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

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* A limited number of copies of the present report are being circulated in mimeographed form. The report will subsequently be issued as Official Records of the Security Council, Thirty-third Year, Special Supplement No. 2.

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* The annexes to the present report will be issued separately.

INTRODUCTION

1. The present report covers the period between 16 December 1976 and 15 December 1977. It follows as a whole the outline of previous reports in its body and annexes, but for the sake of brevity, it does not include some of the background information already covered in the previous reports.
2. Since the issuance of the ninth report (S/12265), 1/ adopted on 21 December 1976, the Committee has held 18 meetings and the Working Group (see para. 7 below) has held six meetings. The present report was adopted at the 302nd meeting on 12 December 1977.
3. At the 285th meeting on 10 February 1977 the Committee elected Ambassador Mansur R. Kikhia (Libyan Arab Jamahiriya) Chairman and at the 287th meeting on 28 April 1977 the Committee elected the delegations of Venezuela and India to provide the first and second vice-chairmen, respectively.

1/ Official Records of the Security Council, Thirty-second Year, Special Supplement No. 2, vols. I, II and III.

CHAPTER I

WORK OF THE COMMITTEE

4. General information concerning the Committee and its working procedures may be found in chapter I, A of the seventh report (S/11594/Rev.1), chapter I, A of the eighth report (S/11927/Rev.1), and chapter I, A of the ninth report (S/12265).

A. Organization and programme of work

5. During 1977, the Committee continued its practice of holding weekly meetings so long as the proposed meetings did not coincide with meetings of the Security Council. It instituted a new working procedure by establishing a working group on pending cases. Information regarding the Committee's conduct of work is given below under the subtitle "Working procedures".

6. When the Committee began consideration of its programme of work for 1977, the representative of the Union of Soviet Socialist Republics put forward specific proposals for the Committee's consideration. The full text of the USSR proposals is contained in the appendix to the Committee's interim report (S/12450) to the Security Council regarding the implementation of Security Council resolutions 409 (1977) and 411 (1977), respectively. The Committee considered those proposals, as well as a number of other general subjects which had been included in the Committee's programme of work for 1977. Information concerning the action taken by the Committee regarding those proposals and general subjects is given below under the subtitle "Consideration of general subjects".

(a) Working procedures

(i) Establishment of a working group on pending cases

7. At its 287th meeting on 22 April 1977 the Committee decided in principle to set up a working group consisting of five delegations from its membership for the purpose of examining pending cases, as well as reviewing old cases more effectively. At the 290th meeting, the Committee decided further that the working group should be an ad hoc body of the Committee, deriving its existence and powers from the Committee itself, to which it should report and be accountable. Its function would consist of examining in detail pending cases and making recommendations to the Committee. It was agreed that the working group should follow the Committee's procedural practices during the conduct of its work. Other specific procedures for the working group were also discussed and decided on by the Committee at the same meeting. It was also agreed that, for 1977, the working group would consist of the following five delegations: Benin, Pakistan, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and Venezuela. The chairmanship of the group would rotate after each meeting.

(ii) Allocation of meetings

8. At its 288th meeting, the Committee decided to defer any reconsideration of its working procedure with regard to the number of meetings to be devoted to specific cases of suspected violations of sanctions on the one hand, and to general issues on the other, until such time when it would be in a position to know how the Working Group on pending cases actually operated. In the meanwhile, it was agreed that the existing ratio of four to two established in 1976 should remain in force.

(iii) The semi-automatic procedure with regard to international sports activities involving Southern Rhodesia

9. In conformity with the Committee's decision at the 269th meeting contained in the ninth report, extending the semi-automatic procedure to information gathered from published sources concerning sports activities involving either individuals or organized groups acting in a nationally representative capacity, or membership of Southern Rhodesia in international sports federations, the Committee opened three new sports cases during 1977. Additional information on the individual sports cases may be found in section B of the present chapter.

(iv) Ad hoc press conferences by the Chairman

10. In conformity with the Committee's decision at the 231st meeting contained in the eighth report, and at the request of the Canadian Broadcasting Corporation (CBC), the Acting Chairman (the Permanent Representative of Pakistan to the United Nations), on 14 January 1977, granted CBC a filmed interview on various aspects of the Committee's work to be used as part of a documentary film being prepared by CBC.

(v) Personal contacts by the Chairman with the Permanent Representatives of countries in default of replies after three reminders or at the specific request of the Committee

11. In accordance with the Committee's decision taken at the 273rd meeting, and indicated in the ninth report, the Chairman, or the Acting Chairman, has continued to contact the Permanent Representatives of countries, either because of the countries' failure to reply two months after the dispatch of a third reminder from the Committee, or at the specific request of the Committee. The Chairman's report in that regard may be found in annex I to the present report.

(vi) Circulation to the Committee of the quarterly list of Governments in default of replies after third reminders

12. In accordance with the Committee's decision also taken at the 273rd meeting and indicated in the ninth report, two quarterly lists were circulated to members of the Committee on 7 July and 12 October 1977 showing those countries from which replies were still due two months after a third reminder had been dispatched to them.

(vii) Publication of lists of Governments failing to respond to the Committee's inquiries within the prescribed period of two months

13. In accordance with the recommendations contained in paragraph 18 of its second special report (S/10920), which was adopted by the Security Council in

resolution 333 (1973), the Committee has continued to publish lists of Governments that fail to respond to its inquiries within the prescribed period of two months. Since publication of the ninth report, three new lists have been issued as press releases on 14 April, 25 July and 27 October 1977.

14. At the time of preparation of the present report replies were overdue and still awaited from Belgium, Brazil, Gabon, Ivory Coast, Liberia, Liechtenstein, Panama, Portugal, South Africa, Spain, Switzerland and Zaire.

15. Additional measures taken by the Committee and subsequent developments arising therefrom have already been described in paragraph 12 above with regard to Governments failing to reply even after three reminders.

(b) Consideration of general subjects

(i) List of countries to which 20 or more notes concerning violations of sanctions had been sent

16. At the 289th meeting, the Committee continued its consideration of the question of countries to which 20 or more notes concerning actual or suspected violations of sanctions had been sent. During the discussion, some members observed that preparation of such a list would facilitate the work of the Committee in identifying the most flagrant violations of sanctions. Reference was made to such a list, prepared at one time for the Committee, which could simply be updated. Others maintained, on the other hand, that, actual casework was the best way to establish a list of violators. They pointed out further that, while it might be useful to prepare a list based on proven violations of sanctions, there was no advantage in drawing up a list of countries simply on the ground that they had received 20 or more notes from the Committee, since those notes were in no way accusatory. It was also pointed out that information on notes sent to Governments was always included in the Committee's annual reports and were in the public domain. The Committee decided that the Secretariat should make available the old list, together with a list of pending cases, to all members of the Committee who wanted them. In that connexion, attention was drawn to a differentiation between cases of proven violations and those where no violations had been proven.

(ii) Manual of documentation and procedures for goods originating in southern Africa

17. Also at the 289th meeting, the Committee, bearing in mind the highly technical nature of the draft manual, decided to defer consideration of that document until the new delegations in the Committee had had time to study it. At the time of the preparation of the present report, the Committee had not yet had an opportunity to resume its substantive consideration of the matter.

(iii) Question of conflicting reports of Member States on the origin of goods declared to have been imported from Southern Rhodesia

18. At the same meeting, the Committee continued its consideration of the question of conflicting reports in connexion with those cases in which the United States Government had reported imports of chrome ore, nickel and other materials from Southern Rhodesia aboard vessels which were registered in or belonged to nationals of countries other than the United States. The replies received from the

Governments involved in shipping the goods in question had often contained conflicting information as to the origin of the cargoes and, in some cases, the quantities imported. During the discussion attention was drawn to the possibility that carriers themselves might have been deceived by false documents. In that connexion, it was considered important to ascertain what methods had been used by exporters and importers to mislead carriers. Consequently, the Committee decided to request the expert consultant to prepare a tabulation which would show what documents had been cited as proof of origin and would also indicate who had produced them in the cases containing conflicting reports. The Committee also decided to defer consideration of any action on the matter until the requested information had been received. The expert consultant's report on the matter was submitted to the Committee on 24 June 1977. For additional information concerning subsequent action on this matter see USI-cases under section C in annex III to the present report.

(iv) Submission of information by the United Kingdom and related matters

19. The question of the information to be provided by the United Kingdom in accordance with the provisions of Security Council resolutions 232 (1966), 253 (1968) and 277 (1970), in particular under paragraphs 1, 2 and 17 of resolution 253 (1968) and paragraph 4 of resolution 277 (1970), was considered by the Committee at the 289th meeting. It was suggested that such information was of particular value to the Committee and should be supplied. Other delegations expressed the view that the proposal misdescribed relevant paragraphs of the resolutions and betrayed a misconception of the functions of the Committee. Those delegations felt that the Committee had been established for the purpose of dealing with sanctions and, as such, the Committee's mandate was confined to seeking and obtaining information from Governments in relation to the application of sanctions; the Security Council itself was the proper forum for any other matters. There was thus total lack of consensus on the matter; the Committee decided nevertheless that the item should be retained on the agenda.

(v) Preparation of a comprehensive fact sheet relating to overt violations of sanctions

20. The question of the preparation of a comprehensive fact sheet containing the available facts relating to overt violations of sanctions and the over-all volume and values of such trade conducted in violation of the binding decisions of the Security Council, and its publication as a Committee document, was considered by the Committee at the 289th and 291st meetings. During the discussion, it was noted that the cases reported by the United States, showing that the place of origin of the goods concerned was Southern Rhodesia, dealt with what could be considered as confirmed instances of violations. In so far as other cases before the Committee related to allegations which were still under investigation by the Governments concerned, it had been the practice of the Committee to consider them as cases of suspected violations. Bearing in mind that press releases had already been issued by the Committee on the basis of the quarterly reports submitted by the United States Government regarding importation of Southern Rhodesian chrome, nickel and other related materials permitted prior to the repeal of the Byrd Amendment, the Committee decided that interested members could study the press releases already issued on the matter.

(vi) General procedures for considering specific cases with special reference to countries receiving 20 or more notes

21. At its 291st meeting, the Committee considered the question indicated above with special reference to publishing a list of countries which had received 20 or more notes from the Committee. Bearing in mind the decision taken at the 289th meeting making the old list of such countries available to members of the Committee who wanted it (see para. 16 above), and in view of the lack of agreement on the question of publishing a list of such countries, it was agreed that the Committee could decide at a later time whether publication would be useful.

(vii) Extension of sanctions against South Africa

22. Also at the 291st meeting, the Committee considered the question of extension of sanctions against South Africa. During the discussion, some members, noting that the decision by Mozambique to close its entire border with Southern Rhodesia had left the illegal régime with one outlet to the world, South Africa, advocated that the Committee should make a recommendation to the Security Council to extend sanctions to South Africa, in view of that country's continuing support for, and active co-operation with, the illegal régime, and in view of South Africa's open defiance of the mandatory sanctions established by the Security Council. Bearing in mind the general thrust of Council resolution 409 (1977) requesting the Committee to consider the application of further measures under Article 41, they held that it would be appropriate to attempt to define the underlying causes of sanctions violations and to determine how the most overt violations were being carried out. In that context, it was noted that to exclude completely the question of the extension of sanctions to South Africa from the Committee's purview would be to interpret its mandate too narrowly and would hinder the effective performance of the duties entrusted to the Committee. Other members maintained that extension of sanctions to South Africa was the prerogative of the Security Council, not the Committee; therefore, the Committee could not make such a recommendation to the Council. In the circumstances, it appeared that while some members of the Committee might consider it competent to discuss the question of extending sanctions to South Africa, the Committee was not in a position to make recommendations to that effect to the Security Council since the consensus required for it to do so was lacking. It was felt that the members of the Committee, who were also members of the Security Council, could bring the matter to the Council's attention.

(viii) Expansion of sanctions against Southern Rhodesia

23. Bearing in mind the significance of further aspects of the question of the expansion of sanctions not already covered in the Committee's previous special reports on that subject (S/11913 and S/12296), the Committee at its 287th meeting, decided to retain in its programme of work for 1977 the general subject entitled "Expansion of sanctions against Southern Rhodesia". Subsequently, the Security Council, having considered the Committee's second special report (S/12296) on the expansion of sanctions against Southern Rhodesia, adopted resolution 409 (1977) on 27 May 1977. In the third paragraph of that resolution, the Council requested the Committee to examine, in addition to its other functions, the application of further measures under Article 41 and to report to the Security Council thereon as soon as possible. On 30 June 1977, the Council, after considering the complaint

by Mozambique, adopted resolution 411 (1977), in paragraph 12 of which it requested the Committee to examine as a matter of priority further effective measures to tighten the scope of sanctions in accordance with Article 41 of the Charter and urgently submit its appropriate recommendations to the Council.

24. The Committee considered the subject of "Expansion of sanctions against Southern Rhodesia" together with the item entitled "Implementation of paragraphs 3 and 12 of Security Council resolutions 409 (1977) and 411 (1977) respectively", and submitted to the Security Council an interim report (S/12450) dated 18 November 1977.

B. Consideration of cases carried over from previous reports and new cases concerning possible violation of sanctions

25. During the period 16 December 1976 to 15 December 1977, the Committee continued examination of 90 cases of suspected violation of the provisions of Security Council resolution 253 (1968) establishing sanctions against the illegal régime in Southern Rhodesia listed in its ninth report (S/12265, vols. I, II and III). It also considered 37 new cases brought to its attention, including four cases that were opened on information supplied by individuals and non-governmental organizations (INGO-...). The Committee also received information from Governments on actions taken by them to prevent violations or actions taken against violators. Furthermore, the Committee decided that 27 cases should be closed.

