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

Addendum

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* A limited number of copies of this volume (annexes I-V) are being circulated in mimeographed form. Annex VI will be issued separately. The entire report will subsequently be issued as Official Records of the Security Council, Thirty-third Year, Special Supplement No. 2.

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EXPLANATORY NOTE

General information on the cases

1. The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth reports of the Committee to the Security Council contained texts of reports and substantive parts of correspondence with Governments on 346 cases concerning suspected or actual violation of sanctions against Southern Rhodesia. Those reports were published as follows:

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

2. Annexes I to V to the present report contain accounts of the action taken by the Committee on 90 of the cases previously reported, together with the texts of reports and substantive parts of correspondence with Governments received up to and including 15 December 1977 concerning 37 new cases brought to the Committee's attention since submission of the ninth report. The 37 new cases include four cases opened from information supplied by individuals and non-governmental organizations (INGO series). No new case was opened from information supplied by the United States in its quarterly reports to the Committee (USI series).

3. As indicated in the ninth report, altogether 13 cases of suspected violation of sanctions were closed during 1976. Consequently, those cases, described below, have been dropped from the list of active cases currently under consideration by the Committee.

Case No. 133	<u>Supply of medical equipment to the University of Southern Rhodesia</u>
Case No. 174	<u>Hockey team on tour of Southern Rhodesia</u>
Case No. 176	<u>New Zealand insurance companies</u>
Case No. 183	<u>Trade in meat and banking facilities</u>
Case No. 189	<u>Wankie power station</u>
Case No. 209	<u>Rolling mill rolls</u>
Case No. 215	<u>Southern Rhodesia and the World Association of Girl Guides and Girl Scouts (WAGGS)</u>
Case No. 223	<u>International squash tournament in Southern Rhodesia</u>
Case No. 225	<u>Visit of English polo team to Southern Rhodesia</u>
Case No. 226	<u>International Wanderers Cricket Team visit to Southern Rhodesia</u>
Case No. 228	<u>Visit of Southern Rhodesia karate coach to France</u>
Case No. 231	<u>Participation of Southern Rhodesians in the Dewar tennis matches</u>
Case No. 238	<u>Replacement equipment for steel processing plants in Southern Rhodesia</u>
Case No. 240	<u>Participation of a Southern Rhodesian in the World Championship Tennis tournament in the United States</u>
Case No. 241	<u>Participation of a United States citizen in the Rhodesian Open Chess Championships</u>
Case No. 272	<u>Shipment of milk powder to Southern Rhodesia</u>
Case No. INGO-3	<u>Tour of certain African countries, including Southern Rhodesia</u>
Case No. INGO-16	<u>Acquisition of military aircraft and spare parts from New Zealand by Southern Rhodesia</u>

4. As of 15 December 1977, the cumulative number of cases on the Committee's list had reached 381. However, excluding the two reclassifications mentioned in the seventh report, the 18 cases closed in 1976, the 10 cases closed in 1975, the 5 cases closed in 1974, the 5 cases closed in 1973 and the 3 cases closed in 1972 the number of cases which were under consideration by the Committee during 1977 totals 333.

5. As will be indicated under each relevant case in the present report, 27 cases were closed by the Committee during 1977. Consequently, those cases, described

below, will be dropped from the Committee's future list of active cases under its consideration.

Case No. 1	<u>Chrome sand -- "Tjibodas"</u>
Case No. 3	<u>Chrome sand -- "Tjipondok"</u>
Case No. 4	<u>Tobacco - "Mokaria"</u>
Case No. 5	<u>Trade in chrome ore and ferro-chrome</u>
Case No. 6	<u>Ferro-chrome - "Blue sky"</u>
Case No. 100	<u>Minerals - "Cuxhaven"</u>
Case No. 102	<u>Nickel - "Randfontein"</u>
Case No. 108	<u>Minerals - "Schonfels"</u>
Case No. 109	<u>Nickel - "Sloterkerk"</u>
Case No. 116	<u>Minerals - "Rotenfels"</u>
Case No. 118	<u>Nickel - "Serooskerk"</u>
Case No. 149	<u>Tobacco - "Straat Holland"</u>
Case No. 157	<u>Tobacco - "Oranjeland"</u>
Case No. 159	<u>Cardboard containers from Spain</u>
Case No. 185	<u>Ferro-manganese "Straat Nagasaki"</u>
Case No. 202	<u>Tobacco - "Drammersfjord"</u>
Case No. 203	<u>Payment by Southern Rhodesian bank to Austrian company</u>
Case No. 206	<u>Jet fighters and other military equipment</u>
Case No. 207	<u>Tobacco</u>
Case No. 245	<u>Trade with Southern Rhodesia by a firm in the Federal Republic of Germany</u>
Case No. 250	<u>Aluminium export by Belgian company</u>
Case No. 256	<u>Supply of machine parts to Southern Rhodesia</u>
Case No. 273	<u>Recruitment of mercenaries for Southern Rhodesia</u>
Case No. 274	<u>Purchase of timber from Southern Rhodesia by a United Kingdom public corporation</u>
Case No. 281	<u>Trade in tobacco from Southern Rhodesia via Switzerland</u>

