.A. was of Thai origin.

"3. Since the tobacco in question was delivered in stripped form, any expert will confirm that it could only have been a mixture of different qualities. This means that leaves of different qualities are crushed and mixed together, so that it is impossible to identify the origin of the merchandise."

(110) Case No. 333. Tobacco - "Tokyo Venture": United Kingdom note dated 22 September 1978

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Second reminders were sent to Liberia and Panama on 15 January 1979.
4. Replies were received from Israel and Panama, the substantive parts of which read as follows:

(a) Note dated 23 January 1979 from Israel

"The Permanent Representative of Israel to the United Nations ... has the honour to acknowledge receipt of the [Secretary-General's] note of 22 November 1978 in which, at the request of the Security Council Committee ... the Government of Israel was invited to indicate and forward to it copies of the relevant documentary evidence examined by the investigating authorities.

"The documentation in question is attached herewith.

"As indicated in the note of 18 October 1978 from the Permanent Representative of Israel to the Secretary-General, this documentation confirms that the shipment concerned is not of Southern Rhodesian origin."

(b) Note dated 29 January 1979 from Panama

"With reference to your note (Case No. 333) of 14 December 1978, I have the honour to inform you that the Government of Panama, having investigated the case, has arrived at the conclusion that 'it lacks jurisdiction to impose penalties' on the vessel Tokyo Venture, owing to the fact that it 'is not registered in the Panamanian merchant marine'. This constitutes grounds for exonerating Panama from all responsibility in Case No. 333 concerning the Tokyo Venture."

"I enclose herewith copies of note No. 614-211-ALCN of 19 December 1978 from the Department of Consular Affairs and Shipping and note No. DOI-0008 of 3 January 1979 from the Ministry of Foreign Affairs of the Republic of Panama."

Enclosures

- (i) Letter dated 3 January 1979 from the Ministry of Foreign Affairs of Panama addressed to the Permanent Representative of Panama to the United Nations

"I have the honour to forward to you herewith a copy of note No. 614-211-ALCN of 19 December 1978, signed by Dr. Sergio Qurós Fernández, Director-General for Consular Affairs and Shipping, concerning the case of the vessel Tokyo Venture.

"This case was brought to our attention in your note MPP No. 560 of 10 October 1978, which gave a detailed account of violations by the vessel of Security Council resolution 253 (1968) and requested legal action with a view to the imposition of appropriate penalties.

"As you will see, the Ministry of Foreign Affairs having taken steps in the matter, the Department of Consular Affairs and Shipping reports that it lacks jurisdiction to impose penalties on the vessel owing to the fact that it is not registered in the Panamanian merchant marine. We should therefore be grateful if you would communicate this information to the United Nations Security Council Committee ..."

- (ii) Letter dated 19 December 1978 from the Department of Consular Affairs and Shipping, Ministry of the Finance and Treasury of Panama, addressed to the Ministry of Foreign Affairs of Panama

"I have the honour to refer to your note DOI-NO-6777 of 7 December 1978 informing us that the vessel Tokyo Venture has been accused of violating United Nations Security Council resolution 253 (1968) and that, according to the Department of Public Registration, the vessel is owned by Astra Transportes Marítimos, S.A., of Panamanian nationality.

"With reference to this case, I can inform you that, although the company which owns the vessel is of Panamanian nationality, the vessel is not registered in the Panamanian merchant marine. Accordingly, this Department lacks jurisdiction to impose penalties on it.

"We therefore consider that the request contained in your note should be addressed to the competent national authorities whose functions include the regulation and registration of companies in Panama."

The documentary evidence submitted by Israel was analysed by the expert consultant in the two tables circulated to the Committee on 8 May 1979. He drew the Committee's attention to apparent discrepancies which appear in the two tables relating to the number of cases and bags of unmanufactured flue-cured tobacco imported into Israel, and to the identity markings in the documents.

The case was considered by the Committee at the 343rd meeting on 18 June 1979, which it was decided that a further note should be sent to Israel, requesting clarification of the apparent discrepancies in the quantities of tobacco imported

into Israel. It was also decided that a further note should be sent to Panama, reminding that Government of the object of the Committee's original request and pointing out the view expressed by the United Nations Legal Counsel, at the Committee's request, that all parties, namely: owners, charterers, subcharterers or countries of registration of vessels share responsibility for any violations by such vessels of the mandatory sanctions established by the United Nations Security Council. c/ The note to Panama would enclose a copy of the opinion of the United Nations Legal Counsel on the matter.

7. In pursuance of the Committee's decisions indicated above, the proposed notes were sent to Israel and Panama on 4 September 1979.

D. CEREALS d/

(111) Case No. 18. Trade in maize: United Kingdom note dated 20 June 1969

There is no further information concerning this case in addition to that contained in the eleventh report.

(112) Case No. 39. Maize - "Fraternity": United Kingdom note dated 27 August 1969

There is no new information concerning this case in addition to that contained in the seventh report

(113) Case No. 44. Maize - "Galini": United Kingdom note dated 18 September 1969

There is no new information concerning this case in addition to that contained in the ninth report.

(114) Case No. 47. Maize - "Santa Alexandra": United Kingdom note dated 24 September 1969

There is no new information concerning this case in addition to that contained in the ninth report.

(115) Case No. 49. Maize - "Zeno": United Kingdom note dated 26 September 1969

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

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c/ See the eleventh report, S/13000, vol. II, annex III, sect. D.

d/ See also (70) Case No. 140, above.

116) Case No. 56. Maize - "Julia L.": United Kingdom note dated 13 November 1969

There is no new information concerning this case in addition to that contained in the seventh report.

117) Case No. 63. Maize - "Polyxene C.": United Kingdom note dated 24 December 1969

There is no new information concerning this case in addition to that contained in the ninth report.

118) Case No. 90. Maize - "Virgy": United Kingdom note dated 19 August 1970

There is no new information concerning this case in addition to that contained in the fifth report.

119) Case No. 91. Maize - "Master Daskalos": United Kingdom note dated 19 August 1970

There is no new information concerning this case in addition to that contained in the eighth report.

120) Case No. 97. Maize - "Lambros M. Fatsis": United Kingdom note dated 30 September 1970

There is no new information concerning this case in addition to that contained in the ninth report.

121) Case No. 106. Maize - "Corviglia": United Kingdom note dated 26 November 1970

There is no new information concerning this case in addition to that contained in the fourth report.

122) Case No. 124. Maize - "Armonia": United Kingdom note dated 30 August 1971

There is no new information concerning this case in addition to that contained in the tenth report.

123) Case No. 125. Maize - "Alexandros S.": United Kingdom note dated 23 September 1971

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the submission of that report is given below.

The case was considered by the Committee at the 344th meeting on 28 June 1979, at which the Committee took note of the point raised by Greece in its note dated 13 December 1978. It was decided that since the case was no longer being pursued with regard to Venezuela, no further action should similarly be taken with regard to Greece. It was decided, however, that further communication should be made with Panama, from which a substantive reply was still awaited, inquiring whether such a reply could now be received from that Government, which would enable the Committee to deal with the case conclusively.

4. In pursuance of the Committee's decision a note dated 23 August 1979 was sent to Panama.

(124) Case No. 139. Maize - "Pythia": United Kingdom note dated 6 April 1973

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

#### E. COTTON AND COTTON SEED

(125) Case No. 53. Cotton seed - "Holly Trader": United Kingdom note dated 23 October 1969

There is no new information concerning this case in addition to that contained in the ninth report.

(126) Case No. 96. Cotton - "S. A. Statesman": United Kingdom note dated 14 September 1970

There is no new information concerning this case in addition to that contained in the fourth report.

#### F. MEAT

(127) Case No. 8. Meat - "Kaaoland": United Kingdom note dated 10 March 1969

There is no new information concerning this case in addition to that contained in the third report.

(128) Case No. 13. Meat - "Zuiderkerk": United Kingdom note dated 13 May 1969

There is no new information concerning this case in addition to that contained in the third report.

(129) Case No. 14. Beef - "Tabora": United Kingdom note dated 3 June 1969

There is no new information concerning this case in addition to that contained in the third report.

(130) Case No. 16. Beef - "Tugelaland": United Kingdom note dated 16 June 1969

There is no new information concerning this case in addition to that contained in the third report.

(131) Case No. 22. Beef - "Swellendam": United Kingdom note dated 3 July 1969

There is no new information concerning this case in addition to that contained in the third report.



(132) Case No. 33. Meat - "Taveta": United Kingdom note dated 8 August 1969

See Annex III.

(133) Case No. 42. Meat - "Polona": United Kingdom note dated 17 September 1969

See Annex III.

(134) Case No. 61. Chilled meat: United Kingdom note dated 8 December 1969

There is no new information concerning this case in addition to that contained in the ninth report.

(135) Case No. 68. Pork - "Alcor": United Kingdom note dated 13 February 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(136) Case No. 117. Frozen meat - "Drymakos": United Kingdom note dated 21 April 1971

There is no new information concerning this case in addition to that contained in the ninth report.

(137) Case No. 314. Carriage of meat from Southern Rhodesia by Zairian aircraft: information obtained from a communiqué issued by the Government of Mozambique on 1 December 1977

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the submission of that report is given below.

Pursuant to the recommendation of the Working Group on cases, which was accepted by the Committee under the no-objection procedure, a memorandum dated 30 March 1979 was addressed to the Legal Counsel of the United Nations, the text of which is reproduced below.

"In the course of its inquiries into a specific case of violation of the Security Council mandatory sanctions against the illegal régime in Southern Rhodesia, the Committee has come upon a position, among others, maintained by one of the Governments concerned, to the effect that the Government cannot be held responsible for the activities of its nationals committed outside of its national territory, in this case while in the employment of a foreign company established outside of its territory. This response arose out of Case No. 314 on the Committee's list, which was itself based on information supplied by the Government of Mozambique and circulated as a document of the Security Council (S/12466). According to that information the Mozambican authorities shot down over Mozambican territory a Zairian-registered aircraft subsequently found to have been piloted at the time by two Belgian nationals and to have been carrying meat and meat products of Southern Rhodesian origin, presumably destined for Zaire. Other details of the incident are contained in the document, a copy of which is herewith attached for ease of reference.

"In response to the Committee's inquiries the Government of Belgium confirmed the Belgian nationality of the pilots in question but declined any responsibility for their actions committed outside of Belgian territorial jurisdiction, placing that responsibility exclusively on the authorities of the State where the company employing the two Belgian nationals is established. The Committee felt that, under the provisions of paragraph 3 (b) of Security Council resolution 253 (1968), Member States were obligated to prevent the objectionable activities under the resolution by their nationals wherever they might be. In view of the ensuing uncertainty over that point, the Committee decided to request the opinion of the Legal Counsel on whether, under those provisions, or any other provisions in international law, Member States are so obligated. If so, the Committee would welcome any possible suggestions as to how the obligation might be effectively implemented.

"For your further ease of reference I am also enclosing herewith the Committee's note of inquiry to Belgium interposed between two pertinent replies from that Government. In view of the urgent work before it, the Committee expressed the hope that it might receive the Legal Counsel's opinion on the foregoing at the earliest convenience."

4. The Legal Counsel gave his reply in a memorandum dated 23 April 1979, the text of which is reproduced below.

"1. Reference is made to your memorandum of 30 March 1979 by which you transmitted to me the request of the Security Council's Committee on sanctions against Southern Rhodesia for a legal opinion on whether, under the provisions of paragraph 3 (b) of Security Council resolution 253 (1968), Member States are obligated to prevent the activities prescribed therein by their nationals wherever they might be.

"2. While the request appears to involve merely a matter of interpretation of the language of a particular resolution, in fact, this is only a prior aspect of the question the answer to which involves the consideration of three further interrelated points, namely, the international legal character of Security Council resolutions, the legal effect of such resolutions in the domestic legal systems of Member States, and the enforceability of sanctions by domestic legal courts. Each of the four aspects of this question will, therefore, be dealt with in the following opinion.

"3. Paragraph 3 (b) of Security Council resolution 253 (1968) provides as follows:

'[The Security Council]

'...

'3. Decides that, in furtherance of the objectives of ending the rebellion, all States Members of the United Nations shall prevent:

'...

'(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export of any commodities or products from South Rhodesia; and any dealings by their

nationals or in their territories in any commodities or products originating in Southern Rhodesia and exported therefrom after the date of this resolution, including in particular any transfer of funds to Southern Rhodesia for the purposes of such activities or dealings;'

"4. As a matter of interpretation, the question is whether the phrase 'any activities by their nationals' is intended to extend exclusively to the territorial jurisdiction of the State or whether, as the Committee itself seems to believe, it extends beyond the territorial jurisdiction of the State reaching out to wherever the activity in question is performed. The plain meaning of the language appears to allow both interpretations. On the one hand, the distinction which is made between activities 'by their nationals' and activities 'in their territories, strongly suggests that the scope of the former is broader than the latter. On the other hand, since extraterritorial jurisdiction is the exception rather than the rule, it may equally be argued that the extraterritorial intent of this provision should have been expressly provided for in the resolution. The Official Records of the Security Council do not provide any guidance in this matter. Although some reservations were expressed by certain States with regard to the scope and meaning of other paragraphs of the resolution (for example, paragraphs 5 and 9), there is no indication as to the intended scope and meaning of paragraph 3 (b), nor is any reservation expressed.\* Consequently the question of whether to apply the obligation beyond the territorial jurisdiction will depend upon the constitutional and legal principles followed by a given system of domestic law.

"5. A decision of the Security Council under Chapter VII of the Charter is a binding act of an international character. Such a decision has international legal force, that is to say that it creates an obligation on the states to which it is addressed, in this case 'all States Members of the United Nations', to implement the resolution (see para. 18 of resolution 253 (1968)). Security Council decisions of this nature, however, are not self-executing in the sense that they can be directly enforced by the Security Council within the jurisdiction of States or automatically become a directly enforceable part of domestic law. The decision creates a binding international legal obligation but the manner in which this obligation is translated into domestic law will vary according to the legal and constitutional system which prevails in each particular jurisdiction.

"6. While some national constitutions contain general references to international organizations, such provisions usually fall short of incorporating the decisions of international organizations into domestic law in the same way as many constitutions do with regard to treaties and international custom. Generally speaking, therefore, some domestic action of an executive, legislative or administrative nature is required in order to translate decisions imposing sanctions into enforceable domestic law.

"7. In relation to the obligations contained in Security Council resolution 253 (1968) and pursuant to paragraph 19 of that resolution, the Secretary-General of the United Nations transmitted notes to all States Members of the United Nations and of the specialized agencies on 7 June 1968,

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\* See Official Records of the Security Council, Twenty-third Year, 1399th, 1400th, 1408th, 1413th, 1415th and 1428th meetings.

drawing attention to operative paragraph 18 of the resolution which called upon them to implement the resolution and requesting the requisite information. The replies received from Governments were published in a report by the Secretary-General to the Security Council dated 28 August 1968 (document S/8786).

"8. In its reply to the Secretary-General, the Belgian Government referred to a ministerial order of 24 December 1965 under which it intended to give effect to certain provisions of resolution 253 (1968) and stated that an examination of the resolution had revealed that some of its provisions would require legislative action (see annex 1). The reply did not specify which provisions required legislative action. According to "La pratique du pouvoir executif et le controle des chambres legislatives en matière de droit international" published in the Revue belge de droit international, on 25 September 1969 the Government laid before the Chamber of Deputies draft legislation for the implementation of Security Council resolution 253 (1968) and providing, in particular, for criminal penalties in the event of violation of the law. The measure was adopted by a vote of 196 to 2 in the Chamber but encountered opposition in the Senate whereupon its examination was adjourned sine die (Revue belge de droit international, vol. 8, pp. 373-374 (1972)).

"9. On the basis of statements made by the Minister for Foreign Affairs in Parliament and from an examination of other sources, it would appear that the Belgian Government has proceeded to the implementation of Security Council resolution 253 (1968) by means of the law of 11 September 1962, a royal decree of 24 October 1962 and ministerial orders of 24 December 1965, 22 April 1969 and 8 December 1977 ("Pratique belge", op. cit., vol. 9, p. 320 (1973) and vol. 12, p. 358 (1976)).

"10. Assuming that the necessary measures have been taken to incorporate the international decision into domestic law, the question which arises from the present request is whether a State may exercise its criminal jurisdiction extraterritorially to prosecute its nationals for offences committed abroad. As a general proposition jurisdiction is based on territory. The territorial basis of jurisdiction which is followed in most countries is justified on the grounds of international comity. By this is meant the international understanding that no State will encroach on the territory of another. This is not the same thing as saying that a State may never exercise its jurisdiction with respect to offences committed outside its territory. The classical statement of the jurisdictional competence of the State in international law is to be found in the judgement of the Permanent Court of International Justice in the Lotus case:\*

'Though it is true that in all systems of the law the principle of the territorial character of criminal law is fundamental, it is equally true that all or nearly all those systems of law extend their action to offences committed outside the territory of the State which adopts them, and they do so in ways which vary from State to State. The territoriality of criminal law, therefore, is not an absolute principle of international law and by no means coincides with territorial sovereignty.'

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\* The SS Lotus (France v. Turkey), PCIJ, Series A, No. 10 (1927).

The Permanent Court concluded in that case that under international law at that time:

'... Far from laying down a general prohibition to the effect that States may not extend the application of their laws and the jurisdiction of their courts to persons, property and acts outside their territory, it leaves them in this respect a wide measure of discretion which is only limited in certain cases by prohibitive rules; as regards other cases, every State remains free to adopt the principles which it regards as best and most suitable.'

"11. The exercise of a State's jurisdiction over its nationals then is first and foremost a question of domestic law. Some States exercise their jurisdiction to a far greater extent than others. Until quite recently, the Criminal Code of the Federal Republic of Germany, for example, provided that:

'The German criminal law applies to any act of a German national regardless of whether it was committed in Germany or abroad.'

This provision has since been repealed, however, and replaced by a provision to the effect that the criminal law is territorially based except for certain specified offences (see sections 3 and 5 of the German Criminal Code). While examples may be found of a very wide exercise of criminal jurisdiction,\* these appear to be rather exceptional and most States follow the principle that laws will not be given extraterritorial effect unless the legislature specifically so provides.

"12. The statutory exceptions to the territorial principle will, of course, vary from State to State but they may be generally classified under five headings:

"(a) General offences of a particularly grave nature such as homicide, sexual offences or bigamy;

"(b) Offences against the security of the State such as treason or espionage;

"(c) Offences against the State not involving security such as currency violations;

"(d) Offences committed on the high seas or in territorial waters or in the air; and

"(e) International offences given extraterritorial effect in pursuance of an international agreement, international comity and international law. It is this last point which is relevant in the context of the present opinion.

"13. Historically, certain types of crimes have been considered to constitute crimes against international law and, therefore, punishable by any State anywhere. Such crimes as piracy and slavery thus became a part of customary international law long before they were incorporated into international conventions. War crimes and crimes against humanity would also fall into this category of international offences.

\* E.g. the Indian Penal Code and the Korean Criminal Code.

"14. Leaving aside customary international law, the principal basis for exercising extraterritorial criminal jurisdiction over international offences today is by international convention. A number of such conventions contain provisions which require or prescribe the exercise of extraterritorial jurisdiction by States parties. These include the four Geneva Conventions of 1949, the Tokyo Convention on Offences Committed on Board Aircraft of 1963, the Hague Convention for the Suppression of Unlawful Seizure of Aircraft of 1970, the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971, the Convention for the Prevention of Pollution of the Sea by Oil of 1954, the Convention for the Protection of Marine Pollution of the Sea by Oil of 1954, the Convention for the Protection of Marine Pollution by Dumping from Ships and Aircraft, 1972 and the Convention on Prevention of Marine Pollution by Dumping of Wastes and other Matter, 1972. It must be pointed out, however, that such conventions are not self-executing and that the exercise of extraterritorial jurisdiction is based not on the convention but on the domestic legislation or other measure giving effect to the convention.

"15. In the light of the foregoing, the question must be raised whether a binding decision of the Security Council may in the same way as an international convention provide the basis for the exercise by a State of extraterritorial jurisdiction. To the extent that, as previously noted, the constitutional law or the incorporating measures make such a provision, it is evident that a State may so exercise its jurisdiction. The more difficult question, however, is whether, in the absence of an express constitutional or statutory provision, an international obligation nevertheless exists to exercise jurisdiction wherever the offence may have been committed. In other words, are there grounds of international customary law which might lead to the conclusion that as a matter of international public policy a State must exercise its jurisdiction over offences committed by its nationals abroad in violation of a Security Council decision. In the present state of international law the answer would appear to be in the negative. In the absence of an international criminal code and of an international criminal court, extraterritorial jurisdiction cannot be presumed or implied but must be based on the existence of a rule of international customary law or conventional law. Such a basis would not appear to exist in the present case.

"16. It should be stressed, however, that the absence of such extraterritorial competence does not create a jurisdictional vacuum. In the present case, jurisdiction may be exercised on a territorial basis by two States: Zaire, within whose jurisdiction both the "African Lux" airline and the "Cafrigel Company" are registered; and Mozambique, within whose jurisdiction the pilots were apprehended.

"17. In conclusion, it is my opinion that while the Security Council decision contained in resolution 253 (1968) imposes an obligation on Member States to give effect to the sanctions contained therein through the appropriate administrative or legislative means, as presently worded, paragraph 3 (b) of resolution 253 (1968) does not obligate Member States to enforce such sanctions extraterritorially; nor do I find any other basis, whether of a customary law or conventional law nature, on which such an argument could rest. The extraterritorial enforcement of paragraph 3 (b) by Member States, as distinct from its territorial enforcement, is a matter to be determined by each State within the context of its own legal system."

## Annex

"Text of note dated 22 August 1968 from Belgium indicating the response of that Government to the call by the Security Council to all States to implement the provisions of resolution 253 (1968), as required by paragraph 8 of that resolution (S/8786).

"By a ministerial order of 24 December 1965, Belgium had already made all imports from and all exports to Southern Rhodesia subject to licence.

"By the application of the said order, Belgium is terminating all commercial traffic in all goods and products, with the exception of authorized deliveries under the circumstances stated in resolution 253 (1968), article 3 (d).

"To complete these provisions, the Belgian Government envisages making subject to licence the transit of the same goods and products under the same conditions.

"The measures taken previously, in implementation of resolution 232 (1966) prohibiting the air and sea transport of the goods which are subject to the embargo, have been confirmed and completed in conformity with article 3 (e) of the new resolution.

"An examination of resolution 253 (1968) has revealed that some of its provisions could not be implemented through the administrative means available to the Belgian Government and that a legislative measure was necessary. The Government therefore intends to submit a bill to Parliament in order to secure the adoption of legislation which takes account of these points.

"With regard to the question of Rhodesian passports, Belgium has already refused since December 1965 to recognize such travel documents. The authorities concerned will bear in mind the new provisions contained in resolution 253 (1968), article 5.

"Measures have been adopted in conformity with article 8 of the said resolution."

### G. SUGAR

(138) Case No. 28. Sugar - "Byzantine Monarch": United Kingdom note dated 21 July 1969

There is no new information concerning this case in addition to that contained in the ninth report.

(139) Case No. 60. Sugar - "Filotis": United Kingdom note dated 4 December 1969

There is no new information concerning this case in addition to that contained in the ninth report.

(140) Case No. 65. Sugar - "Eleni": United Kingdom note dated 5 January 1970

There is no new information concerning this case in addition to that contained in the ninth report.

(141) Case No. 72. Sugar - "Lavrentios": United Kingdom note dated 8 April 1970

There is no new information concerning this case in addition to that contained in the ninth report.

(142) Case No. 83. Sugar - "Angelia": United Kingdom note dated 8 July 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(143) Case No. 94. Sugar - "Philomila": United Kingdom note dated 28 August 1970

There is no new information concerning this case in addition to that contained in the ninth report.

(144) Case No. 112. Sugar - "Evangelos M.": United Kingdom note dated 22 January 1971

There is no new information concerning this case in addition to that contained in the ninth report.

(145) Case No. 115. Sugar - "Aegean Mariner": United Kingdom note dated 19 March 1971

There is no new information concerning this case in addition to that contained in the ninth report.

(146) Case No. 119. Sugar - "Calli": United Kingdom note dated 10 May 1971

There is no new information concerning this case in addition to that contained in the seventh report.

(147) Case No. 122. Sugar - "Netanya": United Kingdom note dated 13 August 1971

There is no new information concerning this case in addition to that contained in the sixth report.

(148) Case No. 126. Sugar - "Netanya": United Kingdom note dated 7 October 1971

There is no new information concerning this case in addition to that contained in the sixth report.

(149) Case No. 128. Sugar - "Netanya": United Kingdom note dated 11 February 1972

There is no new information concerning this case in addition to that contained in the sixth report.

(150) Case No. 132. Sugar - "Primrose": United Kingdom note dated 26 April 1972

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.



3. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

(151) Case No. 147. Sugar - "Anangel Ambition": United Kingdom note dated 27 June 1973

There is no new information concerning this case in addition to that contained in the eighth report.

#### H. FERTILIZERS AND AMMONIA

(152) Case No. 2. Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969

There is no new information concerning this case in addition to that contained in the fifth report.

(153) Case No. 48. Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969

There is no new information concerning this case in addition to that contained in the eleventh report.

(154) Case No. 52. Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969

There is no new information concerning this case in addition to that contained in the eleventh report.

(155) Case No. 66. Ammonia - "Cérons": United Kingdom note dated 7 January 1970

There is no new information concerning this case in addition to that contained in the eleventh report.

(156) Case No. 69. Ammonia - "Mariotte": United Kingdom note dated 13 February 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(157) Case No. 101. Anhydrous ammonia: United States note dated 12 October 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(158) Case No. 113. Anhydrous ammonia - "Cypress" and "Isfonn": United Kingdom note dated 29 January 1971

1. Previous information concerning this case is contained in the tenth report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. In the absence of a reply from Liechtenstein, the Committee again included that Government in the eighteenth and nineteenth periodic lists which were published as press releases on 25 May and 5 November 1979, respectively.

(159) Case No. 123. Anhydrous ammonia - "Zion": United Kingdom note dated 30 August 1971

There is no new information concerning this case in addition to that contained in the ninth report.

(160) Case No. 129. Anhydrous ammonia - "Kristian Birkeland": United Kingdom note dated 24 February 1972.

There is no new information concerning this case in addition to that contained in the ninth report.

(161) Case No. 204. Import of agricultural crop chemicals by Southern Rhodesia: United Kingdom note dated 13 March 1975

There is no new information concerning this case in addition to that contained in the eighth report.

#### I. MACHINERY

(162) Case No. 50. Tractor kits: United Kingdom note dated 2 October 1969

There is no new information concerning this case in addition to that contained in the fourth report.

(163) Case No. 58. Book-keeping and accounting machines: Italian note dated 6 November 1969

There is no new information concerning this case in addition to that contained in the third report.

(164) Case No. 221. Supply of electrical equipment: United Kingdom note dated 1 September 1975

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. The case was considered by the Committee at the 346th meeting on 26 July 1979, at which the Committee had before it the reply from Belgium dated 9 June 1978. It took note of that reply and felt that, although there was a real possibility that the ultimate destination of the equipment had been Southern Rhodesia, in the absence of any further evidence to that effect no useful purpose could be obtained by pursuing the matter any further. It was therefore decided that the case should be closed.

(165) Case No. 267. Industrial sewing machine from Japan: United Kingdom note dated 17 May 1976

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A reply dated 9 March 1979 was received from Botswana, the substantive part of which reads as follows:

"The investigation ordered by the Government of the Republic of Botswana has now been completed and I have the honour to inform as follows:

"There is no evidence from the records of our Department of Customs and Excise that the machine referred to in Your Excellency's original note was ever imported into or re-exported from Botswana.

"There are, however, a number of possibilities of the machine having passed to Rhodesia undocumented and/or undetected by the Botswana Customs:

"(a) The machine, having been cleared in South Africa, may have been on-consigned direct to Rhodesia and transported by rail or by road and re-routed through Beitbridge.

"(b) Mr. Michael David would possibly have personally witnessed or attended to the clearance in Port Elizabeth, and then accompanied the machine to its destination to ensure that nothing went wrong.

"(c) The machine could have been smuggled into and subsequently out of Botswana no doubt with the help of Mr. David."

4. The case was considered by the Committee at the 343rd meeting on 18 June 1979, at which it was decided that the case should be closed.

(166) Case No. 305. Shipment of parts for diesel locomotives to Southern Rhodesia - "Alcoutim": United Kingdom note dated 19 October 1977

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A note dated 17 January 1979 was sent to Portugal inquiring whether the investigations by the competent authorities had been completed and the final results could be forwarded to the Committee.
4. A second reminder was sent to Portugal on 7 March 1979.
5. The case was considered by the Committee at the 346th meeting, and in accordance with the Committee's decision at that meeting a note dated 17 August 1979 was sent to Portugal, the text of which is reproduced below:

"At its 346th meeting recently the Committee considered the above-mentioned case, which concerns shipment of parts for diesel locomotives suspected to be destined for Southern Rhodesia. It had before it the reply on the case contained in His Excellency's comprehensive communication of 2 October 1978, indicating that no evidence had so far been found that the

final destination of the goods shipped to S.E. Muller and Partners of Durban, South Africa, was in fact Southern Rhodesia. The Committee expressed its appreciation for the reply thus received, but also recalled that, according to a documentary film screened to it previously, S. E. Muller had been shown to be in charge of certain companies engaged in dubious operations for the purpose of channelling Southern Rhodesia's imports and exports. e/ The Committee welcomed the assurance given at the meeting by the representative of Portugal that, in the light of the information presented by the film, he had already referred the case to his Government for further investigation.

"The Committee also felt that the appropriate authorities of His Excellency's Government in continuing their investigations might be requested to ascertain the exact specifications of the locomotive parts exported from Portugal aboard the Alcoutim, in case there might be a possibility of proving conclusively that certain of such equipment could have been used on Southern Rhodesian locomotives, as opposed to the locomotive systems of certain neighbouring countries.

"The Committee expressed the hope that it might receive the findings of the investigating authorities of His Excellency's Government at the earliest convenience, if possible within a month."

6. First and second reminders were sent to Portugal on 22 October and 28 November 1979.

#### J. TRANSPORT EQUIPMENT

##### Motor vehicles and/or motor-vehicle spares

(167) Case No. 9. Motor vehicles: United States note dated 28 March 1969

There is no new information concerning this case in addition to that contained in the eleventh report.

(168) Case No. 145. Trucks, engines, etc.: Information obtained from published sources

There is no new information concerning this case in addition to that contained in the seventh report.

(169) Case No. 180. Motor vehicles and motor-vehicle spares - "Straat Rio": United Kingdom note dated 20 June 1974

There is no new information concerning this case in addition to that contained in the eighth report.

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e/ See Case No. INGO-34 in annex IV, below.

(170) Case No. 195. Motor vehicles and motor-vehicle spare parts - "Soula K":  
United Kingdom note dated 28 November 1974

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Replies, enclosing copies of documentary evidence, were received from Japan and Greece, the substantive parts of which read as follows:

(a) Note dated 22 January 1979 from Japan

"The Government of Japan reconfirms the fact, as has been done by the letters of the Permanent Representative of Japan to the United Nations addressed to the Secretary-General of the United Nations and dated 6 January 1975 and 4 October 1977, respectively, that the MV Soula K did not unload any motor vehicles or motor spares of Japanese origin at the port of Lourenço Marques.

"The Japanese Government, at the request, through the Secretary-General, of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, has tried to obtain the related documents from the Japanese company with a view to accelerating the work of the Committee by extending as much co-operation as possible. These documents are attached herewith, and clearly support the above-mentioned reconfirmation by the Japanese Government.

"It is the Japanese Government's sincere hope that the Committee will be able to close this case as soon as possible."

(b) Note dated 28 February 1979 from Greece

"The Permanent Representative of Greece to the United Nations ... has the honour to transmit, enclosed herewith, the following shipping documents pertinent to the case in question: (a) Time charter dated 29 September 1970 and addenda; (b) Redelivery certificate dated 13 May 1974."

4. The documentary evidence submitted by Japan was analysed by the expert consultant in the four tables circulated to the Committee on 24 May 1979. He drew the attention of the Committee to the discrepancy in the documentary evidence, which indicated on the one hand that the number of vehicles shipped aboard the Soula K was 677, and on the other that the number was 648 vehicles. In addition, one document showed that the number of vehicles shipped to Dar-es-Salaam was 290 and 387 vehicles to Beira, while another document indicated that 286 were sent to Dar-es-Salaam and 362 to Beira.