26. The present section covers those cases in which there have been particular developments during the period under review. The fact that some cases are merely mentioned in passing or even omitted entirely from this analysis means only that the current inquiries being conducted by the Committee have not produced any new or decisive information up to the present time.

27. As a general practice, whenever the Committee receives what appears to be reliable information concerning possible violation of sanctions, it requests the Secretary-General to communicate it to the Governments concerned, so that in accordance with paragraphs 20 and 22 of Security Council resolution 253 (1968), they might order investigations and take appropriate action, as well as provide the Committee with any further information available to them.

28. Whenever the information transmitted in response to the Committee's request appeared insufficient, more details were requested, including copies of the commercial documentation submitted to the investigating authorities. In that regard, the Committee feels that it should receive copies of documentation, as appropriate, of any investigated case, both for its own information and, when necessary, for transmission to other Governments potentially concerned.

29. In that connexion, the Committee again drew the attention of the Governments concerned to the fact that, in the prevailing circumstances, bills of lading and Chamber of Commerce certificates emanating from South Africa should not be regarded as sufficient proof of origin. The Committee noted with regret that certain Governments continued to allow the importation of cargoes solely on the basis of such suspect documentation. It recommended that the investigating authorities should seek additional documentation, in accordance with the suggestions contained in the memorandum on the application of sanctions of 2 September 1969, which had been transmitted to all Governments on 18 September 1969 (see S/9844/Rev.1, annex VI). 2/

30. The complete information concerning cases of suspected violation of sanctions and additional information received by the Committee in response to its inquiries since the publication of its ninth report is contained in annexes II, III, IV and V. The information is briefly reviewed below.

2/ Official Records of the Security Council, Twenty-fifth Year, Special Supplement Nos. 3 and 3A.

(a) General cases

(i) Metallic ores, metals and their alloys

31. Concerning shipments of commodities in this category, the Committee pursued the study of 23 cases already mentioned in its ninth report and decided to close 12 of those cases (Nos. 1, 3, 5, 6, 100, 102, 108, 109, 116, 185, 245 and 250). It also examined 20 new cases (Nos. 282, 283, 284, 288, 289, 290, 291, 292, 295, 297, 298, 299, 300, 306, 308, 309, 311, 312, 313 and 314) and decided that Case No. 289 should be considered closed. Four of the new cases (Nos. 284, 290, 295 and 298), based on information from the United Kingdom, had relevance to Case No. 171 (RISCO), which was the subject of a special report by the Committee to the Security Council (S/11597) in 1975.

32. With regard to Case No. 137, Malaysia Fortune, no reply has yet been received from Liberia even after three reminders and a visit by the Chairman of the Committee in 1976. Accordingly, the Committee recommended that the Chairman should again contact the Permanent Representative of Liberia in order to discuss the present case and other pending cases involving that country, as well as to seek further co-operation between the Government concerned and the Committee. In addition, the Committee felt that the matter could not be usefully pursued concerning Jordan.

33. Concerning Case No. 153, Itaimbe, and in the light of the fact that no documents bearing on this case could be found in the Brazilian Government archives, the Committee requested that Government to seek alternative evidence through the records of the shipping company and the importer concerned.

34. Concerning Case No. 178, Tsedek, the Chairman conveyed the Committee's great disappointment to the Government of Liberia in a letter dated 18 March 1977 for the reason that it had not received a substantive response from that Government despite three reminders, and requested a meeting with the Permanent Representative to seek further co-operation with the Committee in order to perform the tasks entrusted to it by the Security Council adequately and efficiently.

35. Regarding Case No. 179, Atlantic Fury, the Chairman of the Committee sent a letter dated 30 June 1977 to the Deputy Permanent Representative of Liberia to the United Nations reminding him of the meeting between the previous Chairman of the Committee and the former Permanent Representative of Liberia, in the course of which the Chairman had urged the Permanent Representative to reply to the Committee's inquiries. ^{3/} In that letter the Chairman also inquired as to whether the Deputy Representative of Liberia was in a position to forward the requested information or to indicate what action his Government proposed to take in this matter. No reply has yet been received.

36. With regard to Case No. 236, Trianon; Case No. 239, Shinkai Maru; Case No. 246, Antje Schulte; Case No. 265, Alexandros Skoutaris; and Case No. 266, Aristides Xilas, the Government of the Federal Republic of Germany informed the Committee in its reply dated 22 May 1977 that it had in each of these cases arranged for external trade audits to be conducted at the firm of Klöckner and Co., AG, Duisburg, and was unable to refute the certificates of origin produced by the

^{3/} Official Records of the Security Council, Thirty-second Year, Special Supplement No. 2, vol. II, annex I (S/12265), Case No. 179.

firm which gave South Africa as the country of origin of the steel products in question. It was also indicated in that reply that, according to the law of the Federal Republic of Germany, it was incumbent upon the examining authorities to furnish proof of sanctions violations. The audited firm could not be committed to furnish proof of its innocence. The Government concerned indicated further that the attempt to have the origin of the steel billets determined by chemical analysis was futile. Concerning the above five cases, the Committee, at its 281st meeting, requested the expert consultant of the Committee to meet with the Permanent Representative of Mozambique to the United Nations and to get in touch with the resident representative of the United Nations Development Programme in Maputo, Mozambique, in order to find out through the Mozambique customs and port authorities whether shipments of the steel billets, suspected to be of Southern Rhodesian origin and claimed by the countries involved to be of South African origin, had actually been shipped through Mozambique. In addition, it was requested to investigate whether South African steel was normally exported through the port of Maputo. To that end the expert consultant met with the Permanent Representative of Mozambique to the United Nations on 21 December and sent an appropriate letter of inquiry to the resident representative of the UNDP in Mozambique on 22 December 1976. No substantive reply had yet been received from either the Permanent Representative of Mozambique or the resident representative despite two reminders. Furthermore, the Committee at its 281st meeting requested the Chairman to seek a personal meeting with the Permanent Observer of Switzerland to the United Nations in order to have a mutual exchange of views on the five cases in question, and a note dated 28 June 1977 was sent requesting a suitable time for the meeting. The meeting was held on 26 July 1977. For an account of that meeting see annex I to the present report. In Case No. 265, the Government of Cyprus indicated in its reply that on the basis of the information obtained thus far it appeared that there was no evidence leading to the conclusion that the cargo in question had originated in Southern Rhodesia.

37. Regarding Case No. 270, Frontier, the Committee expressed its appreciation for the co-operation shown by the Government of Argentina. However, the Committee requested the Government concerned to provide further supporting documentation since the material submitted did not provide sufficient proof of the non-Southern Rhodesian origin of the shipment of the high carbon ferro-chrome. The Government of Argentina informed the Committee in its reply that it was seeking a statement from the South African Government, with a view to ascertaining the exact origin of the cargoes in question and would communicate the results of the investigation when they were available. The Government of Panama stated in its reply that the Directorate of Consular Affairs and Shipping had taken appropriate action to obtain proof of non-Southern Rhodesian origin from the owner of the above-mentioned vessel, failing which steps would be taken to apply the appropriate penalties.

38. Concerning Case No. 282, Harlandsville; Case No. 283, Terpandros; and Case No. 288, Patagonia Argentina, the United Kingdom reported that consignments of ferro-chrome shipped to Argentina might have been of Southern Rhodesian origin. The Argentine Government informed the Committee that the three shipments in question were of South African origin as reflected in the documents that were attached. The Committee therefore requested the Government in question to provide some other relevant documents which would give more conclusive evidence of the non-Southern Rhodesian origin of the shipments of ferro-chrome in accordance with the proper documentation recommended in the Secretary-General's note to all Member States on 18 September 1969. In Case No. 282, Harlandsville, the United Kingdom reported to the Committee information to the effect that a consignment

of high carbon ferro-chrome, supplied by Rhodesian Alloys, Ltd., of Salisbury, had been shipped aboard the above-mentioned Liberian vessel to Establecimientos Metalúrgicos, Santa Rosa SA of Buenos Aires, Argentina. The information indicated further that the sale had been arranged through Arnhold, Wilhelmi and Co. (Pty.), Ltd., of Johannesburg, and the Pittsburgh and Cardiff Coal Co., SA, Ltd., of Buenos Aires. No reply has yet been received from Liberia even after a third reminder. Accordingly, the Committee requested the Chairman to seek a personal meeting with the Permanent Representative. A note dated 26 July 1977 was sent to the effect. Concerning Case No. 283, Terpandros, the United Kingdom informed the Committee that four consignments of low and high carbon ferro-chrome possibly supplied by Rhodesian Alloys, Ltd., of Salisbury, had been shipped aboard the above-mentioned Greek vessel for delivery to Acería Bragadio SAIC of Buenos Aires, Tandilmat, Aese, Aceros Especiales SAIYC of Buenos Aires and Acindar SA of Buenos Aires. The Greek Government informed the Committee that the vessel in question was time-chartered to the South African company, Unicorn Lines of May House, Durban, and therefore the responsibility lay exclusively with the charterer. In Case No. 288 the United Kingdom reported a shipment of approximately 200 tons of high-carbon ferro-chrome for delivery to Dalmine Siderca SAIC of Buenos Aires. Argentina's initial reply was the same as that for Case No. 270 indicated in paragraph 37 above.

39. Subsequently, Argentina informed the Committee, with regard to the four cases mentioned in the last two paragraphs above, that the Government's efforts to obtain the proper documentary evidence recommended by the Committee had so far been unsuccessful in view of the negative response given by the Government of South Africa in a note dated 23 September 1977. In that note, addressed to the Argentine Embassy in Pretoria by the Department of Foreign Affairs of South Africa and enclosed with Argentina's reply to the Committee, the South African authorities claimed that insistence on other certificates of origin than those issued by the Johannesburg Chamber of Commerce was "contrary to the generally accepted tendency to reduce and simplify export documentation on an international basis"; that Chamber of Commerce was associated with the Association of Chambers of Commerce of South Africa, they pointed out, and its certificates were accepted internationally by virtue of the fact that the aforementioned association was a member of the International Chamber of Commerce. Argentina stated that it was nevertheless still pressing the sellers to provide other documentary evidence of origin in respect of the ferro-chrome shipments in question.

40. Regarding Case No. 289, Kinkasan Maru, the United Kingdom informed the Committee that a consignment of chrome ore possibly of Southern Rhodesian origin had been shipped to Japan. The Government concerned indicated in its reply that the relevant documents to ascertain the origin of the consignment had been carefully examined and as a result it had been confirmed that the shipment was of South African origin. The Committee decided that the case should be closed.

41. With regard to Case No. 291, Goldbridge, Straat Holland and England Maru, the United Kingdom reported to the Committee three suspected consignments of ferro-chrome, chrome and ferro-silicon chrome shipped to Japan aboard the above-named vessels of Liberian, Netherlands and Japanese ownership, respectively. The information also indicated that these transactions had been arranged through various agents: Minamimachi Sanyo Kaisha, Ltd., of Tokyo; Hikari and Kogyo Co., Ltd., of Tokyo; and Arnhold, Wilhelmi and Co. (Pty.), Ltd., of Johannesburg. The Government of Japan stated that it had carefully examined the relevant documents to ascertain the origin of each consignment, and it had been confirmed

that they were of South African origin. In addition, the authorities in that country demanded that the importers obtain other documents such as bill of entry for exports and railway consignment notes. However, the importer was not able to acquire either document because the bill of entry for exports had not been issued by the authorities concerned for the country of exports, and the railway consignment notes could not be obtained since, according to the exporter each lot for shipment was made of pooled consignments from various producers in South Africa, making it impossible to locate specific producers for the specific lots. The Government of Israel stated that an investigation had been conducted with Shoham Maritime Services, Ltd., of Haifa and concluded that it had no reason to believe that the consignment in question aboard the vessel Goldbridge originated in Southern Rhodesia. The Committee discussed the case in question at its 294th meeting and decided that further information should be requested from the Netherlands and that the Committee should discuss at a future meeting the problems raised by domestic legislation of certain countries with regard to the furnishing of documentary evidence examined by its investigating authorities. The Netherlands authorities indicated in their reply that the consignment of chrome on board the Straat Holland had no origin other than South Africa itself. No reply from Liberia as yet has been received, even after three reminders.

42. Concerning Case No. 292, Straat Napier and Gerd Wesch, the United Kingdom reported information concerning two consignments of ferro-silicon chrome and low carbon ferro-chrome suspected to be of Southern Rhodesian origin, shipped to Brazil aboard the above-mentioned vessels of the Netherlands and the Federal Republic of Germany ownership, respectively. The United Kingdom indicated further that the consignments in question had been supplied by Rhodesian Alloys, Ltd., for delivery to Acos Villares SA of São Caetano do Sul, São Paulo. The Brazilian Government stated in its reply that the import of ferro-silicon chrome and low carbon ferro-chrome had originated from the Republic of South Africa. The Government of the Netherlands indicated in its reply that the commodity transported on board the vessel Straat Napier was of no origin other than South African itself and examination of the relevant documents had not revealed a possible suspicious origin of the consignment. The Federal Republic of Germany pointed out that the vessel Gerd Wesch was under time charter to African Coasters (Pty.) Ltd., Durban, South Africa, and that the origin of the low carbon ferro-chrome could only be determined with the shipper since the owner had no direct relationship to either consignors or consignees.