Case No. 289

Chrome ore - "Kinkasan Maru"

Case No. INGO-10

Package tours to Southern Rhodesia and landing rights to airlines flying to Salisbury

COMPLETE LIST OF CASES CURRENTLY UNDER CONSIDERATION

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

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

A. METALLIC ORES, METALS AND THEIR ALLOYS

Ferro-chrome and chrome ores

<u>Serial No.</u>	<u>Case No.</u>	
(1)	1	Chrome sand - <u>Tjibodas</u> : United Kingdom note dated 20 December 1968
(2)	3	Chrome sand - <u>Tjipondok</u> : United Kingdom note dated 22 January 1969
(3)	5	Trade in chrome ore and ferro-chrome: United Kingdom note dated 6 February 1969
(4)	6	Ferro-chrome - <u>Blue Sky</u> : United Kingdom note dated 12 February 1969
(5)	7	Ferro-chrome - <u>Catharina Oldendorff</u> : United Kingdom note dated 22 February 1969
(6)	11	Ferro-chrome - <u>Al Mubarakiah</u> and <u>Al Sabahiah</u> : United Kingdom note dated 24 April 1969
(7)	17	Ferro-chrome - <u>Gasikara</u> : United Kingdom note dated 19 June 1969
(8)	23	Ferro-chrome - <u>Massimoemee</u> and <u>Archon</u> : United Kingdom note dated 8 July 1969
(9)	25	Ferro-chrome - <u>Batu</u> : United Kingdom note dated 14 July 1969

<u>Serial No.</u>	<u>Case No.</u>	
(10)	31	Chrome ore and ferro-chrome - <u>Ville de Nantes</u> : United Kingdom note dated 4 August 1969
(11)	36	Ferro-chrome - <u>Ioannis</u> : United Kingdom note dated 26 August 1969
(12)	37	Ferro-chrome - <u>Halleren</u> : United Kingdom note dated 27 August 1969
(13)	40	Ferro-chrome - <u>Ville de Reims</u> : United Kingdom note date 29 August 1969
(14)	45	Ferro-chrome - <u>Tai Sun</u> and <u>Kyotai Maru</u> : United Kingdom note dated 20 September 1969
(15)	55	Ferro-chrome - <u>Guvnor</u> : United Kingdom note dated 10 November 1969
(16)	57	Chrome ore - <u>Myrtidiotissa</u> : United Kingdom note dated 17 November 1969
(17)	59	Shipments of ferro-chrome to various countries: United Kingdom note dated 4 December 1969
(18)	64	Chrome ore and ferro-chrome - <u>Birte Oldendorff</u> : United Kingdom note dated 24 December 1969
(19)	71	Ferro-chrome - <u>Disa</u> : United Kingdom note dated 2 April 1970
(20)	73	Chrome ore - <u>Selene</u> : United Kingdom note dated 13 April 1970
(21)	74	Chrome ore and concentrates - <u>Castasegna</u> : United Kingdom note dated 17 April 1970
(22)	76	Ferro-chrome - <u>Hodakasan Maru</u> : United Kingdom note dated 13 May 1970
(23)	79	Chrome ore - <u>Schutting</u> : United Kingdom note dated 3 June 1970
(24)	80	Chrome ore - <u>Klostertor</u> : United Kingdom note dated 10 June 1970
(25)	89	Chrome ore - <u>Ville du Havre</u> : United Kingdom note dated 18 August 1970
(26)	95	Ferro-chrome and ferro-silicon chrome - <u>Trautenfels</u> : United Kingdom note dated 11 September 1970