5. The documentary evidence submitted by Greece was identical to that submitted by Japan, except for an additional piece entitled "Lambert Brothers Shipbroking, Ltd." which, the expert consultant indicated, bore no significant relevance to the evidence since it was merely an extension of the time-charter of the vessel in question.

6. The case was considered by the Committee at the 343rd meeting on 18 June 1979, at which the Committee took note of the replies from Greece and Japan, as well as the documentary evidence submitted by those two Governments. It was decided that a further note should be sent to Japan, informing that Government of the Committee's appreciation for the efforts of the Japanese authorities, as a result of which it was now ascertained that the vessel Soula K did indeed transport a number of motor-vehicles from Japan on the pertinent voyage, even if those vehicles were not unloaded in the port of Lourenço Marques (now Maputo), as reported in the original United Kingdom note. The proposed note would point out the apparent discrepancy in the number of vehicles said to have been unloaded at the port of Beira and Dar-es-Salaam, as read from the documents obtained from the two Japanese companies concerned, and also request the Japanese authorities to obtain and forward information regarding the consignees of the vehicles unloaded at those ports: documentary evidence in that respect, such as consignment notes, would be welcomed by the Committee.

7. In pursuance of the Committee's decision indicated above, the proposed note was sent to Japan on 5 September 1979.

8. A reply dated 6 November 1979, transmitting photocopies of further documentary evidence, was received from Japan, the substantive part of which reads as follows:

"1. The Security Council Committee ... seems to be concerned with the discrepancy in the number of exported vehicles which were destined for Beira and Dar-es-Salaam and listed in the sailing instructions of the Mitsui OSK Lines, Ltd. dated 13 August 1974 on the one hand, and in the stowage plan of the Japan Cargo Tally Corporation, Nagoya branch, as well as in the freight list of Mitsui OSK Lines, Ltd., on the other hand. (The above-mentioned documents were attached to Japan's note SC/79/25 dated 22 January 1979).

"The discrepancy in the number of vehicles which appeared in the above-mentioned documents, however, is just the difference in the number between a plan reflected in sailing instructions and the actual performance reflected in the stowage plan or freight list.

"In the sailing instructions to the Soula K issued by the Mitsui OSK Lines, Ltd., the charterer, 677 vehicles in total were scheduled for loading, of which 129 destined for Dar-es-Salaam and 229 for Beira were to be loaded at Yokohama, and 161 for Dar-es-Salaam and 158 for Beira were to be loaded at Nagoya.

"Sailing instructions should be regarded as merely a plan. Altered circumstances often cause changes in the original plan, and, accordingly, the actual loading of consignments differs from the original plan reflected in the sailing instructions. Such was the situation in this case, where, in fact, as a result of the change of plan, 648 vehicles were actually loaded - that is, 128 for Dar-es-Salaam and 169 for Beira at Yokohama, and 158 for Dar-es-Salaam and 193 for Beira at Nagoya.

"2. The Government of Japan, upon the Committee's request, has tried to obtain consignee notes from the Japanese companies concerned. They have replied, however, that the local representatives have informed them that none of the consignee notes had been preserved. It is, therefore, unfortunately impossible to present the consignee notes to the Committee.

"3. Among the attached documents attached to the Japanese note to the Secretary-General of 22 January 1979, the Government of Japan would like to draw the Committee's attention to the report of the Freight Services Ship Agency Company dated 22 November 1974. This report recorded the operations of the Soula K at Lourenço Marques (Maputo) and, in terms of cargo operations, recorded only loading operations, namely, the loading of the materials destined for Japan, which indicates that neither motor vehicles nor motor vehicle spare parts were unloaded at Maputo.

"4. The Government of Japan has, thus far, extended maximum possible co-operation to the Committee with a view to clarifying the suspected Japanese involvement, and strongly hopes the Committee will close this case as soon as possible."

9. The additional documentary evidence submitted by Japan consisted of: (a) a copy of a letter dated 13 August 1974 addressed to the Captain of the Soula K from Mitsui O.S.K. Lines, Ltd., and copied to various branch offices and agents of that company, giving details of sailing instructions for the Soula K; (b) copies of the stowage plans and freight lists issued by Mitsui O.S.K. Lines, Ltd. on the pertinent voyage.

(171) Case No. 197. Trade in motor vehicles (and other commodities): United Kingdom note dated 6 December 1974

There is no new information concerning this case in addition to that contained in the tenth report.

Aircraft and/or aircraft spares

(172) Case No. 41. Aircraft spares: United Kingdom note dated 5 September 1969

There is no new information concerning this case in addition to that contained in the third report.

(173) Case No. 67. Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

There is no new information concerning this case in addition to that contained in the fourth report.

(174) Case No. 144. Sale of three Boeing aircraft to Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the eighth report.

(175) Case No. 162. Viscount aircraft: United Kingdom note dated 17 January 1974

There is no new information concerning this case in addition to that contained in the seventh report.

(176) Case No. 232. Acquisition of DC-8 aircraft by Southern Rhodesia: United Kingdom note dated 28 November 1975

There is no new information concerning this case in addition to that contained in the ninth report.

#### Others

(177) Case No. 88. Cycle accessories: United Kingdom note dated 13 August 1970

There is no new information concerning this case in addition to that contained in the fifth report.

(178) Case No. 141. Locomotives - "Beira": United Kingdom note dated 24 April 1973

There is no new information concerning this case in addition to that contained in the seventh report.

#### K. TEXTILE FABRICS AND RELATED PRODUCTS

(179) Case No. 93. Shirts manufactured in Southern Rhodesia: United Kingdom note dated 21 August 1970

There is no new information concerning this case in addition to that contained in the fourth report.

#### L. SPORTING ACTIVITIES AND OTHER INTERNATIONAL COMPETITIONS

(180) Case No. 120. Southern Rhodesia and the Olympic Games: note from the Federal Republic of Germany dated 5 April 1971

There is no new information concerning this case in addition to that contained in the eighth report.

(181) Case No. 148. Southern Rhodesia and the Maccabiah Games: information supplied to the Committee by the Sudan on 21 June 1973

1. Previous information concerning this case is contained in the sixth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered by the Working Group on Cases at its ninth meeting on 3 August 1979, at which due note was taken of the amount of time that had elapsed since the case was last considered, and of the fact that there was no information of any participation of Southern Rhodesian individuals in subsequent Maccabiah Games in Israel. It was therefore decided to recommend to the Committee that the case should be closed.
4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure the case was thereafter closed.



(182) Case No. 167. Tour of Southern Rhodesian cricket player abroad: information obtained from published sources

There is no new information concerning this case in addition to that contained in the seventh report.

(183) Case No. 181. Southern Rhodesia and the International Federation of Association Football (FIFA): information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(184) Case No. 186. Southern Rhodesia and the World Chess Federation (FIDE): information obtained from published sources

There is no new information concerning this case in addition to that contained in the seventh report.

(185) Case No. 191. New Zealand cricket club tour of Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(186) Case No. 198. Southern Rhodesia and golf championships in Colombia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the tenth report.

(187) Case No. 211. Tour of certain European countries by Southern Rhodesian hockey club: information obtained from published sources

There is no new information concerning this case in addition to that contained in the eighth report.

(188) Case No. 217. Argentine hockey umpire visit to Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(189) Case No. 219. Southern Rhodesia and the International Tennis Federation (ITF): information obtained from published sources

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. During consideration of Case No. 278 at its ninth meeting on 3 August 1979, the Working Group on Cases took note of Switzerland's contention that the decision by the Swiss Tennis Association to play against Southern Rhodesia had been prompted

by the fact that the so-called Rhodesian Tennis Association was still a member in good standing of the International Tennis Federation and of the Davis Cup Nations. It noted also, in that connexion, that no reply had yet been received from the Secretariat of ITF to the Chairman's letter of 30 June 1978, at the Committee's request, seeking the expulsion of the Rhodesian Tennis Association from ITF. It therefore decided to recommend to the Committee that a reminder should be sent to ITF stating that the Committee was still awaiting the decision of the annual general meeting of ITF, said to have been held in Switzerland in July 1978, over the question of the continued membership of the Rhodesian Tennis Association in that organization.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure a letter dated 16 October 1979 was sent to the General Secretary of ITF by the Chairman, the substantive part of which is reproduced below.

"At the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, I have the honour to refer to the letter of my predecessor addressed to you on 30 June 1978, concerning the membership of the so-called Rhodesia Lawn Tennis Association in the International Tennis Federation (ITF). A copy of that letter is herewith attached for your ease of reference.

"During a recent review of this matter it was noted with surprise and disappointment that no reply had so far been received by the Committee in connexion with the Committee's specific request for initiation of any measures that would result in the expulsion of the Rhodesia Lawn Tennis Association from ITF. The Committee was eagerly awaiting the outcome of the annual meeting of ITF scheduled to be convened in Switzerland in July 1978, at which this issue was expected to be raised. Since then, another annual meeting of ITF has presumably been held and still the Committee has received no information regarding the outcome of ITF's deliberations on the matter. Happily, the Committee has not, in recent years, heard of any reports of Southern Rhodesia's participation in the Davis Cup or other international competitions under the auspices of ITF, for which the Committee is very appreciative of any part played by ITF or its secretariat. But the Committee would still like to secure the actual expulsion of the Southern Rhodesia organization so that the relevant provisions of the United Nations Security Council imposing mandatory sanctions against the illegal régime in Southern Rhodesia may be properly implemented.

"Accordingly, I would be greatly obliged if you could kindly forward the required information, if a decision has been taken, or at least let the Committee know where the matter stands."

5. A reply dated 26 October 1979 was received from the General-Secretary of ITF, the substantive part of which reads as follows:

"Thank you for your letter of 16 October on the subject of Zimbabwe. For us, this is a very embarrassing matter. There was a resolution for the expulsion of Zimbabwe on the agenda for the last annual meeting of the Federation in New York in August and a representative of that tennis association was asked to appear to discuss their position.

"Unfortunately, the United States State Department refused to allow their President an entry visa. This was in spite of the fact that we gave full explanations of the situation to the official at the Africa desk in Washington and in spite of a personal intervention by the President of the United States Tennis Association. I understand that the question was discussed with Mr. Andrew Young.

"Through the denial of this visa, we broke Rule 14 of our Constitution by holding the annual meeting in a country which was barring the admission of an associate member. In the light of this and the hope that the Lancaster House conference would regularize the position of Zimbabwe by 1980, the Committee of Management advised the meeting the present policy should be continued i.e. that Zimbabwe should remain a member but should not compete in any of our team competitions.

"We hope, as you do, that the uncertainties surrounding the membership of this Federation will soon be ended and, although our primary interest is sporting, we shall follow the political developments in that country closely and will discuss the matter further at next year's annual meeting. For all points of view, however, I feel it a great pity that we were denied the opportunity to complete our investigations in the matter at this year's annual meeting."

(190) Case No. 220. Southern Rhodesia and the International Amateur Swimming Federation (FINA): information obtained from published sources

There is no new information concerning this case in addition to that contained in the eighth report.

(191) Case No. 222. Participation of Southern Rhodesian yachtsmen in the World Fireball Regatta in France: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(192) Case No. 224. Participation of Southern Rhodesia in the World Ploughing Match in Canada: information obtained from published sources

There is no new information concerning this case in addition to that contained in the tenth report.

(193) Case No. 230. Participation of Southern Rhodesia in the commemorative Marathon in Greece: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(194) Case No. 235. Participation of foreign jockeys in Salisbury's Plate Glass Jockey's International: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(195) Case No. 237. Participation of foreign sportsmen in Rhodesian Open Tennis Championships: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report

(196) Case No. 242. Southern Rhodesia and the International Sports Federations (ISF) Games: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(197) Case No. 244. Participation of Malawi in swimming association with Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(198) Case No. 248. Cypriot soccer players in Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(199) Case No. 249. Participation of a Southern Rhodesian yachtsman in Rio race, Brazil: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A communication dated 27 December 1978 addressed to the Secretary-General of the United Nations was received from the Permanent Representative of Brazil to the United Nations, the substantive part of which reads as follows:

"I have the honour to refer to document S/12529/Rev.1, the tenth report of the Security Council Committee ...

"In the English version of the above-mentioned document we find, at page 61, under the 'complete list of cases currently under consideration', mention of Case No. 249, serial No. (224) concerning the 'Participation of a Southern Rhodesian yachtsman in Rio Race (Brazil): information obtained from published sources'.

"Further, and under the heading 'General cases carried over from previous reports and new cases' (annex II of the document S/12529/Rev.1) at page 195, f/ dealing with the said case, the document quotes: 'There is no new information concerning this case in addition to that contained in the ninth report' (document S/12265).

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f/ In the English text.

"The information in question was the subject matter of note No. 105 dated 3 June 1976 by which the Permanent Representative of Brazil informed the Committee on Sanctions against Rhodesia that 'the competent Brazilian authorities had been able to ascertain that Mr. Thomas Duncan Addison was registered, in Rio de Janeiro, as Captain of the vessel Gwen, port of inscription Capetown, and participated as a British citizen in an international sail race which took place last January, having presented, as proof of identity, British passport C740448'.

"It follows from that communication that, once having established Mr. Addison's citizenship, there is no valid reason for not closing case 249."

The case was considered by the Committee at the 342nd meeting on 22 May 1979, which it took note of the point raised in the letter from the Permanent Representative of Brazil to the United Nations. The Committee decided that the case should be closed. It also decided to request the Chairman to address a letter to the Permanent Representative of Brazil, informing him accordingly, explaining to him the Committee procedural practices, expressing its appreciation for the good record of co-operation with the Brazilian Government and assuring him of the Committee's goodwill.

The Chairman sent the proposed letter to the Permanent Representative of Brazil on 30 July 1979, and the case was thereafter closed.

00) Case No. 251. Participation of Southern Rhodesians in the British Women's Open Squash Championships; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

01) Case No. 252. English cricket team visit to Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

02) Case No. 253. Participation of Southern Rhodesians in the World Amateur Team Golf Championships in Portugal: information obtained from published sources

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the submission of that report is given below.

The case was considered by the Working Group on Cases at its ninth meeting on 13 August 1979 at which due note was taken of the position of Portugal relating to the present case, as well as to Case No. 285, as stated in the comprehensive communication from that Government dated 2 October 1978. It was decided to recommend to the Committee that both cases should be closed.

Pursuant to the recommendation of the Working Group, and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(203) Case No. 254. Visit of the Gloucestershire Rugby team to Southern Rhodesia; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(204) Case No. 255. Participation of a baseball team from the United States in the test series against Southern Rhodesia; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(205) Case No. 257. English boys' hockey team tour to Southern Rhodesia; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(206) Case No. 260. Southern Rhodesian women's team and the Philadelphia Federation Cup international tennis tournament; information obtained from published sources

There is no additional information concerning this case in addition to that contained in the eleventh report.

(207) Case No. 268. Junior golf team from the United States tour of Southern Rhodesia in 1977; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(208) Case No. 271. Participation of two Southern Rhodesian soccer players in the 1977 Greek soccer season; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(209) Case No. 277. Visit of a Uruguayan polo team to Southern Rhodesia; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(210) Case No. 278. Participation of Southern Rhodesia in the 1977 Davis Cup tennis tournament; information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(211) Case No. 279. Participation of an Australian team in the international squash tournament in Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(212) Case No. 280. Participation of a Southern Rhodesian team in the world combat pistol championships in Salzburg, Austria: information obtained from published sources

There is no new information concerning this case in addition to that contained in the ninth report.

(213) Case No. 285. Participation of a Southern Rhodesian team in the Eisenhower Trophy golf tournament in Portugal: information obtained from published sources

1. Previous information concerning this case is contained in the eleventh report.

2. For additional information regarding the action taken on the case since the submission of that report see paragraphs 3 and 4 of (202) Case No. 253, above.

(214) Case No. 334. Southern Rhodesian team and the international 7,240 km Cape to Uruguay yacht race: information obtained from published sources

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. The case was considered by the Committee at the 343rd meeting on 18 June 1979, at which it was decided that a note should be sent to Uruguay expressing the Committee's appreciation for the co-operation shown by the Uruguayan authorities and gratitude for the resolute stand promised by the Uruguayan authorities to ensure that the Security Council mandatory sanctions against Southern Rhodesia would be properly implemented. Thereafter, the case would be closed.

4. The proposed note was sent to Uruguay on 24 August 1979 and the case was thereafter closed.

(215) Case No. 335. Participation of a Southern Rhodesian team in the World Ploughing Contest in the Federal Republic of Germany: information obtained from published sources

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. A reply dated 12 January 1979 was received from the Federal Republic of Germany the substantive part of which reads as follows:

"The Acting Permanent Representative of the Federal Republic of Germany ... has the honour to communicate the following:

"The Rhodesian participants in the World Ploughing Contest held in Wickstad, Federal Republic of Germany, in September 1978 travelled on regular British passports. They were not identified as representatives of the régime of Southern Rhodesia. Because of the unofficial nature of the event the Government of the Federal Republic of Germany had no means of intervention."

(216) Case No. 339. Visit by a United States squash racquets team to Southern Rhodesia: information supplied to the Committee by the

Chairman

1. At the 347th meeting, the Chairman drew the Committee's attention to information obtained from published sources according to which a United States squash racquets team had gone to Southern Rhodesia to play a series of matches there. The information further indicated that the team was sponsored by the United States Squash Racquets Association and included two top-seeded American amateur players. In relaying that information, the Chairman made the following statement:

"In the view of my delegation, this is a deliberate and flagrant violation of the sanctions against Southern Rhodesia and of many United Nations resolutions upholding the Olympic principle of non-discrimination and calling for an end to exchanges with racist teams. Southern Rhodesia, as you know, is excluded from the Olympics.

"I would suggest that this Committee should immediately issue a statement denouncing the visit of this squash team to Southern Rhodesia. We hope we will have an explanation by the United States Government soon on any action they have taken to prevent the tour.

"On behalf of the Nigerian delegation, I must say that we take a very serious view of the matter and cannot be satisfied with a mere condemnation.

"We understand that the United States squash team is due to play in the world amateur championships in Australia later this year and we feel that Australia and other countries concerned should be invited to take action against the United States Squash Racquets Association.

2. At the same meeting, the representative of the United States made a statement on the matter in the course of which he suggested that a note should be sent to his Government, in accordance with the usual practice, so that the matter could be taken up as a matter of priority. He pointed out, however, that the team was not government-sponsored, and that members of the Committee were already aware of his Government's difficulties in preventing private citizens from entering Southern Rhodesia.

3. The Committee decided that the information thus received should be transmitted to the United States Government with a request for appropriate investigations to be undertaken as to the circumstances in which the United States squash racquets team was permitted to travel to Southern Rhodesia and for the Committee to be informed of what measures the United States Government intended to take against the United States Squash Racquets Association.



4. In pursuance of the Committee's decision indicated above, a note dated 16 October 1979 was sent to the United States, the substantive part of which is reproduced below.

"At the 347th meeting, the Chairman drew the Committee's attention to information obtained from published sources according to which a United States squash racquets team had gone to Southern Rhodesia to play a series of matches there. The information further indicated that the visit was sponsored by the United States Squash Rackets Association and included two top-seeded American amateur players. At that meeting, the Committee took note of the statement by the representative of the United States in the course of which he pointed out that the team was not government-sponsored.

"The Committee decided, however, that the matter should be brought to the attention of the Government of the United States for investigation. Should the information be confirmed, the participation of a United States squash racquets team in a sports event in Southern Rhodesia, particularly if such an event is of a representational nature, would be considered contrary to the spirit and intent of Security Council provisions establishing mandatory sanctions against the illegal régime in Southern Rhodesia. In that case, the Committee requested to be informed of the circumstances in which United States squash racquets team was permitted to travel to Southern Rhodesia and of the banking, travel and other arrangements that were made to facilitate that team's travel to and from Southern Rhodesia. The Committee would also appreciate information of any measures that the United States Government contemplates taking against the United States Squash Racquets Association.

"The Committee also indicated that it would appreciate receiving the comments of His Excellency's Government on the matter at the earliest convenience, if possible within a month."

5. A reply dated 30 October 1979 was received from the United States, the substantive part of which reads as follows:

"As stated by the United States representative during the 347th meeting of the Rhodesia Sanctions Committee, the American squash team which apparently visited Rhodesia and took part in the competitions there was not sponsored by the Government of the United States. In the United States, sports teams, leagues, and federations are private organizations associated in no way with the Government of the United States. The United States Government made no effort to facilitate the travel of these citizens.

"The Secretary-General is aware that the United States actively discourages participation by its citizens in sporting events involving Rhodesia, pointing out to our citizens that they will be subject to international criticism for such activities. However, we are unable to prevent our private teams or citizens from such participation. Consequently no action is contemplated against the American Squash Rackets Team."

6. In accordance with the Committee's no-objection procedure a further note dated 26 November 1979 was sent to the United States, the substantive part of which is reproduced below.

"The Committee has seen and taken note of His Excellency's reply of 30 October 1979 in connexion with the above-mentioned case, which concerns

the visit by a United States squash team to Southern Rhodesia. It expressed its appreciation for the co-operation shown by His Excellency's Government in responding so promptly to the Committee's enquiries, but it also felt that the United States might similarly seek and obtain additional information necessary for a conclusive pursuit of the case.

"In particular, the Committee wondered whether the United States authorities could find out from the organizers of the trip in the United States, and inform the Committee of, the means of transportation used by the members of the team to travel to and from Southern Rhodesia, as well as the financial arrangements made to facilitate such travel and to meet all their subsistence expenses in Southern Rhodesia. The Committee believes that should the findings of the investigating authorities reveal any irregularities or violation of the Security Council sanctions provisions, the occasion would justifiably not only call for punitive measures against the organizers of the trip and the members of the team themselves, of which the Committee would welcome information, but also provide an opportunity to the United States Government to tighten up its declared policy of discouragement of such visits to Southern Rhodesia.

"The Committee expressed the hope that it might receive the comments of His Excellency's Government on the following at the earliest convenience, if possible within a month."

#### M. BANKING, INSURANCE AND OTHER RELATED FACILITIES

- (217) Case No. 171. Rhodesian Iron and Steel Company (RISCO): information obtained from published sources

There is no new information concerning this case in addition to that contained in the eleventh report.

- (218) Case No. 304. Transfer of personal funds to and from Southern Rhodesia: information obtained from published sources

There is no new information concerning this case in addition to that contained in the eleventh report.

#### N. TOURISM AND OTHER RELATED MATTERS

- (219) Case No. 143. Southern Rhodesian representational offices abroad: information obtained from published sources and from non-governmental sources

- (a) Rhodesian Information Centre in Sydney, Australia  
(b) Rhodesian Information Office in Washington, D.C., USA

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information received since the submission of that report is given below.

3. Notes dated 14 March 1979 were sent to Australia and the United States inquiring whether final decisions had been reached on the question of the Southern Rhodesian offices in Sydney, Australia, and Washington, D.C., respectively.

4. An interim reply dated 2 April 1979 was received from the United States, the substantive part of which reads as follows:

"The Representative of the United States of America to the United Nations ... has the honour to refer to the Secretary-General's note of 14 March 1979, reference Case No. 143. In this note, the Secretary-General expressed the Sanctions Committee's concern regarding the continued existence of the Rhodesian Information Office in Washington, D.C. and relayed the request of the Committee as to whether a final decision had been reached regarding its closing.

"The Representative of the United States of America wishes to assure the Secretary-General that his Government recognizes its obligation under Security Council resolution 409 (1977). Nonetheless, no final decision on this matter has yet been made and the United States Government retains this matter under active consideration."

5. A third reminder was sent to Australia on 6 July 1979; and a further note of the same date was sent to the United States inquiring whether a final decision had been reached by the United States authorities on the future of the Rhodesian Information Office in Washington, D.C.

6. An acknowledgement dated 18 July 1979 was received from the Permanent Representative of Australia to the United Nations, indicating that the Committee's note of 6 July 1979 had been referred to the Australian authorities.

7. Second and third reminders were sent to the United States on 20 September and 22 October 1979, respectively.

(220) Case No. 227. Organized tours abroad for persons using Southern Rhodesian passports: information obtained from published sources

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. A third reminder was sent to Switzerland on 10 January 1979.

4. A reply dated 11 July 1979 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer for Switzerland to the United Nations ... has the honour to refer to [the Secretary-General's] note of 30 May 1979. In that note, the Secretary-General ... states that the Sanctions Committee, on the basis of a legal opinion drawn up by the Legal Counsel of the United Nations, g/ considered that 'there appeared to be some contradiction between

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g/ See the eleventh report, S/13000, vol. II (249) Case No. 227, para. 5.

the position of the Swiss Government in the present case [concerning Rhodesian passports] and the undertaking given by the Government in its statement of 10 February 1967, which was reaffirmed in His Excellency's note of 17 February 1977.

"In its statement of 10 February 1967, communicated on the same day to the Secretary-General of the United Nations, the Federal Council explained that, for reasons of principle, Switzerland could not submit to the mandatory sanctions adopted by the United Nations against Southern Rhodesia. It added, however, that it would ensure that Rhodesian trade could not avoid the Security Council sanctions through Swiss territory. Before that, the Federal Council had already decided, on 17 December 1965, independently and without recognizing any obligation to do so, to make imports from Southern Rhodesia subject to a system of authorization and to take the necessary measures to prevent any increase of such imports. In a further statement made on 4 September 1968 and notified to the Secretary-General of the United Nations on the same day, the Federal Council confirmed that it would pursue, independently and in the context of the Swiss legal order, its policy, aimed at ensuring that Rhodesian trade could not avoid the Security Council sanctions through Swiss territory.

"As stressed in its statement of 10 February 1967, the Swiss Government has sought to limit the volume of imports from Southern Rhodesia. For that reason, it has proceeded to monitor imports of Rhodesian products bound for Swiss territory. The Federal Council decision of 17 December 1965 on the limitation of imports provides that the import of goods from Southern Rhodesia is subject to authorization. This decision was modified on 10 February 1967. Since that date, import authorization has been granted in accordance with the notion of normal flow, based on the average of imports of Rhodesian goods into Switzerland from 1964 to 1966. Subsequently, on 12 December 1977, the Federal Council adopted an order on transactions with Southern Rhodesia prohibiting so-called 'triangular' operations. This new step was taken in accordance with the Federal Council's independently determined policy regarding the sanctions established by the Security Council against Southern Rhodesia.

"The attitude of the Swiss Government towards the Security Council sanctions has been set forth a number of times by the Observer to the Secretary-General. The note of 17 February 1977 mentioned in the memorandum of the Legal Counsel of the United Nations does no more than restate and develop the contents of the note of 4 September 1968 mentioned above. It is not, then, strictly accurate to assert that the note of 17 February 1977 'strengthens' the unilateral declaration by the Swiss Government (opinion of the Legal Counsel, p. 2, third paragraph). The Federal Council position has not changed.

"The Observer regrets that the wording used in his note of 17 February 1977 should have given rise to a misunderstanding. The sentence quoted by the Legal Counsel of the United Nations cannot be taken out of context to represent a unilateral commitment by Switzerland to comply with the provisions of paragraph 5 of Security Council resolution 253 (1968). In reality, the sentence quoted refers to the statements made by the Federal Council on 10 February 1967 and 4 September 1968, which leave no doubt as to the intentions of the Swiss Government.

"It would seem, therefore, that Switzerland cannot be required to strengthen the measures already adopted."

O. OTHER CASES

(221) Case No. 154. "Tango Romeo" - Sanctions-breaking activities via Gabon: information obtained from published sources and supplied by the United Kingdom on 30 August 1973

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Communications (relating to the United Kingdom note of 22 March 1978) were received from Bulgaria and Yugoslavia, the substantive parts of which read as follows:

(a) Note dated 14 December 1978 from Bulgaria

"The Permanent Representative of the People's Republic of Bulgaria to the United Nations ... with reference to the Secretary-General's note ... of 8 June 1978, and the attached note 122/12 of 22 March 1978 of the Permanent Mission of the United Kingdom to the United Nations, has the honour to state the following:

"According to the content of this note the Government of the United Kingdom has received information to the effect that Cargoman of Muscat has obtained overflight clearances from Bulgaria.

"The content of the United Nations note was brought to the attention of the competent authorities of the People's Republic of Bulgaria for an appropriate investigation. Consequently, the Permanent Representative of this Mission as been instructed to inform the Secretary-General of the United Nations that the Bulgarian authorities have found the information contained in the above-mentioned note to be totally incorrect and without any foundation.

"Here again, the Permanent Representative of Bulgaria, astonished by that note of the United Kingdom, should like to reject most categorically the allegations that Cargoman has obtained overflight clearances from Bulgaria, the untenability of this allegation is evidenced by the inquiries undertaken by the competent Bulgarian authorities.

"The Permanent Representative of the People's Republic of Bulgaria should like also to stress most emphatically that the Bulgarian airline 'Balkan' as well as all trading and other organizations in the People's Republic of Bulgaria strictly pursue in practice the policy of the Government, as has always been the case, of complying with the sanctions imposed by the Security Council upon the illegal racist minority régime in Southern Rhodesia. The People's Republic of Bulgaria, faithful to its policy of unreserved support and assistance to the national liberation struggle of colonial peoples and of the people of Zimbabwe in particular, has never had any dealings of any nature whatever with the illegal racist minority régime in Southern Rhodesia. This

allegation levelled against Bulgaria represents an attempt to divert the attention from the real perpetrators of the breach of the Security Council decisions with regard to Southern Rhodesia.

"The Permanent Representative of the People's Republic of Bulgaria to the United Nations avails himself of this opportunity to request the Secretary-General of the United Nations to convey the contents of this note to the Committee established in pursuance of Security Council resolution 253 (1968)."

(b) Note dated 15 December 1978 from Yugoslavia

"The Permanent Mission of the Socialist Federal Republic of Yugoslavia has the honour to inform the Secretary-General that ... the Government of the Socialist Federal Republic of Yugoslavia refutes categorically the allegations that Air Trans Africa or any of its subsidiaries have obtained overflight clearances from Yugoslavia before or after 1977.

"The Permanent Mission of the Socialist Federal Republic of Yugoslavia points out that Yugoslavia fully complies with the resolutions adopted by the United Nations concerning the question of Southern Rhodesia, especially resolution 253 (1968), and wishes to assure the Secretary-General of the United Nations that it will continue to do so in the future as well.

"The Permanent Mission of the Socialist Federal Republic of Yugoslavia requests the Secretary-General of the United Nations to bring this note to the attention of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, and of all whom it may concern, in order to inform them of the true state of affairs."

4. In the absence of a reply from Seychelles within the prescribed period of two months, the Committee included that Government, and again those of Sao Tome and Principe, South Africa and Zaire in the seventeenth quarterly list, which was published as a press release on 15 December 1978.
5. At the 319th meeting on 19 December 1978 the representative of the United States drew the Committee's attention to information received from published sources, h/ according to which Air Gabon Cargo, a cargo airline company based in Libreville, Gabon, operates under cover for the benefit of Southern Rhodesia in contravention of the United Nations mandatory sanctions against the illegal régime in that Territory. According to the information, Air Gabon Cargo is a subsidiary of Air Trans Africa, an airline company based in Southern Rhodesia, owned or controlled by the illegal régime there through a Captain Jack Malloch. In order to sustain the semblance of a bona fide commercial airline company, Air Trans Africa nominally operates on Heron passenger aircraft while surreptitiously directing the sanctions-breaking activities of Air Gabon Cargo, itself given as the successor to

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h/ The Wall Street Journal, New York, 13 December 1978, circulated to the Committee.

Affretair. i/ In actual fact, Air Gabon Cargo owns and operates the three cargo aircraft - two DC-8 and one CL-144 - that previously belonged to Affretair, and both Air Trans Africa and Air Gabon Cargo still use the same postal address and office premises previously used by Affretair in Libreville, Gabon.

6. The activities of Air Gabon Cargo, according to the information, include weekly flights between southern Africa and various countries in Africa, the Middle East and Europe. On the outward flights, the aircraft reportedly carry Southern Rhodesian meat and other products for export, and on the return trips, various undisclosed cargoes, usually picked up at Schiphol airport, Amsterdam. The countries specifically mentioned as included in the itineraries of the Air Gabon Cargo aircraft for the clandestine trade or for facilitating the flights are: Belgium, Cyprus, Gabon, Ivory Coast, Luxembourg, Netherlands, Oman, Saudi Arabia, South Africa, Rwanda, the United Arab Emirates and the United States.