43. In Case No. 297, Cantonad, Santa Isabella, Baikor, Nortrans Karen, and Valle de Orozco, the United Kingdom brought to the attention of the Committee information to the effect that Grundstoffgesellschaft of Zurich, formerly named Handelsgesellschaft, were the European agent for Rhodesian Alloys. The information also indicated that the company in question had arranged five shipments of chrome aboard the above-mentioned vessels from Southern Rhodesia for delivery to various European customers through Somet/Metallgesellschaft SA of Johannesburg and later through Mineralex of Johannesburg. The United Kingdom note was communicated to the Governments of Switzerland, Spain, the Netherlands, Panama and Norway to assist them with their investigations into the possibility that companies or agents in their territories had been trading with Southern Rhodesia, or that ships owned by companies in their countries had been carrying goods originating in Southern Rhodesia. The note in question was also sent to all States Members of the United Nations to alert them to the possibility that the company Grundstoffgesellschaft of Zurich operated on behalf of Rhodesian Alloys, Ltd., and to request that all possible measures be taken to prevent firms and individuals in their territories from trading with or through this

company in accordance with operative paragraph 3 of Security Council resolution 253 (1968). The Netherlands Government informed the Committee that the cargoes aboard the vessels Cantonad and Santa Isabella had been transported in transit to Duisburg in the Federal Republic of Germany. It was further indicated that the goods in question were not of Southern Rhodesian origin. Regarding the vessel Santa Isabella, the Government of Panama stated that the aforementioned vessel had never been registered in Panama and, therefore, could not be of Panamanian nationality. It was further stated that any Panamanian ship trading with Southern Rhodesia would lose its nationality in accordance with legislation issued in 1966. The Norwegian Government pointed out in its reply that the chrome carried by the vessel Nortrans Karen was of South African origin as documented in the weight certificates issued by Rennie's Consolidated, East London (Pty.), Ltd. The Spanish Government stated that the consignments of chrome carried on board the vessels Valle de Orozco and Baikor originated in South Africa as indicated in the certificates of origin issued by the Johannesburg Chamber of Commerce. In addition, it was pointed out in the same note that it had not been possible to obtain any documentation on the consignment carried by the vessel Cantonad since that vessel had not called at a Spanish port during the voyage from Durban to Rotterdam.

44. Concerning Case No. 299, Straat Nagoya, the United Kingdom reported to the Committee a suspected consignment of ferro-silicon chrome supplied by Rhodesian Alloys, Ltd., and delivered to Acos Villares SA of São Paulo, Brazil. The sale was arranged by the Johannesburg mineral brokers, Arnhold Wilhemi and Co., (Pty.) Ltd. The Netherlands Government informed the Committee that the ship's manifests of the Netherlands shipping firm Koninklijke Java-China-Paketaart Lijnen BV of Rotterdam relating to the period in question, showed no indications that the cargo mentioned in the United Kingdom note had been transported by the above-named vessel.

45. In Case No. 300, Gold Beetle and Shunkai Maru, the United Kingdom informed the Committee that two consignments of chrome suspected to be of Southern Rhodesian origin were shipped to Japan for delivery to Nippon Yakin Kogyo Co., Ltd., of Tokyo. The information also indicated that the consignments in question had been supplied by Rhodesian Alloys, Ltd., Japan, in its reply, indicated that it had carefully examined the relevant documents such as contracts, certificates of origin issued by the Johannesburg Chamber of Commerce, invoice, bill of lading, import declaration, and letter of credit and found that the documents had all been duly issued and that the consignments were of South African origin. With regard to the vessel Gold Beetle, the Israeli Government stated that the consignment of chrome was not of Southern Rhodesian origin and that the vessel in question was not an Israeli flagship. With regard to Liberia, no reply has yet been received by the Committee. Concerning Case No. 306, Saronicos Gulf, the United Kingdom reported to the Committee that two consignments of wolfram ore and antimony ore, suspected to be of Southern Rhodesian origin, were delivered to Hermann G. Staarch of Goslar, the Federal Republic of Germany. The vessel in question is reported to be owned by the Saronicos Gulf Shipping Company of Panama, a subsidiary of the Blue Line Shipping Company, SA of Athens. The United Kingdom note was transmitted to Greece, Belgium and the Federal Republic of Germany, with a request for an investigation and comments thereon.

46. Seven new cases of shipments of steel billets to Turkey (Case No. 284, Alacrity), Case No. 295, Johnny B and Case No. 309, Aghios Gerassimos, to the Netherlands (Case No. 290, Penmen), to the Ivory Coast (Case No. 298, Agios Nicolaos), to Lebanon (Case No. 308, Markos, Fulstar and Pytheas) and to the Federal Republic of Germany (Case No. 311, Tini P and Charalambos N Pateras),

suspected to be of Southern Rhodesian origin and supplied by the Rhodesian Iron and Steel Corporation (RISCO) were reported by the United Kingdom. The sale of the above consignments had been arranged on behalf of RISCO by Klöckner and Co., AG of Duisburg in the Federal Republic of Germany, acting through Femetco AG of Zug, Switzerland and Inter-Metmin (Pty.) Ltd., of Johannesburg. The companies in question were also alleged to be responsible for the arrangements for the sale of steel billets in the five cases mentioned above (Case Nos. 236, 239, 246, 265 and 266). In Case No. 284, the Turkish Government said that on the import licences issued by the Central Bank of Turkey for 7,500 tons of steel billets for each of the three firms Yurtcu Demir Sanayi Kollektif Sirketi, Ferro Celik Sanayi ve Ticaret Limited Sirketi, and Yilmaz Ozdemir ve Biraderleri Sirketi, the Federal Republic of Germany was indicated as the country of origin of the consignments and as recipient of the currency transfers, and that the above-mentioned firms had in good faith purchased the commodity in question from Klöckner and Co., AG, of Duisburg. The same firms had also been mentioned in a similar context in Case No. 265, in which the investigating authorities reported no evidence of violation of sanctions. It was indicated further that the Turkish Government regretted not being able to give further assistance to the Committee unless the Committee could provide it with any documentary evidence to enable the authorities to undertake investigations of a judicial nature. The Federal Republic of Germany had subsequently declared the origin of the consignments of the steel billets to be South Africa. The Government of Monaco informed the Committee in this connexion that it had not been able to deny or confirm the charges concerning the vessel Alacrity since it was of Panamanian registration and was operated directly by a Panamanian company.

47. In Case No. 290, the Federal Republic of Germany informed the Committee in its reply that the external trade audit conducted at the firm of Klöckner and Co., AG in Duisburg had not produced any indication that the 9,346 tons of steel billets shipped from Durban to Rotterdam in mid-April 1976 were of Southern Rhodesian origin, and that the certificates of origin gave South Africa as the country of origin. France in its reply stated that the vessel in question had in fact loaded 9,000 tons of steel billets at Durban for shipment to Rotterdam. However, the owner of the said vessel, Compagnie navale worms, had insisted that it had acted in good faith on the basis of the documents provided and that it had been completely unaware that the goods in question had originated in Southern Rhodesia. The Netherlands Government in its reply stated that the consignment of 9,346 tons of steel billets had been transported in transit from Rotterdam to the Federal Republic of Germany and declared South Africa as the country of origin. No reply from Switzerland has been received even after three reminders.

48. Regarding Case No. 295, the Turkish authorities pointed out that the import licences granted to the two firms Yurtcu Demir Sanayi Kollektif Sirketi and Sozkesen Kollektif Sirketi, by the Central Bank of Turkey for consignments of steel billets from Klöckner and Co., AG of Duisburg, gave the Federal Republic of Germany as the country of origin and as the recipient of the currency transfers. In addition, the authorities in that country concluded that the above-mentioned Turkish firms had engaged in legal commercial transactions and had in good faith purchased the steel billets in question. In the same case, the Federal Republic of Germany gave a similar answer to that in Case No. 290. No replies have yet been received from Panama and Switzerland.

49. In Case No. 298, the Federal Republic of Germany gave the same reply as those indicated in Case Nos. 290 and 295. The Government concerned further

stated that it would be appreciated if its reply could be read in conjunction with Case Nos. 236, 239, 246, 265, 266 and 295. In the same case the Greek Government informed the Committee that the vessel Agios Nicolaos was on time charter since 17 January 1977 to Pankada Shipping Company SA of Panama and that it had been expressly stipulated in the charter agreement that the charterers were under the obligation not to effect any shipment whatsoever of products of Southern Rhodesian origin. The Committee, therefore, transmitted the information submitted by Greece to the Government of Panama with a request for investigations in order to assist the Committee to determine the actual origin of the shipment of steel billets in question. A reply is still awaited from Panama.

(ii) Mineral fuels

50. No new case concerning suspected transactions in mineral fuels has been submitted to the Committee since its ninth report.

(iii) Tobacco

51. During the period under review, the Committee examined eight cases already mentioned in its ninth report and decided to close six cases (Nos. 4, 149, 157, 202, 207, and 281). Six new cases concerning tobacco were brought to the attention of the Committee (Case Nos. 286, 287, 296, 301, 307 and 310). Concerning Case No. 156, Hellenic Glory, the Acting Chairman met with the Permanent Representative of Zambia on 26 July 1977 and discussed with her the case in question. For the account of that meeting, see annex I to the present report. Subsequently, the Permanent Representative of Zambia was invited to appear before the Committee at its 296th meeting at which she stated, inter alia, that it should be clear to the members of the Committee that any commodity originating in Zambia ceased to be Zambian property, and that her Government had no control over what happened to it once it left Zambian territory. Even in the absence of a reply from Zambia, the Committee could have solved the problem by obtaining the necessary information from the shipping company involved. It was pointed out by the Committee that the case could not be closed until replies had been received to all its notes of inquiry and that it relied upon the co-operation of all Member States.

52. Regarding Case No. 196, Streefkerk and Swellendam, the representative of the United Kingdom on the Committee made a statement at the 291st meeting explaining that, because of circumstances under which the British Consulate at Beira had been closed in January 1976, most of the documents relating to the present case had been destroyed. However, he had been able to obtain a number of documents which should clarify the situation and allow the Committee to take further action. He stated further that the British Consulate in Beira had issued no certificates of origin for the Mozambique portion of the cargo shipped aboard the MV Swellendam but had issued certificates of origin for the Malawian and Zambian consignments on the basis of certificates previously issued by the tobacco authorities of those Governments. A portion of the cargo had been consigned by a Johannesburg-based company known as Africa Shipping which also had a branch in Salisbury. The Beira Agency of the said company was closed immediately prior to Mozambique's accession to independence. The Netherlands, which had previously reported its appeal against the acquittal of the accused firm by a lower court, informed the Committee that the Amsterdam Court of Appeals had finally acquitted the Rotterdam firm Koninklijke Nedlloyd, BV, the owner of the vessel MV Streefkerk, and ordered the impounded shipment of tobacco to be returned to the Swiss importer

since, in the Court's view it had not been established that the tobacco in question was of Southern Rhodesian origin. In relation to the vessel MV Swellendam, the Government of the Netherlands indicated that it was not in a position to inspect any other documents apart from those mentioned in its note of 29 September 1976 reported in the Committee's ninth report. The Committee, therefore, requested the Government in question to inform it of the name and address of the importing company in Switzerland to which the shipment of tobacco aboard the vessel Streefkerk was ordered released from custody. In the same case, the Government of Malawi apprised the Committee that it had issued 13, 15 and 16 certificates of origin during the periods 6 to 28 August, 3 to 23 September and 8 to 30 October 1974, respectively, for Malawi tobacco consigned to the Netherlands. In that connexion, the Committee decided to request the Government concerned to provide additional information relating to the exact quantities of the Malawian tobacco in respect to the certificates of origin in question, the names of the vessels used and the approximate dates of their sailings.

53. With regard to Case No. 286, 4/ the United Kingdom reported to the Committee that Tobmark, Ltd., Triesenburg, Liechtenstein, was a cover organization for the Rhodesian tobacco company, Trading Enterprises (Pvt.) Ltd., in Salisbury. The information suggested that the Liechtenstein office collected orders and negotiated contracts with various countries on behalf of the parent company in Southern Rhodesia. The customers were said to include Iraqi Tobacco State Enterprises, Baghdad, and Tabak Dso Bulgarskitutini, Sofia. The United Kingdom note was communicated to the Governments concerned as well as to all Member States. The Bulgarian Government stated in its reply that it was astonished by the said note and would like to reject categorically the allegations since, according to the inquiries undertaken by the authorities, they were a flagrant distortion of the facts. Iraq informed the Committee that it had never imported any kind of tobacco from Southern Rhodesia and that the Iraqi company in question had never maintained any kind of commercial relations with Tobmark. Liechtenstein indicated in its reply that it had not been possible to establish whether Tobmark, Ltd., sold tobacco to the above-mentioned companies in Iraq and Bulgaria and in order for the authorities to pursue the matter, it would have to be provided with documents and any other evidence concerning the case in question.