<u>Serial No.</u>	<u>Case No.</u>	
(27)	100	Chrome - <u>Cuxhaven</u> : United Kingdom note dated 16 October 1970
(28)	103	Chrome ore - <u>Anna Presthus</u> : United Kingdom note dated 30 October 1970
(29)	108	Chrome ore - <u>Schonfels</u> : United Kingdom note dated 26 November 1970
(30)	110	Chrome ores - <u>Kybfels</u> : United Kingdom note dated 13 January 1971
(31)	116	Chrome ores and concentrates - <u>Rotenfels</u> : United Kingdom note dated 31 March 1971
(32)	130	Chrome ore - <u>Agios Georgios</u> : information supplied by Somalia on 27 March 1972
(33)	135	Chrome ore - <u>Santos Vega</u> : information supplied by Somalia on 20 March 1972
(34)	153	Ferro-chrome - <u>Itaimbe</u> : United Kingdom note dated 24 August 1973
(35) °	165	Chrome ore - <u>Gemstone</u> : United Kingdom note dated 5 February 1974
(36)	212	Ferro-chrome - <u>Gerd Wesch</u> : United Kingdom note dated 9 July 1975
(37)	245	Ferro-chrome - Trade with Southern Rhodesia by a firm in the Federal Republic of Germany: United Kingdom note dated 13 February 1976
(38)	269	High-carbon ferro-chrome - <u>Jupiter Su</u> : United Kingdom note dated 9 June 1976
(39)	270	High-carbon ferro-chrome - <u>Frontier</u> : United Kingdom note dated 9 June 1976
(40)	282	High-carbon ferro-chrome - <u>Harlandsville</u> : United Kingdom note dated 15 December 1976
(41)	283	Low and high-carbon ferro-chrome - <u>Terpandros</u> : United Kingdom note dated 15 December 1976
(42)	288	High-carbon ferro-chrome - <u>Patagonia Argentina</u> : United Kingdom note dated 31 March 1977
(43)	289	Chrome ore - <u>Kinkasan Maru</u> : United Kingdom note dated 21 April 1977

<u>Serial No.</u>	<u>Case No.</u>	
(44)	291	Ferro-chrome and ferro-silicon - <u>Chrome Goldbridge, Straat Holland and England Maru</u> : United Kingdom note dated 16 March 1977
(45)	297	Chrome - <u>Cantonad, Baikor, Santa Isabella, Nortrans Karen and Valle de Orozco</u> : United Kingdom note dated 8 July 1977
(46)	300	Chrome - <u>Gold Beetle and Shunkai Maru</u> : United Kingdom note dated 21 July 1977
(47)	312	Mixed high-carbon and low-carbon ferro-chrome - <u>Pampa Argentina</u> : United Kingdom note dated 30 November 1977
<u>Silicon</u>		
(48)	178	Silicon-chrome - <u>Tsedek</u> : United Kingdom note dated 7 June 1974
(49)	179	Silicon metal - <u>Atlantic Fury</u> : United Kingdom note dated 18 June 1974
(50)	292	Ferro-silicon chrome and low-carbon ferro-chrome - <u>Straat Napier and Gerd Wesch</u> : United Kingdom note dated 16 March 1977
(51)	299	Ferro-silicon-chrome - <u>Straat Nagoya</u> : United Kingdom note dated 14 July 1977
<u>Ferro-manganese</u>		
(52)	185	Ferro-manganese - <u>Straat Nagasaki</u> : United Kingdom note dated 20 June 1974
<u>Tungsten ore</u>		
(53)	78	Tungsten ore - <u>Tenko Maru and Suruga Maru</u> : United Kingdom note dated 28 May 1970
(54)	306	Wolfram ore and antimony ore - <u>Saronicos Gulf</u> : United Kingdom note dated 28 October 1977
<u>Copper</u>		
(55)	12	Copper concentrates - <u>Tjipondok</u> : United Kingdom note dated 12 May 1969
(56)	15	Copper concentrates - <u>Eizan Maru</u> : United Kingdom note dated 4 June 1969