7. The Committee noted that the information thus received corroborated that submitted on previous occasions in the long history of the case, particularly that contained in the recent notes from the United Kingdom on the case dated 24 October 1977 and 22 March 1978, which were subsequently transmitted to all Member States, and in the note from the United States dated 12 December 1977. The Committee was all the more concerned because the assessment contained in the new information indicated that Air Gabon Cargo had contributed substantially to the upsurge in Southern Rhodesia's foreign trade figures (said to represent mostly exports) which had reportedly risen from the equivalent \$US 171.7 million in 1970 to \$US 471.1 million in 1977. Moreover, the Committee recalled that the identity of Affretair as a front airline for Air Rhodesia had been established in a United States court of law as recently as 8 December 1978 when, on that date, according to a report to the Committee by the United States representative, a United States airline company had entered a plea of nolo contendere to charges of violating the sanctions against Southern Rhodesia by entering into a contract to train pilots for an airline company controlled by the illegal régime in that Territory (see the eleventh report, S/13000, para. 149 (q)).

8. At the same meeting, the Committee decided that the new information so received should be transmitted to the States directly mentioned therein, indicating the Committee's observations of concern on the matter and inviting their comments thereon.

9. A reply dated 19 December 1978 (in connexion with the United Kingdom note of 24 October 1977) was received from Switzerland, the substantive part of which reads as follows:

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i/ As indicated in various reports of the Committee, Affretair was the name of the former airline company based in Gabon and similarly reported to have been serving the interests of the illegal régime in Southern Rhodesia. In response to the Committee's request for investigations and appropriate measures in the matter, Gabon informed the Committee that the company had been dissolved in 1976 and incorporated into Gabon's national airline company, Air Gabon. The Committee is still awaiting further information from Gabon as to whether, and, if so, how much in compensation had been given to the former owners of Affretair and as to what had happened to the former employees of that airline, given the possibility that they might have been similarly absorbed into Air Gabon.

"The Permanent Observer of Switzerland to the United Nations ... has honour to refer to [the Secretary-General's] note of 7 November 1977 concerning Case No. 154.

"The investigations carried out have revealed that the firm Cargoman is a branch of a company established in the sultanate of Oman. A representative of the Geneva office refuted the allegations set out in the note of the Sanctions Committee. All business is apparently transacted and managed from Muscat."

10. At the 320th meeting on 21 December 1978, the representative of Gabon made statement on the matter in the course of which he reaffirmed his Government's position, contained in three notes, that the Government was unaware of the objectionable activities attributed to the airline companies in question. As to the information relating to Affretair still awaited by the Committee, he pointed out that his Government's latest note had indicated that the matter was being studied by the competent ministries. On the question of his Government's effort to find alternative sources for Gabon's meat supplies, he announced, reading from an article in a newspaper from his country of 2 December 1978, that negotiations had been concluded and an official agreement signed under which Argentina would supply the additional quantities of meat needed by Gabon (see the eleventh report S/13000, paras. 100 and 149 (f)). He assured the Committee that the Government ministries concerned were making every possible effort to provide the information required by the Committee; if any additional information became available his Government would forward it to the Committee.

11. A second reminder was sent to the Seychelles on 28 December 1978.

12. A communication dated 12 February 1979 addressed to the Acting Chairman of the Committee was received from Dr. S. Bosgra of the Holland Committee on Southern Africa (Angola Comité). The substantive part of the communication reads as follows:

"Our Committee has sent on 6/2 an urgent request to the Dutch Government concerning planes of the Rhodesian airline 'Air Gabon Cargo' that flies regularly to Holland. The information we used was published by the Wall Street Journal of 13 December 1978. (See 'Facts and Reports', C50, 1079).

"We also did write to the Dutch Government that the American Government charged United Airlines of breaking the United Nations sanctions for collaborating with the same airline.

"We were informed by the Dutch Government, that the information concerning the American Government attitude was new to them. They asked the Dutch Embassy in Washington to find out all information about it. We hope Dutch Government will stop the weekly flights. Two years ago they also intended to stop, but President Bongo of Gabon then convinced the government not to do so.

"We would be glad if you could send us any additional proof that Affretair or Air Gabon Cargo is a Rhodesian airline, as the American Government says.

"We hope to keep you informed of future activities of our Committee against sanctions-breaking."



13. A reply dated 23 February 1979 was received from the Seychelles, the substantive part of which reads as follows:

"The Minister of Foreign Affairs and Tourism of the Republic of Seychelles ... has the honour to refer to [the Secretary-General's] note of 28 December 1978 and earlier related correspondence concerning the question of Southern Rhodesia.

"In response to the request of the Security Council Committee established in pursuance of resolution 253 (1968), the following additional information is provided for transmission to the Committee:

Cargoman flights

<u>Year</u>	<u>Month</u>	<u>No.</u>	<u>Destination</u>
1978	June	4	Sharjah (2), Muscat (1), Abu Dhabi (1)
	July	8	Muscat (7), Sharjah (1)
	August	2	Johannesburg ex Muscat (1), Dubai (1)
	September	1	Muscat (1)
	October	5	Muscat (1) Sharjah (4)
	November	2	Muscat (1), Sharjah (1)
	December	4	Sharjah (4)
1979	January	7	Sharjah (6), Muscat (1)

All the above flights were technical stops in transit and all except one (in August 1978) were northbound. All the northbound flights except one (in October 1978 and that from the Comoros to Muscat) were from Johannesburg. The aircraft used on all the flights was a DC registration A40 PA using the call sign HC833/HC859/HC863/HC851."

14. A letter dated 15 March 1979 was sent to Dr. Bosgra by the Acting Chairman, acknowledging his letter and confirming that the Committee had indeed received the information from published sources concerning the activities of the airline company Air Gabon Cargo. The Acting Chairman also sent to Dr. Bosgra a copy of the Committee's eleventh report.

15. Further to paragraph 8, above, appropriate notes were prepared for the Committee's consideration for transmission, under the no-objection procedure, to the following Governments concerned: Belgium, Cyprus, Gabon, the Ivory Coast, Luxembourg, the Netherlands, Oman, Rwanda, Saudi Arabia, South Africa, the United Arab Emirates and the United States. The substantive parts of those notes are reproduced below:

To all Governments concerned

"In December 1978 the attention of the Committee was drawn to information obtained from published sources according to which ... [to proceed as in paras. 5 and 6, above. Foot-note No. 1, save the last sentence, to be included in the text of the note, in parenthesis]. A photocopy of the pertinent press report is herewith enclosed for ease of reference.

"[to proceed with para. 7, above, in toto].

"[then to proceed as follows for].

The United Arab Emirates only

"The Committee welcomed the decision by His Excellency's Government transmitted on 22 March 1978 to all flights by Cargoman, Ltd. to the United Arab Emirates and to cancel all overflight and landing rights in the United Arab Emirates.

"In view of the seriousness of this case, however, the Committee decided that the information received recently from published sources should be transmitted to His Excellency's Government drawing particular attention to those parts mentioning the involvement of the United Arab Emirates. The Committee would appreciate any comments His Excellency's Government may wish to make on the above-mentioned."

Oman only

"The Committee recalled that in response to its note transmitting the United Kingdom note of 24 October 1977, His Excellency's Government informed the Committee in a note dated 23 February 1978 that the Government was examining the United Kingdom note and was giving it the attention it deserved; the Committee has not yet received any further communication on the matter from the Government.

Belgium only

"The Committee recalled that, in response to its inquiries as to the refueling of Affretair aircraft at Schiphol airport by a Belgian company, the Committee was informed in His Excellency's note of 9 March 1977 that the Government apparently saw no cause to take any action on the matter on the ground that the Netherlands authorities responsible for aircraft operations at Schiphol airport had found no unlawful activities by the Affretair aircraft.

Gabon only

"The Committee recalled the various statements made at certain of its meetings by the representative of Gabon and the communications received from His Excellency concerning the matter at times categorically denying any wrongdoing by the questionable airline companies based in Gabon, and at others indicating that Gabon was negotiating or had found alternative supplies of meat products, thereby apparently eliminating the necessity to depend on supplies of such commodities from Southern Rhodesia. On each occasion the Committee was gratified to receive assurances that the activities of the

airline companies complained of were either legitimate or, if not so, would not continue. Nevertheless, the Committee is still puzzled by incessant reports, including those provided by various governmental authorities, indicating that the said activities are not only contrary to the mandatory sanctions against the illegal régime in Southern Rhodesia but are also increasing in scope. If so, the damage being done to the effective implementation of the sanctions is a matter of grave concern to the Committee. The Committee believes that His Excellency's Government is in a position to take appropriate measures to effect disengagement of Gabonese-registered companies and/or aircraft from the objectionable activities.

Luxembourg only

"The Committee recalled His Excellency's note of 22 June 1976 in which it was stated that Cargolux had entered into maintenance contracts with the now-defunct Affretair in good faith and that if arrangements for maintenance were contemplated with Air Gabon, Cargolux would have to obtain assurances that the aircraft would not be operated to the benefit of Southern Rhodesia.

Netherlands only

"The Committee recalled that in the long history of this case it has exchanged a large amount of correspondence with His Excellency's Government. It expressed its appreciation for the co-operation it has always received from the Netherlands authorities. In the most recent communication from His Excellency's Government, an aide-mémoire dated 11 November 1977 addressed to the Secretary-General, the Committee was informed that the Netherlands authorities had begun a thorough investigation into the reports contained in the United Kingdom note of 24 October 1977. Although it has not yet received any further information on the matter from His Excellency's Government, the Committee took note of the suggestion in that aide-mémoire that the objectionable activities of Air Trans Africa and Air Gabon Cargo could be mostly effectively blocked with the assistance of the Government of Gabon. The Committee has already taken proper measures in that direction; meanwhile, it believes that contributory efforts can also be undertaken by other Governments, like that of the Netherlands, in frustrating the activities of the airlines concerned by, say, denying landing rights to their aircraft, as suggested in the United Kingdom note.

South Africa only

"The Committee is greatly disappointed that to date it has not received any response from His Excellency's Government to its numerous requests in this case for investigation into the reported violations of sanctions against the illegal régime in Southern Rhodesia. The Committee has also noted with regret that for more than three years now, the head of the Permanent Mission of South Africa to the United Nations has consistently failed to find a suitable opportunity to meet the Committee Chairman in order to discuss this state of affairs, as requested by the Committee. The Committee wonders whether in the circumstances His Excellency's Government intends to co-operate with it at all in its efforts to assist the Government in performing its duty of implementing Security Council mandatory sanctions against the illegal régime in Southern Rhodesia.

United States only

"The Committee is aware of the measures taken on previous occasions by the United States authorities to ensure observance of the sanctions in this particular case, especially in view of the fact that the aircraft being operated by the questionable airline companies in Gabon appear to be of United States manufacture. The dependency of the aircraft in question on the United States manufacturers or their agents for the provision of spare parts and maintenance services would therefore give the United States authorities a powerful weapon of paralyzing the operations of those aircraft.

All Governments concerned (except the United Arab Emirates)

"In view of the seriousness of this case the Committee decided that the information received recently from published sources should be transmitted to His Excellency's Government drawing particular attention to those parts mentioning the involvement of \_\_\_\_\_ and requesting comments thereon at the earliest convenience, if possible within a month."

16. Meanwhile, the representative of Gabon made a statement at the 330th meeting on 6 April 1979 concerning the matter by which he informed the Committee that his delegation had recently received information from his Government concerning Air Gabon Cargo aircraft; he wondered whether it might be possible to hold up the notes proposed for dispatch to the Governments concerned until the Committee had had an opportunity to consider the new information so received. It was decided at the same meeting that the proposed notes should be held up pending receipt of the information promised by the representative of Gabon.

17. A letter dated 9 April 1979 addressed to the Chairman of the Committee was received from the Permanent Representative of Gabon to the United Nations, the substantive part of which reads as follows:

"I have the honour to transmit to you herewith, for circulation both to States members of the Security Council and to the States Members of the United Nations generally, the latest information supplied by the Government of Gabon concerning trade relations with the white régimes of southern Africa.

"I should like to reiterate that Air Gabon Cargo does not maintain air links with Rhodesia and that Gabon does not purchase Rhodesian meat."

Enclosure

Letter dated 25 January 1979 addressed to the Minister for Foreign Affairs and Co-operation of Gabon by the Minister of State, Department of Hydrocarbons, Ministry of Mines, Energy and Water Resources

"With reference to your letter 00126/MAEC/SG/D1 of 16 January 1979, concerning the resolutions on sanctions and the oil embargo against southern Africa, I have the honour to inform you that in this respect our country maintains no trade links with southern Africa."

18. The Chairman sent an acknowledgement dated 18 April 1979 to the Permanent Representative of Gabon to the United Nations, assuring him that the letter and its enclosure would be circulated immediately to all members of the Committee, who were also members of the Security Council, and that the same letter and its attachment would also be included in the Committee's annual report to be published in due course.

19. With regard to the reply from the Seychelles, the attention of the Committee was drawn to the fact that a number of Governments have requested any available flight data in respect of the aircraft operated by Air Gabon Cargo, Cargoman and Air Trans Africa, with a view to taking appropriate action against such aircraft over or within their territory. In the event that the Committee might wish to transmit the information received from the Seychelles to other Governments, the attention of the Committee was further drawn to the question raised by the Seychelles in a previous reply, namely, that that Government would like to be advised of how it should implement the Committee's request for prohibitory action against the aircraft in question, bearing in mind its commitments under the Convention on International Civil Aviation, to which Gabon and Oman, the declared countries of registration of two of the airline companies concerned, were also said to be parties (see the eleventh report, S/13000, annex II, (251) Case No. 154, para. 23 (a) "(d)").

20. In view of the information received from Gabon and by virtue of the Committee's decision under the no-objection procedure, the proposed notes in paragraph 15 above were sent to all the Governments concerned, except Gabon, on 27 April 1979.

21. A reply dated 15 May 1979 was received from Luxembourg, the substantive part of which reads as follows:

"The Permanent Representative of Luxembourg to the United Nations ... with reference to [the Secretary-General's] note PO 230 SORH (1-2-1) Case No. 154 of 27 April 1979, and the attached article from Wall Street Journal of 13 December 1978 concerning sanctions against Southern Rhodesia, has the honour to inform him that the Government of Luxembourg has given the most careful consideration to the contents of the above-mentioned note and the newspaper article in question.

"Without reiterating the explanations previously conveyed to the Secretary-General of the United Nations in notes verbales No. A.1.16/517 of 27 June 1976 and No. A.1.16/729 of 23 November 1977, the Government of Luxembourg wishes to state that the assertions of the Wall Street Journal with regard to relations existing between Cargolux and Affretair are incorrect, as is the statement regarding the maintenance of a CL-44 aircraft.

"The Permanent Representative of Luxembourg would appreciate it if the Secretary-General of the United Nations could communicate the contents of this note to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the Question of Southern Rhodesia."

22. The case was considered by the Committee at the 342nd meeting on 22 May 1979, at which it was decided to keep the case open until more information was forthcoming. At the same meeting the representative of Gabon promised to contact her Government and endeavour to obtain the outstanding information required by the Committee, namely:

(a) Whether compensation had been paid to the former owners of Affretair, when that airline company was dissolved and incorporated into the national airline company, Air Gabon;

(b) Whether former employees of Affretair had been absorbed into Air Gabon, and

(c) Comments on the fact that, according to a recent United States report, a United States court had as late as 1978 fined a United States company for dealing with a Gabonese airline called Affretair, long after that airline was supposed to have been dissolved by the Government of Gabon.

23. Further to paragraph 4 above, the Committee again included Sao Tome and Principe, South Africa and Zaire in the eighteenth periodic list which was issued as a press release on 25 May 1979.

24. A reply dated 22 June 1979 was received from Cyprus, the substantive part of which reads as follows:

"The Permanent Mission of Cyprus to the United Nations ... has the honour to inform that an investigation has shown that during the last 18 months Air Gabon Cargo has not landed or made use of the facilities of Larnaca International Airport, Cyprus, or flown within the flight information reading of Nicosia, Cyprus."

25. The case was considered again at the 344th meeting on 28 June 1979 at which the representative of Gabon made a statement, informing the Committee that her delegation had not yet received the required information on the case from her Government, and that such information would be communicated to the Committee as soon as it was received. The Committee took note of that statement, and urged her delegation to secure the information requested as soon as possible.

26. At the same meeting it was decided that a note should be prepared for the Committee's consideration under the no-objection procedure for dispatch to all Member States, transmitting the information provided by the Seychelles on the flight identity of one of the aircraft operated by the Gabon-based airline company, Air Gabon Cargo, and inviting them to undertake any appropriate measures under their jurisdiction against the aircraft, bearing in mind the provisions of Article 103 of the Charter of the United Nations. In view of the reply received from Rwanda subsequently, (see para. 29 (a), below) it was suggested that the relevant information received from Rwanda on other Air Gabon Cargo aircraft should also be included in the proposed note to all Member States.

27. Meanwhile, a reply dated 10 July 1979 was received from the Netherlands, the substantive part of which reads as follows:

"On the basis of information obtained from various sources, the Netherlands authorities have made a thorough investigation of possible violations of the sanctions against Southern Rhodesia by Air Gabon Cargo. The results of these investigations clearly seem to indicate that Air Gabon Cargo is of Gabonese nationality. No evidence could be obtained pointing to activities in the Netherlands of this company in violation of national legislation destined to enforce the Security Council's sanctions against

Southern Rhodesia. This being the case, the regulations governing Netherlands national air space would not allow that measures be taken against Air Gabon Cargo, notably measures to deny air space to that company.

"Meanwhile, the Netherlands Government remains appreciative of further information that can be upheld in a court of law, and which pertains to the nationality of Air Gabon Cargo or to the company's activities in the Netherlands constituting a breach of sanctions."

28. First reminders were sent to Belgium, the Ivory Coast, Oman, Rwanda, Saudi Arabia, the United Arab Emirates and the United States of America on 23 July 1979.

29. Replies were received from Rwanda, Belgium, Saudi Arabia and Oman, the substantive parts of which read as follows:

(a) Note dated 27 July 1979 from Rwanda

"The Permanent Representative of the Rwandese Republic to the United Nations ... has the honour to convey to [the Secretary-General], in response to his note dated 27 April 1979, the comments of the Rwandese Government for transmittal to the Security Council Committee concerning the accusation that Rwanda is one of the countries on the routes followed by Air Gabon Cargo and is facilitating clandestine transport by the company to or from Southern Rhodesia.

"It should first be pointed out that the problem was raised for the first time in May 1976, when the said Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia accused Rwanda.

"At that time, Affretair aircraft chartered by Sabena or Air France made three stops at the international airport of Kanombe (Kigali). The Rwandese authorities learned subsequently that Affretair was a cover for the Rhodesian airline Air Trans-Africa (ATA) and that although it was registered in Gabon, it was controlled from Salisbury.

"Following this discovery the Rwandese Government immediately withdrew the overflight and landing permission which it had previously given such aircraft.

"The Rwandese Government wished none the less to obtain more details from the Gabonese Government about this air transport company, which has its headquarters in Libreville.

"These details - contained in the letter and telex from our embassies in Kinshasa and Brussels respectively, photocopies of which are attached - clearly indicate that Affretair was dissolved and nationalized by decision of the Gabonese Government in May 1976 and that its planes were taken over by Air Gabon under a single registration number.

"When our head of State visited Libreville in 1976, an air transport agreement was signed between Rwanda and Gabon, as a result of which Air Gabon aircraft can now go to Kigali.

"Concerning the information published in the press which attracted the Committee's attention, the Rwandese Government wishes to point out that in December 1978 two aircraft belonging to Air Gabon Cargo - a CL-44 and a DC-8 chartered by Transintra - landed at Kanombe airport (Kigali) from Europe and Libreville. The CL-44 left for Blantyre/Chileka in Malawi, while the DC-8 left for Moroni/Hahaia in the Comoros; copies of the flight plans filed by the captains of these aircraft are also attached.

"These documents prove that, in fact, no Air Gabon aircraft has made any direct flight to or from Southern Rhodesia via Rwanda.

"However, the possibility that these aircraft may have stopped in Rhodesia on their way from or to other countries cannot be ruled out. Thus an aircraft may land in Kigali one day and the following day in Salisbury or Johannesburg after stopping in countries which, unknown to Rwanda, collaborate with the racist régimes of southern Africa.

"Under such circumstances the Rwandese Government cannot be held responsible.

"Furthermore, it is quite possible that after filing a flight plan indicating a destination acceptable to Rwanda the captain may depart from the route given. Rwanda should not be blamed if that happens either.

"In view of all the above, the Rwandese Government states once again that it has always done everything within its means to oppose any action which might violate Security Council resolution 253 (1968) concerning Southern Rhodesia.

"If the accusers could give more convincing proof that these dishonest transactions with Rhodesia originate or terminate in Rwanda, appropriate measures would be taken in accordance with the air transport agreement signed between Rwanda and Gabon, particularly as regards 'points beyond'."

#### Enclosures

- (i) Letter dated 21 June 1976 addressed to the Minister of Foreign Affairs of Rwanda by the Ambassador of Rwanda in Kinshasa, Zaire

"Referring to a letter No. 2045/04.02.18.2/RE of 13 May 1976, I have the honour to inform you that the air cargo company Affretair, whose headquarters is at Libreville, actually belonged, a little more than a month ago, to some South African business circles.

"However, according to the information received from the Gabonese Ambassador in Kinshasa, this company has just been nationalized by the Gabonese Government and is now 100 per cent owned by that Government.

"The Gabonese Ambassador, His Excellency Mr. Pierre Mebaley, has promised me that he would obtain from his Government the additional information referred to in your letter."



(ii) Telegram dated 30 November 1976 addressed to the Minister of Foreign Affairs and to the Minister of Posts and Communications of Rwanda by the Ambassador of Rwanda in Brussels, Belgium

"We have the honour to inform you that we have been contacted by a friend, Air Freight Brussels, concerning an Air Gabon Cargo aircraft carrying 28 tons destined for Rwanda. The aircraft is grounded at Brussels Airport.

"Our air services (Air Rwanda) are refusing to allow the aircraft in question to land because they believe that it belongs to Affretair, which is black-listed. The true facts are the following:

"The chartered aircraft belongs to Air Gabon, Libreville; specifically, it belongs to the Gabonese national and publicly owned company B.P. 2206 Libreville.

"The Government representative for Air Gabon is Mr. Joseph Etonghe, Secretary of State for Civil Aviation. ----- belong to the Gabonese Government and 49 per cent to Mr. Domange (brother-in-law of Mr. Mayira, Minister and Director of President Bongo's Cabinet). j/

"Affretair was nationalized and dissolved by a governmental decision in May 1976. Affretair no longer exists and its aircraft have been taken over by Air Gabon Cargo under the same registration numbers, since these were transferred to Gabon.

"In the light of the above, we request you to convey to us urgently your instructions concerning this matter."

(iii) Flight details in respect of two aircraft of Air Gabon Cargo permitted to land at Kigali airport in transit

Aircraft		
(number and type):	DC-8H	CL-44
Registration: TR-LVK	TR-LVO	
Identification:	PG-850	PG-450
Name of pilot-in-command:	Morris	Phillips
No. of persons on board:	6	6
Date of flight:	20 December 1978	18 December 1978
Airport of destination:	Moroni/Hahaia (Comoros)	Blantyre/Kileka (Malawi)
Alternate airport of destination	Moroni/Iconi (Comoros)	Lilongwe (Malawi)

(b) Note dated 31 July 1979 from Belgium

"The Belgian authorities have instructed me to convey the following reply to you:

j/ The sentence was defective in the original.

"Pursuant to the Security Council resolutions concerning Rhodesia, the Belgian authorities have consistently refused to authorize flights to or from Rhodesia.

"Requests submitted to the Belgian authorities concerning non-scheduled flights by Air Gabon Cargo and Cargoman have been scrupulously examined in so far as the final destination of the flight and the recipient of the cargo are concerned.

"Flights of Air Gabon Cargo and Cargoman from Belgium to other destinations have been authorized, once checks have been carried out to determine that the ultimate recipients of the cargo are, indeed, established at one of the destination points."

(c) Note dated 1 August 1979 from Saudi Arabia

"The Permanent Mission of Saudi Arabia to the United Nations ... with reference to [the Secretary-General's] note dated 27 April 1979 concerning Air Gabon Cargo, has the honour to convey the following explanation in reference to published reports that have mentioned Saudi Arabia:

"The DC-8 cargo plane that was mentioned in the Wall Street Journal of 13 December 1978 was not allowed to land at Jeddah International Airport except after the Oman Cargo Company proved conclusively that the plane was registered in the Sultanate of Oman. For the information of the Security Council Committee, the DC-8 was carrying frozen meat to Saudi Arabia."

(d) Note dated 13 August 1979 from Oman

"The Permanent Mission of Oman to the United Nations ... with reference to [the Secretary-General's] note dated 23 July 1979, has the honour to assure the Secretary-General once again of Oman's full respect and observance of the United Nations Charter, its resolutions and the accepted norms of international law.

"The Permanent Mission of Oman to the United Nations has been intructed by its Government to bring to the Secretary-General's attention that the information received recently from press reports cannot in any way be a sound basis for putting in doubt Oman's observance of United Nations resolutions. It shall, however, give that matter mentioned in those recently published reports all the importance and attention they deserve and shall not fail to communicate to the Committee through the Secretary-General any further information in this regard."

30. Second reminders were sent to the Ivory Coast, the United Arab Emirates and the United States of America on 28 August 1979.

31. An acknowledgement dated 28 August 1979 was received from the Permanent Mission of the Ivory Coast stating that the two notes from the Committee received by the Mission had been transmitted to the governmental authorities of the Ivory Coast in order that an appropriate reply might be provided. The Mission also requested additional photocopies of the newspaper articles which had mentioned the Ivory Coast in the first place; the relevant material was forwarded to the Mission by the Secretariat.

32. An interim reply dated 12 September 1979 was also received from the United States, the substantive part of which reads as follows:

"The representative of the United States of America wishes to inform the Secretary-General that the Department of Commerce is considering action regarding Air Gabon Cargo that would be responsive to the concerns expressed by the Secretary-General and the Rhodesia Sanctions Committee. The Committee will be informed at such time as the Department of Commerce has completed its consideration."

33. Pursuant to the Committee's decision indicated in paragraph 26, above, and in accordance with the Committee's no-objection procedure, the proposed note was sent to all Member States on 3 October 1979. The substantive part of that note is reproduced below.

"At a recent meeting the Committee reviewed the above-mentioned case, which concerns reports of sanctions violating activities by aircraft of certain airline companies operating from Gabon and Oman for the benefit of the illegal régime in Southern Rhodesia. This matter has been drawn to the attention of all Member States on a number of occasions in the past, the most recent being in the Secretary-General's note of 20 April 1978 under the above reference. In reply to the Committee's request for measures to ensure non-violation of sanctions a number of Governments have stated that they would be prepared to apply appropriate measures within their jurisdiction against the objectionable aircraft, if they knew the flight identity of such aircraft.

"At the above-mentioned meeting the Committee had before it a communication from the Seychelles giving the flight identity of one of the aircraft operated by Air Gabon Cargo. Subsequently, the Committee received a communication from Rwanda giving flight details of two other such aircraft. It decided that the information thus received should be transmitted to all Member States with a further request for appropriate measures to be taken under national jurisdiction against the aircraft so identified or any which may subsequently be similarly identified, in order to ensure non-violation of the sanctions against the illegal régime in southern Rhodesia. The information received from the Seychelles and Rwanda is contained on separate sheets herewith attached.

"In transmitting this information and renewing its request, the Committee was aware of some disquiet on the part of some States concerning a possible conflict of international obligation arising from the Convention on International Civil Aviation to which both Gabon and Oman are also said to belong; as such, aircraft registered in any State party to the Convention is supposed to be accorded all agreed facilities such as landing and overflying rights by other States parties to the Convention. The Committee felt that it should be left to the individual Member State to decide upon the best course of action; but it also wished to draw the attention of each Member State to the fact that the mandatory sanctions against Southern Rhodesia were established by decisions of the United Nations Security Council. The Committee expressed the hope, therefore, that in deciding upon the proper course of action each Member State would bear in mind the provisions of Article 103 of the Charter of the United Nations. Consequently, the Committee would be greatly interested to receive the comments of His Excellency's Government on the foregoing and to learn of any measures undertaken or contemplated on the matter."

34. Third reminders were sent to the Ivory Coast, South Africa and the United Arab Emirates on 4 October 1979.

35. A reply dated 11 October 1979 was received from the Ivory Coast, the substantive part of which is reproduced below:

"The Permanent Mission wishes to draw the Secretariat's attention to note No. 857/MNU/3/NS transmitted in reply to its reminder of 28 August 1979.

"The Permanent Mission requests the Secretariat to call upon the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to exercise greater caution with regard to sensational press reports.

"The Permanent Mission, which has already transmitted the Secretariat's notes to the government authorities of the Ivory Coast, is surprised at the harassment to which it has been subjected following the appearance of a press report based on information from unverified sources."

36. A communication dated 24 October, in connexion with the note sent to all Member States on 4 October 1979, was received from Qatar, the substantive part of which reads as follows:

"I have the honour to refer to your note No. PO 230 SORH (1-2-1) dated 3 October 1979 concerning the question of Southern Rhodesia, and have the honour to communicate to your Excellency the following:

"The State of Qatar issued two decrees concerning the relations with Southern Rhodesia, the decree No. 20 for the year 1967, which imposes an economic boycott against Southern Rhodesia and the decree No. 140 for the year 1973, which severs all economic, commercial and cultural relations with it.

"The Civil Airlines Authorities in Qatar have taken strict measures to ban any violating aircraft from transit stops and overflights of Qatar.

"The State of Qatar condemns any violating activities for the benefit of the illegal régime of Southern Rhodesia."

37. The attention of the Committee was drawn to the fact that the reply from the Ivory Coast referred to a third reminder sent to that Government, the text of which had been approved by the Committee at the 242nd meeting (see the eighth report, S/11927/Rev.1, vol. I, p. 4) and was sent automatically, upon the Committee's standing instruction, to any Government still not responding to the Committee's inquiries one month after a second reminder had been dispatched to the Government concerned.

38. Further to paragraph 23 above, the Committee again included Sao Tome and Principe, South Africa and Zaire in its nineteenth periodic list, which was issued as a press release on 5 November 1979.

39. Replies or communications were received from the United Arab Emirates, Denmark, the Federal Republic of Germany and the Netherlands, the substantive parts of which read as follows:

(a) Note dated 21 November 1979 from the United Arab Emirates

"The Permanent Representative of the United Arab Emirates to the United Nations ... has the honour to refer to ... note No. PO 230 SORH (1-2-1) concerning Case No. 154 and previous other notes relating to the same case.

"The allegation that the United Arab Emirates is one of the itineraries of the Air Gabon Cargo aircraft for clandestine trade or for facilitating flights has been brought to the attention of the competent authorities in the United Arab Emirates. These authorities have stated that no Air Gabon Cargo aircraft has ever been permitted overflight or landing rights in the airports of the U.A.E. Moreover, new instructions have been issued to confirm a full and complete boycott of the said aircraft.

"The Permanent Representative of the United Arab Emirates to the United Nations requests the Secretary-General of the United Nations to relay this information to the ... Committee ..."

(b) Note dated 28 November 1979 from Denmark

"The Permanent Representative of Denmark to the United Nations ... has the honour to communicate the following information.

"The attention of the Danish civil aviation authorities has already previously been drawn to the matter referred to in the Secretary-General's above-mentioned note.

"Denmark has no bilateral civil aviation agreements with any of the two States, but would according to the 1944 Convention on International Civil Aviation have certain obligations in the case of the non-scheduled flights.

"However, bearing in mind the content of the Secretary-General's note, the Danish authorities have decided that no additional rights would be accorded to the two companies in respect of utilizing Danish air space as long as they continue to violate the mandatory sanctions imposed by the Security Council.

"It should be added that according to available information none of the companies have so far entered Danish air space and that the national airline, the Scandinavian Airlines System, has no connections with the two companies."

(c) Note dated 28 November 1979 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... has the honour to communicate the following:

"The Government of the Federal Republic of Germany does not grant landing and overflying rights to aircraft of the airline companies Cargoman, Air Trans Africa (ATA) and Air Gabon Cargo."