54. Concerning Case No. 287, 5/ the United Kingdom reported to the Committee that the Geneva-based firm INTABEX, SA, acting on behalf of the Rhodesian tobacco company TRADIMPEX, had been negotiating with the Bulgarian State Tobacco Monopoly (BULGARTABAC) and the All-Union Corporation for Trade in Miscellaneous Goods in the Union of Soviet Socialist Republics (RAZNOEXPORT) to supply Southern Rhodesian tobacco to Bulgaria and the USSR. The information further suggested that representatives of the Swiss company had actually visited Sofia and Moscow to hold discussions with the above-named agencies. Bulgaria replied in the same manner as in Case No. 286. The Government of the USSR stated in its reply that the Soviet foreign trade organizations had no knowledge of the Southern Rhodesian

4/ The representative of the Union of Soviet Socialist Republics expressed his delegation's reservation on the inclusion in the report of this paragraph, as well as of paragraphs 54 and 80 below, and requested the Chairman to convene a meeting of the Committee as soon as possible to consider the cases mentioned in those paragraphs.

5/ See foot-note 4.

company (TRADIMPEX) and that they had no relations whatsoever with that company, nor even with firms acting as intermediaries. The same reply applied to the Swiss firm INTABEX. It was further indicated that these allegations could only be regarded as completely unsubstantiated and unfounded. Switzerland reported that INTABEX SA had never had any dealings either with BULGARTABAC or with RAZMOEXPORT, and that no representative of that company had gone either to Sofia or to Moscow to negotiate on Southern Rhodesian tobacco supplies.

55. With regard to Case No. 296, Elpis, the United Kingdom informed the Committee that 30 tons of unmanufactured tobacco and 600 tons of tobacco, alleged to be of Southern Rhodesian origin and loaded at the port of Durban on 16 March 1977 and at Port Elizabeth on 17 March 1977, had been imported by two firms in the Federal Republic of Germany, H. Doelter, and Baark and Bendt, respectively. The information also indicated that the tobacco in question had been supplied by the Southern Rhodesian brokers French and Smith (Pvt.), Ltd., of Salisbury and the sale arranged through Ace Haniel International (Pvt.) of Johannesburg. Greece, in its reply, indicated that on 18 March 1977 the vessel in question was at the port of Piraeus from where she sailed and arrived at the port of Beirut on 22 March 1977. The Government of the Federal Republic of Germany indicated that a check of the ship's log had established that the MV Elpis did not put in at Bremen during the 15-month period between 12 May 1976 and 24 August 1977 and that the results of the investigations were not yet concluded and would be transmitted as soon as they were available.

56. Regarding Case No. 301, Klipparen and Serpa Pinto, the United Kingdom reported to the Committee that Silvia de Monte of Nurensdorf was acting as an agent for the sale of Southern Rhodesian tobacco on behalf of Cosmos Tobacco Company of Rhodesia (Pvt.), Ltd., of Salisbury. The information also indicated that a consignment of tobacco unloaded at Guthenburg, Sweden, and a further quantity consigned to Tabaqueira of Lisbon was destined for Portugal. Furthermore, it was mentioned in the said note that tobacco samples had been sent to Nkhla Tobacco Factory, Shebin Elkom, Egypt, by Cosmos through Silvia de Monte. The Government of Sweden stated in its reply, accompanied by documents, that the shipment of tobacco had come from Mozambique. For the same case, the Swiss authorities pointed out in their reply that, as in Case Nos. 2 and 103, they had no authority or control over transactions by Swiss companies if the goods involved did not pass through Swiss territory. It was indicated further that Mrs. Silvia de Monte, a freelance secretary, had stated that Cosmos Tobacco Company of Southern Rhodesia was not among her clients and that she knew nothing whatsoever about that firm's business nor about the shipments and consignments of the samples concerned. The Egyptian Government informed the Committee that foreign firms and agencies occasionally sent samples to Egyptian firms without prior request and without indicating the country of origin. The Egyptian authorities took the necessary steps on discovery that such samples emanated from countries against whom the United Nations had acted. It was further indicated that the owners of Nkhla Tobacco Factory in Egypt had stated that they were dealing with the Swiss company Industria AG and not with the Cosmos Tobacco Co., of Southern Rhodesia nor with any other Southern Rhodesian company. In Case No. 307, the United Kingdom reported to the Committee information to the effect that the Paraguayan firm La Vencedora SA imported substantial quantities of Southern Rhodesian tobacco for use in the manufacture of cigars and cigarillos which were marketed under the brand name of Henri Winterman and exported to western Europe as well as to Southern Rhodesia. The Committee transmitted the United Kingdom note to Paraguay requesting investigation and comments thereon.

Regarding Case No. 310, Lendas, the United Kingdom informed the Committee that a consignment of tobacco suspected to be of Southern Rhodesian origin, was shipped from Durban and subsequently off-loaded at Antwerp for delivery to Tabaknatie, 66 Vande Wervestraat, B-2000 Antwerp, and to Johann Kriete, Stephanitorsbollwerk 11, 28 Bremen. The information indicated further that the sale of tobacco was arranged through French and Smith (Pvt.), Ltd., of Salisbury and Ace Haniel (Pty.), Ltd., of Johannesburg. The Committee transmitted the United Kingdom note to Belgium, the Federal Republic of Germany and Greece requesting investigations and comments thereon.

(iv) Cereals

57. Since the ninth report, no new case of cereal transactions has been opened. The Committee continued the examination of two cases (Case Nos. 124 and 125) already reported upon. Other cases are still pending.

(v) Cotton and cotton seeds

58. During the period under consideration, no new case concerning suspected transactions in cotton and cotton seeds has been brought to the Committee's attention.

(vi) Meat

59. One new case involving meat transactions has been opened since the submission of the ninth report. It is based on an official communiqué issued by the Government of Mozambique on 29 November 1977 and published as annex III in document S/12466, giving details of an aircraft of Zairian registration, piloted by Belgian nationals, which had been shot down over Mozambican territory and found to have been carrying frozen meat from Southern Rhodesia. In a note dated 14 December 1977 (S/12492) Zaire, while reaffirming its adherence to the application of sanctions and denying any aggression against Mozambique, reserved the right to take appropriate measures against the private Zairian air company involved, once full information on the whole affair was available. At the time of preparation of the present report the Committee was still considering what further action to take in view of the note from Zaire, but a note dated 15 December 1977 was sent to Belgium requesting comments on the Mozambican communiqué.

60. Case No. 154: Tango Romeo, which concerns front airline companies operating for the benefit of Southern Rhodesian interests, is referred to in more detail in chapter IV of the present report. It is mentioned here because the main cargo of those aircraft when departing from Southern Rhodesia is reported to consist of meat and meat products.

(vii) Sugar

61. No new case of suspected violation of sanctions in this field has been submitted to the Committee.

(viii) Fertilizers and ammonia

62. Case No. 113, already reported in the ninth report, is still under active consideration. At its 291st meeting, the Committee decided that the Acting

Chairman should approach the Permanent Observer of Switzerland in order to discuss with him the case in question and other cases involving that country. The meeting was held on 26 July 1977, for an account of which see annex I to the present report. No new case of fertilizers and ammonia transaction has been reported to the Committee during the period under consideration.

63. Since the submission of the ninth report, one new case of suspected violation of sanctions has been submitted to the Committee, Case No. 305, Alcoutim. The Committee decided to close Case No. 256. The United Kingdom informed the Committee that the Portuguese firm Sociedades Reunidas de Fabricacoes Metalicas SARL, Amadora, shipped parts for diesel locomotives consigned to UNIVEX of Salisbury. The vessel in question was owned by Companhia Nacional de Navagacao of Lisbon. The Committee transmitted the United Kingdom note to Portugal requesting investigations and comments thereon.

64. With regard to Case No. 170, the Committee discussed the reply of the Federal Republic of Germany dated 12 October 1976 at its 292nd meeting and decided that further information should be requested from the Government concerned, first in relation to the circumstances in which the objectionable transactions had taken place and secondly as to whether proceedings had been completed against the third firm involved and what results of any such proceedings had been. The Federal Republic of Germany, in its reply, indicated that a non-appealable fine in the amount of DM 1,000.00 had been imposed upon the third firm and that no additional information could be expected with respect to the circumstances in which the transactions in question had taken place. Consequently, the Committee requested the Government concerned to provide the identity of the third firm involved, namely its full name and address.

65. Regarding Case No. 267, Straat Hong Kong, the Committee requested the Government of Japan to provide it with the serial number of the industrial sewing machine in question and to find out from Elize Incorporated to whom the machine had first been exported. Japan, in its reply, indicated that the serial number of the machine was 9661059 and that it had first been exported to Michael David, P.O. Box 1115, Port Elizabeth, South Africa, to whom the machine had later been re-exported after necessary repairs.

(x) Transport equipment

66. The Committee pursued the examination of five cases already reported in the ninth report (Case Nos. 168, 173, 195, 197 and 206), and no new case of suspected violation of sanctions has been brought to its attention during the period under review. With regard to Case No. 168, Straat Rio, the Acting Chairman met on 26 July 1977 with the Permanent Representative of Zambia and discussed with her the case in question. For the account of that meeting see annex I to the present report. Subsequently, the Permanent Representative of Zambia was invited to appear before the Committee at its 296th meeting at which she stated, inter alia, that the Committee could have verified whether sanctions had been violated simply by obtaining the pertinent information from the Netherlands, the country of registration of the ship used. Regarding Case No. 173, Daphne, the Swedish Government pointed out in its reply that the prosecutor stated that the case had been thoroughly investigated; the Government saw neither reason for nor the possibility of carrying out further investigations and concluded that no further legal action was called for in the matter. Concerning the same case, the Committee sent a note to the Government of Portugal drawing its attention

to the information provided by that Government with respect to the two Toyota cars which had actually been delivered to Southern Rhodesia, and requested that all documentary evidence concerning the two vehicles in question be communicated to it.

67. In connexion with Case No. 195, Soula K, the Committee requested the Greek Government to forward additional information relating to the exact nature of the merchandise unloaded at the port of Lourenço Marques (Maputo) on 2 October 1974 from the above-mentioned vessel. A further note was also sent to Japan bringing to its attention that the information submitted by the Governments of Japan and Greece did not appear to be compatible regarding the unloading of the vessel at the port of Lourenço Marques on 2 October 1974 and requesting it to reinvestigate the matter. Consequently, a reply was received from Japan indicating that the MV Soula K had not unloaded motor vehicles or motor vehicle spares of Japanese origin at the said port on the voyage cited and that it had called solely to load a consignment destined for Japan.

68. With regard to Case No. 197, the Committee decided at its 293rd meeting to include the case among those which the Chairman would discuss with the Permanent Observer of Switzerland and, in particular, to indicate that the questions put to the Swiss Government by the Committee had not been satisfactorily answered in the replies received. During the period under review, no new case of violation of sanctions involving aircraft and/or aircraft spares has been submitted to the Committee. At its 294th meeting, the Committee decided to close Case No. 206 concerning reports of the sale of jet fighters and other military equipment to Southern Rhodesia.

(xi) Textiles and related products

69. No new case concerning suspected transactions in textiles and related products has been submitted to the Committee since its ninth report.

(xii) Sports activities and other international competitions

70. The Committee pursued the study of 10 cases of sports activities and other international competitions already mentioned in its last report and opened three new cases (Case Nos. 285, 294 and 303), having decided to pay particular attention to sports cases of a representative nature.

(xiii) Banking, insurance and other related facilities

71. During the period under review, the Committee pursued the consideration of four cases concerning the above activities already reported in the ninth report (Case Nos. 163, 171, 203 and 208) and decided that Case No. 203 should be closed. One new case concerning the above activities was brought to the attention of the Committee (Case No. 304). It should be noted that Case No. 171 is still under active consideration. In particular, the Committee was informed by Austria that the statements contained in the notarized testimony given by a witness on 23 September 1976 ^{6/} concerning observations he had made at the time of his

^{6/} Official Records of the Security Council, Thirty-second Year, Special Supplement No. 2, vol. II, annex II (S/12265), (227), Case No. 171, para. 12, pp. 174-177.

employment in the construction department of VOEST in Linz from August 1971 to May 1972 were - as regards their essential contents - not in contradiction to but coincided with the statements made at his interview at the Austrian Federal Chancellery on 24 March 1976. In his testimony, the witness could not offer any evidence suggesting that VOEST had delivered its equipment to RISCO. On the contrary, he had stated expressly that the project in question had been carried out by VOEST for SAEPIC. As regards legal relations between VOEST and RISCO, the witness could not provide any indications, precisely because such relations were never established. The Austrian Government, in view of the above, declared that it saw little merit in further pursuit and analysis of testimony, the usefulness of which has been of a limited nature only. Consequently, the Committee decided at its 291st meeting to request the Chairman to arrange for a personal meeting with the Permanent Representative of Austria to the United Nations in order to seek further information and co-operation through a mutual exchange of views on the matter in question. The meeting was held on 26 July 1977, for the account of which see annex I to the present report.

72. With regard to Case No. 163, a Swiss company loan to Rhodesia Railways, the Committee decided at its 281st meeting to request specific information from Switzerland as to whether the Swiss company Industrie-Maschinen, Zurich AG, had made a loan of about \$US 6 million to anyone, not necessarily a Southern Rhodesian, at the relevant time, in order to be certain that no intermediary or third party had acted on behalf of a Southern Rhodesian recipient of the loan. A reply was received from the Swiss authorities indicating that they had transmitted to the Committee all the information obtainable on the matter and that, unless new facts were brought to their attention by the Committee, they would unfortunately not be able to continue their investigations. As a result, the Committee sent a further note to Switzerland indicating that the fulfilment of the mandate entrusted to it by the Security Council depended entirely on the co-operation and efforts of individual States and, accordingly, requested the Swiss authorities to give further attention to the inquiry in question. The Committee also recommended, at its 281st meeting, that the Chairman of the Committee should draw the attention of the Permanent Observer of Switzerland, during his personal visit, to the case in question and request closer co-operation with the Committee. The meeting was held on 26 July 1977, for the account of which see annex I to the present report.