<u>Serial No.</u>	<u>Case No.</u>	
(57)	34	Copper exports: United Kingdom note dated 13 August 1969
(58)	51	Copper concentrates - <u>Straat Futami</u> : United Kingdom note dated 8 October 1969
(59)	99	Copper - various ships: United Kingdom note dated 9 October 1970
<u>Nickel</u>		
(60)	102	Nickel - <u>Randfontein</u> : United Kingdom note dated 28 October 1970
(61)	109	Nickel - <u>Sloterkerk</u> : United Kingdom note dated 11 January 1971
(62)	118	Nickel - <u>Serooskerk</u> : United Kingdom note dated 6 May 1971
(63)	193	Electrolytic nickel cathodes - <u>Pleias</u> : United Kingdom note dated 22 October 1974
<u>Aluminium</u>		
(64)	250	Aluminium export by a Belgian company: United Kingdom note dated 22 March 1976
<u>Lithium ores</u>		
(65)	20	Petalite - <u>Sado Maru</u> : United Kingdom note dated 30 June 1969
(66)	24	Petalite - <u>Abbekerk</u> : United Kingdom note dated 12 July 1969
(67)	30	Petalite - <u>Simonskerk</u> : United Kingdom note dated 4 August 1969
(68)	32	Petalite - <u>Yang Tse</u> : United Kingdom note dated 6 August 1969
(69)	46	Petalite - <u>Kyotai Maru</u> : United Kingdom note dated 24 September 1969
(70)	54	Lepidolite - <u>Ango</u> : United Kingdom note dated 24 October 1969
(71)	86	Petalite ore - <u>Krugerland</u> : United Kingdom note dated 4 August 1970

<u>Serial No.</u>	<u>Case No.</u>	
(72)	107	Tantalite - <u>Table Bay</u> : United Kingdom note dated 26 November 1970
(73)	151	Petalite - <u>Merrimac</u> : United Kingdom note dated 30 July 1973
(74)	313	Tantalite ore - <u>Carvalho Araujo</u> : United Kingdom note dated 7 December 1977
<u>Pig-iron and steel billets</u>		
(75)	29	Pig-iron - <u>Mare Piceno</u> : United Kingdom note dated 23 July 1969
(76)	70	Steel billets: United Kingdom note dated 16 February 1970
(77)	85	Steel billets - <u>Despinan and Birooni</u> : United Kingdom note dated 30 July 1970
(78)	114	Steel products - <u>Gemini Exporter</u> : United Kingdom note dated 3 February 1971
(79)	137	Steel billets - <u>Malaysia Fortune</u> : United Kingdom note dated 26 October 1972
(80)	138	Steel billets - <u>Aliakmon Pilot</u> : United Kingdom note dated 26 October 1972
(81)	140	Steel billets and maize - <u>Char Hwa</u> : United Kingdom note dated 9 April 1973
(82)	236	Steel billets - <u>Trianon</u> : United Kingdom note dated 23 December 1975
(83)	239	Steel billets - <u>Shinkai Maru</u> : United Kingdom note dated 14 January 1976
(84)	246	Steel billets - <u>Antje Schulte</u> : United Kingdom note dated 13 February 1976
(85)	265	Steel billets - <u>Alesandros Skoutaris</u> : United Kingdom note dated 19 May 1976
(86)	266	Steel billets - <u>Aristedes Xilas</u> : United Kingdom note dated 17 May 1976
(87)	284	Steel billets - <u>Alacrity</u> : United Kingdom note dated 26 January 1977
(88)	290	Steel billets - <u>Penmen</u> : United Kingdom note dated 16 March 1977

<u>Serial No.</u>	<u>Case No.</u>	
(89)	295	Steel billets - <u>Johnny B</u> : United Kingdom note dated 30 May 1977
(90)	298	Steel billets - <u>Agios Nicolaos</u> : United Kingdom note dated 14 July 1977
(91)	308	Steel billets - <u>Markos</u> , <u>Fulster</u> and <u>Pytheas</u> : United Kingdom note dated 11 November 1977
(92)	309	Steel billets - <u>Aghios Gerassimos</u> : United Kingdom note date 17 November 1977
(93)	311	Steel billets - <u>Tini P</u> and <u>Charalambos N. Pateras</u> : United Kingdom note dated 23 November 1977

Graphite

(94)	38	Graphite - <u>Kaapland</u> : United Kingdom note dated 27 August 1969
(95)	43	Graphite - <u>Tanga</u> : United Kingdom note dated 18 September 1969
(96)	62	Graphite - <u>Transvaal</u> , <u>Kaapland</u> , <u>Stellenbosch</u> and <u>Swellendam</u> : United Kingdom note dated 22 December 1969

B. MINERAL FUELS

<u>Serial No.</u>	<u>Case No.</u>	
(97)	172	Crude oil: United Kingdom note dated 7 May 1974