(d) Note dated 14 December 1979 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands ... wishes to inform the Secretary-General of the following:

"The Netherlands Government has studied the additional information provided by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, with regard to two airline companies, Air Gabon Cargo and Cargoman, that have allegedly violated the sanctions of the Security Council against Southern Rhodesia. The Government has come to the conclusion, however, that these details of flights made by the companies would provide no basis for legal action by the Netherlands authorities. The data supplied do not establish the Southern Rhodesian nationality of the aircraft. Neither do they establish that the flights included Southern Rhodesia as a point of destination, or that Southern Rhodesian persons or goods were transported."

- (222) Case No. 155. Cameras from Switzerland: United Kingdom note dated 27 September 1973

There is no new information concerning this case in addition to that contained in the ninth report.

- (223) Case No. 158. Pine oil from the United States - "Charlotte Lykes": United Kingdom note dated 19 October 1973

There is no new information concerning this case in addition to that contained in the seventh report.

- (224) Case No. 210. Supply of various items of miscellaneous equipment to Southern Rhodesia: United Kingdom note dated 24 June 1975

There is no new information concerning this case in addition to that contained in the eighth report.

- (225) Case No. 214. Swiss trade with Southern Rhodesia: information supplied by Switzerland

See annex III, below.

- (226) Case No. 233. Supply of chemical substances to Southern Rhodesia: United Kingdom note dated 1 December 1975

There is no new information concerning this case in addition to that contained in the tenth report.

- (227) Case No. 243. Federal Republic of Germany trade with Southern Rhodesia: information supplied by the Federal Republic of Germany

See annex III, below.

- (228) Case No. 261. Trade with Southern Rhodesia by an Italian firm: United Kingdom note dated 5 May 1976

1. Previous information concerning this case is contained in the eleventh report
2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. A reply dated 19 December 1978 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to refer to [the Secretary-General's] note of 31 October 1977 concerning Case No. 261.

"The Observer wishes to state that the most recent investigations have yielded the following information:

"The firm Atlas Trading Establishment is not listed in the Swiss Commercial Register. All business of the company referred to in the note of the Sanctions Committee is apparently transacted and managed from Vaduz, the capital of the Principality of Liechtenstein. The firm 'Atlas Trading Establishment', P.O. Box 83, Vaduz, states that the transactions which are the subject of the Sanctions Committee's inquiry were carried out with a company established in South Africa. The payments were reportedly made by the same firm."

4. In accordance with the Committee's no-objection procedure a further note dated 2 April 1979 was sent to Switzerland, the substantive part of which reads as follows:

"The Committee has seen His Excellency's reply dated 19 December 1978 concerning the above-mentioned case, for which it expressed its appreciation, particularly in view of the wide investigations that were evidently undertaken by the Swiss authorities. The Committee would now like to proceed to a conclusion of this case and, in order to do so, would like to know the name, address and any other particulars concerning the firm in South Africa with which Atlas Trading Establishment of Vaduz, Liechtenstein, had the commercial dealings in question.

"The Committee expressed the hope that it might receive the information requested from His Excellency's Government at the earliest convenience, if possible within a month."

5. A first reminder was sent to Switzerland on 2 May 1979.

6. A reply dated 15 May 1979 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to inform him [the Secretary-General] of the following:

"In view of the fact that the request for information from the Security Council Committee established in pursuance of resolution 253 (1968) concerns a firm established in Liechtenstein, the Swiss authorities consider that the request should be addressed to the Government of the Principality of Liechtenstein."

7. In view of the reply from Switzerland and in accordance with the Committee's no-objection procedure, a note dated 10 September 1979 was sent to Liechtenstein, the substantive part of which reads as follows:

"Since May 1976 the Committee has been considering the above-mentioned case, which concerns reports of trade with Southern Rhodesia by an Italian firm, using facilities provided by certain other firms, including one known as 'Atlas Trading Establishment', believed at the time to be established in Switzerland. That information was based on a report contained in a note to the Committee dated 5 May 1976, a copy of which is herewith attached for ease of reference.

"The Government of Switzerland has now informed the Committee in a recent note dated 19 December 1978 that the firm Atlas Trading Establishment was not listed in the Swiss Commercial Register, but that its activities were apparently managed from Vaduz. The full, relevant extract from the Swiss note is reproduced below:

'The firm Atlas Trading Establishment is not listed in the Swiss Commercial Register. All business of the company referred to in the note of the Sanctions Committee is apparently transacted and managed from Vaduz, the capital of the Principality of Liechtenstein. The firm Atlas Trading Establishment, P.O. Box 83, Vaduz, states that the transactions which are the subject of the Sanctions Committee's inquiry were carried out with a company established in South Africa. The payments were reportedly made by the same firm.'

"The Committee wishes to remain in no doubt that the products exported by the Italian firm were not destined for Southern Rhodesia, as the findings by the Italian and Swiss authorities seem to indicate. For that reason the Committee would greatly appreciate receiving further information from the Liechtenstein authorities on the South African company with which Atlas Trading Establishment is said to have had commercial dealings from Vaduz in respect of the products in question. In particular, the Committee would be interested to know the name and address, of the South African company, as well as the dates and nature of the transactions involving the products and any other relevant information on any facilities provided in that connexion by Atlas Trading Establishment from Vaduz."

- (229) Case No. 276. The activities of Lonrho and other United Kingdom companies: information obtained from published sources and from non-governmental sources

There is no new information concerning this case in addition to that contained in the tenth report.

- (230) Case No. 293. Trade in Southern Rhodesian minerals via network of companies in southern Africa and Europe - "S. A. Kaapland", "Merwe Lloyd", "Spaarnekerk" and "Leersum": United Kingdom note dated 16 March 1977

There is no new information concerning this case in addition to that contained in the eleventh report.

- (231) Case No. 302. Trade in chemicals via a Swiss firm - "Falcon", "Phoenix" and "Rocadas": United Kingdom note dated 10 August 1977

There is no new information concerning this case in addition to that contained in the eleventh report.



(232) Case No. 337. Supply of chemical products to Southern Rhodesia by two Belgian companies: United Kingdom note dated 28 March 1979

1. By a note dated 28 March 1979 the United Kingdom reported information concerning the supply of chemical products to Southern Rhodesia by two Belgian companies. The text of that note is reproduced below:

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents his compliments to the Committee established in pursuance of United Nations Security Council resolution 253 (1968) and wishes to inform the Committee that the Government of the United Kingdom has information of sufficient reliability to merit further investigation that two Belgian companies have been exporting goods to Rhodesia. The information is as follows:

"(a) That around August 1978 the Rhodesian company, African Explosives and Chemicals Industries (Rhod) Ltd, received several consignments of chemical products from Solvay et Cie, a Belgian firm based in Brussels. This trade may still be continuing. According to our information, shipments of caustic soda flake, caustic soda solid, calcium chloride, sodium bicarbonate, sodium carbonate, soda ash and hydrogen peroxide were either ordered or sent at this time. We do not know the identity of the shipping company or the vessels used although Safmarine Central Africa Ltd, a South African company, may have been involved;

"(b) At about the same time the Rhodesian company, Intercontinental Leaf Tobacco Company (Pvt) Ltd of Salisbury placed an order with Citrique Belge SA of Tienen for a consignment of citric acid monohydrate. The exact date of shipment is not known but it is believed that the goods were sent from Antwerp to Port Elizabeth in the last quarter of 1978.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Belgium so that they can investigate the possibility that firms within their jurisdiction have exported goods to Southern Rhodesia."

2. In accordance with the Committee's standard practice under the no-objection procedure, a note dated 11 April 1979 was sent to Belgium, transmitting the United Kingdom note and requesting comments thereon.
3. First, second and third reminders were sent to Belgium on 14 June, 18 July and 21 August 1979, respectively.
4. In the absence of a reply from Belgium within the prescribed period of two months, the Committee included that Government in the nineteenth periodic list, which was issued as a press release on 5 November 1979.

Annex II

IMPORT OF CHROME, NICKEL AND OTHER MATERIALS FROM SOUTHERN RHODESIA  
INTO THE UNITED STATES OF AMERICA

A. SPECIFIC CASES

(25) Case No. 130. Chrome ore - "Aghios Georgios": information submitted by Somalia on 27 March 1972

There is no new information concerning this case in addition to that contained in the eleventh report.

(26) Case No. 135. Chrome ore - "Santos Vega": information submitted by Somalia on 20 March 1972

There is no new information concerning this case in addition to that contained in the fifth report.

B. QUARTERLY REPORTS SUBMITTED TO THE COMMITTEE  
BY THE UNITED STATES OF AMERICA

1. Previous information concerning this matter is contained in the eleventh report.

2. Additional information regarding the action taken on the matter since the submission of that report is given below.

3. In accordance with the Committee's decision under the no-objection procedure, the last list submitted by the representative of the United States of America was issued as a press release on 15 January 1979. No notes of inquiry were sent to any Government since all the ships concerned were of United States registry. a/ The text of the press release is reproduced below:

"At the 320th meeting on 21 December 1978, the representative of the United States submitted to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia the last list of shipments of chrome ore, nickel and other materials that were imported in violation of Security Council resolution 253 (1968) into the United States from Southern Rhodesia in the period ending 30 June 1977.

"After examining that report, the Committee expressed its deep concern at the violation by the United States Government of the sanctions provisions, especially paragraph 3 (a) of Security Council resolution 253 (1968), by its

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a/ See the sixth report (S/11178/Add.1), annex II, sect. B, paras. 9 and 10.

importation of strategic materials from the illegal régime in Southern Rhodesia during the period ended 30 June 1977. The Committee recalled, however, that the United States Government had repealed the so-called Byrd Amendment under which importation of such materials had been permitted, and took note of the statement of the representative of the United States that the present report would be the last one for such imports.

"Furthermore, recalling that paragraph 18 of the first special report of the Committee (S/10632), which was approved by Security Council resolution 318 (1972), stated, among other things, that as part of the need to keep the international community regularly informed, the Committee should consider the issuance of press releases covering its work and matters of topical interest, the Committee decided to make the matter public.

"Accordingly, the last list of imports of chrome ore, nickel and other materials reported by the United States is reproduced below. b/

C. CASES OPENED ON THE BASIS OF INFORMATION SUPPLIED BY THE UNITED STATES IN ITS QUARTERLY REPORTS TO THE COMMITTEE

Case No. USI-1. Ferro-chrome silicon - "La Chacra": United States quarterly report dated 11 October 1972

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-2. Ferro-silicon-chromium - "Treutenfels": United States quarterly report dated 9 January 1973

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-3. High-carbon ferro-chromium - "Bris": United States quarterly report dated 10 July 1972

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-4. Nickel cathodes, asbestos fibre, ferro-silicon chromium and high-carbon ferro-chrome - "African Sun", "Moormacove", "Moormacargo", "African Moon", "African Lightning", "Moormacbay", "African Mercury", "African Dawn" and "Moormactrade": United States quarterly reports dated 10 July and 11 October 1972 and 9 January 1973

There is no new information concerning this case in addition to that contained in the sixth report.

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b/ For the list of imports, see the eleventh report S/13000, vol. II, annex III, sect. B.

Case No. USI-5. Nickel cathodes and ferro-chrome - "Hellenic Leader", "North Highness", "Venthisikimi" and "Ocean Pegasus": United States quarterly reports dated 10 July and 11 October 1972 and 9 January 1973

There is no new information concerning this case in addition to that contained in the eleventh report.

Case No. USI-6. High-carbon ferro-chrome - "S. A. Huguenot" and "Nederburg": United States quarterly reports dated 11 October 1972 and 9 January 1973

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from South Africa, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

Case No. USI-7. High-carbon ferro-chrome - "Angelo Scinicariello" and "Alfredo Primo": United States quarterly reports dated 11 October 1972 and 9 January 1973

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-8. Nickel cathodes - "Marne Lloyd", "Musi Lloyd" and "Merwe Lloyd": United States quarterly reports dated 10 July and 11 October 1972

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-9. Low-carbon ferro-chrome, ferro-chrome silicon - "Aktion", "Pholegandros", "Mexican Gulf" and "Trade Carrier": United States quarterly reports dated 11 October 1972 and 9 January 1973

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from South Africa, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

Case No. USI-10. Ferro-chrome - "Trade Carrier": United States quarterly report dated 9 April 1973

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.

In the absence of a reply from Liberia, the Committee again included that government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

e No. USI-11. Nickel cathodes - "Hellenic Destiny": United States quarterly report dated 9 April 1973

There is no new information concerning this case in addition to that contained in the eighth report.

e No. USI-12. High-carbon ferro-chrome - "Costas Frangos": United States quarterly report dated 9 April 1973

There is no new information concerning this case in addition to that contained in the eighth report.

e No. USI-13. High-carbon ferro-chrome, chrome ore and ferro-silicon chrome - "Adelfoi": United States quarterly report dated 9 April 1973

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the submission of that report is given below.

In the absence of a reply from Liberia, the Committee again included that government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

e No. USI-14. Low-carbon ferro-chrome and high-carbon ferro-chrome - "Costas Frangos" and "Nortrans Unity", respectively: United States quarterly report dated 2 July 1973

There is no new information concerning this case in addition to that contained in the eighth report.

e No. USI-15. High-carbon ferro-chrome - "Weltevreden": United States quarterly report dated 2 July 1973

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the submission of that report is given below.

In the absence of a reply from South Africa, the Committee again included that government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

e No. USI-16. Ferro-chrome - "Steinfels": United States quarterly report dated 9 October 1973

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-17. Nickel cathodes - "Nedlloyd Kingston": United States quarterly report dated 9 October 1973

There is no new information concerning this case in addition to that contained in the seventh report.

Case No. USI-19. Nickel cathodes - "Nedlloyd Kembla": United States quarterly report dated 25 January 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-20. Nickel cathodes - "Morganstar": United States quarterly report dated 25 January 1974

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. In the absence of a reply from South Africa, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

Case No. USI-21. Asbestos fibre, chrysotile asbestos fibre and ferro-chrome - "Hellenic Destiny", "Ocean Pegasus", "Venthisikimi", "Costas Frangos" and "Nortrans Unity": United States quarterly report dated 25 January 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-22. Silicon, low- and high-carbon ferro-chrome - "Sun River": United States quarterly report dated 25 January 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-24. High-carbon ferro-chrome - "Wildenfels" and "Steinfels": United States quarterly report dated 25 January 1974

There is no new information concerning this case in addition to that contained in the seventh report.

Case No. USI-25. Chrysotile asbestos - "Hellenic Destiny": United States quarterly report dated 9 May 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-26. Nickel cathodes - "Western Express": United States quarterly report dated 9 May 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-27. Ferro-chrome silicon - "Stockenfels": United States quarterly report dated 9 May 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-28. Nickel cathodes - "S. A. Huguenot": United States quarterly report dated 9 May 1974

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. USI-29. Asbestos fibre and chrysotile asbestos fibre - "Hellenic Laurel": United States quarterly report dated 6 September 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-32. Chrysotile asbestos fibre - "Hellenic Carrier": United States quarterly report dated 6 September 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-33. Electrolytic nickel cathodes - "Nedlloyd Kyoto": United States quarterly report dated 14 November 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-34. Electrolytic nickel cathodes - "Diana Skou": United States quarterly report dated 14 November 1974

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. USI-35. Asbestos fibre and chrysotile asbestos fibre - "Hellenic Sun": United States quarterly report dated 17 March 1975

There is no new information concerning this case in addition to that contained in the eleventh report.

Case No. USI-36. Electrolytic nickel cathodes - "New England Trapper": United States quarterly report dated 17 March 1975

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.

Case No. USI-37. Chrome ore - "Ogden Sacramento"; United States quarterly report dated 17 March 1975

There is no new information concerning this case in addition to that contained in the tenth report.

Case No. USI-38. High-carbon ferro-chrome - "Ascendant": United States quarterly report dated 16 July 1975

There is no new information concerning this case in addition to that contained in the tenth report.

Case No. USI-39. Chrome ore - "Safina-E-Rehmet": United States quarterly report dated 16 July 1975

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. USI-40. Electrolytic nickel cathodes - "Nedlloyd Kingston": United States quarterly report dated 16 July 1975

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. USI-41. Chrome ore - "Ogden Missouri": United States quarterly report dated 14 November 1975

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. USI-42. High-carbon ferro-chrome - "Platte": United States quarterly report dated 14 November 1975

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. USI-43. High-carbon ferro-chrome, chrome and concentrates - "Great Faith": United States quarterly report dated 14 November 1975

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. USI-46. Chrome ore - "Phaedra E.": United States quarterly report dated 10 September 1976

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia, the Committee again included that Government in the eighteenth and nineteenth periodic lists, which were issued as press releases on 25 May and 5 November 1979, respectively.



Annex III

CASES OF TRANSACTIONS REFLECTED IN FOREIGN TRADE FIGURES  
SUBMITTED BY REPORTING GOVERNMENTS

(a) Cases of transactions conducted with the consent or knowledge of reporting Governments

- (87) Case No. 38. "Kaapland": United Kingdom note dated 27 August 1969
- (88) Case No. 43. "Tanga": United Kingdom note dated 18 September 1969
- (89) Case No. 62. "Transvaal", "Kaapland", "Stellenbosh" and "Swellendam": United Kingdom note dated 22 December 1969

There is no new information concerning these cases in addition to that contained in the fourth report.

MEAT

- (132) Case No. 33. Meat - "Taveta": United Kingdom note dated 8 August 1969

There is no new information concerning this case in addition to that contained in the fifth report.

- (133) Case No. 42. Meat - "Polana": United Kingdom note dated 17 September 1969

There is no new information concerning this case in addition to that contained in the fifth report.

(b) Others

- (225) Case No. 214. Swiss trade with Southern Rhodesia: information obtained from published sources submitted by Switzerland

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A communication dated 2 February 1979 was received from the Permanent Observer of Switzerland to the United Nations, transmitting the cumulative total of Swiss trade with Southern Rhodesia during the period January to December 1978, as indicated below.

	Kg	Value (SwF)	Exchange rate (weighted average for January-December 1978) (\$US/SwF)	Value (\$US)
Imports	2,827,487	19,543,756	0.562753	10,998,302
Exports	68,296	3,291,729	0.563936	1,856,320

4. The case was considered by the Working Group on Cases at its 9th meeting on 3 August 1979, at which the Working Group examined the trend of Swiss trade with Southern Rhodesia over recent years. It noted the increase in the value of that trade, particularly the imports by Switzerland of Southern Rhodesian tobacco and meat products, producing cumulative totals far in excess of the value of the average trade for the years 1964-1966, which Switzerland had pledged not to exceed in a voluntary application of the Security Council mandatory sanctions against the illegal régime in Southern Rhodesia. The Working Group also took note of the Swiss position contained in the explanatory note from that Government dated 26 November 1976 a/ to the effect that the Swiss undertaking was based on the volume of Swiss trade with Southern Rhodesia and that, although for various reasons the monetary value of that trade had increased, the volume of the trade had actually decreased since the average for the years 1964-1966. The Working Group decided, prior to making any recommendation to the Committee on the case, to request the expert consultant to draw up an up-to-date comparative table showing the volume and monetary value of the Swiss trade with Southern Rhodesia since 1964.

5. Pursuant to the decision of the Working Group indicated above, the expert consultant prepared and transmitted to the Committee on 7 September 1979 the table below, relating to Swiss imports from Southern Rhodesia since 1964. He pointed out that column (10) of the table in question represented the quantum index of imports, which clearly indicated that the volume of imports of Switzerland from Southern Rhodesia had not increased during the period under review.

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a/ See the ninth report, S/12265, vol. II, annex IV, (244) Case No. 214, para. 12.

IMPORTS OF SWITZERLAND FROM SOUTHERN RHODESIA DURING THE PERIOD 1964-1978

Year	Meat and edible meat offal of animals		Dnmanufactured tobacco		Total of columns (1) and (3)		Other commodities		Total value (Sw.F)	Total value (US\$'000)	Conversion factor b/ (US\$/Sw.F)	Index number c/ (1964-1966=100)
	Value (Sw.F)	Quantity (kg)	Value (Sw.F)	Quantity (kg)	Value (Sw.F)	Value (Sw.F)	Value (Sw.F)	Value (Sw.F)				
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	
1964	5 700 592	1 470 834	2 503 408	593 202	8 204 000	2 289 881	10 493 881	2 442	23.2700			
1965	10 438 180	2 426 781	4 709 211	1 087 872	15 147 391	9 420 481 a/	24 567 872	5 717	23.2700	100.00	100.00	
1966	12 214 957	2 353 673	4 586 812	977 108	16 801 769	1 173 368	17 975 137	4 183	23.2700			
1967	11 466 372	2 221 085	4 700 553	971 728	16 166 925	818 856	16 985 781	3 953	23.2700	107.50	114.00	
1968	10 142 214	1 509 795	4 489 009	959 164	14 631 223	407 447	15 038 670	3 499	23.2700	83.07	137.50	
1969	10 908 090	1 492 402	4 534 366	961 399	15 442 456	186 517	15 628 973	3 625	23.2700	82.55	147.09	
1970	13 368 671	2 099 297	4 884 036	963 959	18 252 707	238 411	18 491 118	4 296	23.2700	103.13	134.58	
1971	13 271 742	2 059 698	5 023 754	960 887	18 295 496	245 297	18 540 793	4 511	24.1464	101.69	136.86	
1972	12 634 039	1 531 436	4 814 771	967 526	17 448 810	47 134	17 495 944	4 582	26.1934	84.08	163.69	
1973	19 073 877	2 238 434	5 086 893	956 286	24 160 770	228 273	24 389 043	7 749	31.7768	107.57	170.28	
1974	17 275 588	1 565 053	4 578 409	958 435	21 853 997	14 894	21 868 891	7 352	33.6461	84.91	206.38	
1975	12 723 346	1 347 236	6 026 854	959 729	18 750 200	59 615	18 809 815	7 302	38.8194	77.60	191.40	
1976	13 542 848	1 443 366	5 580 171	952 538	19 123 019	26 222	19 149 241	7 673	40.0689	80.60	187.50	
1977	15 293 688	1 737 413	5 071 089	947 869	20 364 777	19 022	20 383 799	8 518	41.7880	90.37	174.93	
1978	13 959 480	1 806 618	5 487 788	959 883	19 447 268	96 488	19 543 756	10 998	56.2753	93.11	160.40	

Source: Annual Statistics of the External Trade of Switzerland, vol. II, 1964-1978.

a/ The figure includes Sw.F 8,298,581 of imports of precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung.

b/ From United Nations Yearbook of International Trade Statistics.

c/ In constructing the quantum and unit value indices for the two major commodities meat and edible meat offals of animals and unmanufactured tobacco, average quantity and price of the years 1964 to 1966 are used as the base period. The formulae are as follows:

$$q_{con} = \frac{\sum q_n p'}{\sum q' p'}.100 \text{ and } p_{on} = \frac{\sum p_n q'}{\sum p' q'}.100, \text{ where } p' = \frac{p_{64} + p_{65} + p_{66}}{3} \text{ and } q' = \frac{q_{64} + q_{65} + q_{66}}{3}.$$

(227) Case No. 243. Federal Republic of Germany trade with Southern Rhodesia; information obtained from published sources submitted by the Federal Republic of Germany

1. Previous information concerning this case is contained in the tenth report.
2. Additional information concerning the action taken on the case since the submission of that report is given below.
3. The case was considered by the Working Group on Cases at its ninth meeting on 3 August 1979, at which it was noted that no information on any trade with Southern Rhodesia had been received from the Federal Republic of Germany since the submission of the tenth report. It was decided to recommend that the case should not be pursued any further.
4. In pursuance of the recommendation of the Working Group, and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

Annex IV

CASES OPENED ON THE BASIS OF INFORMATION SUPPLIED BY INDIVIDUALS  
AND NON-GOVERNMENTAL ORGANIZATIONS

Case No. INGO-2. Joba/Etb. Zephyr Co., Amsterdam: information supplied by the Anti-Apartheids Beweging Nederland, Amsterdam, Netherlands

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. INGO-4. Air Rhodesia and IATA agreements: information supplied by the Center for Social Action of the United Church of Christ, New York, United States of America

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A reply dated 23 January 1979 addressed to the Chairman was received from the Director-General of IATA, the substantive part of which reads as follows:

"I refer to your letter of 27 November 1978 regarding the participation of Air Rhodesia in the IATA Multilateral Interline Traffic Agreements.

"Please find enclosed a copy of IATA memorandum No. TS-52/1504 dated 1 July 1974, which notified all parties to the Agreements that with effect from 1 July 1974 Air Rhodesia was withdrawn from the Agreements. The effect of this withdrawal was to cancel all concurrences with Air Rhodesia by all other airlines which participated in the Agreements.

"Also enclosed is a copy of IATA memorandum No. TS-55/216 dated 1 August 1974 which notified the airlines that with effect from 1 August 1974 Air Rhodesia was also taken out of the IATA Hotel Accommodation, Meals, and Surface Transport Multilateral Agreement.

"I trust that this will explain IATA's actions with respect to Air Rhodesia to the satisfaction of the Committee. If I can be of any further assistance in this matter, please let me know."

4. The texts of the relevant portions of the enclosures read as follows:

(a) Paragraph 5 of IATA memorandum No. TS-52/1504 dated 1 July 1974 and addressed to all members and non-IATA parties to the agreements

...

"5. In consequence of the Executive Committee decisions, IATA has, with effect from 1 July 1974, ceased to carry out the functions assigned to it under the IATA Interline Agreements with respect to Air Rhodesia Corporation. Accordingly the name of Air Rhodesia Corporation no longer is listed as a

participant in the IATA Multilateral Interline Traffic Agreements - Passenger and Cargo and the Multilateral Indemnification Agreement for the Recovery of Accountable Transportation Documents."

- (b) Paragraph 2 of IATA memorandum No. TS-55/216 dated 1 August 1974 and addressed to all members and non-IATA parties

"2. In consequence of the Executive Committee decisions, IATA has, with effect from 1 August 1974, ceased to carry out the functions assigned to it under the IATA Hotel Accommodation, Meals and Surface Transport Multilateral Agreement with respect to Air Rhodesia Corporation. Accordingly the name of Air Rhodesia Corporation no longer is listed as a participant in this Agreement."

5. In the absence of a reply from South Africa, the Committee again included that Government in the eighteenth quarterly list which was issued as a press release on 25 May 1979.

6. The case was considered at the 346th meeting of the Committee, at which it was decided that the case should be closed. It was further decided that a note should be sent to the authors of the original information thanking them for their interest and support. Accordingly, the case was closed and a note dated 13 August 1979 was sent to the Rev. Donald Morton of the Centre for Social Action of the United Church of Christ, the substantive part of which is reproduced below:

"I have much pleasure in writing to you, on behalf and at the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, in connexion with the above-mentioned case. As you will well remember, that case was opened by the Committee in April 1974 on the basis of the testimony given by you and Miss Barbara Rogers to the Committee at its 190th meeting and subsequently. The Committee has now come to a conclusive consideration of the case, which represents one of the success stories of its work and amply demonstrates how concerned private individuals and non-governmental organizations can effectively assist it in its work of supervising the application of sanctions against the illegal régime of Southern Rhodesia.

"All the Governments concerned, with the exception of South Africa, have now written to report that airline companies of their registration have terminated their inter-line links with Air Rhodesia under the aegis of the International Air Transport Association (IATA). This has been confirmed by IATA authorities.

"In deciding to close the case at its 346th meeting recently, the Committee also decided that you should be informed accordingly by means of this letter, a copy of which I am also sending, through the courtesy of your good offices, to your colleague, Miss Barbara Rogers. The Committee wished me to convey its great appreciation for the initiative and co-operation shown by both of you and by your organization, and expressed the hope that you would not relax your vigilance in matters of this nature for so long as the objectives for which sanctions were established against the illegal régime in Southern Rhodesia require those sanctions to remain in force."

7. Further to paragraph 5, above, the Committee again included South Africa in the nineteenth quarterly list, which was issued as a press release on 5 November 1979.

Case No. INGO-5. Ferro-chrome imported into Spain: information obtained from non-governmental sources

There is no new information concerning this case in addition to that contained in the tenth report.

Case No. INGO-6. Tobacco: report submitted by the Anti-Apartheids Beweging Nederland, Amsterdam, Netherlands

There is no new information concerning this case in addition to that contained in the eighth report.

Case No. INGO-9. Cargo Air Transport (CAT): information supplied by the Comité contre le colonialisme et l'apartheid, Brussels, Belgium

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. INGO-11. Tour to Southern Rhodesia organized by a United Kingdom travel agency: information supplied by the Women's International League for Peace and Freedom (WILPF), British Section, London

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. INGO-12. Trading activities and other relations with Southern Rhodesia: information supplied by the Mouvement contre le racisme, l'antisémitisme et pour la paix, Paris, France

There is no new information concerning this case in addition to that contained in the tenth report.

Case No. INGO-13. Mining operations in Southern Rhodesia by Canadian-owned companies: information supplied by the Taskforce on the Churches and Corporate Responsibility, Toronto, Canada

There is no new information concerning this case in addition to that contained in the eleventh report.

Case No. INGO-14. Export of military aircraft to Southern Rhodesia by New Zealand: information received from the President of the Citizens' Association for Racial Equality (CARE), New Zealand

There is no new information concerning this case in addition to that contained in the ninth report.

Case No. INGO-17. Supply of oil and oil products to Southern Rhodesia: information supplied by the Anti-Apartheid Movement, United States of America, and the Center for Social Action of the United Church of Christ, New York

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A communication dated 16 March 1979 was received from Martin Bailey of the Haslemere Group, London, forwarding a copy of an article in the New Statesman magazine (published in London) of 16 March 1979. The text of the communication reads as follows:

"I am enclosing a copy of an article in the New Statesman magazine (published in London) of 16 March 1979 on allegations that Shell is still involved in supplying oil to Rhodesia. The report suggests that Shell is selling substantial quantities of crude oil to Natref, which in turn is providing about a quarter of Rhodesia's imports.

"If it was possible we would very much appreciate it if your were able to circulate the article to the Sanctions Committee."

4. In accordance with the Committee's established procedure concerning communications received from individuals and non-governmental organizations, an acknowledgement was sent to Mr. Bailey.
5. Under the same procedure, the Chairman, bearing in mind the importance of the subject-matter of the communication and its enclosure, decided that the communication, together with the enclosure in the original language, should be circulated to the Committee.
6. In the absence of a reply from South Africa, the Committee again included that Government in the nineteenth quarterly list which was issued as a press release on 5 November 1979.
7. In connexion with the information obtained from published sources and circulated to the Committee on 13 August 1979, concerning the present case, the Chairman proposed that, in view of the importance of the case and recalling the measures taken by the Committee in respect of the "Bingham Report", a note should be sent to the Netherlands inquiring whether a copy of the report prepared for the Special Parliamentary Commission on sanctions policy there could be made available to the Committee.
8. In accordance with the Committee's established practice under the no-objection procedure, the proposed note was sent to the Netherlands on 16 October 1979. The substantive part of that note is reproduced below:

"Recently, the attention of the Committee was drawn to information obtained from published sources according to which a report had been prepared for a special Netherlands Parliamentary Commission on Sanctions Policy by the Netherlands Ministry of Foreign Affairs in response to the United Kingdom



'Bingham Report' on the supply of petroleum and petroleum products to Southern Rhodesia. A photocopy of the published source drawn to the Committee's attention is herewith enclosed for ease of reference.

"The Committee expressed great interest in obtaining copies of the report of the Netherlands Ministry of Foreign Affairs. It noted with satisfaction that the United Kingdom Government, where the Shell oil company is partially owned, had transmitted copies of the 'Bingham Report' to it, which had been found extremely useful in dealing with the above-mentioned case. The Committee was particularly interested in the Netherlands report as the newspaper account mentioned above indicated that the Netherlands Government had for a long time known of, but ignored reports of oil supplies to Southern Rhodesia through Mozambique and South Africa, presumably also involving the Netherlands component of the Shell oil company. Accordingly, the Committee decided that a note should be addressed to His Excellency's Government inquiring whether copies of the Netherlands report could similarly be made available to it for its appropriate follow-up on the case. It also expressed interest in being informed at the earliest convenience, if possible within a month, of what measures, if any, the Netherlands Government had taken or contemplated taking, in the light of the reported findings of the inquiry by the Netherlands Ministry of Foreign Affairs."

At the 348th meeting on 18 October 1979, the Chairman, during the discussion of the lay-out of the proposed twelfth report of the Committee, recalled that, in connexion with the chapter on the supply of oil and oil products to Southern Rhodesia, the representative of the United States of America had informed the Committee of the ongoing investigations by the United States Treasury Department on the violations reportedly committed by United States corporations in that field, particularly by the Mobil Oil company. The Chairman suggested that it would be useful to have the findings of the United States authorities in time for possible inclusion in the proposed report.