73. In Case No. 208, concerning a financial loan to a Southern Rhodesian company, the Committee decided to seek, in a note to Luxembourg, specific assurance that a loan of about DM 10.5 million had not been made to a Southern Rhodesian company before 14 March 1975 by the Commerzbank of Luxembourg and to inquire whether the said bank was an associate of a concern of a similar name in the Federal Republic of Germany or a Luxembourg establishment only. Luxembourg pointed out that its replies of 12 June and 22 December 1975 were still standing and that the bank in question was a joint stock company under Luxembourg law. With regard to Case No. 304, the Committee's attention was drawn at its 293rd meeting to a letter appearing in the Rhodesia Herald of 26 May 1977, in which the writer complained about the stringent regulations relating to currency remittances abroad by persons, particularly those of advanced age, wishing to emigrate from Southern Rhodesia, while business dividends were transferable abroad. The so-called Reserve Bank of Southern Rhodesia had replied as follows:

"All forms of income, including interest on savings and rents, are freely remittable to emigrants' new countries of residence with the exception

of the United Kingdom, the United States, Canada and Zambia since these countries prohibit the transfer of funds to Rhodesia."

"However, elderly persons who choose to retire to these countries receive sympathetic consideration from the Exchange Control where need can be established."

The Committee, therefore, decided to bring the above information to the attention of all States Members of the United Nations to alert them to the information above and requesting comments thereon.

(xiv) Tourism and other related matters

74. No new case concerning tourism and other related matters has been submitted to the Committee during the period under review. The Committee pursued the examination of six cases already included in the ninth report (Case Nos. 143, 190, 194, 213, 227 and 275). Details concerning Case No. 143 are given in chapter III and those concerning Case No. 227 in chapter V, below. There were no significant developments concerning Case No. 190. Regarding Case No. 194, the Committee decided that verbal assurance should be sought from the United States delegation as to whether the instructions by the Avis and Holiday Inn corporations to their subsidiaries holding subfranchises in Southern Rhodesia to end those subfranchises had, in fact, been carried out. In the event of such an assurance, the case could then be closed. At the 302nd meeting the representative of the United States informed the Committee that the franchise holders in South Africa had reported that they had issued termination orders to their subfranchise holders in Southern Rhodesia, in accordance with the orders from the United States parent companies. Accordingly, the case was thereafter closed.

75. In Case No. 213, concerning flights to and from Southern Rhodesia, the Committee noted that Portugal and South Africa were the only two Governments that had not yet informed it of the action by their national airlines with regard to those airlines' direct air links with Southern Rhodesia. A note dated 7 November 1977 was sent to Portugal, recalling the comprehensive note received previously from that Government and inquiring whether the investigations promised then had been completed and the result could be communicated to the Committee. Meanwhile, the Committee received information from published sources indicating that the Portuguese airline TAP had terminated its operations in Southern Rhodesia. At the time of preparation of the present report, the Committee was still awaiting from Portugal official confirmation of that report.

76. Concerning Case No. 275, the Committee sent a note to the United States Government seeking assurance that no sanctions violations had occurred from the expenditures to and within Southern Rhodesia by its nationals that had travelled to that Territory. The Committee requested in the same note further information regarding the position of the United States Government in respect of its United Nations obligations that might be in conflict with its declared constitutional policy. At the 302nd meeting, the representative of the United States reiterated that citizens and permanent residents of the United States had a constitutionally based right to travel, which the United States Administration could not limit. Nevertheless, no United States financial institution could issue letters of credit or have other financial dealings with financial institutions in Southern Rhodesia. There was no indication that any private United States traveller had taken large amounts of money to Southern Rhodesia. Bearing in mind that individual, private

travel to Southern Rhodesia had been decreasing sharply, therefore, he observed, the total amount of any such funds must be small. Additional information on cases related to tourism may be found in chapter V, below.

(xv) Other cases

77. Regarding other cases of possible violations of sanctions not listed under specific headings, the Committee opened four new cases (Case Nos. 293, 302, 304 and 306). The Committee also pursued the examination of Case Nos. 154, 159, 201, 210, 214, 218, 233, 243, 247, 259, 261, 263, 273, 274 and 276 referred to in the previous report and decided that Case Nos. 159, 273 and 274 should be closed. In Case Nos. 210 and 233 the Committee recommended that the Chairman should contact the Permanent Representative of Israel in order to draw his attention to his Government's replies and to point out that the Committee was not suggesting that the export of goods to Southern Rhodesia was being carried out with the connivance of the Government, but that goods were apparently being exported to Southern Rhodesia covertly.

78. Regarding Case No. 218, the Committee decided at its 294th meeting to send a note to Spain inquiring whether the investigations had been completed and the requested information concerning the nature and particulars of the travel documents used by the businessmen from Southern Rhodesia who attended the twenty-fifth Annual International Chamber of Commerce and Industry in Madrid from 15 to 22 June 1975 could be submitted. In a reply dated 30 November 1977, Spain informed the Committee that the further investigations conducted by the competent authorities had failed to ascertain the nature of the travel documents used by the Southern Rhodesian businessmen who had travelled to Spain.

79. In Case No. 247, the Federal Republic of Germany indicated in its reply that the firm Nordmann, Rassmann and Co., Hamburg, declined a reply to the question whether 80 tons of Sorbitol 70 per cent had been sold to anyone between 1 December 1975 and 31 January 1976 for reasons of competitiveness. The federal authorities, therefore, regretted their inability to force disclosures of the requested type.

80. Concerning Case No. 259, 7/ the German Democratic Republic indicated that it had conscientiously examined the information submitted to the Committee by the United Kingdom on 28 October 1976 and found that it did in no way invalidate the factual and legal position as stated in its reply dated 23 June 1976. 8/

81. With regard to Case No. 261, the Committee decided at its 294th meeting to send a note to Italy drawing its attention to the fact that the United Kingdom's note of 5 May 1976 had spoken of transactions between Signor M. Bini of Montedison Fibre Spa, Milan and the Southern Rhodesian firm Security Mills (Pvt.), Ltd., and not between Mr. Mauro Bini of Montefibre S.P.A. and the Southern Rhodesian firm in question as reported by the Italian authorities. In addition, the Committee requested that Government to review the findings of its investigating authorities with a view to obtaining specific assurance that Mr. Bini had had no dealings

7/ See foot-note 4 above.

8/ Official Records of the Security Council, Thirty-second Year, Special Supplement No. 2, vol. II, annex II (S/12265), (249), Case No. 259, pp. 209-210, para. 4.

whatsoever with the Southern Rhodesian firm. At the same meeting the Committee decided that the information contained in the Italian note dated 8 July 1976, as reported in its ninth report, should be transmitted to Switzerland in the hope that it might facilitate further investigations with a view to determining the actual consignee of the nylon goods in question. Replies are still awaited from Italy and Switzerland.

82. In Case No. 263, the Committee sent a note to Belgium in which it expressed the hope that that Government would strive to co-operate with the Committee to the closest extent possible. In addition, the Committee requested that it would appreciate receiving specific assurances that the firm S. Janssen et Cie. had, in fact, been asked whether it had, knowingly or unknowingly, been exporting urea to Southern Rhodesia through direct or indirect channels. A reply is still awaited from Belgium.

83. In Case Nos. 201, 214 and 243, reference should be made to chapter II, section B, of the present report. In this connexion, it should be pointed out that the Committee decided at its 291st meeting to request the Chairman to seek a personal meeting with the Permanent Observer of Switzerland regarding Case No. 214. The meeting was held on 26 July 1977, for the account of which see annex I to the present report.

84. With regard to Case No. 293, Kaapland, Merwe Lloyd, Leersum and Spaarnekerk, the United Kingdom reported to the Committee information to the effect that Mineralex Agencies of Johannesburg and Mina Trade AG of Zurich acted as agents for the sale of Southern Rhodesian minerals in Europe on behalf of UNIVEX (Pty.), Ltd., of Salisbury. In addition, that organization dealt with the following subagents in Europe who handled the sale of those goods: Frank and Schulte of Aigle, Ferania AG of Zug, Krupp Minas Rohstoffhandel of Essen, Itasarco of Turin, Monseur, CH (Etabl) SPRL, of Liège. The information indicated further that Mr. J. Cameron of UNIVEX (Pty.), Ltd., of Salisbury and Mr. Mark Rule of Mineralex Agencies had visited European agents in late September 1976 to arrange shipments of minerals from Southern Rhodesia. Consequently, notes were sent to Belgium, Italy, the Federal Republic of Germany, Switzerland, the Netherlands and the other States Members of the United Nations. The Italian authorities informed the Committee that Itasarco of Turin was a private brokerage firm headed and owned by one person, Mr. Fabrizio Ruffo di Calabria. Its activity was only to represent various long-established foreign companies of prime importance in the supply of raw materials from all continents. An inspection of its records concerning the origin of the imports of ferro-alloys had indicated that those imports had originated in either Mozambique or South Africa. The Italian authorities, in a further note to the Committee, stated that they would continue to keep the activities of Itasarco of Turin under close scrutiny in order to ensure strict observance by the said firm of the sanctions imposed on Southern Rhodesia. The Federal Republic of Germany indicated in its reply that the minerals imported by Krupp Minas Rohstoffhandel, a division of the firm Friedrich Krupp GmbH, Essen, and shipped aboard the first three vessels mentioned above were of South African origin. No part of the cargo aboard the MV Spaarnekerk had been consigned to the firm in question. Switzerland indicated that it had no control over sales of goods which did not touch Swiss territory. Nevertheless, Frank and Schulte SA of Aigle had pointed out that the minerals were of South African origin. It was further indicated that Ferania AG of Zug had claimed that it had no business contacts with Southern Rhodesia and that Mina Trade AG of Zurich had stated that it had not been engaged in any trade in minerals of Southern Rhodesian origin.

The Netherlands informed the Committee that the cargoes in question had been transported in transit to Belgium and the Federal Republic of Germany and that their origin was South Africa. A reply is still awaited from Belgium.

85. With regard to Case No. 302, Falcon, Phenix and Rocadas, the United Kingdom informed the Committee that Centrex SA of Geneva acted as agents for the Southern Rhodesian firm Michele Enterprises (Pvt.), Ltd., of Salisbury. The Swiss company had recently arranged several shipments of chemicals on behalf of that firm and three of them were known to have arrived in South African ports aboard the above-mentioned three vessels for delivery to Southern Rhodesia. The Committee sent a note to Switzerland transmitting the United Kingdom note and requesting comments thereon; notes were also sent to all Member States of the United Nations drawing their attention to the possibility that Centrex SA might be controlled by Southern Rhodesian interests and acted as agents for the dispatch of goods to Southern Rhodesia. A reply is still awaited from Switzerland.

86. In Case No. 154, Tango Romeo, Gabon, in its reply to the Committee, declared that by a Government decision dated 5 May 1976, the Affretair company had been incorporated into the national company Air Gabon and that, consequently, the former shareholders of Affretair had become ipso facto shareholders of Air Gabon. The Committee decided to request further information and clarification from Gabon concerning what financial arrangements, if any, had been made in compensation and with whom when Affretair was incorporated with Air Gabon. In addition, the Committee requested the Government in question to provide it with the names, nationalities and countries of residence of the former owners and crew of Affretair, and to inform it whether members of that crew had also been hired by the new Air Gabon. A reply is still awaited from Gabon even after three reminders. The Belgian authorities indicated in their reply that their investigation confirmed the information by the Committee that Affretair aircraft had been refuelled at the Schiphol airport in February 1974, but that, as the Netherlands had previously informed the Committee, no unlawful act could be established in that connexion. The Acting Chairman met on 26 July 1977 with the Permanent Representative of Zambia and discussed the case in question with her. For the account of that meeting see annex I to the present report. Furthermore, the United Kingdom reported to the Committee in a note dated 24 October 1977 new information concerning the activities of Southern Rhodesia front airlines operating from Gabon, Muscat and Switzerland; and, at the 302nd meeting, also the representative of the United States reported to the Committee information concerning the activities of another airline company operating from Gabon for the benefit of the illegal régime. Details of these new reports are given in chapter IV, section A, below, as well as in annex II to the present report.

(b) Cases opened on the basis of information supplied by individuals and non-governmental organizations (Case No. INGO-...)

87. The Committee has opened four new cases on the basis of information supplied by individuals and non-governmental organizations: Case No. INGO-18, French trade and other relations with Southern Rhodesia; Case No. INGO-19, trade in tobacco via a Swiss company; Case No. INGO-20, promotion of tourism to Southern Rhodesia by a United States firm; Case No. INGO-21, loan to Southern Rhodesia by a Canadian bank. It also continued the examination of five cases already reported upon in the ninth report (Case Nos. INGO-4, INGO-5, INGO-10, INGO-12 and INGO-17) and decided that Case No. INGO-10 should be closed.