C. TOBACCO

(98)	4	Tobacco - <u>Mokaria</u> : United Kingdom note dated 24 January 1969
(99)	10	Tobacco - <u>Mohasi</u> : United Kingdom note dated 29 March 1969
(100)	19	Tobacco - <u>Goodwill</u> : United Kingdom note dated 25 June 1969
(101)	26	Transactions in Southern Rhodesian tobacco: United Kingdom note dated 14 July 1969
(102)	35	Tobacco - <u>Montaigle</u> : United Kingdom note dated 13 August 1969
(103)	82	Tobacco - <u>Elias L</u> : United Kingdom note dated 3 July 1970
(104)	92	Cigarettes believed to be manufactured in Rhodesia: United Kingdom note dated 21 August 1970
(105)	98	Tobacco - <u>Hellenic Beach</u> : United Kingdom note dated 7 October 1970
(106)	104	Tobacco - <u>Agios Nicolaos</u> : United Kingdom note dated 2 November 1970
(107)	105	Tobacco - <u>Montalto</u> : United Kingdom note dated 2 November 1970
(108)	149	Tobacco - <u>Straat Holland</u> : United Kingdom note dated 19 July 1973
(109)	156	Tobacco - <u>Hellenic Glory</u> : United Kingdom note dated 4 October 1973
(110)	157	Tobacco - <u>Oranjeland</u> : United Kingdom note dated 9 October 1973
(111)	196	Tobacco - <u>Streefkerk</u> and <u>Swellendam</u> : United Kingdom note dated 5 December 1974
(112)	202	Tobacco - <u>Drammensford</u> : United Kingdom note dated 6 March 1975
(113)	207	Tobacco: United Kingdom note dated 3 July 1975
(114)	262	Tobacco - <u>Pereira d'Eca</u> : United Kingdom note dated 26 April 1976

<u>Serial No.</u>	<u>Case No.</u>	
(133)	124	Maize - <u>Armonia</u> : United Kingdom note dated 30 August 1971
(134)	125	Maize - <u>Alexandros S</u> : United Kingdom note dated 23 September 1971
(135)	139	Maize - <u>Pythia</u> : United Kingdom note dated 6 April 1973

E. COTTON AND COTTON SEEDS

(136)	53	Cotton seed - <u>Holly Trader</u> : United Kingdom note dated 23 October 1969
(137)	96	Cotton - <u>S.A. Statesman</u> : United Kingdom note dated 14 September 1970

F. MEAT

(138)	8	Meat - <u>Kaapland</u> : United Kingdom note dated 10 March 1969
(139)	13	Meat - <u>Zuiderkerk</u> : United Kingdom note dated 13 May 1969
(140)	14	Beef - <u>Tabora</u> : United Kingdom note dated 3 June 1969
(141)	16	Beef - <u>Tugelaland</u> : United Kingdom note dated 16 June 1969
(142)	22	Beef - <u>Swellendam</u> : United Kingdom note dated 3 July 1969
(143)	33	Meat - <u>Taveta</u> : United Kingdom note dated 8 August 1969
(144)	42	Meat - <u>Polana</u> : United Kingdom note dated 17 September 1969
(145)	61	Chilled meat: United Kingdom note dated 8 December 1969
(146)	68	Pork - <u>Alcor</u> : United Kingdom note dated 13 February 1970
(147)	117	Frozen meat - <u>Drymakos</u> : United Kingdom note dated 21 April 1971
(148)	314	Carriage of meat from Southern Rhodesia by Zairian aircraft: information obtained from communiqué issued by Government of Mozambique on 1 December 1977

G. SUGAR

<u>Serial No.</u>	<u>Case No.</u>	
(149)	28	Sugar - <u>Byzantine Monarch</u> : United Kingdom note dated 21 July 1969
(150)	60	Sugar - <u>Filotis</u> : United Kingdom note dated 4 December 1969
(151)	65	Sugar - <u>Eleni</u> : United Kingdom note dated 5 January 1970
(152)	72	Sugar - <u>Lavrentios</u> : United Kingdom note dated 8 April 1970
(153)	83	Sugar - <u>Angelia</u> : United Kingdom note dated 8 July 1970
(154)	94	Sugar - <u>Philomila</u> : United Kingdom note dated 28 August 1970
(155)	112	Sugar - <u>Evangelos M</u> : United Kingdom note dated 22 January 1971
(156)	115	Sugar - <u>Aegean Mariner</u> : United Kingdom note dated 19 March 1971
(157)	119	Sugar - <u>Calli</u> : United Kingdom note dated 10 May 1971
(158)	122	Sugar - <u>Netanya</u> : United Kingdom note dated 13 August 1971
(159)	126	Sugar - <u>Netanya</u> : United Kingdom note dated 7 October 1971
(160)	128	Sugar - <u>Netanya</u> : United Kingdom note dated 11 February 1972
(161)	132	Sugar - <u>Primrose</u> : United Kingdom note dated 26 April 1972
(162)	147	Sugar - <u>Anangel Ambition</u> : United Kingdom note dated 27 June 1973