1. A further interim reply dated 31 October 1979 was received from the United States, the substantive part of which reads as follows:

"The Permanent Representative of the United States of America ... has the honour to refer to the question posed to the United States representative by the Chairman of the Rhodesia Sanctions Committee at its 348th meeting concerning the status of the United States Treasury Department investigation into allegations of violations of Rhodesia sanctions by South African subsidiaries of United States oil companies.

"The Representative of the United States of America wishes to inform the Secretary-General that the investigation by the United States Department of Treasury is continuing into allegations that South African subsidiaries of Mobil Oil and CALTEX have engaged in clandestine oil shipments to Rhodesia in violation of the mandatory sanctions of the Security Council and that the United States Government is prevented by the terms of the Export Administration Act from commenting on ongoing investigations. The Committee may be assured that the Department of the Treasury will publish a report on the results of that investigation once the process is completed and that the Committee will receive a copy of that report."

11. Further to paragraph 6, above, the Committee again included South Africa in the nineteenth quarterly list, which was issued as a press release on 5 November 1979.

12. Further to paragraph 8, above, a reply dated 15 November 1979 was received from the Netherlands, the substantive part of which reads as follows:

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform the Secretary-General as follows:

"After the publication in the United Kingdom of the so-called Bingham Report a working party was established of members of the Second Chamber of the Netherlands' Parliament to look into the possible involvement of oil companies in the Netherlands in violations of the oil boycott against Southern Rhodesia. This working party invited the Minister for Foreign Affairs to ascertain whether Dutch government officials had any knowledge of the events related in the Bingham Report. The Minister accepted this invitation and reported to the working party the results of a search into the Ministry's archives.

"These do not show any involvement of the Netherlands component of the Shell Oil Company in supplying Southern Rhodesia. A presumption to the contrary overlooks the fact, made clear also by the Bingham Report, that Shell's interests in Southern Africa were and are being held by the other component of this oil company. The inquiry gave no cause to the Netherlands Government to take or contemplate measures of any kind.

"The inquiry established that no Dutch government official had any knowledge of the particular events related in the Bingham Report. It only confirmed that mainly during 1966 and 1967 the Ministry received information through its embassies, from diplomatic as well as from open sources, that oil was still flowing to Southern Rhodesia. As it can reasonably be assumed that such general information was available in many capitals, the Netherlands Government sees no particular reason to report to the Security Council Committee."

Case No. INGO-18. French trade and other relations with Southern Rhodesia: information supplied by the Mouvement contre le racisme, l'antisémitisme et pour la paix, Paris, France

There is no new information concerning this case in addition to that contained in the tenth report.

Case No. INGO-20. Promotion of tourism to Southern Rhodesia by a United States firm: information supplied by the Executive Associate of the American Committee on Africa, New York

There is no new information concerning this case in addition to that contained in the eleventh report.

30. INGO-21. Loan to Southern Rhodesia by a Canadian bank: information supplied by an individual in Toronto, Canada

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the session of that report is given below.

The case was considered by the Committee at the 346th meeting on 26 July 1979, when the representative of the United Kingdom made a statement which was read by the Committee as that Government's advance reply on the matter. In his statement the representative of the United Kingdom informed the Committee that the United Kingdom investigation of the case had been completed and that the Government had established that there were no grounds for prosecuting Yeoman Investments for alleged involvement in the case. He promised that a formal note to that effect would be transmitted to the Committee in due course.

At the same meeting it was decided that a further note should be sent to the Governments concerned, requesting the authorities there to undertake further efforts to investigate the reported loan on the basis of the original information sent to the Governments concerned, now that two of those Governments, Canada and the United Kingdom, had used the same information to mount full-scale and conclusive investigations. The proposed note would point out the Committee's observation that a loan for \$US 2 million was a substantial financial transaction, negotiations for which would most likely attract the attention of governmental financial authorities. On the basis of the reply expected from the Bahamas, the Committee would decide whether it would be necessary to send a further note to Canada.

The proposed note was sent to the Bahamas on 15 August 1979.

An interim reply dated 24 August 1979 was received from the Bahamas.

First and second reminders were sent to the Bahamas on 24 October and 11 November 1979, respectively.

A reply dated 28 November 1979 was received from the United Kingdom, the relevant part of which reads as follows:

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland wishes to advise the Secretary-General that the United Kingdom Director of Public Prosecutions has now completed his examination of the case in question. In the light of this he has concluded that the institution of proceedings would not be justified."

31. INGO-22. Possible acquisition of 20 Cessna F-337 "Milirole" aircraft by Southern Rhodesia: information supplied by a staff member with the American Friends Service Committee, Inc., in Philadelphia, Pennsylvania, United States

Previous information concerning this case is contained in the eleventh report.

Additional information regarding the action taken on the case since the session of that report is given below.

3. An interim reply dated 13 March 1979 was received from France, the substantive part of which reads as follows:

"The Permanent Mission of France to the United Nations ... with reference to [the Secretary-General's] notes of 5 May and 10 July 1978, Case No. INGO-22, communicating information concerning the presence in Southern Rhodesia of French manufactured CESSNA "Milirole" aircraft, has the honour to convey the following information.

"The French Government, which adheres strictly to the resolutions adopted by the Security Council with respect to Rhodesia and has taken the necessary practical measures to ensure observance of those resolutions, has conducted all the necessary investigation and is in a position to inform the Committee as follows:

"No French company has sold either civilian or military CESSNA 337 aircraft to Rhodesia.

"The letters of registration referred to Milavnews correspond to civilian aircraft which were probably sold to a Spanish fishing company. However, it has not been possible to confirm this information; the ongoing inquiry will be continued in consultation with the Spanish authorities.

"The aircraft delivered to Panama, of which there were three only, are also civilian models.

"If Rhodesia possesses CESSNA aircraft, as stated by The Military Balance 1977-1978, we would point out that every year this aircraft is manufactured in the hundreds by foreign companies and exported throughout the world. Moreover, many second-hand aircraft are returned to service through channels which it would be difficult to control. Therefore, the exact origin of the aircraft alleged to be in Rhodesia would appear to be very difficult to ascertain."

4. In a statement to the Committee at the 327th meeting on 27 March 1979, the representative of France, after reading the text of the reply above from his Government emphasized that in France, while contracts for sales of military aircraft included a non-re-exportation clause, no such clause existed in contracts for sales of civilian aircraft. The French authorities simply had to trust French civil aircraft manufacturers; they could not keep a check on the thousands of civil aircraft produced in France each year.

5. A second reminder was sent to Panama on 23 April 1979 and a note of the same date was sent to the United States inquiring whether a final report on the case was ready and could be forwarded to the Committee.

6. In the meantime, while investigations were still in train by the French authorities in consultation with the Spanish authorities, according to the reply from France, the attention of the Committee was drawn to the apparent conflict between the information from Spain that no import or export licence to any Spanish company, much less a fishing company, could be found for the French-made aircraft in question (see the eleventh report, S/13000, vol. II, annex V, Case No. INGO-22, para. 14) and the initial findings by the French authorities that the aircraft had probably been sold to a Spanish fishing company.

Further to paragraph 4 above, a statement was also made by the representative of the United States at the same meeting to the effect that, with regard to the Messina 337s, of which 18 models were alleged to have been routed to Rhodesia through a Spanish fishing company, the United States authorities had determined that the aircraft had not been registered in Spain. An official of the French aviation company involved had, however, confirmed that they had been delivered to Palma de Majorca through normal channels. Further information had been requested from the French Government.

A further communication dated 24 May 1979 was received from the United States, the substantive part of which reads as follows:

"The representative of the United States of America wishes to draw the attention of the Secretary-General to the statement made by the United States representative on the Rhodesia Sanctions Committee to that Committee on 27 March 1979 regarding this case. The Government of the United States of America is not in a position to make further information available to the Committee at this time. The matter remains under investigation by the appropriate United States authorities."

9. A third reminder was sent to Panama on 24 May 1979.

10. In the absence of a reply from Panama within the prescribed period of two months, the Committee included that Government and again that of Mozambique, in the eighteenth quarterly list which was issued as a press release on 25 May 1979.

11. A note dated 29 June 1979 was sent to France inquiring whether the investigations had been completed and the final results could be forwarded to the Committee.

12. A second reminder was sent to France on 1 August 1979.

13. A note dated 1 August 1979 was also sent to the United States inquiring whether the investigation had been completed and the results could be communicated to the Committee.

14. A reply dated 20 August 1979 was received from the United States, the substantive part of which reads as follows:

"The representative of the United States of America to the United Nations ... has the honor to refer to His Excellency's [the Secretary-General] note of 28 November 1979 regarding Rhodesia Sanctions Committee Case No. INGO-22.

"The Representative of the United States of America wishes to state that this matter is still the subject of an ongoing investigation by the United States Department of Commerce. The United States delegate has addressed this subject in previous meetings of the Committee and we do not wish to add to his earlier statements at this time. The Committee will be informed upon the completion of the investigation by the Department of Commerce."

15. A reply dated 20 September 1979 was received from France informing the Committee that the French authorities were continuing their inquiries, and, once these were completed, would submit their findings.

16. A further note dated 23 October 1979 was sent to the United States, drawing the attention of that Government to earlier communications from the Committee regarding the present case and requesting that Government's comments on the matter, together with copies of any relevant documentation.

17. In the absence of replies from Mozambique and Panama, the Committee again included those Governments in the nineteenth quarterly list which has been issued as a press release on 9 November 1979.

18. A third reminder was sent to the United States on 28 November 1979.

19. A note dated 28 November 1979 was sent to France inquiring whether the result of the investigations could be communicated to the Committee.

20. An interim reply dated 13 December 1979 was received from the United States informing the Committee that the matter was still the subject of an ongoing investigation by the United States Department of Commerce and that the results would be communicated upon completion of the investigation.

Case No. INGO-23. Gun smuggling to Southern Rhodesia by United States nationals: information supplied by the co-ordinator of the Committee to Oppose Bank Loans to South Africa, New York

There is no new information concerning this case in addition to that contained in the eleventh report.

Case No. INGO-24. Package tour to Southern Rhodesia by a Japanese travel company: information received from the Chairman of the Japan Anti-Apartheid Committee

There is no new information concerning this case in addition to that contained in the eleventh report.

Case No. INGO-25. Scheduled flights to and from Southern Rhodesia and facilities provided by British Airways: information received from the Executive Secretary of the Anti-Apartheid Movement, London, United Kingdom

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. A third reminder was sent to Cape Verde on 2 January 1979.

4. In the absence of replies from Cape Verde and South Africa, the Committee again includes those Governments in the eighteenth and nineteenth quarterly lists, which were issued as press releases on 25 May and 5 November, respectively.

Case No. INGO-26. Shipments of arms from Antigua to Southern Rhodesia via South Africa: information received from the American Committee on Africa, United States

There is no new information concerning this case in addition to that contained in the eleventh report.

Case No. INGO-27. Visit of Southern Rhodesian tobacco official to the Netherlands and the Federal Republic of Germany: information received from the Holland Committee on Southern Africa (Angola Comité) the Netherlands, through the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1. Previous information concerning this case is contained in the eleventh report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The proposed notes were sent to the Federal Republic of Germany and the Netherlands on 20 December 1978.
4. A reply dated 1 March 1979 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to [the Secretary-General's] note of 20 December 1978 - Case No. INGO-27 - and further to his own notes of 14 and 21 August 1978, has the honour to communicate the following:

"The Rhodesian scientist denied entry into the Federal Republic of Germany to participate in the Munich International Congress of Plant Pathology was Mr. Cecil John Grimmer, lecturer at the Botanical Institute of the University of Salisbury. Mr. Grimmer is a resident of Salisbury and holder of Rhodesian travel passport No. 98802, which is valid through 8 May 1983.

"On 15 August 1978 Mr. Grimmer called at the Consulate General of the Federal Republic of Germany at Zürich and requested the issuance of a visa to enable him to attend the Congress from 16 to 23 August 1978. The application was turned down. Apart from the fact that he sojourned in Switzerland, no information is available as to Mr. Grimmer's itinerary."

5. The case was considered by the Committee at the 342nd meeting on 22 May 1979, at which the Committee took note of the measures taken by the Governments of the Netherlands and the Federal Republic of Germany as well as of the subsequent information received from the latter Government. It decided that the case should be closed and that letters should be sent to the non-governmental organizations which had brought the information to the Committee's attention in the first place, expressing the Committee's appreciation for their alertness and initiative and informing them of the outcome of the case.
6. The Chairman sent the proposed letters to the Holland Committee on Southern Africa (Angola Comité) and the Anti-Apartheid Bewegung, Bonn, on 15 August 1979 and the case was thereafter closed.

Case No. INGO-28. Package tours to Southern Rhodesia organized from the Netherlands: information received from three non-governmental organizations in the Netherlands, the Boycott Outspan Action, the Holland Committee on Southern Africa and the Working Group Kairos

1. Previous information concerning this case is contained in the eleventh report
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A first reminder was sent to the Netherlands on 26 February 1979.
4. A reply dated 8 March 1979 was received from the Netherlands, the substantive part of which reads as follows:

"Those tourist organizations which are a member of the Alliance Internationale de Tourisme (AIT), i.e., the Royal Dutch Tourist Association ANWB and the Automobile Association of Rhodesia, among them have agreed to operate among themselves a letter-of-credit system. Thus, the automobile association which has issued a letter of credit is obliged to transfer payments to the club which has accepted the letter of credit.

"It is true that the Netherlands organization ANWB could come under the obligation to transfer payments to the Automobile Association of Rhodesia. In the view of the Netherlands Government, however, this would not entail a violation of sanctions against Rhodesia, because not the obligation on its own, but the transfer of payments would contravene the Netherlands law which gives effect to paragraph 4 of resolution 253 (1968). This prohibition is only lifted, and a licence to transfer money is only issued by the Government, when the above-mentioned paragraph of resolution 253 would allow this.

"The Netherlands Government shares the opinion that the affiliation of the Automobile Association of Rhodesia with the Alliance Internationale de Tourisme creates an unsatisfactory situation. It would therefore venture to suggest that the Security Council Committee address itself to the AIT, a non-governmental organization in special consultative status (category II) with the Economic and Social Council with a view to ending the membership of the Automobile Association of Rhodesia.

5. In accordance with the Committee's established practice under the no-objection procedure, a letter dated 11 September 1979 was sent by the Chairman to the Secretary-General of the International Touring Alliance, the substantive part of which reads as follows:

"At the request of the United Nations Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, I have the honour to draw your attention to information that has been obtained by the Committee from non-governmental sources to the effect that the Alliance Internationale de Tourisme (AIT) collaborates with the so-called Rhodesian Automobile Association by refunding to that organization any funds given by the organization to tourists needing financial aid while in Southern Rhodesia. The non-governmental sources in the Netherlands which reported the information, stated that that arrangement



existed between the Southern Rhodesian organization and the Dutch tourist organization ANWB, but presumably other member organizations of AIT have a similar arrangement.

"The Committee, whose membership is the same as that of the Security Council, is entrusted by the Council with various duties in connexion with the application of the mandatory sanctions against Southern Rhodesia and views with serious concern any action which might enhance the status of the illegal régime in Southern Rhodesia or provide the possibility of a breach of the sanctions imposed by the Security Council. It was therefore with great disappointment that the Committee received the information reported above. In the circumstances it decided that further information should be sought from your organization through the courtesy of your good offices as to the nature of the Southern Rhodesian organization, if any, with AIT and the validity of the arrangement attributed to ANWB. In the event that the so-called Rhodesian Automobile Association is a member of AIT, the Committee requested that appropriate measures should be taken to ensure that such membership is suspended forthwith, in conformity with the decisions of the Security Council, particularly paragraph 13 of Security Council resolution 277 (1970). For your ease of reference the Council, by the terms of that paragraph, urged Member States of any international or regional organizations 'to suspend the membership of the illegal régime of Southern Rhodesia from their respective organizations and to refuse any request for membership from that régime'.

"The Committee also expressed the hope that it might receive your comments on the foregoing at the earliest convenience, if possible within a month."

6. A reply dated 11 October 1979 was received from the Secretary-General of the International Touring Alliance, the substantive part of which reads as follows:

"I acknowledge receipt of your letter dated 11 September 1979 and have the honour to inform you as follows.

"1. The information received by your Committee from non-governmental sources in the Netherlands is incorrect. The AIT does not collaborate with the organization presently called the Automobile Association of Zimbabwe Rhodesia by transferring to that organization any funds. As far as AIT member organizations are concerned, past arrangements involving the AIT letter of credit network and dating back to 1962 are actually inoperative with regard to Rhodesia.

"2. The contents of your letter and the postulates expressed therein will be brought to the urgent attention of the Management Committee of my organization at its next meeting scheduled for February 1980.

"3. I shall not fail to inform you on the position taken by my authorities and on any further developments pertaining to the subject of your inquiry."

Case No. INGO-29. Supply of computers to Southern Rhodesia: information received from the Anti-Apartheid Movement, London, United Kingdom

1. Previous information concerning this case is contained in the eleventh report.

2. Additional information regarding the case since the submission of that report is given below.

3. An interim reply dated 10 January 1979 was received from the United Kingdom, the substantive part of which reads as follows:

"The relevant authorities in the United Kingdom are investigating the information provided by the Anti-Apartheid Movement and will of course inform the Committee of the outcome of these enquiries. The Committee will appreciate, however, that owing to the complexity of the subject, the investigation will inevitably take some time to complete."

4. First and second reminders were sent to South Africa on 26 February and 26 March 1979, respectively.

5. A note dated 17 April 1979 was also sent to the United Kingdom inquiring whether the investigations had been completed and the results could be forwarded to the Committee.

6. A third reminder was sent to South Africa on 2 May 1979.

7. A reply dated 6 June 1979 was received from the United Kingdom, the substantive part of which reads as follows:

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations has the honour to refer to [the Secretary-General's] note concerning Case No. INGO-29.

"After investigation by the relevant authorities in the United Kingdom the Anti-Apartheid Movement's allegations against ICL have not been substantiated.

"ICL have given the United Kingdom authorities assurances that neither they nor their South African subsidiary have been or will be involved in supplying equipment or spare parts to the Rhodesian market."

8. The case was discussed at the 346th meeting on 26 July 1979 at which the Committee took note of the latest reply from the United Kingdom. In view of that reply and taking into account the characteristic non-expectation of a reply from South Africa, it was felt that no useful purpose could be served by pursuing the matter any further, unless additional information became available from the Anti-Apartheid Movement of London. It was therefore decided that a letter to that effect, communicating the contents of the United Kingdom reply, should be sent to the Anti-Apartheid Movement. If no further substantive information became available, the case would be closed thereafter.

9. The proposed letter was sent by the Chairman to the Anti-Apartheid Movement, London, on 15 August 1979.

Case No. INGO-30. Acquisition of military aircraft by Southern Rhodesia during 1976-1978: information supplied by Mr. Sean Gervasi

1. A communication dated 30 December 1978 and addressed to Ambassador R. Jaipal, Chairman of the Committee, was received from Mr. Sean Gervasi, an independent

research consultant resident in New York, United States of America. The communication concerns the above-mentioned subject.

2. In accordance with the Committee's established procedures concerning communications received from individuals or non-governmental organizations, an acknowledgement was sent to Mr. Gervasi by the former Chairman.

3. Under the same procedures, the Chairman, bearing in mind the importance of the subject-matter of the communication, decided that the communication and its enclosure should be circulated to all members of the Committee for their advance perusal, pending further instructions from the new Chairman or from the Committee itself. Accordingly, the texts of the communication and of its enclosure are reproduced below:

Letter dated 30 December 1978 from Mr. Sean Gervasi

"In the month of December 1978 I was able to pursue the inquiry which I began earlier on the clandestine transfer of arms to Southern Rhodesia. During two weeks of travel I had the opportunity of visiting a number of research libraries and of interviewing industry and government officials concerning such trade. I have now prepared a final report, which has been submitted to the Deputy Secretary of your Committee, for transmission to you.

"The report deals with the transfer of the Bronco aircraft which I mentioned in my letter of 8 November 1978 and with three additional cases, all aircraft transferred to Southern Rhodesia within the last few years and all in use with the Rhodesian air force. It was possible to learn a good deal more about the first case, which is particularly delicate as the 'Bronco' is a military aircraft with no possible civilian use. Further information on the manner of the transfer is being developed.

"I think it can be said that in all four cases it has been established that the aircraft are now in service in Southern Rhodesia. There is too much evidence of the transfers on the (semi?) public record to make any denial plausible. The details of the arrangements by which the aircraft reached Southern Rhodesia are more difficult to uncover. I am convinced that it can be done, however. I was given every co-operation by some officials. Official spokesmen, of course, continue to say that 'there have never been any aircraft transfers to Rhodesia'.

"I should say too that in the course of my inquiries I came across much additional information which suggests that there is now a flourishing trade in arms with the Smith régime in Southern Rhodesia. The cases covered in my report of 29 December are only a small part of the current arms flow, although a significant one.

"You will find that the report contains full documentation on the presence of the four aircraft types in Southern Rhodesia. I should say that the order of battle sources used are the standard unclassified sources used by the United States Army.

"I should like to take this opportunity of thanking you for making this inquiry possible. The mere indication of your interest in the matter has

stirred considerable interest in congressional circles in the United States, and there is some hope that congressional committees may be encouraged to look more closely at the matter of clandestine transfers at this crucial time in Zimbabwe's history.

"I should like also to express my sincere appreciation for the work of the Committee under your chairmanship. You have set high standards of objectivity and concern for the Committee's future work."

Enclosure

REPORT ON CLANDESTINE AIRCRAFT TRANSFERS TO THE "RHODESIAN" AIR FORCE  
1976-1978

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\* Consideration of the chapter entitled "Conclusions" was postponed until a future meeting of the Committee (see para. 5 below); that chapter was therefore not included in the present report.

\*\* At the suggestion of the Chairman of the Committee, appendix A, consisting of diagrammatic and technical details of the various aircraft mentioned in the report, together with the listings of the published source reporting their transfer to Southern Rhodesia, and appendix B, consisting of extracts from published and other sources cited or referred to in the notes at the end of the report, were circulated in the original language and are kept in the Committee's secretariat.

## INTRODUCTION

1. In early 1977 word began to circulate in Africa and some Western capitals that the Smith régime in Southern Rhodesia was importing military equipment from Western countries and South Africa in quantity. The items mentioned were major weapon systems such as aircraft and helicopters, and not simply small arms and ammunition.
2. By late 1978 a number of reliable sources were reporting such transfers as fact. The present brief report examines four cases in which major weapon systems of Western manufacture have apparently reached the Smith régime. The four are: Agusta-Bell 205 helicopters, Cessna-Reims FTB-337 observation-strike aircraft, Britten-Norman Islander transports and Rockwell OV-10 ground attack aircraft.
3. These aircraft and helicopters are designed and widely used for counter-guerrilla operations. Their sale to the illegal Smith régime, directly or indirectly, is a clear violation of United Nations sanctions instituted in pursuance of Security Council resolution 253 (1968). Moreover, it has significantly increased the combat strength of the Rhodesian Air Force.
4. The main purpose of this report is to examine the evidence in the case of each transfer and to assess its reliability. The report will also briefly assess the meaning of these transfers in the context of the widening war in Rhodesia-Zimbabwe and in the southern African region.

### THE CHANGING MILITARY BALANCE: 1976-1978

5. The aircraft transfers which are the subject of this report are all believed to have occurred between the end of 1975 and the present. This has been a critical period for the Smith régime, one in which the military balance has been turning against it. At the same time the régime did succeed in arranging an "internal settlement". It obviously hoped by that move to stabilize its situation, and in particular to gain international recognition.
6. Military operations in the last three years have played a critical role in Rhodesia's relations with the rest of the world. The Smith régime in 1976 needed time, both to organize an "internal settlement" and to work for its acceptance internationally. Contrary to many predications made in 1976, the régime did not find itself facing military and economic collapse. 1/ It did lose ground, but it survived. The question inevitably arises whether arms transfers from abroad were important in staving off military defeat.
7. On the face of it, there is almost no reason to believe that this was the case. As will be seen, however, that is largely because very little has been said about such arms transfers up to the present.
8. To get a clearer picture of the importance of arms transfers, one must place the question in perspective. That is, one must look at what has been happening in the course of the war recently, at the way the military balance has been changing.

9. In 1974, the liberation armies in Rhodesia-Zimbabwe were still relatively weak. Although the collapse of Portuguese military power in Mozambique created new opportunities, those could not be seized immediately. Some time had to be devoted largely to preparations for later campaigns. Small-scale operations were mounted, but only a few hundred guerrillas were able to operate inside Rhodesia-Zimbabwe. Smith's army was still far superior in numbers, as well as in firepower, and it was well in control of the situation on the ground.

10. By early 1976, however, the liberation forces had gained sufficient strength to begin pressing their adversaries. They sent increasing numbers of fighters into the country. It is believed that in 1975 there were some 400 guerrillas inside Rhodesia-Zimbabwe. <sup>2/</sup> By late 1976, however, their number had risen to approximately 1,500. <sup>3/</sup> In 1978, it has been estimated, the soldiers of the Patriotic Front inside the country numbered more than 8,000. At the same time, the liberation forces were able to increase steadily the number of trained reserves in Mozambique and in Zambia. Their reserves rose from between six and nine thousand men in 1975 to between fifteen and twenty thousand men in 1978. For the Smith régime, the growth of reserves in the liberation armies represented a growing military threat.

11. Table 1 gives figures for active and reserve forces of the liberation movements and of the Smith régime in the period 1968 to 1978. It illustrates the steady increase in the strength of the liberation forces. Just as importantly, it indicates the extent of the pressure felt by Smith's forces over the last four years. That pressure is reflected in the régime's response to the growth of the liberation armies. Between 1972 and 1975 the Smith régime maintained only 20,000 men on active duty. By 1978 there were 50,000 men on active duty and reserves had been reduced from 40,000 to only 20,000.

Table 1

The military balance in Zimbabwe  
1968-1978

(Thousands of men)

	<u>1968</u>	<u>1972</u>	<u>1975</u>	<u>1978</u>
Rhodesia forces				
active	13.5	20	20	50*
reserves	50	40	40	20
Liberation forces				
active	.5	.2	.4	8.0
reserves	-	2	6-9	15-20

Source: James Dingeman, Arms Control Workshop, School of International Affairs, Columbia University, New York, 30 October 1978.

\* Includes South African Defence Forces.

12. In short, the Smith régime finds itself confronting a new situation. In purely manpower terms, the military balance has shifted sharply against it. The ratio of "defending" to "attacking" forces is now only six to one, which is not very favourable in a guerrilla war. Furthermore, that ratio is bound to fall steadily in the future. The Patriotic Front can easily expand its reserves. The Smith régime will have great difficulty in raising more.

#### THE EXPANSION OF THE RHODESIAN AIR FORCE

13. In the early 1970s the Smith régime had an overwhelming military superiority on the battlefield. It was not only that its troops and police greatly outnumbered the liberation forces. They also had superiority in weapons and equipment. In particular, the air force of Rhodesia assured complete control of the air, which in a guerrilla war is absolutely crucial to the maintenance of the political status quo. Smith's air force was not large, but it was more than adequate for the combat requirements of the time. In 1972 the air force possessed some 80 aircraft and 12 helicopters, according to available figures. Combat strength consisted of 1 bomber squadron, 2 ground-attack squadrons, 1 reconnaissance-attack squadron and a squadron of armed trainers.

14. It must have been clear in the early 1970s that there would be significant changes in the balance of forces on the ground. Military planners in the Smith régime, moreover, must have been aware that those changes would narrow considerably their margin of over-all military superiority. They acted accordingly. Total military expenditure was increased very rapidly. In the year 1974-1975, it stood at \$US 65 million. By 1977-1978 total military expenditure had risen to \$US 530 million. 4/ Expenditure on the air force increased from \$R 9.7 million in 1972-1973 to approximately \$R 60 million in 1977-1978. 5/ A large proportion of the increased expenditure was devoted to the purchase of new arms and equipment.

15. This was particularly true in the case of the air force. It costs relatively little to increase the manpower establishment of an air force. The main expense is in aircraft and equipment. The increase in air force expenditure over the last few years must therefore be seen essentially as an indicator of a rapidly expanding squadron establishment. In 1972-1973 some \$R 10 million was apparently sufficient to run four or five combat squadrons plus helicopters and support aircraft. An expenditure of some \$R 60 million in 1977-1978 must signify a much larger squadron establishment. And if large numbers of military aircraft have been added to the Rhodesia inventory, these aircraft must have been imported.

16. Estimates from available figures indeed indicate that the Rhodesian air force now has a far larger number of combat and other aircraft than it did only six years ago. The evidence indicates that the Smith régime now has well over 160 aircraft and nearly 100 helicopters. It appears to have acquired more than 50 new combat aircraft in the last six years. Many of these are modern light strike aircraft, specifically designed for counter-guerrilla warfare. Some of these new aircraft were provided by South Africa. Many, however, are of European or American manufacture. The manner in which these aircraft were acquired remains for the most part a mystery.

## FOUR CASE STUDIES

17. As has already been indicated, evidence has recently come to light which partially helps to unravel the puzzle. In at least four cases which have been investigated documentation was obtained about the recent transfer of military aircraft to the Smith régime. The evidence presented on the four cases discussed here is culled from various sources: standard military reference works, industry publications, aviation magazines and other publications, press reports, etc. Use has also been made of interviews with government and industry officials. Much of the evidence which is reviewed in the pages that follow will be found in appendix B.

### Case 1. The Agusta-Bell 205 (Iroquois) helicopter

18. Rhodesia is believed to have acquired 12 of these helicopters in early 1978. It is fairly clear that 11 of them are now in service in the war.

19. The Agusta-Bell 205 is an Italian version of the UH-1 Iroquois military helicopter used by United States forces and in service with nearly 50 countries. It is designed by the Bell Helicopter division of Textron and is made under licence by the Italian firm Agusta. It is used for the transport of troops and for close air support. It can carry a formidable array of armament, including 40mm grenade launchers with a one-mile range, Miniguns and pods for aerial rockets with a range of more than two miles. Used as a transport, it can carry up to 15 troops or six casualty litters. 6/

20. Sources in Europe indicated early in the year that Bell helicopters had been transferred to Rhodesia. The first published account, however, appeared on 1 December 1978, when an influential London newsletter, Africa Confidential, wrote that the Smith régime had definitely acquired a squadron of 12 AB 205s. According to Africa Confidential, the helicopters were being assembled at the New Sarum air base, which shares facilities with the Salisbury airport, and were "visible to passengers using the international airport". The newsletter did not indicate definitely where these new helicopters had come from. However, on 3 December, Michael Kaufman of the New York Times, writing about the war in Rhodesia-Zimbabwe from Nairobi, stated that the Rhodesian air force possessed "Huey helicopters funneled from South Africa".

21. These stories were confirmed some days later in telephone conversations with eyewitnesses in Salisbury, although the origin of the helicopters still remained a matter of speculation.

22. On 14 December, Jim Hoagland of The Washington Post, a highly respected correspondent, reported that the Rhodesian military had apparently succeeded in acquiring "Huey" (UH-1 or AB 204/205) helicopters. He gave their number as 11 and cited "authoritative diplomatic sources" for his information. The Hoagland story brought the first official comment from the United States Government. The State Department confirmed that the helicopters in question were model AB 205s and indicated that it was opening an investigation of the matter. 7/

23. The Hoagland story did not indicate whether the origin of the helicopters had been definitely established. Hoagland stated that United States officials believed they might have come from South Africa, Iran or Israel. However, there is good



reason to believe that the AB 205s now in Rhodesia came from South Africa. It has been established by industry sources that 25 Agusta-Bell 205 helicopters were transferred from Italy to South Africa in 1974, or possibly earlier. 8/

24. The clearest confirmation of the transfer to Rhodesia came in a statement by a military spokesman in Salisbury on 14 December. On 15 December The Washington Post carried a dispatch from United Press International on Salisbury quoting the spokesman as saying: "The U.S. Bell 205 helicopter is now in service with the Rhodesian air force". 9/ According to the dispatch, Rhodesian spokesmen would not say how the helicopters had found their way to Rhodesia.

25. Despite some confusion about the transfer, there is little doubt that a squadron of AB 205s is now in operational use by the Rhodesian air force. It also seems quite probable that it was South Africa which made these helicopters available to the Smith régime.