88. In Case No. INGO-17 the Committee received additional information from

non-governmental sources regarding various aspects of the supply and distribution of oil and oil products to Southern Rhodesia through South Africa by the five oil companies: British Petroleum (BP), Caltex, Mobil, Shell and Total. In that connexion Mr. Bernard Rivers of the Haslemere Group, London, twice gave testimony to the Committee, the account of which, as summarized in the Committee's record, is given under the case in annex V to the present report. The representative of the United Kingdom informed the Committee that his Government had established a commission of inquiry to carry out investigations into the allegations against BP and Shell, and later reaffirmed that the inquiry was under way and that the Commission was conducting a thorough investigation. In a note dated 16 November 1977 the representative of France stated that Government investigations had revealed no violation of sanctions by Total, contrary to Mr. Rivers' allegations, since Total-South Africa contributed only a small share of South Africa's total oil refining capacity, and that small share was distributed internally through the company's network stations, exporting none except for a few international fuel sales for aircraft and ships.

89. Details and significant developments concerning Case No. INGO-18 are given in paragraphs 103 (c), 105 and 106, below.

90. Concerning Case No. INGO-19, the United Kingdom informed the Committee that, as a result of the outcome of the comprehensive investigations made in Great Britain and on the continent, the country of origin of the tobacco in question had not been satisfactorily established, although the Government analyst had been able to state that it was not Thailand tobacco. The authorities concluded that insufficient evidence had been adduced to institute proceedings against any company, organization or individual. It was further stated that the tobacco had been retained by the United Kingdom Customs and Excise authorities. The Swiss Government indicated in its reply that it had no control over transactions of that kind as long as the goods in question did not enter Swiss territory. It was further pointed out that the Swiss company INTABEX, SA, had stated that the goods in question had been purchased "in warehouse Antwerp" and had been covered by a certificate of origin drawn up by the Antwerp Chamber of Commerce certifying that the tobacco in question was of Thai origin. The Liechtenstein authorities indicated in their reply that Dr. Herbert Batliner, a member of the Board of the firm Continental Agencies Anstalt, Vaduz, whom they had approached on the subject had stated, inter alia, that "the company which provides services and technical assistance has never engaged in activities originating in or concerning Southern Rhodesia. Moreover, it neither buys nor sells goods and does not deal with tobacco. The existence of a Rhodesian coin in the shipment of tobacco is in no way irrefutable proof, it is not even an indication since it could not be claimed that the tobacco definitely came from a Southern Rhodesian source." The Canadian Government stated that as soon as the inquiry was concluded it would communicate the result to the Committee. At the time of preparation of the present report Belgium and Portugal had not yet replied to the Committee's inquiries, even after three reminders.

91. Regarding Case No. INGO-20 concerning information received from the American Committee on Africa, a non-governmental organization in New York, United States, to the effect that Transportation Consultants International (TCI), a firm in Los Angeles (United States), had been hired by the Rhodesian United Touring Company (UTC) to publicize and promote tourism to Southern Rhodesia, the United States Government pointed out in its reply that it had informed the firm in

question that it must be licensed in order to promote the travel of Americans to Southern Rhodesia. It also indicated that the entry into the United States and the activities of Dr. Derek Ebben, General Manager of the Rhodesian United Touring Company, were under investigation and as soon as information became available it would be communicated to the Committee. At the 302nd meeting the representative of the United States informed the Committee that the United States firm had been advised to terminate its activities as a retainer company for a Southern Rhodesian principal and that the United States Government had no evidence that those services had not been terminated.

92. Concerning Case No. INGO-21, the Committee had received information from an individual in Canada, to the effect that the Canadian Imperial Bank of Commerce, through its branch in the Bahamas, had granted a loan of \$US 2 million to finance copper mining in Southern Rhodesia. The Canadian Government indicated in a statement given at the 293rd meeting that investigations were being conducted on the advice of the Canadian Department of Justice, and would provide the Committee with a reply as soon as it was able to do so. The Bahamas Government apprised the Committee in its reply that the information submitted by the Committee was insufficient to justify an investigation and requested more authoritative information on which to act.

93. The Committee noted that some of the most important cases before it had been opened on the basis of information supplied by non-governmental organizations. The Committee, therefore, expressed its appreciation for the contribution from such organizations and noted the importance of the need to maintain that co-operation in the future.

(c) Imports of chrome, nickel and other materials from Southern Rhodesia into the United States of America (Case No. USI-...)

94. The Committee pursued the examination of seven cases of importation of Southern Rhodesian chrome, nickel and other related materials into the United States of America already reported upon in the previous report. No new case was opened during the period under review. Those importations had occurred with the knowledge of the United States Government in conformity with legislation (the so-called Byrd Amendment) that had become effective on 1 January 1972, and the information on them was contained in reports regularly provided to the Committee on a voluntary basis by the United States representative. In this connexion, legislation was signed on 18 March 1977 by the United States Government repealing the Byrd Amendment of 1971. Meanwhile, the representative of the United States, by a letter dated 14 June 1977, reported imports of chrome, nickel and other materials from Southern Rhodesia into the United States during the periods 1 October through 31 December 1976 and 1 January through 31 March 1977. In accordance with the Committee's established procedure the United States report was made public in a press release issued on 25 July 1977. No specific cases were opened from the United States report, since all the ships used to transport the Security Council-prohibited materials were of United States registration. At the 302nd meeting the representative of the United States indicated that a final report would be submitted in due course, covering those imports that might have been caught on the high seas by the repeal legislation. Significant developments in the seven cases examined by the Committee are given below, but details of all cases of imports into the United States are given in annex III to the present report.

95. In Case No. USI-5 Hellenic Leader, the Committee, acting on the recommendation of the Working Group, decided to request the Chairman to seek a personal meeting

with the Permanent Representative of Greece in connexion with the Case and certain other cases involving that Government in general, so as to raise the issue of the action taken by the Greek authorities only in relation to the Captain of the vessel rather than the ship owners, who might be considered to bear the primary responsibility. Action on Case No. USI-46, Phaedra E, also involving Greece, was still under consideration by the Committee. In case No. USI-37, Ogden Sacramento and USI-38, Ascendent, the Chairman sent a note to the Permanent Representative of Panama, recalling the meeting between the Permanent Representative and the former Chairman and inquiring whether the information promised then was available and could be submitted to the Committee.

96. In Case No. USI-36, New England Trapper, relating to Liberia, no reply has yet been received from this country despite three reminders to that effect. In that connexion, the Chairman sent a personal note to the Permanent Representative reminding him of the meeting between the former Permanent Representative and the previous Chairman of the Committee, as indicated in the ninth report, and with the aim of inquiring whether he was in a position to forward information requested by the Committee or to indicate what action his Government proposed to take on the matter in question.

97. In Case Nos. USI-44, Kaderbaksh, and USI-45, Ocean Envoy, Pakistan stated in its reply that the above-mentioned vessels were on time charter on 23 and 25 July 1975, respectively by MS Crossocean Shipping Company, Inc., New York. In addition, the masters of the vessels and the shipping companies were not aware that the cargoes they handled were of Southern Rhodesian origin. It was further indicated that instructions forbidding the carriage of any cargo of Southern Rhodesian origin had not been communicated by the shipping companies to the masters of the vessels concerned and, therefore, adequate precautions had not been taken by them. Accordingly, the services of the officials of the shipping companies in question had, therefore, been terminated on grounds of negligence resulting in the breach of Security Council resolution 253 (1968). As a result the Committee expressed its appreciation to Pakistan for the thorough and prompt investigations and the measures undertaken by that Government.

98. No new information regarding the other cases in this category has been submitted to the Committee since the ninth report.

C. Other activities involving the Committee aimed at promoting more effective implementation of sanctions

(a) Co-operation with the Organization of African Unity

99. In accordance with its decisions at the 235th meeting (see the eighth report, S/11927, para. 18) the Committee, in furtherance of the objective of promoting co-operation with the Organization of African Unity (OAU), continued to invite a representative of OAU to attend its meetings at which were scheduled for discussion cases involving, directly or indirectly, any member State of OAU. With the establishment by the Committee of a working group on pending cases (see para. 7 in sect. A, above), the invitation to the representative of OAU was extended to include meetings of the Working Group at which such cases were scheduled for discussion.

100. On 10 November 1977 when he attended the 299th meeting of the Committee, the representative of OAU made a statement in the course of which he expressed his organization's desire to contribute more fully to the Committee's work and to use the experience gained therefrom in its own sanctions work. He therefore requested the Committee to consider granting a permanent invitation to OAU to participate

in its work. The request by the representative of OAU was included in the Committee's agenda but, at the time of preparation of the present report, the Committee had not yet had an opportunity to consider the matter.

101. By a letter dated 18 October 1977 addressed to the Chairman of the Committee by the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations, the Government of the Libyan Arab Jamahiriya invited the Chairman to participate in the meetings of the Co-ordinating Committee of the Liberation Committee of OAU scheduled to be held in Tripoli sometime in January 1978. The Chairman expressed great appreciation for the close co-operation from OAU indicated by that invitation. The matter was referred to the Committee as a whole and at the time of preparation of the present report the Chairman was still waiting for the Committee's advice thereon.

(b) Co-operation with the Commonwealth Secretariat

102. Over the years the Committee has maintained a mutually beneficial level of co-operation with the Commonwealth Secretariat in London - an organization that has its own Committee on Southern Africa which devotes considerable attention to the question of sanctions against Southern Rhodesia. Some instances of that co-operation have been mentioned in some of the Committee's previous reports (see, for instance, the Committee's special report, S/10632, para. 3). On 19 October 1977 the Committee received by telecommunication from the Commonwealth Secretariat, the text of a press communiqué issued that day by the Commonwealth Committee on Southern Africa concerning a report adopted by that Committee on the question of southern Africa, with particular reference to more effective application of sanctions against Southern Rhodesia. According to the press communiqué the report contained a number of recommendations in that connexion, including one adopted unanimously by which mandatory sanctions on the supply of crude oil and petroleum products would be instituted against South Africa unless that Government gave effective guarantees that oil and oil products were not delivered to Southern Rhodesia from South Africa. A similar proposal was put forward by one delegation of the Security Council Committee as one of those the Committee should consider, in implementation of the Council's resolutions 409 (1977) and 411 (1977), for recommendation to the Council (see the appendix to the Committee's interim report submitted to the Security Council on 18 November 1977 (S/12450)).

CHAPTER II

ACTIONS TAKEN BY GOVERNMENTS IN IMPLEMENTATION OF SANCTIONS

A. Actions taken by Governments either independently or with respect to specific cases in response to inquiries addressed to them by the Committee

103. During the period covered by the present report, the Committee continued to receive information concerning a number of legal actions and other measures taken by Governments, either on their own initiative or in direct response to inquiries addressed to them by the Committee, in implementation of the sanctions against the illegal régime. The information concerning such specific cases is given below:

(a) In a comprehensive communication dated 9 December 1976, following the Chairman's personal meeting with the Permanent Representative of Panama to the United Nations (see paras. 23-25 in annex I to the ninth report, S/12265), Panama transmitted to the Committee the text of circular No. 18/76 of 9 June 1976, issued by the Director of the Department of Consular Affairs and Shipping of the Panamanian Ministry of Finance to all Panamanian Consular officials abroad. The circular, which had also transmitted the texts of three presidential decrees No. 186 of 13 April 1966, No. 23 of 21 March 1967 and No. 276 of 21 August 1969, implementing United Nations sanctions against Southern Rhodesia, had instructed the consular officials to bring the contents of the decrees to the attention of Panamanian ship-owners and to publicize them as widely as possible generally; but in particular, it had instructed them to draw special attention to the contents of article 3 of decree No. 186, which provided that vessels failing to comply with the decrees would be penalized by having their Panamanian registration cancelled.

(b) By a note dated 20 January 1977, replying to the Committee's inquiries in Case No. 154 Tango Romeo, Gabon reaffirmed that the airline formerly known as Affretair no longer existed, having been incorporated into the national company Air Gabon. Gabon also stated that, following the signing of agreements with Botswana, Burundi, Chad and Swaziland for meat supplies to Gabon far in excess of its monthly requirements, the meat thenceforward consumed in Gabon came from the above-mentioned countries. 9/

(c) Concerning the Rhodesian Information Office in Paris, France, the representative of France informed the Committee at the 285th meeting on 10 February 1977 that the French Minister of the Interior had ruled on 17 January 1977 that the Rhodesian Information Office established there was illegal and had ordered its assets to be liquidated within one month's time. Further details concerning this matter are contained in section B of chapter III, below.

(d) Responding to the Committee's recommendation in Case No. 281, concerning

9/ The information originally available to the Committee had indicated that Gabon was one of the recipients of meat and meat products from Southern Rhodesia air freighted by Affretair, among that airline's various operations.

reports of trade in Southern Rhodesian tobacco via three Swiss companies, the Federal Republic of Germany, in a note dated 4 April 1977, informed the Committee that the matter had been drawn to the attention of the umbrella organizations of the Federal Republic cigarette, tobacco, chemical and metal processing industries with a request to apprise their members of the situation and to remind them once again of the relevant provisions of the Federal Foreign Trade law.

(e) In the same case the Philippines, by a note dated 6 April 1977, transmitted the text of memorandum No. 15 of 1 March 1977, said to have been circulated to authorized agent banks by authority of the Governor of the Central Bank of the Philippines. The memorandum, issued under the Philippine provisions implementing sanctions against Southern Rhodesia, prohibited agent banks and security dealers from giving due course to any transactions of whatever nature with the Geneva-based Swiss companies of Comaisa SA, Tobatrade SA and Centrex SA, and enjoined them to take all possible measures to prevent any firms or individuals in the Philippines from trading with Southern Rhodesia through those companies.