H. FERTILIZERS AND AMMONIA

(163)	2	Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969
(164)	48	Ammonia - <u>Butaneuve</u> : United Kingdom note dated 24 September 1969
(165)	52	Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969

<u>Serial No.</u>	<u>Case No.</u>	
(166)	66	Ammonia - <u>Cérons</u> : United Kingdom note dated 7 January 1970
(167)	69	Ammonia - <u>Mariotte</u> : United Kingdom note dated 13 February 1970
(168)	101	Anhydrous ammonia: United Kingdom note dated 12 October 1970
(169)	113	Anhydrous ammonia - <u>Cypress</u> and <u>Isforn</u> : United Kingdom note dated 29 January 1971
(170)	123	Anhydrous ammonia - <u>Zion</u> : United Kingdom note dated 30 August 1971
(171)	129	Anhydrous ammonia - <u>Kristian Birkeland</u> : United Kingdom note dated 24 February 1972
(172)	204	Import of agricultural crop chemicals into Southern Rhodesia: United Kingdom note dated 13 March 1975

I. MACHINERY

(173)	50	Tractor kits: United Kingdom note dated 2 October 1969
(174)	58	Book-keeping and accounting machines: Italian note dated 6 November 1969
(175)	170	Spare parts for sewing or knitting machines - <u>Elbeland</u> : United Kingdom note dated 10 April 1974
(176)	221	Supply of electrical equipment: United Kingdom note dated 1 September 1975
(177)	256	Supply of machine parts to Southern Rhodesia: United Kingdom note dated 21 April 1976
(178)	267	Industrial sewing machines from Japan - <u>Straat Hong Kong</u> : United Kingdom note dated 17 May 1976
(179)	305	Shipment of parts for diesel locomotives to Southern Rhodesia - <u>Alcoutin</u> : United Kingdom note dated 19 October 1977

J. TRANSPORT EQUIPMENT

Motor vehicles and/or motor-vehicle spares

(180)	9	Motor vehicles: United States note dated 28 March 1969
(181)	145	Trucks, engines, etc.: Information obtained by the Committee from published sources

<u>Serial No.</u>	<u>Case No.</u>	
(182)	168	Motor vehicles or motor-vehicle spares - <u>Straat Rio</u> : United Kingdom note dated 15 March 1974
(183)	173	Motor vehicles or motor-vehicle spares - <u>Daphne</u> : United Kingdom note dated 16 May 1974
(184)	180	Motor vehicles or motor-vehicle spares - <u>Straat Rio</u> : United Kingdom note dated 20 June 1974
(185)	182	Motor vehicles or motor-vehicle spares - <u>M. Citadel</u> : United Kingdom note dated 24 June 1974
(186)	195	Motor vehicles or motor-vehicle spares - <u>Soula K</u> : United Kingdom note dated 28 November 1974
(187)	197	Trade in motor vehicles (and other commodities): United Kingdom note dated 6 December 1974
<u>Aircraft and/or aircraft spares</u>		
(188)	41	Aircraft spares: United Kingdom note dated 5 September 1969
(189)	67	Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970
(190)	144	Sale of three Boeing aircraft to Southern Rhodesia: Information obtained from published sources
(191)	162	Viscount aircraft: United Kingdom note dated 17 January 1974
(192)	206	Jet fighters and other military equipment: Information obtained from published sources
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L. SPORTING ACTIVITIES AND OTHER INTERNATIONAL COMPETITIONS

(197)	120	Southern Rhodesia and the Olympic Games: Note from the Federal Republic of Germany dated 5 April 1971
(198)	148	Southern Rhodesia and the Maccabiah Games: Information supplied to the Committee by the Sudan on 21 June 1973
(199)	166	Southern Rhodesia and the International Judo Federation: Information obtained from published sources
(200)	167	Tour of Southern Rhodesian cricket player abroad: Information obtained from published sources
(201)	175	Yachting coach on tour of Southern Rhodesia: Information obtained from published sources
(202)	181	Southern Rhodesia and the International Federation of Association Football (FIFA): Information obtained from published sources
(203)	186	Southern Rhodesia and the International Chess Federation (FIDE): Information obtained from published sources
(204)	191	Cricket club tour of Southern Rhodesia: Information obtained from published sources
(205)	192	Hockey club on tour of Southern Rhodesia: Information obtained from published sources
(206)	198	Southern Rhodesia and the golf championships in Colombia: Information obtained from published sources
(207)	199	Golf championships in the Dominican Republic Information obtained from published sources
(208)	205	Irish Rugby team tour of Southern Rhodesia: Information obtained from published sources
(209)	211	Tour of certain European countries by Southern Rhodesian hockey club: Information obtained from published sources
(210)	216	United States basketball coach tour of Southern Rhodesia: Information obtained from published sources