#### Case 2. The Cessna/Reims FTB-337 reconnaissance and light attack aircraft

26. Rhodesia is believed to have acquired between 20 and 22 of these aircraft in 1976 and 1977. Many industry sources indicate that they are in service with the air force.

27. The Cessna/Reims is a light twin-engined aircraft used for forward air control and ground attack missions. It is produced in France by Reims Aviation, in which Cessna owns a 49 per cent share. The "primary structures" of the FTB-337 are made in the United States and shipped to France, where some smaller French-made components and equipment are added.

28. The FTB-337 is an international military version of the Cessna Super Skymaster, a light plane widely used for commerce and private flying. The United States Air Force used its own military version of the Super Skymaster, the O-2, widely in the Indochina war. The FTB-337 and the O-2 are virtually indistinguishable.

29. The FTB-337 is an ideal aircraft for light strike missions in a counter-guerrilla war. Its light weight and engine arrangement, one engine forward and one behind the fuselage compartment, give it unusual lift and speed for a small aircraft. This enables it to get in and out of small airstrips and to carry a significant weapon load - although not a heavy one. The details of armament are not fully known. However, the FTB-337 can carry Minigun pods and pods for 2.75-inch folding fin aerial rockets.

30. According to Jim Hoagland, United States officials in December 1978 were investigating reports that some 20 FTB-337 aircraft had reached Rhodesia. 10/

31. However, the evidence that these aircraft are in Rhodesia and have been operating there for some time has been overwhelming for many months. Almost every standard military source has listed the FTB-337 as being in service in Rhodesia for more than a year. The first authoritative mention of the fact appears to have been in Milavnews in June 1977. Milavnews is a confidential aviation industry newsletter published in the United Kingdom, specializing in news of military aircraft programmes, transfers of military aircraft and other technical matters. 11/ The June 1977 issue of Milavnews reported that the Rhodesian air force had acquired 20 Cessna/Reims F337 "Milirole" aircraft by clandestine means. It indicated that they had arrived in Rhodesia in mid-1976 "by circuitous routes".

32. In the autumn of 1977 the International Institute for Strategic Studies in London reported that Rhodesia was flying 18 "Cessna 337" aircraft. In December of that year Flight International reported that 20 or more Reims/Cessna "337 Skymasters" were attached to No. 4 Squadron of the Rhodesian air force, "the main element of the light attack force". 12/ In March of this year Milavnews reported again that an additional four "FTB 337s" had been delivered to Rhodesia "for operational use against guerrilla forces". The total delivered, according to Milavnews, was 22. The newsletter also gave the serial numbers and the temporary French registration numbers of the first batch of FTB-337s delivered earlier. 13/

33. By 1978 every standard military and industry reference work listed the FTB 337 in the Rhodesian air order of battle. In early 1978, Interavia listed 20 of them in its annual "World Air Forces" issue. 14/ The 1978-1979 edition of The Military Balance, published by the Institute for Strategic Studies in London, continued to list Cessna 337s, also known in Rhodesia as the "Lynx". The 1977 edition of the International Air Forces and Military Aircraft Directory, listed 18 Reims-Cessna F337 "Milirole/Lynx" as being in the Rhodesian air force. 15/ The same aircraft were also listed for Rhodesia in publications of the Stockholm International Peace Research Institute 16/, Defense Marketing Services of Greenwich, Connecticut 17/, and Aviation Studies Atlantic in the United Kingdom. 18/

34. In short, it was clear by mid-1978 that the Smith régime had acquired some two squadrons of this aircraft by clandestine means and that it was using them in a combat role against the forces of the Patriotic Front, that is, in support of the military effort being made to stabilize the "internal settlement".

### Case 3. The Rockwell OV-10 Bronco reconnaissance and strike aircraft

35. Rhodesia is believed to have acquired 4 OV-10s at the end of 1976 or in early 1977. There is scant but reliable public evidence of the transfer to Rhodesia which has been confirmed by interviews with U.S. officials.

36. The Rockwell OV-10 is by far the most formidable of the weapons covered in the present case studies. It is produced by an American company, Rockwell International. It was developed during the Indochina war as a light armed reconnaissance aircraft. It has twin 715 hp turboprop engines and weighs more than seven tons, compared to the two-and-a-half tons of the FTB-337. It was originally designed for forward air control, observation and secondary ground support missions. However, the improved versions are now considered "one of the deadliest and most versatile light strike and counterinsurgency aircraft in the world". 19/

37. The version of the OV-10 now in Rhodesia is believed to be equipped with laser range-finders and night sighting equipment which enable it to perform air control and target designation missions at night. It may well have the night observation gunship system, which includes forward-looking infra-red sensors and a turret with two triple-barreled 20mm cannon. If used for bombing missions, the OV-10 can carry up to 3,600 lbs. of bombs or 1,200 lbs. of bombs and 4 pods for 2.75-inch folding fin aerial rockets.

38. The first published report of the presence of the OV-10 in Rhodesia-Zimbabwe appeared in an article by Jack Foisie in the Los Angeles Times of 28 February 1977. Writing from Salisbury, Foisie stated that there were "even American-made double-fuselage OV-10s" in the Rhodesian air force, adding that they were used for "spotting insurgents and directing fire". Foisie provided no further information

at the time, and gave no indication of the numbers of such aircraft present or of the model. He did state that the OV-10s had been purchased as "civilian aircraft" and had arrived in Rhodesia "through roundabout channels".

39. At the time some United States non-governmental organizations made inquiries about the possible presence of the OV-10 in Rhodesia. United States officials denied that such aircraft had reached that country.

40. In 1978, however, the respected Stockholm International Peace Research Institute again stated that OV-10s had been added to the Rhodesian air force inventory. Its World Armaments and Disarmament Yearbook recorded the fact that four OV-10F models of the Bronco had been delivered in Rhodesia in 1977. The Institute thus provided additional precise information which appeared to substantiate the Los Angeles Times report of early 1977.

41. Discussion with industry sources has confirmed the previous two reports. Sources indicate that four OV-10F aircraft have reached Rhodesia. They apparently arrived there in early 1977. The aircraft were part of an order which was sent to Indonesia in 1976. A high-ranking Indonesian Air Force delegation visited the Columbus aircraft division of Rockwell in late 1974 for demonstration flights in the Bronco and one other aircraft. The Broncos were to be given to Indonesia as part of the United States aid programme. The Indonesians indicated their interest and received a letter of offer from the United States Navy for 12 OV-10F aircraft. Contract negotiations were completed at the beginning of December 1974.

42. Rockwell planned to start assembly of the aircraft in June of 1975. That summer it was announced that Indonesia would increase its order by a further four aircraft, raising the total to 16. The first aircraft were scheduled to leave the assembly line in the late spring of 1976, and three aircraft were delivered to Indonesia in the fall of 1976. It is not clear when all deliveries were completed. Sources indicate, however, that the additional four aircraft were shipped through to Southern Rhodesia. It is not clear whether they were ever actually unloaded in Indonesia and picked up again or whether they were shipped directly to Africa. The final shipping destination appears to have been South Africa.

43. A United States government official has stated that the transfer to Rhodesia was carried out "with the assistance of the U.S. Government".

44. There is not yet a great deal of published evidence on this case. Nonetheless, the present sources are highly reliable. And there would appear to be little doubt that Rockwell OV-10F aircraft are now in service in Rhodesia.

#### Case 4. The Britten-Norman Islander/Defender transport and patrol aircraft

45. Rhodesia is believed to have acquired two BN-2 Islanders in 1975 and another 12 in 1977. Many published sources confirm the transfer, although little is known about the route by which the aircraft arrived in Rhodesia.

46. The BN-2 Islander is a twin-engined light transport and patrol aircraft with short take-off and landing characteristics. It is made by Britten-Norman (Bembridge) Ltd., a member of the Fairey Group of companies. The BN-2 has a range of more than 1,300 miles and can carry up to 10 passengers, including the pilot. Its short take-off and landing capability make it ideal for use in guerrilla warfare in a country like Rhodesia-Zimbabwe.

47. The Islander is quite versatile. This civilian version of the aircraft can be used for dropping parachutists. There have been unconfirmed reports that it has been used for this purpose in Rhodesia. The aircraft can be easily converted to a military role as the Defender, which can carry a variety of external stores up to 2,300 lbs. The Defender can also be equipped with 68mm SNEB rockets.

48. By late 1978 there had been many reports of the transfer of the BN-2 to Rhodesia. It is believed that 2 arrived there in 1975. It now seems likely that another 12 were delivered in 1977. The Stockholm International Peace Research Institute (SIPRI) reported the delivery of 14 in that year. 20/ A number of sources, including the International Institute for Strategic Studies 21/ and Defense Marketing Services 22/, reported that six BN-2s were being flown by the Rhodesian air force in 1978. Interavia, however, has reported that the Smith régime has 12 on hand. 23/ And the International Air Forces and Military Aircraft Directory of Aviation Advisory Services has reported, in agreement with SIPRI that the Rhodesian air force is using 14 BN-2As as transports. 24/

49. Thus, although there appears to be some disagreement about the numbers actually in service in Rhodesia at this time, all the standard sources are reporting the transfer of some BN-2 aircraft. The higher figure appears to be the more reliable one, particularly as the IISS in London has been known to understate aircraft and other weapon transfers to certain countries. 25/ One must also take into account the fact that aviation magazines, such as Flight International, have reported the BN-2 in use "for ..... and light transport". 26/

50. The BN-2 Islanders, as was the case with all the aircraft reviewed, apparently reached Rhodesia by "circuitous routes". It is not clear exactly how they reached Africa or the Rhodesian air force. There seems to be no doubt, however, that the Rhodesian air force is operating a squadron of the aircraft at the present time.

#### NOTES

1. Secretary of State Kissinger was reported to have told Ian Smith at their meeting in Pretoria in September 1976 that United States intelligence agencies were predicting the economic and military collapse of his régime in the near future. See "Rhodesia: why", The Observer, London, 26 September 1976
2. All figures on force strengths are taken from table 1 unless otherwise indicated.
3. Estimate cited in The Observer, loc. cit.
4. Cited in "Rhodesia summary", Foreign Military Markets (Greenwich, Conn., Defence Marking Services, 1978).
5. Estimate based on figures cited in ibid.
6. The transport version can carry light armament.
7. "U.S.-designed 'copters found in Rhodesia", Associated Press, Washington Star, 14 December 1978.

8. The author has interviewed these sources.
9. "Rhodesia admits use of Bell helicopters; U.S. to investigate", UPI, The Washington Post, 15 December 1978.
10. "11 Bell copters said smuggled into Rhodesia", Jim Hoagland, The Washington Post, 14 December 1978.
11. The Director of Aviation Advisory Services, which publishes Milavnews, has stated that transfers are reported only when the serial numbers of aircraft involved have been obtained.
12. "Sanctions not restricting Rhodesian Air Force", Flight International, London, 24 December 1977.
13. Milavnews, Aviation Advisory Services, Stapleford Airfield, Essex, U.K., March 1978. The serial numbers given for the first 18 aircraft were 0036-0053. The temporary French registrations were F-BXXA-XXR.
14. In the previous year Interavia had listed 2 BN-2 Islanders in Rhodesian service. See "World air forces", Interavia, Geneva, January 1977.
15. "Rhodesia air force", International Air Forces and Military Aircraft Directory, Aviation Advisory Services, Stapleford Airfield, Essex, U.K., June 1977.
16. World Armaments and Disarmament Yearbook (Stockholm, SIPRI, 1978) p. 274.
17. "Rhodesia force structure", Foreign Military Markets, 1978.
18. "Rhodesia", Army, Airforce and Naval Air Statistical Record, March 1977.
19. Arsenal of Democracy, T. Gervasi (New York, Grove Press, 1978) p. 96.
20. Ibid., p. 274.
21. SIPRI, The Military Balance 1978-79.
22. "Rhodesia force structure", Foreign Military Markets, 1978.
23. "World air force", Interavia, Geneva, March 1978.
24. "Rhodesian air force" in the June 1977 Directory reference.
25. According to the magazine To the Point of 3 November 1978, General Sir Walter Walker, in his new book Bear at the Back Door, argues that the IISS have consistently understated South African military strength. IISS figures on Rhodesia are at variance with those used by other reliable sources.
26. Flight International, London, 2 July 1977.

4. The letter from Mr. Gervasi and his report on the acquisition of military aircraft by Southern Rhodesia during 1976-1978 were considered by the Committee at the 327th meeting on 30 March 1979. At that meeting statements were made by the representatives of France and the United States, which were regarded, in accordance with the Committee's established practice, as those Governments' initial replies on the matter, as follows:

(a) The representative of France noted that one of the items covered by the Gervasi report was Case No. INGO-22 concerning the alleged supplies of Cessna 337 aircraft to Southern Rhodesia by the French firm, Reims Aviation. In that connexion he read out the text of the relevant portion of his Government's reply to that case submitted to the Secretariat on 13 March 1979.

(b) The representative of the United States made the following statement:

"In his report presently before this Committee, Mr. Sean Gervasi alleges that various military equipment of United States origin or manufactured abroad under United States licence has found its way to Rhodesia in violation of Security Council sanctions. He makes specific reference to the Bell 205 helicopter, the Cessna 337 light aircraft, and the OV-10 Bronco tactical strike aircraft. Two of these charges, those regarding the helicopters and the Cessna aircraft are under formal investigation and, as such the confidentiality of information developed during those investigations is guaranteed by the Export Administration Act. However, we can provide the Committee with the following information on an interim basis.

#### Bell helicopters

"In May 1978, once the appropriate Commerce Department licence was obtained, Israel sold 11 Agusta Bell 205 helicopters to a United States aircraft broker. The broker contracted with a commercial Israeli firm to refurbish and demilitarize the helicopters which were then consigned to a freight forwarder for shipment on a West German vessel to Singapore. From there, they were to be transferred for use in a logging project in Indonesia. The vessel in question never went to Singapore. However, it did call at Durban, South Africa. We believe that the helicopters and spares may have been offloaded in Durban and trucked overland to Rhodesia. In any case, it seems clear that these helicopters are in Rhodesia.

"The terms of the Export Administration Act preclude my mentioning what companies or ships were involved in this transaction or where, other than in Rhodesia, we think the responsibility for this evasion of sanctions might lie. However, I should note without prejudice to the result of the ongoing investigation, that we have at this point no proof of any kind that the Government of Israel had any knowledge of the transfer of these helicopters to Rhodesia.

#### Cessna 337s

"It has been alleged that 18 of these aircraft were routed to Rhodesia through a Spanish fishing company in the Canary Islands. This transfer reportedly took place in 1976. It is clear that the Rhodesians have this type of aircraft in their inventory, but we are not yet in a position to say

whether they are the same individual airplanes referred to in earlier press articles or by Mr. Gervasi.

"Using the registration numbers provided by the press articles, our Embassy determined that these 18 aircraft had not been registered in Spain, as they should have been if they were being sold to a Spanish Company. However, an official of the French aviation company involved, while denying that his firm had ever sold anything to Rhodesia, confirmed to our Embassy in Paris that these aircraft were delivered to Palma de Majorca through normal channels. We have requested further information from the French Government, and we are actively pursuing this investigation as well.

#### OV-10s

"On the basis of press articles, Mr. Gervasi suggests that the Rhodesians obtained 4 Rockwell OV-10s through their diversion from an order of 16 consigned to Indonesia. We have checked this out. The 16 aircraft which Indonesia ordered, less one which was destroyed in an accident, are in Indonesia. Our sources give us no reason to believe that the Rhodesians have any of these aircraft in their inventory.

"The progress of the investigations to date make clear that the Government of the United States had no knowledge of these alleged transactions with Rhodesia and was not involved with them in any way. The United States continues its support for the implementation of United Nations sanctions against Rhodesia. We take seriously charges such as those levelled by Mr. Gervasi. If reliable evidence supporting his or other allegations is furnished, we will take prompt action to investigate further."

5. At the same meeting it was decided to postpone until a future meeting consideration of the conclusions made by the author and attached to the report (paras. 51-69), as well as the question of authorizing the author to seek, obtain and submit to the Committee any additional, available information on the subject-matter of the report. It was also decided that in accordance with the Committee's established practice, notes of inquiry should be prepared as appropriate, under the no-objection procedure, for transmission to the Governments mentioned in the report on the basis of the information available in its paragraphs 1 to 50.

6. In accordance with the Committee's decision indicated in paragraph 5 above, notes were prepared for transmission to Indonesia, Iran, Israel, Italy, South Africa and the United Kingdom, the substantive part of which is given below.

"Recently, the Committee received a report prepared by an independent research consultant based in New York, United States of America, which contains extensive accounts of the acquisition by the illegal régime in Southern Rhodesia during 1976-1978 of four different makes of military aircraft. The principal portion of the report containing background information on the matter as well as on the individual types of the aircraft in question is herewith enclosed for ease of reference.

"The report was considered at the 327th meeting, at which the Committee expressed its grave concern that, should the reported transfers be proved, the acquisition of the military aircraft in question caused a serious breakdown

in the application of sanctions against the illegal régime in Southern Rhodesia. The Committee was all the more concerned, given the careful precautions usually exercised by Governments through issuance to manufacturers, exporters, arms dealers or agents under their jurisdictions of special and specific export licences for military aircraft, which should clearly identify the end-user of such equipment. The Committee therefore decided that the information thus received should be forwarded to His Excellency's Government with a request for thorough investigations to be undertaken to determine the role played by the entities established in \_\_\_\_\_ and the circumstances in which those entities were involved in the manufacture, permission of export under any franchise, purchasing, forwarding, transferring or other manner of dealing which resulted in the military equipment described in the report reaching Southern Rhodesia. In this connexion the Committee wishes to draw the particular attention of His Excellency's Government to the specific mention made of \_\_\_\_\_ as will be found in paragraphs [Indonesia: 41 and 42; Iran: 23; Israel: 23; Italy: 19 and 23; South Africa: 23; and the United Kingdom: 45 of the report.]

"The Committee also expressed the hope that it might receive the comments of His Excellency's Government on the foregoing at the earliest convenience, if possible within a month."

7. On the basis of the initial replies given by them to the Committee at the 327th meeting, no notes were prepared for transmission to France and the United States. Meanwhile, the representative of the United Kingdom made a statement at the 342nd meeting on 22 May 1979, the text of which is reproduced below.

"Our enquiries have established that the source of the entry in the 1978 SIPRI yearbook was an organization called Aviation Advisory Services of Romford, Essex. Aviation Advisory Services publish a confidential newsletter known as Milavnews, which has been referred to before in this Committee (see, for instance, Case INGO-22 concerning Cessna F-337s). The June 1977 issue of Milavnews quoted in case INGO-22 also suggested that 'about 14' B-N Islanders had been procured by the RhAF. It added 'The Islanders were reportedly bought from Mozambique before the Portuguese withdrawal, and from Botswana'. We have no indication that the British manufacturer was in any way involved in the alleged supply of these aircraft to Southern Rhodesia and the Editors of SIPRI have told our Embassy in Stockholm that they will amend the 1979 edition of their directory to make it clear that the aircraft were not supplied from the United Kingdom.

"I would add that we have no evidence to support the suggested delivery route of the 14 aircraft and in the absence of serial numbers it is clearly extremely difficult to establish how or even whether they were supplied."

8. The proposed note referred to in paragraph 6 above was sent to Indonesia, Iran, Israel, Italy and South Africa on 25 May 1979. No note was sent to the United Kingdom in view of its statement made by the representative of the United Kingdom at the 342nd meeting, which was regarded as that Government's reply on that matter.

9. Further to paragraph 4 above, the report of Mr. Sean Gervasi, the independent research consultant, was considered by the Committee at the 342nd, 344th and 347th meetings.



10. At the 342nd meeting on 22 May 1979, when he appeared before the Committee during substantive consideration of his report, Mr. Gervasi said that, regrettably, owing to the constraint of time in which he had to submit the report, he had been unable to cover all the possible sources of information on the four types of military aircraft that formed the basis of his research study. If he had more time and if the Committee so wished, he would be able to uncover further evidence relating to the transfers of two of the four types of military aircraft already reported on, as well as provide new evidence on transfers of other types of military aircraft previously unknown.

11. Replies were received from Indonesia and Iran, the substantive parts of which read as follows:

Note dated 22 June 1979 from Indonesia

"The Permanent Representative of Indonesia to the United Nations ... has the honour to refer to note No. PO 230 SORH, dated 25 May 1979, concerning a report prepared by an independent research consultant based in New York, which contains references to the acquisition by the illegal régime in Southern Rhodesia during 1976-1978 of aircraft and where specific mention is made of Indonesia in paragraphs 41 and 42 of the report. These sections of the report have insinuated that Indonesia may have served as a conduit in providing it with four OV-10F aircraft purchased by Indonesia in 1976-1977.

"The Government of Indonesia has conducted a serious investigation of this matter. It has been proved from this investigation that the above-mentioned report on Indonesia is totally without foundation. All 16 OV-10F aircraft purchased by Indonesia have been delivered to and are now in operation in Indonesia.

"Indonesia ordered the 16 OV-10F planes from the United States and paid in cash in accordance with the terms of the transaction. All these aircraft were delivered to Indonesia during the period 13 September 1976-31 March 1977 and have since been used by the Indonesian Air Force. The following information concerning the manufacturer's serial numbers of the 16 OV-10F aircraft and the respective Indonesian Air Force tail numbers are provided in order to verify these facts:

<u>"Serial number</u>	<u>Tail number</u>
1. 160216	S-1001
2. 160217	S-1002
3. 160218	S-1003
4. 160219	S-1004
5. 160220	S-1005
6. 160221	S-1006
7. 160222	S-1007
8. 160223	S-1008
9. 160224	S-1009
10. 160225	S-1010
11. 160226	S-1011
12. 160227	S-1012
13. 160295	S-1013
14. 160296	S-1014
15. 160297	S-1015
16. 160298	S-1016

Furthermore these facts can also be substantiated by reference in the prestigious publication of the International Institute for Strategic Studies entitled The Military Balance 1978-1979, page 62 (see attached)."

Text of enclosure (in original language)

INDONESIA

Population: 139,300,000  
 Military service: selective  
 Total armed forces: 247,000  
 Estimated GNP 1977: \$43.1 bn.  
 Defence expenditure 1978-79: 701.8 bn. rupiahs (\$1.69 bn.)  
 \$1 = 415 rupiahs (1977 and 1978)

Army: 180,000\*  
 1 armd cav bde (1 tk bn support units)\*\*  
 14 inf. bdes (90 inf, 14 arty, 13 AA, 10 engr bns, 1 in KOSTRAD)  
 2 AB bdes (6 bns)\*\*  
 5 fd arty regts  
 4 AA arty regts  
 Stuart, 150 AMX-13, 75 PT-76 1t tks; 75 Saladin armd, 55 Ferret scout cars;  
 AMX-VC1 MICV; Saracen, 130 BTR-40/-152 APC; 50 76mm, 40 105mm,  
 122mm guns/how; 200 120mm mor; 106mm RCL; ENTAC ATGW; 20mm, 40mm, 200 57mm  
 AA guns; 2 C-47, 2 Aero Commander 680; 1 Beech 18, Cessna 185; 18 Gelatik  
 ac; 16 Bell-205; 7 Alouette III hel.\*\*\*

DEPLOYMENT: Egypt (UNEF): 1 bn (510).

Navy: 39,000, incl. Naval Air and 12,000 Marines.\*\*\*  
 3 submarines (ex-Soviet W-class)  
 11 frigates (3 ex-Soviet Riga-, 4 ex-US Jones-class)  
 22 large patrol craft (6 ex-Soviet Kronstadt-, 2 ex-Australian Attack-,  
 5 ex-Yugoslav Kraljevica-class)

9 Komar-class FPBG with Styx SSM  
5 MTB (Lurssen TNC-45-class)  
8 coastal patrol craft (under 100 tons)  
5 ex-Soviet T-43 ocean, 2 R-class coastal minesweepers  
3 comd/spt ships  
9 LST, 2 landing craft utility  
1 marine bde  
(2 Type 206 submarines, 3 corvettes, 5 minesweepers, 4 FPBG, 6 patrol boats,  
Exocet SSM on order)

Naval Air: 1,000

5 HU-16, 6 C-47, 6 Nomad MR ac; 4 Bell 47G, 6 Alouette II/III hel. (6 Nomad  
on order)

Air Force: 28,000; 32 combat aircraft\*\*\*\*

2 PGA sqns with 16 CA-27 Avon-Sabre

1 COIN sqn with 16 OV-10F

Tpts incl 11 C-130B, 1 C-140 Jetstar, 12 C-47, 3 Skyvan, 8 F-27, 6 CASA C-212,  
5 Nomad, 12 Cessna 207/401/402, 7 DHC-3, 18 Gelatik

2 hel sqns with 12 UH-34D, 5 Bell 204B, 4 Alouette III, 1 S-61A, 46 BO-105,  
19 Puma, 16 Bell 47

Trainers incl 4 T-6, 10 T-33, 31 T-34, Airtourer

(12 F-5E, 4 F-5F fighters, 16 CASA C-212, 4 F-27, 6 Nomad tpts, 8 Hawk trg ac;  
6 Puma hel on order)

Para-military Forces: 12,000 Police Mobile bde; about 100,000 Militia

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\* About one third of the army is engaged in civil and administrative duties.

\*\* In KOSTRAD (Strategic Reserve Command).

\*\*\* Some equipment and ships non-operational for lack of spares.

\*\*\*\* Some aircraft non-operational for lack of spares. In addition to the  
aircraft shown above, some 22 Tu-16, 10 Il-28, 40 MiG-15/17, 35 MiG-19,  
15 MiG-21, 10 Il-14, 10 An-12 ac, 20 Mi-4, 9 Mi-6 hel are in store.

Note dated 27 June 1979 from Iran

"The Chargé d'Affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations ... has the honour to state that, as it is well known, fundamental changes have been made in the foreign policy of Iran with the establishment of the Islamic Republic as a result of which Iran has broken all diplomatic, political, economic and other relations with South Africa, and does not maintain any relations whatsoever with the illegal minority régime in Southern Rhodesia. In this connexion, it will be recalled that the Provisional Government of Iran has completely disassociated itself with any action that might have been taken by the former régime in that respect.

"The Chargé d'Affaires would like to draw the attention of the Secretary-General to the fact that the report in question covers the period 1976-1978 which does not apply to the present policy of the Islamic Republic of Iran.

"It would be appreciated if the contents of this note are brought to the attention of the Security Council Committee established in pursuance of resolution 253 (1968)."

12. Further to paragraph 10 above, Mr. Gervasi in a letter to the Chairman dated 27 June 1979, which the Chairman mentioned to the Committee at the 344th meeting on 28 June 1979, restated the depositions he had made at the 342nd meeting. The substantive part of that letter is given below:

"You will remember that in my report to the previous Chairman of your Committee, Ambassador R. Jaipal, I presented evidence on the presence in Southern Rhodesia of four types of aircraft made in a number of Western countries. I indicated that these aircraft, according to the best available evidence, had arrived in recent years and in violation of the embargo instituted under resolution 253 of 1968.

"Subsequently, statements by Governments indicated that at least two types of aircraft mentioned in the report were acknowledged to have arrived in Southern Rhodesia in violation of the embargo. Some months later, a program by the British Broadcasting Company set out evidence on the manner in which the movement of these aircraft to Southern Rhodesia had been organized, further corroborating the conclusions drawn in my report.

"I can now say that much more evidence on two of the cases has become available. It seems to me that this evidence could be gathered and made effective use of by your Committee. It would, of course, require some considerable work. Nonetheless, I think it would carry the whole argument forward.

"Furthermore, I have found concrete evidence of the presence in Southern Rhodesia, and the probable recent importation, of several additional weapons systems. They are the following:

SIAI-Marchetti "counterinsurgency" aircraft, made in Italy

West German UR-416 armored personnel carriers

105mm recoilless rifles

105mm pack howitzers

Bren gun carriers

"I think it would be possible, within a relatively short space of time to provide the kind of documentation set out in the previous report on the transfer of these weapons to Southern Rhodesia in the recent past. It would require, in my view, some six to eight weeks to gather this material, to do the necessary travelling in the United States, and to summarize the evidence in a brief report. I hope that you will think it useful to conduct such an investigation and to write a further report. I would add as well that evidence which is now accumulating is beginning to shed important light on the channels by which arms are being shipped to Southern Rhodesia.

"I would, of course, be pleased to meet with you and to discuss the new evidence and the means of gathering and weighing it at your earliest convenience."

13. At the 344th meeting, the Committee decided, at the Chairman's recommendation, to commission Mr. Gervasi to continue his research study for a period not exceeding eight weeks so as to complete his earlier study and to provide the new, promised evidence in a further report.

14. At the same meeting on 28 June 1979 the Chairman informed the Committee that the producers of the BBC programme "Panorama" had made a documentary film revealing clandestine transfers of military aircraft to Southern Rhodesia and other highly organized sanctions-violating operations. The producers were willing to screen the film before the Committee. It was decided to invite the BBC team to show the film at a meeting of the Committee that would be made public.

15. A reply dated 29 June 1979 was received from Italy, the substantive part of which reads as follows:

"The Permanent Representative of Italy wishes to make the following remarks in regard to the contents of the note and the study on illegal armament transfers to Rhodesia enclosed with it:

"1. At no time has the Italian Government authorized the export of AB-205 helicopters to Southern Rhodesia or to other countries whose policies may engender the suspicion that the aircraft could be subject to further transfer to such destination.

"2. The Agusta Corp., which produces the AB-205, has formally denied having arranged for such transfers either directly or indirectly.

"3. In the last 15 years, 533 units of the AB-205 aircraft have been exported to 21 countries. It would be practically impossible for the Italian Government to trace the successive transfers of every single aircraft,

particularly in view of the insufficient evidence the study provides regarding the alleged Italian origin of the helicopters acquired by Rhodesia or the countries through which the transfer allegedly took place.

"4. In fact the study offers no actual evidence that the helicopters in service with the Rhodesian Armed Forces are of Italian origin. The author attempts to corroborate such claims merely by quoting an article by Jim Hoagland, published in the Washington Post on 14 December 1978, the only relevant part of which reads as follows:

'Rhodesia appears to have converted the 205-A to military use by adding extra armor plate and modifying it for machine guns on the side doors ... By one account, the particular model now in Rhodesia appears to resemble the Agusta Bell 205-A, which is manufactured in Italy under licence by Bell Helicopter'.

On the other hand, according to a UPI report published in the Washington Post on 15 December 1978 and referred to in paragraph 24 of the study, a Rhodesian military spokesman declared in this regard: 'The US Bell 205 helicopter - (which is a civilian aircraft produced by Bell Helicopter) - is now in service with the Rhodesian Armed Forces'. Subsequently other authoritative press organs have given a rather different version than the one accredited in the study of both the origin of the helicopters and the way they reached Rhodesia.

"5. The author of the study goes on to report, in addition to this questionable evidence, that in private conversations he has had with unidentified industrial sources of undisclosed nationality, he has established that 25 AB-205 helicopters were exported from Italy to South Africa in 1974, or possibly earlier, and states his personal conviction that some of the aircraft have been recently transferred to Rhodesia.

"The Permanent Representative of Italy wishes to state in this regard that no contract for the export of AB-205 helicopters to South Africa has been authorized by the Italian authorities since the adoption in 1972 of the voluntary embargo on armament supplies to South Africa.

"The Permanent Representative of Italy reiterates to the Secretary-General the commitment of the Italian Government to fully co-operate in the work of the Security Council Committee established under resolution 253 (1968). At the same time, however, he must express the concern of his Government at the approximate nature of the content of some of the working papers which are brought to the attention of the Committee as well as point out the serious difficulties to which Governments are subjected when confronted with charges based on vague assertions by undisclosed sources."

16. Further to paragraph 14 above, the Committee held its second public meeting on 5 July 1979, at which the documentary film, "The Operation Continues", was shown. Prior to the showing of the film, the Chairman made a statement on the occasion of the second public meeting of the Committee; statements were also made by the representatives of Kuwait, Zambia, the USSR, Czechoslovakia, Nigeria, China, the United Kingdom and the United States. All the statements made on the occasion were summarized in the Committee's public record for that meeting (the 345th meeting). A summary of the film story, prepared from a transcript provided by the producers, is given below.