(f) Replying to the Committee's inquiries concerning Case Nos. USI-44 and JSI-45, in which commodities of Southern Rhodesian origin had been transported to the United States in Pakistani registered ships, Pakistan informed the Committee in a note dated 13 April 1977 that the Government had taken further steps to reinforce previous instructions in order to ensure that similar incidents did not recur. The additional measures consisted of instructions issued by the Controller of Shipping to all Pakistan shipping companies requiring all the masters of Pakistani vessels to obtain, while loading any cargo in ports serving Southern Rhodesia, a certificate that the cargo was not of Southern Rhodesian origin and not to book any such cargo; all the Pakistani shipping companies were also required to include a clause in any future charter agreements prohibiting the carriage of any cargoes of Southern Rhodesian origin.

(g) In Case No. INGO-17, concerning the supply of oil and oil products to Southern Rhodesia, the United Kingdom, in a note dated 13 April, transmitted the text of a statement made by the Secretary of State for Foreign and Commonwealth Affairs on 8 April 1977, announcing his decision to set up an inquiry into allegations of evasion of sanctions against Southern Rhodesia by the United Kingdom companies of Shell and BP, among other major oil companies. The full text of that statement is given under Case No. INGO-17 in annex V to the present report.

(h) By a note dated 20 April 1977, concerning Case No. INGO-19, (Trade in tobacco via a Swiss Company), the United Kingdom informed the Committee that a quantity of tobacco amounting to 370,518 lbs. had been seized on 15 July 1976 and become Crown property on the ground that the tobacco had been imported into the United Kingdom contrary to the prohibitions on the importation of goods from Southern Rhodesia. That action was reaffirmed by the representative of the United Kingdom in a statement to the Committee at the 297th meeting on 13 October 1977.

(i) At the 286th meeting on 22 April 1977, the representative of the United States informed the Committee that on 14 and 15 March 1977 the United States Congress had passed a bill amending the United States United Nations Participation Act of 1945. The new amendment to that Act prohibited the importation into the United States of "strategic materials" from Southern Rhodesia and had thus returned

the United States to full compliance with the United Nations sanctions in fulfilment of its obligations under Article 25 of the Charter. 10/

(j) By a communication dated 12 July 1977, the Federal Republic of Germany informed the Committee that a non-appealable fine of DM 1,000 had been imposed on, and paid by, a firm in Nuremberg which, though aware that certain exports were subject to licensing regulations because they might be eventually intended for Southern Rhodesia, had in April and October 1975 delivered the restricted goods to South Africa, thereby violating the Federal sanctions regulations governing trade with Southern Rhodesia.

(k) In Case No. 284, concerning a shipment of steel billets suspected to be of Southern Rhodesian origin, the Government of Monaco informed the Committee, in a note dated 1 August 1977, that the Monegasque authorities were unable to determine the accuracy of the facts reported on the Compagnie maritime commerciale (COMACO) of Monaco, said to be connected with the vessel that had transported the suspected merchandise. The Government added, however, that it had decided, at the time the facts had been brought to its attention, to dissolve the company, COMACO, for other reasons.

(l) In another communication dated 17 August 1977, the Federal Republic of Germany informed the Committee that a non-appealable fine had been imposed on the export manager of a firm in Fürth for having exported goods to Southern Rhodesia without a licence; the amount of the fine represented 25 per cent of the value of the goods exported.

(m) In Case No. 293, concerning reported trade in Southern Rhodesian minerals via a network of companies in southern Africa and Europe, the Netherlands, in a note dated 31 August 1977 informed the Committee that the Ministry of Economic Affairs was preparing a communication to the business community in the Netherlands to warn them against business transactions with the firms Minatrade AG of Zurich and Mineralex Agencies of Johannesburg in view of the fact those firms were believed to be guilty of breaking the sanctions against Southern Rhodesia. The communication would be similar to that said to have been published in April 1977 warning against business transactions with the Swiss firms Comaisa SA, Tobatrade SA and Centrex SA, all of Geneva, Switzerland.

(n) By a communication dated 14 September 1977, Brazil transmitted the texts of two resolutions proclaimed by the Council for Customs Policy of Brazil in connexion with the implementation of the sanctions against Southern Rhodesia. Resolution 3.013, proclaimed on 23 August 1977, required any imported chrome ore, ferro-chrome and chromium-bearing steel mill products containing more than 3 per cent of chrome to be accompanied by a validated certificate from the exporters stating that those products did not contain any chrome of Southern Rhodesian origin; it also required submission of such imports to chemical analysis before customs clearance. Resolution 3.014, also dated 23 August 1977, exempted goods imported from Angola and Mozambique from the requirement of a certificate of origin upon entering the national territory of Brazil.

10/ The new amendment was signed into law and became effective on 18 March 1977 thereby repealing the so-called "Byrd amendment" under which imports of such materials into the United States had been permitted since 1 January 1972.

(o) Further to the ninth report (S/12265, para. 79 (o)), the Federal Republic of Germany informed the Committee, in a note dated 15 September 1977, that, a non-appealable fine of DM 1,000 had been imposed upon a third firm for its involvement in the export of spare parts and accessories for the textile industry to Southern Rhodesia (Case No. 170). The Committee is presently awaiting further information from the Federal Republic of Germany regarding the name and address of that firm.

(p) Following the personal meeting between the Acting Chairman of the Committee and the Permanent Observer of Switzerland to the United Nations on 26 July (see paras. 9-14 of annex I to the present report), the Permanent Observer sent a note dated 17 October 1977, informing the Committee that the report on all economic and commercial relations between Switzerland and Southern Rhodesia, still in preparation at the time of the meeting, had been completed and considered by the Federal Council of Switzerland on 3 October 1977. As a result, the Federal Council had requested a number of working groups of representatives of the Administration to re-examine certain aspects of the commercial relations between Switzerland and Southern Rhodesia and of the special problems resulting from the so-called triangular transactions. The working groups were expected to submit their reports and conclusions to the Federal Council before the end of the year.

(q) In a new United Kingdom note dated 24 October 1977 reporting possible violations of sanctions via Gabon (see sect. A (a) in chap. IV, below, and also under (246) Case No. 154 in annex II to the present report) the United Kingdom Government informed the Committee that the Hong Kong Civil Aviation Authority had withheld permission to the air company Cargoman Ltd. of Muscat by which a British firm would have operated a service to Hong Kong using a DC-8 aircraft to be leased from another air company Cargoman Ltd of Geneva. Both companies were reported by the United Kingdom to be fronts for the Southern Rhodesian airline Air Trans-Africa.

(r) The Committee also further received information of actions taken by Governments in implementation of sanctions reported by the Federal Republic of Germany and Switzerland, the accounts of which are given in paragraphs 108 and 112, and 109, below, respectively.

B. Transactions reflected in foreign trade figures submitted by reporting Governments

104. In the ninth report the Committee indicated that three cases remained on its list of active cases of transactions reflected in foreign trade figures submitted by reporting Governments. Those were: Case No. 201 (Danish trade with Southern Rhodesia), Case No. 214 (Swiss trade with Southern Rhodesia), and Case No. 243 (Federal Republic of Germany trade with Southern Rhodesia). All those cases had been opened on the basis of foreign trade figures submitted to the United Nations periodically by the countries concerned.

105. By a communication dated 29 January 1977 the Committee was informed by a non-governmental organization in France of French trade and other French relations with Southern Rhodesia. According to that information the official French foreign trade statistics showed that French exports to Southern Rhodesia from January to November 1976 had amounted to F 742,000. Full details of the information thus received are given under Case No. INGO-18 in annex V to the present report.

106. In a note dated 24 March 1977 France explained that French trade with Southern Rhodesia related exclusively to goods whose export or re-export to Southern Rhodesia was not prohibited under Security Council resolution 253 (1968). The French exports to Southern Rhodesia during 1976, amounting to F 834,000 had consisted of organic and inorganic chemical products intended mainly for pharmaceutical purposes (F 602,000), pharmaceutical products (F 160,000), book-sellers' supplies (F 21,000), spectacles, orthopaedic devices and surgical instruments (F 37,000).

107. With regard to the other three cases the Committee continued to receive reports of Southern Rhodesia's trade with Denmark, the Federal Republic of Germany and Switzerland. It noted that Danish trade had amounted to DKr. 738,000 worth of exports during 1976, the Federal Republic of Germany trade to \$US 399,000 11/ worth of imports and \$US 1,282,000 worth of exports (including \$US 91,000 worth of petroleum products and \$US 23,000 worth of motor vehicles and parts) and Swiss trade to \$US 1,985,000 worth of exports and \$US 7,673,000 worth of imports from Southern Rhodesia.

108. Denmark explained in a note dated 14 April 1977 that its exports to Southern Rhodesia had consisted of pharma-medicaments, products for medical purposes and plastics for use in hospitals. The Committee took note of the Government's explanation, for which it expressed its appreciation, but decided to keep the case open and to request the Government to continue submitting the figures as usual. With regard to the trade by the Federal Republic of Germany the Committee expressed some doubt at the 292nd meeting that some aspects of that trade could be justified under the humanitarian and other exceptions permitted under paragraph 4 of Security Council resolution 253 (1968). At the 302nd meeting, the representative of the Federal Republic of Germany explained that, given the large number of import and export applications handled monthly in the Federal Republic of Germany, some illegal imports or exports were inevitable. Such incidences, for which the Federal Government could not be held responsible if conducted without official knowledge or participation, were not only regrettable but also punishable under Federal German law. However, the federal customs authorities had often been instructed to exercise vigilance against any possible sanctions violations, and the most recent instructions to that end had been included in the federal finance regulations on 22 November 1977 in response to the appeal by the Committee.

109. Following the personal meeting of the Acting Chairman with the Permanent Observer of Switzerland to the United Nations (see para. 83) Switzerland informed the Committee in a note dated 17 October 1977 that the Swiss Federal Government had commissioned a report on various aspects of Swiss trade with Southern Rhodesia, the findings of which were then under consideration by the federal authorities. Subsequently, by a note dated 15 December 1977, Switzerland reported the decision reached by the Swiss Federal Council regarding the so-called triangular operations involving trade with Southern Rhodesia. By that decision the Federal Council adopted on 12 December 1977 an ordinance consisting of six articles, which in effect prohibited persons domiciled or headquartered in Switzerland from participating in the conclusion or execution of juridical acts connected with various aspects of such trade; the ordinance was due to come into

11/ The equivalent values given in United States dollars in this section should not be taken to indicate that the trade was necessarily conducted in that currency.

effect on 1 January 1978. Full details concerning this case are contained in the Chairman's report given in annex I as well as under (252) Case No. 214 in annex IV to the present report.

110. The question of trade with Southern Rhodesia under the exceptions granted by paragraph 4 of Security Council resolution 253 (1968) was one of the proposals submitted to the Committee by one delegation as one of those the Committee should consider, in implementation of Security Council resolutions 409 (1977) and 411 (1977), for appropriate recommendations to the Council (see the appendix to the Committee's interim report to the Council (S/12450*)).

C. Actions taken by Governments and the Committee with respect to Security Council resolution 409 (1977)

111. As indicated in the ninth report (S/12265, para. 21), the Committee submitted a second special report to the Security Council on 31 December 1976 (S/12296) in which it recommended a specific area for possible expansion of mandatory sanctions against the illegal régime in Southern Rhodesia. The special report was considered by the Security Council at its 2011th meeting on 27 May 1977, at which it adopted resolution 409 (1977). By the terms of that resolution, the Security Council, acting under Chapter VII of the Charter of the United Nations, expanded the scope of mandatory sanctions against Southern Rhodesia to include prohibition of the use or transfer in territories of States of any funds from Southern Rhodesia for certain purposes. The resolution also requested the Committee to examine the application of further measures under Article 41 of the Charter and to report to the Council thereon as soon as possible.

112. A letter dated 2 June 1977 from the Permanent Representative of Australia to the United Nations was received by the Secretary-General, 12/ setting out the Government's attitude to the resolution. Details of the letter are given in paragraph 117 of chapter III, below. An acknowledgement dated 8 June 1977 was also received from the Republic of Korea. Communications were further received from the United Republic of Cameroon and the Federal Republic of Germany. In a note dated 25 November 1977 the United Republic of Cameroon stated that no further measures were necessary since financial relations between the United Republic of Cameroon and Southern Rhodesia had already been prohibited by the provisions of decree No. 65/DF/544 bis of 15 December 1965. By a note dated 12 December 1977 the Federal Republic of Germany transmitted a copy of the Federal Law Gazette No. 73/1977 in which was published Amendment No. 38 to the Foreign Trade Ordinance, requiring licences for receipt of certain payments from territorial aliens residing in Southern Rhodesia, which the Federal authorities were put under instructions not to grant; the amendment had entered into force on 19 November 1977.

113. In pursuance of the mandate entrusted to it under the resolution, the Committee submitted to the Security Council an interim report dated 18 November 1977 (S/12450).

12/ Issued as a document of the Security Council (S/12341).

CHAPTER III

CONSULAR AND OTHER REPRESENTATION IN SOUTHERN RHODESIA AND REPRESENTATION OF THE ILLEGAL REGIME IN OTHER COUNTRIES

A. Consular relations with Southern Rhodesia

114. Since the submission of the ninth report (S/12265) the Committee has received no further information indicating that any other country than South Africa maintains consular offices in Southern Rhodesia.

B. Southern Rhodesian representational offices abroad

115. In its ninth report the Committee indicated that, according to the information then available, Southern Rhodesia maintained information offices in France and in the United States, while there was uncertainty about the status and operations of the illegal régime's representational office in Australia.