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(211)	217	Visit to Southern Rhodesia by Argentinian hockey umpire: Information obtained from published sources
(212)	219	Southern Rhodesia and the International Lawn Tennis Federation (ILTF): Information obtained from published sources
(213)	220	Southern Rhodesia and the International Amateur Swimming Federation (FINA): Information obtained from published sources
(214)	222	Participation of Southern Rhodesian yachtsmen in the World Fireball Regatta in France: Information obtained from published sources
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(233)	264	Southern Rhodesia and the world championships of bodybuilders in Canada: Information obtained from published sources
(234)	268	Junior golf team from the United States tour of Southern Rhodesia in 1977: Information obtained from published sources
(235)	271	Participation of two Southern Rhodesian soccer players in the 1977 Greek soccer season: Information obtained from published sources
(236)	277	Visit of a Uruguayan polo team to Southern Rhodesia: Information obtained from published sources
(237)	278	Participation of Southern Rhodesia in the 1977 Davis Cup tennis tournament: Information obtained from published sources

<u>Serial No.</u>	<u>Case No.</u>	
(238)	279	Participation of an Australian team in the international squash tournament in Southern Rhodesia: Information obtained from published sources
(239)	280	Participation of a Southern Rhodesian team in the world combat pistol championships in Salzburg, Austria: Information obtained from published sources
(240)	285	Participation of a Southern Rhodesian team in the Eisenhower trophy golf tournament in Portugal: Information obtained from published sources
(241)	294	Participation of the American bowlers in Men's Test against clubs of Southern Rhodesia: Information obtained from published sources
(242)	303	Participation of teams from Belgium, the Federal Republic of Germany, South Africa and the United Kingdom in the world championships of pistol shooting in Southern Rhodesia: Information obtained from published sources

M. BANKING, INSURANCE AND OTHER RELATED FACILITIES

(243)	163	Swiss company loan to Rhodesia Railways: United Kingdom note dated 22 January 1974
(244)	171	Rhodesia Iron and Steel Corporation (RISCO): Information obtained from published sources
(245)	203	Payment by Southern Rhodesian bank to Austrian company: United Kingdom note dated 7 March 1975
(246)	208	Financial loan to a Southern Rhodesian company: United Kingdom note dated 13 May 1975
(247)	304	Transfer of personal funds to and from Southern Rhodesia

N. TOURISM AND OTHER RELATED MATTERS

(248)	143	Southern Rhodesian representational offices abroad: (a) Rhodesia National Tourist Board, Basel, Switzerland; (b) Rhodesian information centre and Air Rhodesia office, Sydney, Australia;
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(c) Rhodesia information office,
Washington, D.C., USA;

(d) Rhodesia information office, Paris,
France;

Information obtained from published sources
and from non-governmental sources

(249)	190	Tourism agencies and Southern Rhodesia: Information obtained from published sources
(250)	194	Holiday Inns and car-rental activities: Information obtained from published sources
(251)	213	Flights to and from Southern Rhodesia: Case opened at the 243rd meeting
(252)	227	Organized tours abroad for persons using Southern Rhodesian passports: Information obtained from published sources
(253)	275	Visit to Southern Rhodesia by travel agents from the United States of America: Information obtained from published sources

O. OTHER CASES

(254)	154	<u>Tango Romeo</u> - Sanctions-breaking activities via Gabon: Information obtained from published sources and supplied to the Committee by the United Kingdom on 30 August 1973
(255)	155	Cameras from Switzerland: United Kingdom note dated 27 September 1973
(256)	158	Pine oil from the United States - <u>Charlotte Lykes</u> : United Kingdom note dated 19 October 1973
(257)	159	Cardboard containers from Spain: United Kingdom note dated 12 November 1973
(258)	201	Danish trade with Southern Rhodesia: Information supplied by Denmark
(259)	210	Supply of various items of miscellaneous equipment to Southern Rhodesia: United Kingdom note dated 24 June 1975
(260)	214	Swiss trade with Southern Rhodesia: Information supplied by Switzerland
(261)	218	Southern Rhodesia and the International Chamber of Commerce: Information obtained from published sources