## Summary

### "The Operation Continues"

(1) The film shows the organized operations by which Southern Rhodesia manages to keep its arms supplies going in spite of the Security Council mandatory sanctions against the illegal régime in that Territory. Two specific incidences are highlighted, involving the successful acquisition by Southern Rhodesia of Italian-made Siai-Marchetti 260 aircraft and Huey (Bell 205) helicopters made in Italy under United States licence. It is also alleged in the film that the Belgian port of Antwerp, described as the fourth largest in the world, is an important link in Southern Rhodesia's undercover network, being used regularly as the port of unloading for Rhodesian tobacco and the port of loading for equipment and other manufactured goods destined for Southern Rhodesia.

(2) Until June 1978 such clandestine operations were masterminded by Strancken Edward Muller, a 52-year-old South African, at the head of a network of companies including Barbrake and Barliko. He was at one time closely associated with Rennies Consolidated Holdings, a large South African company owned by the giant British/Hong Kong firm, Jardine Matheson. He was also working closely with John Bredenkamp, a former Southern Rhodesian tobacco farmer, now a Dutch citizen living in Antwerp, where he has set up a tobacco company Cassallee, with two associates, Tony Parker, the former Defence Secretary in the illegal Government of Southern Rhodesia, and Tony Bradshaw, director of Cassallee, both operating from an office in London. In June 1978 Muller was arrested and charged with embezzlement of the illegal régime funds intended for buying arms. He was secretly convicted and is currently serving a prison sentence at Chikurubi Prison in Salisbury, Southern Rhodesia. Despite Muller's conviction and imprisonment, Ian Smith, the former Prime Minister of the illegal régime, was quoted as giving assurance that such operations would continue.

#### The Siai-Marchetti 260 aircraft

(3) Seventeen Siai-Marchetti 260 aircraft, built in Italy with United States-made Lycoming engines and United States-made Hartzel propellers, were flown to Gooselies Airport in the south of Belgium early in 1977, where they were taken over by Aviation Spare Parts (Europe), a company owned by Andre Delhamande. From Gooselies airport they were trucked in containers to Antwerp for shipment to Durban, South Africa aboard a Portuguese-registered vessel Malange. According to the records of Lloyds of London, the Malange left Antwerp on that voyage on 17 February and arrived in Durban on 29 March 1979. The story given by Delhamande indicates that the planes were destined for a company called Rogers Aviation in Mauritius. Representatives of that company had travelled to Belgium and test-flown the planes prior to their purchase. In fact, the men who visited Delhamande were identified by the BBC investigators as Air Marshal Mick MacCurran, then commander of the Rhodesian Air Force and Air Marshal Frank Mussel, who later succeeded MacCurran as commander. Moreover, the shipping and forwarding agent in Antwerp, Fern Verryken, owner of the forwarding company Polytra, was not aware of the Mauritius company, Rogers Aviation; his instructions from Muller were that the planes were to be delivered to Durban, South Africa, from where they were transported to Southern Rhodesia.

#### Huey (Bell 205) helicopters

(4) In the spring of 1978 a batch of Bell 205 helicopters from the Israeli defence inventory were sold to a private Israeli company, Cyclone Aviation of Haifa, said to have been owned at one time by the Defence Minister of Israel but currently run by associates of the Prime Minister there. The sale was arranged by a United States company, Air Associates of Skokie, Illinois. The elaborate clandestine arrangements devised in this operation involved the vessel Hartford Express, time-chartered from Oscar Wehr, a family shipping firm in Hamburg, the Federal Republic of Germany, by Aerofrete of Lisbon, Portugal, a forwarding company that had regular dealings with Edward Muller. Aerofrete claimed that the cargo of 33 crates of helicopters and several cases of spare parts were to be transported from Haifa to a company in Singapore, Jamson Aviation. The Hartford Express in fact left Haifa on 28 August 1978 but did not go to Singapore; instead, it sailed for Las Palmas, where the shipping documents for Singapore are said to have been cancelled and replaced by those showing South Africa as the destination. The vessel arrived at Durban, South Africa, on 6 September 1978, and unloaded the cargo, which thereafter transported to Southern Rhodesia. The managers of the companies Air Associates (Mr. Mahoud), Jamson Aviation (Mr. Qwik) and Aerofrete (Mr. Reigosa) declined to be interviewed, as did the Israeli Defence Minister and the owner of Cyclone Aviation. An officer of the United States Commerce Department confirmed that an export licence had been granted by the United States authorities for the sale of the helicopters but said that the United States authorities were investigating some aspects of the transaction; he declined to comment on the nature of the investigations and on whether assurance had been obtained on the demilitarization of the helicopters before their sale. The owners of the Hartford Express stated that a voyage to Singapore would have been outside the trading limits, according to charter agreement.

#### Tobacco and other operations

(5) No full account was given of the nature of tobacco transactions based in Antwerp, or of any other related activities, as John Bredenkamp, Tony Parker and Tony Bradshaw declined to be interviewed.

17. In the course of the public meeting the representative of Mauritius informed the Committee that the Prime Minister of his country had denied the report in the film alleging any involvement of the Mauritius company, Rogers Aviation, and that the firm itself was in the process of starting legal proceedings against the BBC. The Committee took note of that information.

18. At the 346th meeting on 26 July 1979 it was decided that the Chairman should be requested to send a letter to BBC, the producers of the documentary film, congratulating them on their venture and expressing the Committee's appreciation for the useful information thus received. It was also decided that the secretariat, after making a summary of the transcript of the film, should propose some possible courses of action under the usual no-objection procedure.

19. In pursuance of the Committee's decisions indicated above, the Chairman sent a letter dated 7 September 1979 to Peter Foges, the BBC producer, New York, with a request to convey the message therein to the BBC "Panorama" team responsible for making the documentary film. It was also proposed that the portion of the film relating to the Bell 205 helicopters should be added to Case No. INGO-30 so that the relevant information could be forwarded to those Governments already



investigating that aspect of the case, as well as to the following Governments, not previously mentioned in the case, with a request to undertake similar investigations into the matter: the Federal Republic of Germany, Portugal and Singapore. Furthermore, it was proposed that notes should be sent to the following Governments in a new case (INGO-34), with a request to investigate, as appropriate, the reports of the Siai-Marchetti 260 aircraft: Belgium, Italy, Portugal, South Africa, and the United States. In view of the information given to the Committee by the Permanent Representative of Mauritius during the public meeting (see para. 17 above), no note was proposed for transmission to that Government. Finally, it was proposed that notes should be sent to the following Governments in another new case (INGO-35), with a request for investigations into the reports of regular importations of Southern Rhodesian tobacco into Antwerp, including in particular the activities of John Bredenkamp and his associates: Belgium and the United Kingdom.

20. Further to paragraph 8 above, first reminders were sent to Israel and South Africa on 1 August 1979 and a note dated 6 August 1979 was sent to the United States inquiring whether any additional information had been obtained by the governmental investigating authorities, which could be forwarded to the Committee.

21. Further to paragraphs 11 and 15 above, a reply dated 7 August 1979 was also received from Israel, the substantive part of which reads as follows:

"When reports appeared in the world press, alleging that American-made helicopters had been sold to Southern Rhodesia by third countries, possibly including Israel, the Government of Israel saw fit to investigate the matter. The thorough investigation, which took some time, showed clearly that the press reports in question were false: Israel has not sold any helicopters whatsoever to Southern Rhodesia. The results of the investigation have been brought to the attention of the United States Government.

"The Chargé d'affaires of Israel takes this opportunity to reaffirm that the Israel authorities continue to comply fully with the provisions of Security Council resolution 253 (1968)."

22. A further interim reply dated 20 August 1979 was received from the United States, the substantive part of which reads as follows:

"The Representative of the United States of America ... has the honour to further refer to Case No. INGO-30, reference to the Secretary-General's note of 6 August, requesting further information from the United States Government on the case of Bell Helicopters shipped to Rhodesia.

"It is United States policy, in conjunction with the sanctions imposed by the Security Council, to prohibit the export to Rhodesia of United States products or goods manufactured abroad under United States licence. When items of United States origin, such as the Bell Helicopters, find their way to Rhodesia, we regard this as prima facie evidence that our laws have been broken. With regard to these helicopters, the Department of Commerce has carried out a vigorous and thorough investigation of considerable complexity involving numerous parties in various foreign countries. We expect that, as a result of this investigation, enforcement actions will commence in the future."

23. Further to paragraph 19 above, notes dated 15 October 1979 were sent to the Federal Republic of Germany, Portugal and Singapore, the substantive parts of which read as follows:

"Since February 1979, the Committee has been dealing with the above-mentioned case, which concerns reports received from non-governmental sources indicating, among other things, that a number of Huey (Agusta Bell 205) helicopters of Italian manufacture under United States licence, and originally the Israeli military service, had been transferred to the illegal régime in Southern Rhodesia. The acquisition of such aircraft by the illegal régime, if proved, would be in gross violation of the Security Council mandatory sanctions against that régime. The Committee therefore immediately requested the Governments directly concerned, according to the information received, to investigate the circumstances in which the reported transfer of the aircraft might have been permitted to take place.

"Since then the Committee has received additional information on that matter gathered in a documentary film by investigators of a British Broadcasting Corporation programme, 'Panorama', indicating involvement in the transfer operation by persons domiciled within the jurisdiction of His Excellency's Government. The portion of the pertinent information extracted from a summary prepared from the transcript of the film is herewith enclosed for ease of reference.

"At its 346th meeting, the Committee decided that the additional information thus received should be transmitted to His Excellency's Government also, with a similar request for thorough investigations by the competent authorities so as to determine the part that might have been played by persons within the jurisdiction of His Excellency's Government, as stated in the enclosed information, in facilitating the transfer of the aircraft in question to Southern Rhodesia. In making that request the Committee also expressed the hope that it might receive the comments of His Excellency's Government on the matter at the earliest convenience, if possible within a month."

24. Similarly, under the same paragraph, above, notes dated 16 October 1979 were sent to Iran, Israel, Italy, South Africa and the United States, the substantive parts of which read as follows:

"Since February 1979, the Committee has been dealing with the above-mentioned case, which concerns reports received from non-governmental sources indicating, among other things, that a number of Huey (Agusta Bell 205) helicopters of Italian manufacture under United States licence, and originally in the Israeli military service, had been transferred to the illegal régime in Southern Rhodesia. The acquisition of such aircraft by the illegal régime, if proved, would be in gross violation of the Security Council mandatory sanctions against that régime. The Committee therefore immediately requested the Governments directly concerned, according to the information received, to investigate the circumstances in which the reported transfer of the aircraft might have been permitted to take place.

[Continue as follows for:

Iran: "In response to the Committee's request for appropriate investigations His Excellency submitted a reply dated 27 June 1979, transmitting the Government's findings and comments on the matter, for which the Committee expressed its appreciation."

Israel: "In response to the Committee's request for appropriate investigations His Excellency submitted a reply dated 7 August 1979, transmitting the Government's findings and comments on the matter, for which the Committee expressed its appreciation."

Italy: "In response to the Committee's request for appropriate investigations His Excellency submitted a reply dated 29 June 1979, transmitting the Government's findings and comments on the matter, for which the Committee expressed its appreciation."

South Africa: "The Committee noted with regret that, to date, it has not yet received any comments on the matter from His Excellency's Government."

United States: "The Committee took note of the statement made on the matter by the representative of the United States at the 327th meeting on 27 March and of the subsequent interim reply from His Excellency dated 20 August 1979, indicating that a thorough investigation had been undertaken by the appropriate United States authorities as a result of which enforcement actions were expected to begin soon."]

"Meanwhile, the Committee has received additional information on that matter gathered in a documentary film by investigators of a British Broadcasting Corporation programme, 'Panorama', giving further details of the involvement in the transfer operation by persons domiciled within the jurisdiction of His Excellency's Government. The portion of the pertinent information extracted from a summary prepared from the transcript of the film is herewith enclosed for ease of reference.

"At its 346th meeting the Committee decided that the additional information thus received should also be transmitted to His Excellency's Government in the hope that its investigation might yield supplemental findings to those already submitted by the Government. The Committee believes that the additional information received from the producers of the BBC film should provide useful evidence of the involvement of persons domiciled in the territory of His Excellency's Government in the reported illegal transfer of the aircraft in question to Southern Rhodesia.

[Continue as follows for:

Iran: "It also expressed the hope that it might receive from His Excellency's Government any additional findings or further comments on the matter at the earliest convenience, if possible within a month. Meanwhile, it decided to keep aside the original findings and comments submitted previously in His Excellency's reply of 27 June 1979 pending receipt of the new reply expected from His Excellency's Government as requested above."

Israel: "It also expressed the hope that it might received from His Excellency's Government any additional findings or further comments on the matter at the earliest convenience, if possible within a month. Meanwhile, it decided to keep aside the original findings and comments submitted previously in His Excellency's reply of 7 August 1979 pending receipt of the new reply expected from His Excellency's Government as requested above."

Italy: "It also expressed the hope that it might receive from His Excellency's Government any additional findings or further comments on the matter at the earliest convenience, if possible within a month. Meanwhile, it decided to keep aside the original findings and comments submitted previously in His Excellency's reply of 29 June 1979 pending receipt of the new reply expected from His Excellency's Government as requested above."

South Africa: "It also expressed the hope that it might receive from His Excellency's Government at the earliest convenience, if possible within a month, the results of the investigations requested of the competent South African authorities or any comments that His Excellency's Government may be able to make on the matter."

United States: "It also expressed the hope that it might receive from His Excellency's Government any additional findings or further comments on the matter at the earliest convenience, if possible within a month. Meanwhile, it decided to take note of the interim replies submitted previously by His Excellency, pending receipt of the substantive reply expected from His Excellency's Government, forwarding the findings of the investigation and the measures taken by the United States authorities."]

25. Further to paragraph 8 above, and in the absence of a reply from South Africa within the prescribed period of two months, the Committee included that Government in the nineteenth quarterly list which was issued as a press release on 5 November 1979.

26. Further to paragraph 24 above, replies were received from Italy and Israel, the substantive parts of which read as follows:

(a) Note dated 12 November 1979 from Italy

"The Permanent Representative of Italy to the United Nations ... has the honour to refer to note No. PO 230 SORH (1-2-1) - Case No. INGO-30 of 16 October 1979, concerning the alleged transfer of a number of Agusta Bell 205 helicopters of Italian manufacture to the illegal régime of Southern Rhodesia.

"In this regard, the Permanent Representative of Italy would like to make the following remarks:

a. "The Permanent Representative has closely scrutinized the relevant portion of the summary, prepared from the transcript of the BBC documentary film 'The Operation Continues' and enclosed with the above-mentioned note, but has been unable to find in it the slightest reference to persons or firms domiciled within the jurisdiction of the Italian Government;

b. "The Permanent Mission of Italy did not fail to send an official to the meeting arranged by the Security Council Committee established under resolution 253 (1968) on 5 July 1979 in order to review 'The Operation Continues'. The Italian official reported that the documentary film made it fully clear that no Italian citizen or firm was even indirectly involved in the production, sale or transfer of the Bell 205 helicopters to Southern Rhodesia. The Permanent Representative of Italy is ready, however, to arrange for a joint review of the film by a member of this Mission and a representative of the Security Council Committee established in pursuance of resolution 253 (1968) in order to fully clarify this point;

c. "One of the helicopters referred to in His Excellency's Note was recently shot down in the territory of the People's Republic of Mozambique during an incursion against that country by the armed forces of the illegal régime of Southern Rhodesia. Both the reports and the photographs published in the local press show that the aircraft was not an Agusta Bell 205 helicopter and was not manufactured in Italy.

"Therefore, the Permanent Representative of Italy expresses the hope that in the light of the above, the Security Council Committee established in pursuance of resolution 253 (1968) will consider it appropriate to close Case No. INGO-30 as far as the question of Italian involvement in it is concerned."

(b) Note dated 22 November 1979 from Israel

"The Permanent Representative of Israel to the United Nations ... has the honour to refer to the ... note PO 230 SORH (1-2-1): Case No. INGO-30 of 16 October 1979, inviting Israel's comments on the documentary film prepared for the British Broadcasting Corporation programme, 'Panorama'.

"On instructions, the Permanent Representative of Israel wishes to draw the attention of the Secretary-General to the note verbale, dated 14 November 1978 from the Permanent Mission of Israel and addressed to the United Nations Secretariat, which was circulated as document S/AC.20/4 of 17 November 1978, a/ and to inform the Secretary-General that Israel has nothing to add to that note verbale."

27. Further to paragraph 13 above, a letter dated 23 November 1979 addressed to the Chairman and transmitting two additional reports was received from Mr. Gervasi. The substantive part of that letter is given below. (For enclosures see para. 29 below.)

Letter dated 23 November 1979 addressed to the Chairman of the Committee by Mr. Sean Gervasi

"You will have now received my two reports, which are the result of the investigation carried out at your request this summer. The first, 'Sanctions-breaking and the war in Southern Rhodesia', was delivered last week. I have just given the second, 'The air war in southern Africa: escalation and arms transfers', to the Deputy Secretary of the Committee.

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a/ Issued by the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa.

"I would like, first of all, to apologize for the delay in preparing these reports, which together are nearly 90 pages in length. Unfortunately, as I predicted at the time, the month of August was a dead month during which it was impossible to reach the people with whom I had to conduct interviews in order to begin my inquiries. The delay in the signing of my contract thus meant that a whole month of time was lost.

"The investigation also became more complex than I had anticipated. For, in an effort to discover more about the role of companies in sanctions-breaking, I found it necessary to go to London. I did so at my own expense, because I thought that the information available there would be most useful to the Committee.

"However, I think you will see that it has all been worth the effort. The evidence indicates, as you will see from the first report, that the networks which are breaking sanctions are highly organized. Moreover, and more importantly, it is clear that Governments know of the operation of these networks, even that they facilitate efforts to send arms and supply assistance to the armed forces of the illegal régime.

"You will see also that the aid which has been rendered to the illegal régime has been massive. The second report is concerned only with the question of aircraft transfers. The evidence there alone makes it clear that external assistance has made possible an unprecedented expansion of Southern Rhodesian close air-support capability, a crucial factor in the war and an advantage which has enabled Salisbury to buy precious time.

"From past experience, I think I can anticipate the reaction of certain Governments whose inadequate administration of sanctions has given such important help to the illegal régime. There will probably be two lines of argument. The first will be that I have not consulted official sources and that there is no documentation to substantiate the allegations made in these two reports. This was the same thing that was said about the report which I prepared for the Committee last year. Those who respond in this way know perfectly well that there are no grounds for such a charge. They wish merely to state their position, hoping that their authority will count for more than the evidence.

"In any case, you will see that there is documentation for everything which is said here. Some sources are cited which are confidential. I am prepared, however, to reveal them to you. Furthermore, I have discussed these matters with officials in various countries, as have friends and colleagues who work on the same questions and with whom I have compared notes. It is clear that, in private, officials do not deny the fact that the Salisbury régime has acquired more than 200 combat aircraft in the space of four years.

"May I recall that, when these same kinds of charges were made last year about inadequate documentation, etc., they proved to be untrue. Even the Governments which complained at the time do not quarrel today with the basic thrust of the December 1978 report to the Committee. However, at the time, their objections did succeed in preventing the circulation of the report beyond the precincts of the Committee.

"The second line of argument is likely to be that it is unfair to single out the United Kingdom Government for its failure to control the activities of the Airwork group of companies. This is, of course, entirely specious. It is not an argument at all, but merely an excuse to avoid confronting the ugly facts. These are, very simply, that the Government of the United Kingdom could not possibly be unaware of the activities which are described in my first report and that the evidence strongly suggests the same complicity in the matter of arms transfers which has already been established in the matter of oil shipments.

"I am sure that the United Kingdom Government will make every effort to avoid discussion of these matters, because the facts are seriously embarrassing for it. Whatever the degree of complicity in allowing arms transfers and military assistance to the Salisbury régime, that complicity clearly compromises the 'neutral' position which the United Kingdom Government has sought to project in its management of the current talks in London on the future of Zimbabwe. I realize that this may seem an inappropriate thing for me to say. I must, however, beg you to allow me to say it for the simple reason that a great deal is now at issue in Zimbabwe, before and after the conclusion of any talks. I do not see how I, or anyone for that matter, can in conscience be silent about these matters when such silence helps to force the Patriotic Front to accept terms which they do not want to accept and which could lead to a worse disaster in Africa than the one which followed the "Geneva solution" of 1954 for the whole of Indochina.

"I realize that the Security Council is now exceedingly busy. However, I would urge that we seek open discussion of these matters in Committee as soon as possible. An open airing of the issues would, I am confident, help to equalize the advantages of the different parties to the London discussions. I really do not see that there is any neutral position in this, if one wishes to adhere to the principles of the Charter and to the positions established in all the Security Council resolutions on the question of Southern Rhodesia. Either one keeps silent, or not. The first will allow others to continue punishing the Patriotic Front, militarily and by diplomatic pressure. The other will help to relieve that pressure at a critical time.

"I feel confident that my position can be reasonably sustained in any real and open debate. And I am perfectly willing to put that claim to the test, as I was when I went before the Committee to defend my last report."

8. Replies were further received from the United States and Singapore, the substantive parts of which read as follows:

(a) Note dated 26 November 1979 from the United States

"The Representative of the United States of America ... has the honour to refer to ... [the] note of 16 October, regarding Case No. INGO-30, requesting the findings of the United States Government investigation into the transfer of Siai-Marchetti aircraft and Bell helicopters to Rhodesia.

"The United States is grateful for the information made available by 'Panorama' via the Rhodesia Sanctions Committee regarding the possibility that aircraft containing United States engines and propellers may have been

transported to Rhodesia in violation of Security Council sanctions. The United States Department of Commerce is currently studying the available information to determine if it supports the conclusion that United States laws and regulations have been violated in the transaction described in the 'Panorama' report. If a positive finding is reached, the Department of Commerce will open a formal investigation of the matter. The United States delegation would appreciate any additional information which may come to the attention of the Committee on this subject.

"With regard to the investigation into the illegal transport to Rhodesia of United States-made Bell helicopters, the United States calls the attention of the Committee to the statement made to the Committee by the United States representative in August 1979. This statement further noted that 'as a result of a vigorous and thorough investigation carried out by the Department of Commerce, we would expect that enforcement actions will commence in the future.' We are not at this time prepared to go beyond the terms of that statement."

(b) Note dated 5 December 1979 from Singapore

"The Government of the Republic of Singapore has undertaken a thorough investigation of the role which Jamson Aviation and Spares (Private) Ltd., a company registered in Singapore, allegedly played in the transfer of a number of helicopters to the illegal régime in Southern Rhodesia. According to the documentary evidence produced to the Government of Singapore by the Managing Director of Jamson Aviation and Spares (Private) Ltd., copies of which are enclosed, that company purchased 11 Bell 205A1 helicopters from Air Associates Incorporated of Chicago. In turn, Jamson Aviation sold the helicopters to Picador, S.A., Panama. The Managing Director of Jamson Aviation claimed that he had no knowledge that the Panamanian company, Picador, S.A., had intended to or did transfer the helicopters to the illegal government of Southern Rhodesia. As a result of its investigation, the Singapore Government has come to the conclusion, that there is no conclusive proof that Jamson Aviation and Spares (Private) Ltd., was involved in the sale of the helicopters to Southern Rhodesia."

Enclosures

(i) Letter dated 15 March 1978 from Picador S.A., Panama, to Jamson Aviation and Spares (Pty) Ltd.

"Your name has been recommended to us as suppliers and stockists of aviation equipment.

"We have a requirement for approximately 6 helicopters and we are writing to you to enquire whether you have available any suitable models. We have in mind Sikorsky S58T or Lama.

"We would be most grateful for any assistance you can give us. As we are anxious to expedite this matter we will be telephoning you shortly after we expect you to receive this letter."



- (ii) Letter dated 28 March from Picador S.A., Panama, to Jamson Aviation and Spares (Pty) Ltd.

"With reference to our telephone conversation we write to confirm that we could be interested in purchasing 6 Agusta Bell 205 helicopters. However we will clearly need additional information and in order to proceed further in the shortest space of time, we would be prepared to fly to Bangkok to meet you there as discussed in our telephone conversation. Please make yourself available to inspect the goods in the event of the matter being taken further.

"Also please make full details of these units just as soon as you have them. If it is at all possible we would like to have these details before our meeting."

- (iii) Letter dated 11 April 1978 from Picador S.A., Panama, to Jamson Aviation and Spares (Pty) Ltd.

"Following receipt of particulars of 11 Agusta Bell 205A1 helicopters and inspection of these models after which we had lengthy discussions at your hotel in Amsterdam, we write to confirm that we will purchase the eleven units as detailed in your letter to us of 10 April 1978.

"We further confirm that we wish you to purchase these helicopters directly from the seller on our behalf. Payment for these helicopters will be made through a bank in Switzerland whereby you will be arranging for a letter of credit to be established in favour of the seller. We also confirm our agreement that your company, Jamson Aviation and Spares (Pty) Ltd. will be paid as commission, an amount of \$US 130,000 (US dollars One hundred and thirty thousand) 10 (ten) days after establishment of the letter of credit.

"I thank you for all your assistance in this transaction and look forward to a satisfactory conclusion."

- (iv) Letter dated 14 April 1978 from Bank Julius Bar and Co., Ltd., Zurich, to Jamson Aviation and Spares (Pty) Ltd.

"We hereby irrevocably engage to remit telegraphically to Banque Nationale de Paris, Singapore, in your favour

\$US 129,808

(One hundred twenty-nine thousand-  
eight hundred and eight US dollars)

10 days after establishing our Letter of Credit by order of yourselves in favor of Air Associates Inc., Chicago, according to our separate letter to you dated 14 April 1978.

"This undertaking is valid until 31 May 1978 and becomes null and void if said Letter of Credit has not been established by that date."

- (v) Letter dated 14 April 1978 from Bank Julius Bar and Co., Ltd., Zurich to Jamson Aviation and Spares (Pty) Ltd.

"We confirm your request to establish for your account an irrevocable Letter of Credit in the amount of \$US 4,278,500 covering 11 helicopters plus

approximately \$US 1,600,000 (10 per cent more or less) covering spares for helicopters in favour of Air Associates Inc., P.O. Box 66345, O'Hare International Airport, Chicago, Ill. 60666.

"We confirm that you will not assume any liabilities whatsoever in connection with this Letter of Credit. On the other hand, you acknowledge that you have no rights for ownership of the goods covered by this Letter of Credit.

"Please confirm your approval with the contents of this letter by signing and returning to us the enclosed copy."

(vi) Letter dated 2 March 1979 from Jamson Aviation and Spares (Pty) Ltd. to the Deputy Director, Department of Trade, Government of Singapore

"With reference to our meeting on last Tuesday 27 February, I am submitting herewith a brief résumé regarding the transaction of 11 Bell 205A1 helicopters which we purchased from Air Associates, a company in the United States of America, and sold to Picador, a company in Panama.

- (1) Sometime in mid-1977, my business friend asked me to look for an interested party to develop their timber concession in one of the islands in Indonesia. As the concession was situated about 80 miles inland and transportation is difficult due to the undeveloped terrain, the possible method to be considered was the use of a helicopter fleet;
- (2) It was only in the early part of 1978 that we learnt from Air Associates that they had a fleet of helicopters (Agusta Bell 205A1) available for sale, and at approximately the same time, we received an enquiry from Picador of their interest in the same category of helicopters;
- (3) As the timber concession was no longer available in April, I followed up the Picador enquiries and we managed to conclude the deal whereby Picador agreed to purchase the helicopters through us and to arrange payment through a bank in Switzerland. We agreed provided our Commission can be guaranteed.
- (4) To save the banking charges; I agreed that the Letter of Credit for the payment to Air Associates be established directly by buyers and that our commission be transferred within 10 days after L/C being established. Our commission was to be guaranteed by their Bank.

"I would like to inform that I am not aware that the helicopters are being diverted to Rhodesia as I sold them to Panama, and the helicopters involved are the civilian type Agusta Bell 205A1 as opposed to the military version UH-1D or UH-1H.

"Although the units were from Israel, we purchased these from the United States.

"I hope that the above information are sufficient and should there be any additional information which you may require, please let us know.

(vii) Detailed list of helicopters involved in transaction

Helicopter identification and description

Eleven Agusta Bell model 205A1 helicopters

Manufacturers serial number

4008, 4035, 4036, 4037, 4039, 4040, 4042, 4049, 4050, 4051, 4052

Equipment included in each helicopter

Dual controls  
Dual instruments  
Dual radioaltimeter indicators  
Fittings for litters  
Cargo hook  
Ground handling wheels  
Personnel hoist  
Particle separator  
One UHF radio (225-400 MC) ARC 51  
One ADF radio (200-800 KC)  
One radio altimeter

<u>Major component</u>	<u>Hourly adjustments</u>	<u>Cost per hour</u>
<u>Component</u>	<u>TBO hours</u>	<u>\$US</u>
Engine	3000	30.00
Main gearbox	1500	10.50
90-degree gearbox	1100	2.75
42-degree gearbox	1400	2.00
Main rotor hub	2000	2.75
Tail rotor hub	1100	1.00

29. At its 352nd meeting on 20 December 1979, the Committee took note of the letter and additional reports submitted by Mr. Gervasi, but had no opportunity to consider them. However, it decided at that meeting to transmit the documents containing those reports to the Security Council Committee on the arms embargo against South Africa for any action that Committee might wish to take on any relevant portions thereof. By a letter of the same date addressed to the Chairman of the Committee on South Africa, the Chairman of the Committee transmitted the document containing the two reports. The substantive part of that letter is reproduced below:

"Since 1978 the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia has been dealing with a number of specific cases involving the reported supplies of military aircraft and other military equipment to Southern Rhodesia in violation of the Security Council mandatory sanctions against the illegal régime in that Territory. One of those cases (No. INGO-30) was based on information contained in a special study on that subject, prepared for the

Committee by Mr. Sean Gervasi, an independent research consultant based in New York, ... The full text of the pertinent part of that study is to be reproduced under that case in annex IV to the Committee's forthcoming twelfth report.

"With the Committee's concurrence, Mr. Gervasi made a further study on the subject, producing two additional reports, which were reproduced in a document prepared for circulation to the Committee on 11 December 1979. At its 352nd meeting today, which might turn out to be the last meeting before its dissolution, the Committee felt that it would not have enough time to study the additional reports in detail and to pursue as appropriate any new findings that might arise therefrom. It was therefore unable to make any comments on those reports. However, noting that the reported military transfers were invariably channelled through South Africa, many of them during the period overlapping your Committee's mandate, the Committee felt that some parts of Mr. Gervasi's studies might be relevant to your Committee's work. Accordingly, in pursuance of the co-operation that has always existed between our two Committees and drawing on past experience, the Committee decided that the document containing Mr. Gervasi's additional reports should be turned over to your Committee for any valuable use that might accrue therefrom for your Committee's work. The document is attached herewith. I also believe that Mr. Sean Gervasi himself would be prepared to answer any additional questions arising from his reports or to appear before your Committee, should that be necessary."

Case No. INGO-31. Military and related equipment captured from the forces of the illegal régime in Southern Rhodesia: information received from the Anti-Apartheid Movement, London, the United Kingdom

1. The Chairman received a letter dated 4 May 1979 from Mr. Abdul S. Minty, Director of the world campaign against military and nuclear collaboration with South Africa initiated by the Anti-Apartheid Movement, London, the United Kingdom, enclosing a copy of a letter dated 23 April 1979 sent to the United Kingdom Foreign and Commonwealth Secretary by the Honorary Secretary of the Anti-Apartheid Movement, London, as well as a copy of a list of various items of military and related equipment said to have been captured from the forces of the illegal régime in Southern Rhodesia. The substantive part of the letter to the Chairman reads as follows:

"We are sending you a copy of our letter dated 23 April 1979 to the British Foreign and Commonwealth Secretary together with a document giving details of military and military-related equipment which was inspected by representatives of the Anti-Apartheid Movement when they visited Zambia recently.

"The letter and documents contain information which seems to indicate widespread violation of the mandatory sanctions policy of the Security Council in relation to Rhodesia as well as violation of the Security Council decisions covering the sale of arms and other related equipment to South Africa.

"We hope that your Committee will be able to follow up the investigations which are needed by the enclosed evidence and we shall of course be making our own representations to various Governments as well.

"We hope that you will keep in touch with us about any developments relating to this information."

- (a) Text of the letter dated 23 April 1979 addressed to the United Kingdom Foreign and Commonwealth Secretary by the Honorary Secretary of the Anti-Apartheid Movement, London

"You will know of our repeated representations regarding the supply of military and related equipment to the Smith régime in defiance of international sanctions. We are writing again in the context of the recent escalation of acts of aggression by the Smith régime against Zambia, Mozambique, Botswana and Angola which has provided ample proof that the régime can obtain all the military equipment, spares, ammunition, strategic commodities etc., it requires to prosecute a war against its neighbouring States. Much of this equipment, we have argued, could only come from Britain and other Western countries.