116. At the 285th meeting on 10 February 1977 the representative of France informed the Committee that the French Minister of the Interior had ruled on 17 January 1977 that the Rhodesian Information Office established in Paris was illegal and had ordered its assets to be liquidated within one month's time. Since then the Committee has been informed of the closure of the office in France and has received additional information regarding the other offices.

117. In a letter dated 2 June addressed to the Secretary-General, the Permanent Representative of Australia stated that, following the Security Council's adoption of resolution 409 (1977), his Government was preparing to introduce legislation during the parliamentary session starting in August 1977, which would give effect to that resolution, directed against the maintenance of Southern Rhodesian information offices abroad. Subsequently, the Permanent Mission of Australia to the United Nations transmitted documents containing extracts from the Australian parliamentary debates and from a press statement by the Minister for Foreign Affairs of Australia, from which it appeared that it would not be possible for the Government to introduce the proposed legislation before the adjournment of Parliament on 8 November 1977; the Minister for Foreign Affairs had reaffirmed, however, that measures would be taken to implement Security Council resolution 409 (1977).

118. The representative of the United States submitted to the Committee copies of the periodic supplemental statements filed, as required by the United States law, with the United States Department of Justice, by the Rhodesian Information Office, Washington, D.C., an agent of a foreign principal. The statements declared the purpose, activities, funding of and disbursement of funds by that office during the periods covered by those statements. The representative of the United States assured the Committee that the United States Government, as one of the sponsors of resolution 409 (1977), favoured the application of that resolution to the Rhodesian Information Office and was now studying the best way to implement it.

119. The Committee felt, nevertheless, that notes should be sent to Australia and the United States expressing the urgency of the matter and the Committee's anxiety over the continued existence and operations in their territories of representational offices of the illegal régime in Southern Rhodesia, and suggesting that those offices could perhaps have already been put out of action through implementation of paragraph 3 of Security Council resolution 277 (1970). Further details concerning the question of Southern Rhodesian representational offices abroad are given under (240) Case No. 143 in annex II to the present report.

CHAPTER IV

AIRLINES OPERATING TO AND FROM SOUTHERN RHODESIA

120. As indicated in the Committee's ninth report (S/12265), it appeared that direct air links continued to exist only between Southern Rhodesia, on one side, and Portugal and South Africa, on the other. During the period covered by the present report, the Governments of Portugal and South Africa have not yet informed the Committee of the action taken or contemplated by them with regard to those direct air links or by their national airlines with regard to those airlines' IATA agreements with Air Rhodesia.

A. Relevant cases examined by the Committee

(a) Flights by private companies (Case No. 154: Tango Romeo)

121. Case No. 154 was reviewed in the Committee's eighth and ninth reports (S/11927/Rev.1, para. 91 and S/12265, para. 93 respectively). It was closely connected with Case Nos. 232 and INGO-9, concerning which no new developments have occurred since the issuance of the ninth report. In 1976, the Government of Gabon informed the Committee that Affretair, the airline formerly registered and based in Gabon, had been dissolved and incorporated into the national airline, Air Gabon. The Committee is still awaiting further information from the Government of Gabon with particular regard to the compensation that might have been paid to the former owners of Affretair and to the possibility that the former employees of Affretair might have been absorbed into Air Gabon.

122. Meanwhile, in a note dated 24 October 1977, the United Kingdom reported new information concerning the operations of two airline companies, believed to be fronts for Air Trans-Africa (ATA), a Southern Rhodesian airline based in Salisbury. The companies were given as Air Gabon Cargo, said to be based in Libreville, Gabon, using the same premises and facilities as, and employing most of the former employees of the defunct Affretair, and Cargoman Ltd. of Geneva and Muscat. Cargo-Lux of Luxembourg continued to maintain the aircraft operated by ATA while ATA had concluded a contract with Trans Mediterranean Cargo of Beirut for the supply of aircraft spares. The business runs by ATA's aircraft took them to some 16 countries in western Europe, the Middle East, Asia and Africa in the course of which the illegal régime in Southern Rhodesia earned badly needed foreign currency, but ATA also chartered aircraft to other airlines. The United Kingdom note also contained a list of employees of ATA, Affretair, Air Gabon Cargo and Cargoman Ltd. upon whom the United Kingdom had placed travel restrictions. The above information was brought to the attention of the Government primarily concerned, as well as to the attention of all Member States.

123. Furthermore, at the 302nd meeting, the representative of the United States reported to the Committee information concerning the activities of another airline company operating from Gabon for the benefit of the illegal régime in Southern Rhodesia. According to that information the airline company, Air Gabon Fret, was merely another name for the Southern Rhodesian airline Air Trans-Africa and operated

in relationship with a Gabonese-registered company, "Soduko". Using three DC-8 aircraft currently, the company, among its activities, provided Southern Rhodesian beef weekly to Congo, Gabon and Sao Tome and Principe. At the time of preparation of the present report action on the information supplied by the United States was under way by the Committee.

124. Meanwhile, communications have so far been received from Mauritius, the Netherlands, Gabon, France, Sri Lanka and Luxembourg, in connexion with the United Kingdom note of 24 October 1977. Mauritius gave assurance that no facilities had been given to any of the air companies mentioned in the United Kingdom note. The Netherlands took the view that the objectionable activities of the airline companies involved could be most effectively blocked with the assistance of the Government of Gabon, to which an urgent appeal to that effect should be made. Gabon reaffirmed the contents of its earlier reply to the Committee that the airline Affretair no longer existed and that Gabon having made arrangements for alternative sources of its meat supplies, far in excess of its monthly requirements, the problem had already been solved. France informed the Committee that Air France had on three occasions between November 1976 and January 1977 chartered a DC-8 aircraft from Air Gabon Cargo in order to transport children's food products from Lyon to Dahrán in Saudi Arabia, but that Air France had been reminded of the relationship between Air Gabon Cargo and Air Trans-Africa and no further charter arrangements had been made since then. Sri Lanka admitted that an aircraft of Cargoman Ltd., operating on behalf of Air Gabon, had been permitted to land in Sri Lanka on 5 July 1977 but said that it was a VIP flight carrying the President of Gabon and his entourage on a visit to Sri Lanka; the authorities had therefore had no occasion to inquire into the bona fides of the carrier. Luxembourg stated that the Luxembourg company Cargolux no longer maintained any Affretair aircraft and that the aircraft specifically mentioned in the United Kingdom note had not landed in Luxembourg in the previous 18 months.

(b) Flights to and from Southern Rhodesia and IATA agreements involving Air Rhodesia (Case Nos. 213 and INGO-4)

125. As reported in the ninth report (S/12265, para. 95), Case No. 213, opened by the Committee in 1975, was considered with close reference to Case No. INGO-4 (Air Rhodesia and IATA agreements). No new developments have since occurred in these cases apart from special reminders sent to Portugal inquiring whether the investigations mentioned by the Government in its comprehensive note of 14 October 1976 (see the ninth report, S/12265, vol. II, annex II, (160) Case No. 173, para. 7) were completed and the findings could be forwarded to the Committee.

B. Consideration of the matter as a general subject

126. The general question of airlinks with Southern Rhodesia, consideration of which had been continued by the Committee in 1976, was again submitted by one delegation as one of the proposals the Committee should consider with a view to making specific recommendations to the Security Council in implementation of the relevant paragraphs of the Council's resolutions 409 (1977) and 411 (1977). In that regard the Committee submitted an interim report to the Security Council dated 18 November 1977 (S/12450).

CHAPTER V
IMMIGRATION AND TOURISM

A. Immigration

(a) General information

127. The illegal régime has continued to give attention to immigration and tourism both for political and economic reasons. Tourism is an important source of foreign currency for the illegal régime.

(b) Population

128. Southern Rhodesia's total population increased by 210,000 to 6,630,000 at the end of 1976 as shown in table 1 below. A breakdown of that figure and comparison with statistics for previous years are as follows:

Table 1

POPULATION OF SOUTHERN RHODESIA
(rounded figures, in thousands) 13/

<u>Year</u> (31 December)	<u>Africans</u>	<u>Europeans</u>	<u>Asians</u>	<u>Coloureds</u>	<u>Total</u>
1965 <u>14/</u>	4,260	210	8.0	12.6	4,490
...
1971	5,310	255	9.4	17.3	5,590
1972	5,490	267	9.6	18.1	5,780
1973	5,700	271	9.7	19.0	6,000
1974	5,900	274	9.9	19.9	6,200
1975	6,110	278	10.0	20.9	6,420
1976	6,320	273	10.2	22.0	6,630

13/ Supplement to the Monthly Digest of Statistics, July 1977 (Central Statistical Office - Salisbury). By June 1977 the estimated population had risen to 6,740,000. (In using the statistics published by the illegal régime the Committee usually exercises a certain amount of caution.)

14/ As of 30 June 1965.

9. According to the figures published by the illegal régime, the number of white people leaving Southern Rhodesia increased sharply in 1976. The trend in European immigration in recent years is as follows:

Table 2 15/

	<u>Immigrants</u>	<u>Emigrants</u>	<u>Net migration</u>
1971	14,743	5,336	9,407
1972	13,966	5,141	8,825
1973	9,433	7,751	1,682
1974	9,649	9,069	580
1975	12,425	10,497	1,928
1976	7,782	14,854	-7,072

10. According to the figures released, there was already a net loss of 5,761 in European migration during January-June 1977, compared to the loss of only 2,279 in the same period of 1976. The statistics for the first six months of 1977 compared with the same figures of 1976 are as follows:

Table 3

	<u>Immigrants</u>	<u>Emigrants</u>	<u>Net migration</u>
1976 (January-June)	4,799	7,078	-2,279
1977 (January-June)	2,941	8,702	-5,761

B. Tourism

11. The trend in the tourist industry is indicated in the following figures:

Table 4

VISITORS FROM ABROAD

	<u>In transit</u>	<u>On business</u>	<u>For education</u>	<u>On holiday</u>	<u>Total</u>
1965	103,816	25,194	5,643	208,725	343,378
...
1974	12,498	22,878	7,758	229,570	272,704
1975	14,668	20,368	5,257	244,404	284,697
1976	7,615	16,909	4,907	140,423	169,854

12. A sharp decrease in foreign tourists to Southern Rhodesia is given for the period January-June during each of the last three successive years, as the table below shows.

15/ Except where otherwise indicated, the rest of the figures in this chapter were gathered from the Monthly Digest of Statistics, August 1977 (Central Statistical Office - Salisbury).

Table 5

FOREIGN TOURISTS TO SOUTHERN RHODESIA

1975 (January-June)	112,118
1976 (January-June)	78,841
1977 (January-June)	44,226

(a) Specific cases concerning tourism

133. During the period covered by the present report, the Committee continued its consideration of a number of cases concerning tourism already on its list. Details of the action taken by the Committee on those cases are given in paragraphs 74-76 in chapter I B, above. Significant details concerning Case No. 227 are given below.

(b) Admissions into countries of persons travelling on Southern Rhodesian passports

134. In Case No. 227, based on tourist advertisements that certain countries were prepared to accept visitors from Southern Rhodesia including those travelling on passports issued by the illegal régime, the Committee was informed by Switzerland that the mere fact of admitting Southern Rhodesian passport holders had not necessarily resulted in an increase in the number of travellers between Southern Rhodesia and Switzerland since the establishment of sanctions, adding that the practice did not in any case imply recognition of nationality of the passport holders, since passports were considered simply as travel papers. Switzerland did clarify subsequently that, since it did not recognize the illegal régime, it likewise did not recognize the régime's diplomatic or consular agents, who must therefore comply with the same formalities as persons holding ordinary Southern Rhodesian passports; Switzerland, however, waived visa requirements for Southern Rhodesian residents holding United Kingdom passports.

135. Nevertheless, the Committee decided to seek further clarification from Switzerland of that country's legal provisions governing passports, which the Swiss authorities appeared to regard simply as travel documents and not as an indication of citizenship. The Committee also decided to seek the opinion of the United Nations Legal Counsel on that point and on the potential implications for Member States of the acceptance of the Swiss position.

136. Meanwhile, the representative of the United Kingdom made a statement to the Committee at the 297th meeting, concerning the United Kingdom Government policy on the issuance of concessionary passports to Southern Rhodesians. He was responding to the remarks of the Acting Chairman of the Committee in his letter transmitting to the United Kingdom authorities for their appropriate action copies of communications received from a disgruntled Southern Rhodesian resident with regard to the issuance of a United Kingdom concessionary passport. The Acting Chairman had indicated the Committee's interest in learning of the grounds upon which such passports were issued to persons ordinarily resident in Southern Rhodesia and of the assurances secured by the United Kingdom Government that the activities of such persons abroad did not further the aims and interests of the illegal régime. The representative of the United Kingdom, after quoting paragraph 5 of Security Council resolution 253 (1968), mentioned the categories of Southern Rhodesian citizens to

whom United Kingdom concessionary passports might be issued. He concluded that all applications for such passports were considered sympathetically on their merits, although tight control of the system was necessary to avoid possible abuse of the system (e.g. by sanctions breakers). For the full text of the statement by the representative of the United Kingdom and further developments in this matter see under (244) Case No. 227, in annex II to the present report.

137. Further to paragraph 135 above, the Legal Counsel submitted his opinion in a memorandum dated 8 December 1977, which, at the time of preparation of the present report, was still being studied by the Committee.
