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LETTER DATED 6 OCTOBER 1978 FROM THE PERMANENT REPRESENTATIVE
OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to inform you that at its 316th meeting today, the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia considered the reported visit to the United States of America of Ian Smith and members of the illegal régime in Southern Rhodesia. The Committee heard a statement from the representative of the United States of America to the United Nations in which he said, *inter alia*, that the United States Government had granted visas to Ian Smith and some of his colleagues to visit the United States of America. The Committee also heard from the representative of the Organization of African Unity to the United Nations the statement adopted by the African Group at the United Nations.

The Committee decided that, in view of the urgency and seriousness of this matter, the texts of the statement of the African Group and that of the representative of the United States of America, both herewith attached, should be transmitted to the Security Council for appropriate action by the Council.

I have the honour to request that this letter and its enclosures be circulated as a document of the Security Council.

(Signed) Rikhi JAIPAL
Permanent Representative of India
to the United Nations
Chairman of the Committee

Enclosure I

STATEMENT OF THE UNITED STATES OF AMERICA

Issuance of a visa to Ian Smith

We have been involved jointly with the United Kingdom in a major initiative to settle the Rhodesian conflict.

Our involvement in this effort has been predicated from the outset on our commitment to democratic majority-ruled Governments in southern Africa. That commitment has not changed.

However, the situation has become increasingly dangerous in Rhodesia itself. As conditions worsen, so, too, do the prospects for resolving the conflict in a way that will bring peace and security to the people of Zimbabwe and to the region as a whole.

Over the past 18 months, we have spared no effort to try to bring the parties together. To our great regret, those efforts have thus far proved unsuccessful.

The situation is such that we cannot afford merely to let events take their course. We must, if anything, redouble our efforts.

Nor can we afford to miss any opportunity, no matter how remote it may seem, to impress upon the parties the need for negotiation and compromise as the only alternative to an increasingly brutal war.

Last April, Secretaries Owen and Vance visited Dar es Salaam and Salisbury in an effort to reconcile the differences between the parties. Their visit to Salisbury underscored our determination to maintain a dialogue with all parties in an effort to bring about a settlement.

As you know, Ian Smith and the other members of the Salisbury Executive Council have sought permission to visit the United States in response to an invitation issued by 27 members of the United States Senate.

We have weighed that request with utmost care, having in mind our responsibilities as a member of the United Nations and our desire to see an end to the Rhodesian conflict.

In the interest of making every effort to conclude a Rhodesian settlement, we have decided, as an exceptional matter, to grant Smith and other Executive Council members permission to visit the United States.

We intend to use this unique opportunity to continue the discussions with Smith and his colleagues to convince them of the necessity of moving towards a genuine transfer to majority rule.

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We continue to regard the Anglo-American proposals as the basis for such a settlement.

We believe that this transfer of power can only take place by means of a negotiated settlement calling for free and fair internationally supervised elections through which the will of the people of Zimbabwe can be expressed.

We will continue to comply with Security Council sanctions until the negotiation process leads to the formation of a legal, internationally recognized Government in that country.

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Enclosure II

STATEMENT OF THE AFRICAN GROUP

The African Group at the United Nations has learnt with dismay and is profoundly concerned at the decision of the Government of the United States to allow entry to the head of the illegal racist régime in Southern Rhodesia, Ian Smith. The Group is constrained to remind the United States Administration that its decision is contrary to the Charter of the United Nations and is in direct violation of the letter and spirit of the United Nations Security Council resolutions, particularly resolutions 253 (1968) and 423 (1978). In the view of the African Group, this development casts serious doubts on the Administration's much vaunted "new policies" towards our continent. It would also appear to be intended to give credibility to Smith's claim to have evolved an internal settlement, a claim which has not only been rejected but also condemned as a colossal fraud by the Security Council in resolution 423 (1978), paragraph 2, which states: "Declares as illegal and unacceptable any internal settlement under the auspices of the illegal régime and calls upon all States not to accord any recognition to such settlement".

Article 2, paragraph 5, of the Charter states "All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action". While the African Group recognizes the principle of sovereignty of States, it, however, wishes to remind the United States Administration that "this principle shall not prejudice the application of enforcement measures under Chapter VII", as stated in Article 2, paragraph 7, of the Charter. The Group also recalls, especially, paragraph 5 (b) of Security Council resolution 253 (1968), which calls on all States to

"Take all possible measures to prevent the entry into their territories of persons whom they have reason to believe to be ordinarily resident in Southern Rhodesia and whom they have reason to believe to have furthered or encouraged or to be likely to further or encourage, the unlawful actions of the illegal régime in Southern Rhodesia or any activities which are calculated to evade any measure decided upon in this resolution or resolution 232 (1966) of 16 December 1966".

Ian Smith is the personification of the illegality in Southern Rhodesia.

The United States Government voted positively for that resolution and is therefore bound by its terms, in accordance with the provisions in Article 25 of the Charter, which states: "The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter".

The decision of the United States Administration, if implemented, would merely

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serve to provide solace to the Smith régime and certainly undermine further the efforts of the international community to isolate that illegal régime. The basic factor of seizure of power by Smith and a handful of white supporters from the British Crown to pre-empt independence and self-determination for the 6 million Africans continues to be the problem. This no nation should circumvent by any manoeuvres.

It is evident that the rebel leader would naturally interpret the gesture as proof of acceptability of his illegal régime and a weakening of the international community's commitment against it. Furthermore, the gesture will also serve to encourage the rebel leader to intensify his persistent acts of aggression against the independent African States of Mozambique, Zambia and Botswana. Such a gesture to the rebel leader can only serve to embolden the illegal régime in its recalcitrance and continued defiance of the will of the international community, enable the rebel leader to persist in his treasonable acts against the administering Power and further encourage him in his policies of repression and callous brutality against the people of Zimbabwe.

In spite of this retrogressive step, the African Group would like to believe that the United States Administration is still interested in exploring the possibility of a negotiated solution to the Zimbabwe question. The African Group recalls also that the United States Administration is one of the co-authors of the Anglo-American proposals for settlement of the problem of Zimbabwe. It is logical to expect that the United States Administration would scrupulously avoid any acts which would further aggravate an already depressing situation or place its own settlement proposals in jeopardy.

Africa expects the United States Administration, which has made pronouncements to the effect that the respect for human rights constitutes one of the cornerstones of its foreign policy, to rescind its decision, bearing in mind the morality inherent in the burning issues facing mankind today in southern Africa, as well as the legal and binding obligation it has to discharge under the Charter as a permanent member of the Security Council.

The African Group also appeals to all States to deny transit facilities to the rebel Ian Smith and his collaborators.

The African Group draws the attention of the United Nations Security Council and the United Nations General Assembly to this act, which violates relevant United Nations resolutions, and urges these bodies to take urgent and appropriate action. For its part, the African Group expresses its total and unflinching support for the Patriotic Front.