"Officials of the Anti-Apartheid Movement, who were recently in Zambia, had the opportunity of studying some of the equipment captured by the Patriotic Front forces from which the attached list of items and details of each item was compiled. From this list it will be seen that various items of military and related equipment of British origin have been obtained by the Smith régime's security forces.

"Since sanctions have existed against the illegal régime since 1966 and in addition a voluntary arms embargo against South Africa since 1963 the evidence clearly indicates that through various means the Smith régime has been provided with the military and related equipment it requires.

"I would urge you to arrange for a full investigation into how these particular items of equipment reached the illegal régime and in addition would ask you to raise this matter with the Governments of the other countries involved so that they can carry out similar investigations.

"Furthermore, since South Africa must be the major route and source of the illegal régime's military supplies we believe that the British Government should inform the South African authorities that unless they cease their military collaboration with the Salisbury régime it will be necessary for Britain to request the United Nations Security Council to extend sanctions to include South Africa."

- (b) List of various items of military and related equipment captured from the forces of the illegal régime  
(in the original language)

Annex

Military and related equipment of foreign origin captured by  
Patriotic Front forces in Rhodesia and made available to the  
Anti-Apartheid Movement

This list of selected items for which country or origin and manufacturer can be identified.

British origin

1. Gas canister and camping stove (ZAPU/ZANU)  
Markings: EUROPLEASURE GAS LTD (EPL GAS)  
DORKING, ENGLAND.  
MADE IN ENGLAND.
2. Air pilot's helmet, dark green with visor (ZANU)  
Markings: R. H. THOMAS (owner's name)  
HEADSET ELECTRICAL  
NATO No. 5965-99-970-8448  
BRIT. PAT. Nos. 897873 & 791660  
MANUFACTURED BY  
DENIS FERRANTI METERS LTD  
BANGOR  
NORTH WALES
3. Field telescope, of type which can be fitted on helicopters (ZANU)  
Markings: COOKE, TROUGHTON & SIMMS LTD  
YORK, ENGLAND  
No. 395102
4. Typewriter - (these are captured from district commissioners offices and are also used by the security forces in protected villages) (ZANU)  
Markings: UNDERWOOD  
MADE IN ENGLAND
5. Wire tape measure on large spool with handle, as used by the security forces (ZANU)  
Markings: JOHN RABONE & SONS  
BIRMINGHAM, ENGLAND
6. Field telephone receiver for use with military radio-communications equipment (ZANU)  
Markings: Case - WRS ELECTRONICS (PVT) LTD  
MADE IN RHODESIA  
Detachable  
ear-piece MADE IN ENGLAND  
A.P. BESSON LTD  
5965/99/901/1184

7. Radio transmitter (ZANU)  
 Markings: RACAL TR4 8S
8. Singer Sewing Motor  
 Markings: SINGER SEWING MOTOR  
 210-230 volts, 0.34 amps  
 THE SINGER MFG. CO.  
 MADE IN GT. BRITAIN  
 Ser. No. K10261181
9. Communications radio captured in Mazoe area by ZPRA forces (ZAPU)  
 Markings: RACAL SMD ELECTRONICS  
 SERIAL No. 458
10. Pistol (ZAPU)  
 Markings: MADE IN ENGLAND  
 No. B16965  
 WEBLEY  
 MARK IV 22 (LONG RIFLE)  
 22 LR 6  
 8 TONS BNF
11. Pistol (ZAPU)  
 Markings: WEBLEY & SCOTT LTD  
 BIRMINGHAM  
 MADE IN ENGLAND

United States origin

1. Anti-personnel mine (when tripwires attached to igniters are sprung this type of mine leaps 1 metre into the air and explodes fragments in all directions. Believed to be of US origin) (ZAPU)  
 Markings: MINE SHRAPNEL No. 2 R1M1  
 PE 9 003 A 1/76
2. Parachute harness, captured in Kariba area (ZAPU)  
 Markings: SPEC. MIL - R - 5897A (USAF)  
 TYPE - B - 2A 45D18810  
 AERIAL MACH. & T.C.LIC. N.Y.  
 1966

3. Distance measurer, as used by Rhodesian airforce (ZANU)  
 Markings: 3800 B DISTANCE METER  
 HEWLETT-PACKARD  
 SERIAL No. 1141AQ0103  
 MADE IN USA  
 PATENTS PENDING
  
4. Radio receiver (ZANU)  
 Markings: HEWLETT-PACKARD  
 3801B POWER UNIT
  
5. Stand for military field telescope (helicopter mounting) (ZANU)  
 Markings: HEWLETT-PACKARD COMPANY  
 U.S.
  
6. Radio equipment (ZANU)  
 Markings: SINGLE SIDEBAND TRANSCEIVER  
 MODEL SSB-100  
 STONER ELECTRONICS  
 ALTA LOMA, CALIF., USA
  
7. Walkie-talkie (ZANU)  
 Markings: BACK PLATE RT - 60 FSN  
 MODEL No. ACR B/3  
 PART No. A3-06-0106 FMC 18560  
 CHROMALLOY ELECTRONICS DIVISION  
 CHROMALLOY AMERICAN CORP.  
 HOLLYWOOD, FLA., U.S.

French origin

1. Pistol (ZANU)  
 Markings: MANUFACTURE DE MACHINES DU HAUT-RHIN  
 "MANURHIN"  
 MADE IN FRANCE  
 LIC. EXCL/ WALTHER  
 MOD. PPK. CAL 7.65mm  
 250733
  
2. Communications radios, captured in Bulawayo (7.3.79),  
 Salisbury (15.12.78) & Kariba (2.11.78) (ZAPU)  
 Markings: RECEPTEUR DU RT 77/GRC - 9 Fr  
 EMMETEUR DU RT 77/GRC - 9 Fr  
 SERIE No. MARCHE No. (In each case)  
 TRT - PARIS



3. Communications radio, captured in Sipolilo area, 24.2.78 (ZAPU)

Markings: GOUVERNEMENT GENERAL D'ALGERIE  
AAE  
ALIMENTATION BY 88/GRC - 9 Fr  
NOMENCLATURE No. 1535-68  
APPAREIL No. 458 MARCHE No. 3-57-58 SAS  
T.R.T. PARIS

West German origin

1. Pistol (ZANU)

Markings: CARL WALTHER WAFFENFABRIK ULM/DO  
P38 CAL 9mm  
006100E

2. Binoculars (ZANU)

Markings: REVUE  
VERGUTETE OPTIK  
9 x 40  
114m auf 1000m  
Nr. 39889  
46296

3. Lens (ZANU)

Markings: ISCO-GÖTTINGEN  
PROJAR f=45mm

Canadian origin

1. Rifle (ZANU)

Markings: MADE BY WINCHESTER WESTERN  
(CANADA) LIMITED

Australian origin

1. Radio transmitter (ZANU)

Markings: PYE OVERLAND  
AUSTRALIAN MADE  
MADE BY PYE (PTY?) LTD  
MELBOURNE, AUSTRALIA

Belgian origin

1. FN rifles (large quantities, both ZANU & ZAPU)

Markings: FABRIQUE NATIONALE D'ARMES DE GUERRE  
HERSTAL - BELGIQUE

2. Pistol (ZAPU) (as used by commanders of small units)

Markings: FABRIQUE NATIONAL HERSTAL BELGIQUE  
BROWNING'S PATENT DEPOSE  
74017343  
CAL 9mm

Italian origin

1. Rifle (ZANU)

Markings: PRIMA FABBRICA ITALIANA D'ARMI  
PIETRO BERETTA  
GARDONE V.T. - BRESCIA  
Mod. A.300 - Cal. 12  
MADE IN ITALY

Japanese origin

1. Communications radio, captured in Wankie area 22.1.79 (ZAPU)

Markings: MODEL TC - 5005  
TOKAI COMMUNICATION APPARATUS  
CORPORATION CERTIFIES THAT THIS DEVICE COMPLIES IN ALL  
RESPECTS TO FCC REGULATIONS

2. Transistor Megaphone (as used by helicopter guncrews to shout to "terrorists" to "surrender", also in protected villages.) (ZANU)

Markings: MODEL ER-65  
TOA ELECTRIC CO LTD  
MADE IN JAPAN  
C-5513 564184  
RATED 14 W UM-2 10ps  
MAX 20W 15v

3. Field telescope (ZANU)

Markings: SOKKISHA  
TOKYO 125569 TM 200

4. Radio transmitter (ZANU)

Markings: SOLID STATE TRANSMITTER  
PACE CB 150  
5 WATT 6 CHANNEL  
MODEL No. CB 150  
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CERTIFIES THAT THIS TRANSMITTER COMPLIES WITH PART 95  
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Markings: TYPE RSA-30 SERIAL 93071-6/2  
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3. Radio receiver/transmitter (ZANU)

Markings: PHILLIPS TELECOMMUNICATIONS (PTY) LTD  
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FAB LAB 27108  
MADE IN SOUTH AFRICA

4. Batteries (ZAPU)

Markings: MADE IN SOUTH AFRICA  
BY EVEREADY SOUTH AFRICA LTD  
SPECIAL BATTERY, DRY  
B63 13.5 volts

2. An acknowledgement dated 15 May 1979 was sent to Mr. Abdul Minty, assuring him that the matter was being put before the Committee.

3. The communication from the World Campaign against Military and Nuclear Collaboration with South Africa, initiated by the Anti-Apartheid Movement, London, was considered by the Committee. It was noted that some of the captured items on the list might be rather insignificant or might not be easy to identify, making it difficult for the Governments concerned to undertake effective investigations. It was nevertheless decided that the full list should be transmitted to each Government concerned, as appropriate, with a request for thorough investigations into how those items, identifiable as being of national manufacture, were permitted to be exported to Southern Rhodesia in violation of the Security Council mandatory sanctions.

4. The proposed notes were sent on 21 August 1979 to the Governments concerned, namely Australia, Belgium, Canada, France, the Federal Republic of Germany, Italy, Japan, South Africa, the United Kingdom and the United States, enclosing for each Government the relevant list of items attributed to the national manufacture of that country.

5. Further to paragraph 4 above, an acknowledgement dated 6 September 1979 was received from Australia.

6. Replies were received from Canada, Australia and Belgium, the substantive part of which read as follows:

(a) Note dated 4 October 1979 from Canada

"While the said rifle is alleged to be of Canadian manufacture, it will be appreciated that without more specific information regarding the type of weapon and its serial number it would not be possible to attempt to determine to whom the weapon was originally sold.

"The Secretary-General will be aware that the Government of Canada adheres scrupulously to the mandatory Security Council sanctions against Southern Rhodesia and would be pleased to co-operate with the Committee on receipt of further information."

(b) Note dated 10 October 1979 from Australia

"The Australian authorities have investigated the report referred to in the Secretary-General's note and have determined that the item in question was a VHF-AM Radio, manufactured in Australia up to 1969-70. Many thousands of the type of radio in question were manufactured during this period for sale in Australia and overseas. They are designed for use in taxis and other similar

mobile radio-telephone stations. It appears from the information available that the radio was one of a type sold at the time to several overseas countries. No such radios were sold to Southern Rhodesia.

"The Australian authorities are unable to supply further information about the sale and purchase of the radio in question without knowing the serial number of the instrument. The age of the radio, and the dislocation of company records resulting from the fact that the original manufacturer (Pye Ltd) has since been taken over by the Philips Company, make it unlikely that a search would turn up any more detailed information."

(c) Note dated 11 October 1979 from Belgium

"The Belgian authorities have instructed me to transmit to you the following reply:

"Since Belgium has not violated the arms embargo against Rhodesia imposed by the Security Council, it must be assumed that the rifles and the pistol said to have been captured by ZANU and ZAPU were resold by their original purchasers. If any of these weapons can be identified, i.e., if their serial numbers can be supplied, Belgium will take special pains to co-operate fully in the ensuing investigation. It is already in a position to state that the pistol, whose serial number should probably read 74 C 17343, was sold by the Belgian manufacturer on 8 April 1975 to the Government of Libya."

7. First reminders were sent to the Federal Republic of Germany, France, Italy, Japan, the United Kingdom and the United States on 29 October 1979.

8. In view of the reply from Belgium and in accordance with the Committee's established practice under the no-objection procedure a note dated 6 November 1979 was sent to the Libyan Arab Jamahiriya, the substantive part of which reads as follows:

"Since May 1979 the Committee has been investigating the above-mentioned case, which concerns a number of military weapons and other equipment of various foreign manufacture reported to have been captured by the forces of the Patriotic Front from the forces of the illegal régime in Southern Rhodesia. One of the weapons captured was a pistol of Belgian manufacture with the serial number given, and confirmed by the Belgian authorities, as 74-C-17343. The Belgian authorities have informed the Committee that that pistol was sold by the Belgian manufacturer on 8 April 1975 to the Government of the Libyan Arab Jamahiriya.

"The Committee is anxious to know how that pistol and similar military weapons came to be acquired by the illegal régime in Southern Rhodesia despite the existence of the Security Council mandatory sanctions against that régime. It therefore decided to request the authorities of His Excellency's Government to trace the disposition of the pistol in question from the moment it was delivered to the Libyan Arab Jamahiriya. The Committee would be greatly obliged to receive, at the earliest convenience, if possible within a month, the findings of the investigating authorities, which might help to shed some light on how the illegal régime has been obtaining its supplies of military arms and ammunition in violation of the sanctions."

9. A reply dated 6 November 1979 was received from the Federal Republic of Germany the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... has the honour to communicate the following:

"The Federal authorities have taken the necessary steps to determine the manufacture of the materials captured by the forces of the Patriotic Front and believed to have been produced in the Federal Republic of Germany. If the result warrants a widening of the investigation to include the circumstances in which the materials could have been acquired by the Salisbury régime, the Federal authorities will proceed accordingly. The Security Council Committee established in pursuance of resolution 253 (1968) will be promptly informed of the outcome of the investigation."

10. An interim reply dated 7 November 1979 was received from Japan.

11. Replies dated 12, 13, 20 November and 5 December 1979 were received from Italy, France, the United Kingdom and the Federal Republic of Germany, respectively, the substantive parts of which read as follows:

(a) Note dated 12 November 1979 from Italy

"The Permanent Representative of Italy to the United Nations ... has the honour to refer to note No. PO 230 SORH (1-2-1) - Case No. INGO-31 of 21 August 1979, concerning the case of a Beretta A300 12-calibre rifle of Italian manufacture which was seized by the forces of the Patriotic Front from the armed forces of the illegal régime of Southern Rhodesia.

"In this regard, the Permanent Representative of Italy has the honour to inform His Excellency that this rifle is in fact a hunting rifle, of a type produced by Beretta Corp. in both a normal and a luxury version. It is exported to a large number of countries and sold almost free of restriction in many of them. In view of the ease with which this hunting rifle can be purchased throughout most of the world, it is clearly impossible for the Italian Government to determine how an example of the A300, 12-calibre rifle may have turned up in the possession of a member of the armed forces of the illegal régime of Southern Rhodesia."

(b) Note dated 13 November 1979 from France

"The Permanent Mission of France to the United Nations ... has the honour to inform it [the Secretariat] that the equipment in question is indeed of French origin. The serial numbers given indicate that it was manufactured more than 20 years ago. It was delivered to the French Army, which lost all trace of it during the events which culminated in the independence of Algeria."

(c) Note dated 20 November 1979 from the United Kingdom

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations ... and has the honour to refer to his [the Secretary-General] note PO 230 SORH (1-2-1) of 29 October 1979.

"Much of the British-manufactured equipment listed in the attachment to the Secretary-General's note of 21 August 1979 would appear to be fairly old and to have reached Rhodesia from second-hand sources and not direct from the United Kingdom. However, the relevant authorities in the United Kingdom have initiated enquiries, and any information that these enquiries may produce will be made available in the usual way to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia."

(d) Note dated 5 December 1979 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... has the honour to communicate the following:

"An investigation into the origin of the military and related equipment manufactured by German firms and captured by Patriotic Front forces in Rhodesia has unequivocally dispersed any suspicion of violations of the Security Council mandatory sanctions against Southern Rhodesia.

- "1. The Carl Walther GmbH., Ulm, determined code number of the pistol in question that it was manufactured during the Second World War by a sub-contractor, the firm of J. P. Sauer & Sohn, at Suhl, Thuringia, (now German Democratic Republic).

- "2. The Foto-Quelle GmbH., Nuremberg, advised that binoculars are manufactured for it under the trade-name 'Revue' in several Far Eastern countries and subsequently sold directly to the consumer by the Foto-Quelle mail order house in the Federal Republic of Germany and by its numerous foreign branch or franchise stores. Because of the volume of binocular sales transacted by Foto-Quelle no records are kept of the manufacturers' code numbers which would have made it possible to determine when and where the binoculars in question were sold. The firm is not involved in export transactions.
- "3. The Isco Optische Werke GmbH., Goettingen, informed the investigating authorities that it manufactures primarily lenses for film and slide projectors and that it sells mostly to manufacturers of, and dealers in, such projectors. Consequently, its products can reach foreign countries either through direct export or indirectly as a component part of the projectors of other manufacturers. A direct export to Southern Rhodesia has not taken place. Moreover, it was learned that production of the lens model Projar f=45mm was discontinued about ten years ago."

Case No. INGO-32 Participation of Southern Rhodesians in the World Ploughing Championships in Northern Ireland, the United Kingdom: information received from the Anti-Apartheid Movement, Dublin, Ireland

1. By a letter dated 23 August 1979 the Irish Anti-Apartheid Movement, Dublin, reported information concerning an invitation to a team from Southern Rhodesia to participate in the World Ploughing Championships in Northern Ireland, United Kingdom. The text of that letter is reproduced below:

"It has just been brought to our attention that a team from 'Rhodesia' as the organizers term it, has been invited to take part in the World Ploughing Championships which are taking place in Northern Ireland on 21 and 22 September 1979.

"We have ourselves brought the matter to the notice of the British Government, and urged them to ensure that the invitation to 'Rhodesia' is withdrawn. However, I am sure that an appeal from the Security Council Committee would carry more weight, and we therefore hope that you will be able to take action to prevent this breach of sanctions."

2. In accordance with the instructions laid down by the Committee at the 166th meeting, an acknowledgement was sent to the Honorary Executive Secretary of the Irish Anti-Apartheid Movement on 19 September 1979.

3. In accordance with the Committee's decision under the no-objection procedure, a note dated 9 October 1979 was sent to the United Kingdom, the substantive part of which is reproduced below:

"The Committee has received information from the Irish Anti-Apartheid Movement, a non-governmental organization in Dublin, Ireland, according to which a team from Southern Rhodesia was invited by the organizers to take part in the World Ploughing Championships scheduled to take place in Northern Ireland on 21 and 22 September 1979. The text of the communication containing that information is herewith attached for ease of reference.

"The Committee felt that the attention of His Excellency should be drawn to the fact that, if the reported information should be proved, the admission into the United Kingdom of a team of participants from Southern Rhodesia in a representative capacity would be considered contrary to the spirit and intent, and might actually be in violation of the relevant resolutions of the Security Council establishing mandatory sanctions against the illegal régime in Southern Rhodesia. The Committee would therefore appreciate receiving information from His Excellency's Government as to the circumstances in which the reported team of participants might have been admitted into the United Kingdom, the names, travel documents and means of transportation used by the members of the team.

"In requesting the Secretary-General to transmit the foregoing to the United Kingdom Government, the Committee indicated that it would appreciate receiving any comments that His Excellency's Government might be able to make on the matter at the earliest convenience, if possible within one month."

4. A first reminder was sent to the United Kingdom on 12 December 1979.

Case No. INGO-33. Reported official activities in Southern Rhodesia by a representative of the Netherlands Government: information received from the Holland Committee on Southern Africa (Angola Comité)

1. A cable communication dated 15 August 1979 addressed to the Chairman was received from Dr. S. Bosgra of the Holland Committee on Southern Africa, reporting certain official activities in Southern Rhodesia by a representative of the Netherlands Government. The text of that communication is reproduced below.

"Our Committee has sent a protest to the Dutch Government concerning the fact that a Dutch diplomatic representative is working in Salisbury. His name is Mr. H. W. Van der Rest. He is doing there normal consular activities like issuing visas for Rhodesians that want to visit Holland. We consider this activity a violation of Security Council resolution 270 of 18 March 1970 concerning diplomatic and consular relations with Rhodesia."

2. An acknowledgement dated 17 August 1979 was sent to Dr. Bosgra by the Chairman, expressing appreciation for the information thus received and assuring him that the matter was being brought before the Committee for appropriate action.

3. In accordance with the Committee's instructions laid down at the 166th meeting, the following note was prepared under the no-objection procedure, for the Committee's consideration for transmission to the Netherlands. The substantive part of the note reads as follows:

"The Committee has received a cable communication from Dr. S. Bosgra of the Holland Committee on Southern Africa, Amsterdam, reporting certain official activities in Southern Rhodesia by a representative of the Netherlands Government. The substantive portion of that communication is reproduced below.



[Text of cable communication]

"The Committee expressed great concern at the information thus received, taking the view that, should the report be correct, the presence of a representative of His Excellency's Government in Southern Rhodesia and his official activities there would be in violation of the Security Council mandatory sanctions against the illegal régime in that Territory, particularly the provisions of paragraph 9 of Security Council resolution 277 (1970). It therefore decided that the above information should be transmitted to His Excellency's Government with a request for thorough investigations as to the validity of that information and, if so, the circumstances in which the reported presence of Mr. Van der Rest in Southern Rhodesia and his activities there are permitted to occur. The Committee would also welcome being informed of the measures contemplated by His Excellency's Government to ensure that the Security Council decisions are properly implemented in that regard.

"The Committee expressed the hope that it might receive His Excellency's comments on the matter at the earliest convenience, if possible within a month."

4. However, before the proposed note was sent, a communication dated 20 August 1979 was received from a member of the Permanent Mission of the Netherlands to the United Nations, the substantive part of which reads as follows:

"I would like to inform you that the Netherlands Ministry of Foreign Affairs has issued a press statement on the alleged presence of a Netherlands official in Salisbury.

"The Ministry confirms that a staff member of the Netherlands Consulate General in Johannesburg has been stationed in Salisbury since a number of years in order to facilitate contacts with Netherlands residents in South Rhodesia and, whenever necessary, to assure their protection. He is also mandated to issue entry-visas in the Netherlands to Rhodesian nationals, but only on exceptional humanitarian grounds. To underscore that this official has no official diplomatic or consular status, he is called a 'house-keeper'. Neither have privileges and immunities been accorded to him."

5. In view of the communication received from the Netherlands, it was suggested, after consultation with the Chairman, that the note proposed for dispatch to the Netherlands (see paragraph 3 above), should be postponed pending consideration of the matter and further instructions by the Committee.

6. The matter was discussed at the 347th meeting of the Committee on 27 September 1979, at which it was decided that a note should still be sent to the Netherlands, seeking more detailed explanation of the circumstances of the Netherlands Government official's presence in Southern Rhodesia and indicating the Committee's grave concern about the apparently clear violation of sanctions resulting from his activities there.

7. In accordance with the Committee's decision indicated above, a note dated 23 October 1979 was sent to the Netherlands, the substantive part of which is reproduced below.

"As His Excellency's Government may be already aware, the Committee recently received a cable communication from Dr. S. Bosgra of the Holland Committee on Southern Africa, Amsterdam, reporting certain official activities in Southern Rhodesia by a representative of the Netherlands Government. The substantive portion of that communication is reproduced below.

[Text of cable communication]

"Meanwhile, the Committee also received a communication dated 20 August 1979 from the Permanent Mission of the Netherlands to the United Nations providing certain information on the presence and activities in Southern Rhodesia of a staff member of the Netherlands Consulate General in South Africa, as published in a press statement issued on the matter by the Netherlands Ministry of Foreign Affairs.

"At its 347th meeting on 27 September 1979, the Committee had an opportunity to consider the whole matter in detail. It expressed great surprise that the situation had been permitted to arise at all, wondering how long that staff member's operations had been going on in Southern Rhodesia in apparent violation of the Security Council mandatory sanctions against the illegal régime in that Territory. It appeared to the Committee that by virtue of his staff membership of the Netherlands Consulate General in South Africa, the person in question, named as Mr. Van der Rest, had official representational status; the nature of his duties in Southern Rhodesia were also such as must be performed on behalf and with the authority of the Government. The Committee also observed that the official nature of such duties must normally have the acquiescence of the receiving Government, which in the present case must have entailed conferment of recognition upon the illegal régime in Southern Rhodesia through negotiations with it for his accreditation. Such an exercise by itself would be in violation of several Security Council resolutions, including in particular resolutions 445 (1979) and 448 (1979). On yet another point, the Committee expressed doubts on the 'house-keeping' and humanitarian circumstances claimed to be the basis of the staff member's activities in Southern Rhodesia. The Committee felt that while paragraph 4 of resolution 253 (1968) specifically excepted remission of funds and food-stuffs to Southern Rhodesia on humanitarian grounds, the reported activities of Mr. Van der Rest in Southern Rhodesia could hardly be fitted into those categories, nor that the resolution envisaged the operation of humanitarian activities inside Southern Rhodesia by persons from outside the Territory.

"In view of the foregoing the Committee formed the opinion that the presence and activities of the staff member in Southern Rhodesia were in violation of the Security Council mandatory sanctions. It therefore decided that a note should be sent to His Excellency's Government inviting it to give further detailed explanation of the matter in question, in particular the status of Mr. Van der Rest in Southern Rhodesia, and the source of authority for his activities there. The Committee expressed the hope that in doing so, His Excellency's Government would also pay particular attention to the provisions of paragraph 9 of Security Council resolution 277 (1970). In the absence of any explanation judged to be consistent with the application of the relevant Security Council resolutions, the Committee would welcome information

at the earliest convenience, if possible within a month, of the measures contemplated by His Excellency's Government to ensure termination of the reported activities in, and withdrawal of, Mr. Van der Rest from Southern Rhodesia."

8. A reply dated 18 December 1979 was received from the Netherlands, the substantive part of which reads as follows:

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform the Secretary-General as follows.

"Pursuant to Security Council resolution 277 of 18 March 1970 the Netherlands Government on 10 April 1970 closed its Consulate-General in Salisbury. Since that time an administrative officer of the Netherlands Consulate-General in Johannesburg has been posted in the former Consul-General's residence to act as housekeeper. This housekeeper is also authorized to perform limited activities to facilitate the necessary consular contacts between Netherlands nationals residing in Southern Rhodesia and the Consulate-General in Johannesburg. Occasionally and only upon instructions of the Consul-General the housekeeper may issue visas to inhabitants of Southern Rhodesia for entry into the Netherlands. Issuance of visas by the housekeeper is authorized - in accordance with Security Council resolution 253 - for strictly humanitarian reasons exclusively. This in general applies in cases of serious illness or death of next of kin.

"The housekeeper's presence in Salisbury is strictly unofficial. He has entered Southern Rhodesia in a private capacity and on a regular, non-official, non-diplomatic passport. He has neither diplomatic nor any other official status vis-à-vis the régime in Southern Rhodesia. The Netherlands Government has not at any time requested or negotiated official accreditation, nor has the Government requested or negotiated the régime's approval of his presence. His presence in Salisbury and the nature of his duties in no way imply any recognition of the régime by the Netherlands.

"The Netherlands Government has scrupulously adhered to the Security Council resolutions and the Netherlands Government trusts that the Secretary-General on the basis of the above statement of facts will agree that no violations whatsoever of relevant Security Council resolutions have occurred."

Case No. INGO-34. Supply of military aircraft to Southern Rhodesia - Siai-Marchetti 260 aircraft: information received from the British Broadcasting Corporation documentary film "Panorama"

1. The present case was opened on the basis of information originally obtained from a documentary film provided by the producers of the BBC programme "Panorama." A summary of the transcript of that film and the action taken by the Committee in that connexion are contained in paragraphs 14, 16-19 of Case No. INGO-30 above.

2. Further to paragraph 19 of Case No. INGO-30 above, notes dated 16 October 1979 were sent to Belgium, Italy, Portugal, South Africa, and the United States, the substantive part of which reads as follows:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of \_\_\_\_\_ to the United Nations and, at the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, has the honour to communicate to him the following:

"In July 1979, the Committee received information from a documentary film by investigators of a British Broadcasting Corporation programme, 'Panorama', giving details of a clandestine, international operation involving persons domiciled within the jurisdiction of His Excellency's Government, as a result of which a number of Siai-Marchetti 260 military aircraft were reportedly delivered to Southern Rhodesia. The supply of those aircraft to Southern Rhodesia, if proved, would have been conducted in contravention of the Security Council mandatory sanctions against the illegal régime in that Territory. The portion of the pertinent information extracted from a summary prepared from the transcript of the film is herewith enclosed for ease of reference.

"At its 346th meeting, the Committee decided that the information thus received should be transmitted to His Excellency's Government with a request for thorough investigations to be undertaken by the competent United States authorities so as to determine whether and the circumstances in which the reported transfers of the aircraft took place, paying particular attention to the part played by persons domiciled within the jurisdiction of His Excellency's Government.

"The Committee expressed the hope that it might receive the requested information at the earliest convenience, if possible within a month."

3. A reply dated 11 December 1979 was received from Italy, the substantive part of which reads as follows:

"The Permanent Representative of Italy to the United Nations ... has the honour to refer to Note PO 230 SORH (1-2-1) Case INGO-34 of 16 October 1979, concerning the information contained in the BBC documentary 'The Operation Continues' in regard to a series of transactions which led to the transfer of 17 Siai-Marchetti SF 260 aircraft to Southern Rhodesia.

"The Permanent Representative of Italy wishes, first of all, to assure the Secretary-General that the Italian Government fully shares the concern expressed by the Committee established in pursuance of resolution 253 (1968) in regard to this particular case. As the Secretary-General is already aware, armament exports from Italy must be granted a government-issued export licence. Such licences are systematically denied whenever the application concerns a country subject to a United Nations embargo on armaments supplies or a country which might act as an intermediary toward such a final destination. These regulations fully apply to the Siai-Marchetti SF 260 in both its military and civilian versions, and no licences for the export of these aircraft to Southern Rhodesia or South Africa have been granted at any time.

"The Italian Government's investigation of the matter confirms that a number of Siai-Marchetti SF 260 civilian aircraft have been supplied in the past by the Italian manufacturer, under regular export licences, to ASPE Corp. of Belgium. It also seems likely that the 17 aircraft which were subsequently acquired by Southern Rhodesia were among those supplied to ASPE Corp. At the initiative of the Government of Belgium, however, a judicial inquiry has been opened on the matter, and is now under way. The results of that inquiry may provide further clarifications as to transactions concerning the aircraft."

Case No. INGO-35. Transactions in tobacco via Antwerp, Belgium: information obtained from a documentary film provided by the producers of the BBC programme, "Panorama"

1. The present case was opened on the basis of information originally obtained from a documentary film provided by the producers of the BBC programme "Panorama". A summary of the transcript of that film and the action taken by the Committee in that connexion are contained in paragraphs 14, 16-19 of Case No. INGO-30 above.
2. Further to paragraph 19 of Case No. INGO-30 above, notes dated 30 October 1979 were sent to Belgium and the United Kingdom, the substantive part of which read as follows:

"In July 1979, the Committee received information from a documentary film by investigators of a British Broadcasting Corporation programme, 'Panorama', giving details of clandestine, international operations as a result of which certain types of military aircraft were reportedly delivered to Southern Rhodesia in violation of the Security Council mandatory sanctions against the illegal régime in that Territory. The information also included a report of transactions in Southern Rhodesian tobacco involving persons operating within the jurisdiction of His Excellency's Government. A portion of the relevant information on the matter extracted from a summary prepared from the transcript of the film is herewith enclosed for ease of reference. No full account was given of the nature of the tobacco transactions based in Antwerp or of any other related activities, as the individuals mentioned in that connexion, Messrs. John Bredenkamp, Tony Parker and Tony Bradshaw, declined to be interviewed.

"At its 346th meeting, the Committee decided that the information thus received should be transmitted to His Excellency's Government with a request for thorough investigations to be undertaken by the competent authorities so as to determine whether and the circumstances in which the reported tobacco transactions take place, paying particular attention to the activities of the named individual or individuals within the jurisdiction of His Excellency's Government.

"The Committee expressed the hope that it might receive the requested information at the earliest convenience, if possible within a month."

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