<u>Serial No.</u>	<u>Case No.</u>	
(262)	233	Supply of chemical substances to Southern Rhodesia: United Kingdom note dated 1 December 1975
(263)	243	Federal Republic of Germany trade with Southern Rhodesia: Information supplied by the Federal Republic of Germany
(264)	247	Chemical products - trade with Southern Rhodesia by a firm in the Federal Republic of Germany: United Kingdom note dated 23 February 1976
(265)	259	Violation of sanctions by a subsidiary firm in the United Kingdom: United Kingdom note dated 2 April 1976
(266)	261	Trade with Southern Rhodesia by an Italian firm: United Kingdom note dated 5 May 1976
(267)	263	Trade with Southern Rhodesia by a Belgian firm: United Kingdom note dated 26 April 1976
(268)	273	Recruitment of mercenaries for Southern Rhodesia: Information obtained from published sources
(269)	274	Purchase of timber from Southern Rhodesia by a United Kingdom public corporation: Information obtained from published sources and supplied to the Committee by the United Kingdom on 5 May 1976
(270)	276	Activities of Lonrho and other United Kingdom companies: Information obtained from published sources and from non-governmental sources
(271)	293	Trade in Southern Rhodesian minerals via network of companies in southern Africa and Europe - <u>S. A. Kapland</u> , <u>Merwe Lloyd</u> , <u>Spaarnekerk</u> and <u>Leersum</u> : United Kingdom note dated 16 March 1977
(272)	302	Trade in chemicals via a Swiss company - <u>Rocadas</u> , <u>Phenix</u> , <u>Falcon</u> : United Kingdom note dated 10 August 1977

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

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

<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>
1	(1)	33	31	(10)	34	59	(17)	35
2	(163)	134	32	(68)	71	60	(150)	133
3	(2)	33	33	(143)	129	61	(145)	129
4	(98)	98	34	(57)	69	62	(96)	98
5	(3)	33	35	(102)	98	63	(128)	126
6	(4)	33	36	(11)	34	64	(18)	35
7	(5)	34	37	(12)	34	65	(151)	133
8	(138)	129	38	(94)	98	66	(166)	135
9	(180)	139	39	(122)	126	67	(189)	144
10	(99)	98	40	(13)	35	68	(146)	130
11	(6)	34	41	(188)	144	69	(167)	135
12	(55)	69	42	(144)	129	70	(76)	73
13	(139)	129	43	(95)	98	71	(19)	35
14	(140)	129	44	(124)	126	72	(152)	133
15	(56)	69	45	(14)	35	73	(20)	35
16	(141)	129	46	(69)	72	74	(21)	35
17	(7)	34	47	(125)	126	76	(22)	35
18	(122)	125	48	(164)	134	78	(53)	68
19	(100)	98	49	(126)	126	79	(23)	36
20	(65)	71	50	(173)	136	80	(24)	36
22	(142)	129	51	(58)	70	82	(103)	99
23	(8)	34	52	(165)	134	83	(153)	133
24	(66)	71	53	(136)	129	85	(77)	73
25	(9)	34	54	(70)	54	86	(71)	72
26	(101)	98	55	(15)	35	88	(194)	145
28	(149)	133	56	(127)	126	89	(25)	36
29	(75)	73	57	(16)	35	90	(129)	126
30	(67)	71	58	(174)	136	91	(130)	126

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92	(104)	99	129	(171)	136	178	(48)	64
93	(195)	145	130	(32)	37	179	(49)	64
94	(154)	133	132	(161)	134	180	(184)	141
95	(26)	36	135	(33)	37	181	(202)	146
96	(137)	129	137	(79)	74	182	(185)	141
97	(131)	127	138	(80)	75	185	(52)	68
98	(105)	99	139	(135)	128	186	(203)	146
99	(59)	70	140	(81)	75	190	(249)	170
100	(27)	36	141	(195)	145	191	(204)	146
101	(168)	135	143	(248)	166	192	(205)	146
102	(60)	70	144	(190)	144	193	(63)	71
103	(28)	36	145	(181)	139	194	(250)	171
104	(106)	99	147	(162)	134	195	(186)	141
105	(107)	99	148	(198)	145	196	(111)	100
106	(132)	127	149	(108)	99	197	(187)	143
107	(72)	72	151	(73)	72	198	(206)	146
108	(29)	36	153	(34)	37	199	(207)	146
109	(61)	70	154	(254)	179	201	(258)	192
110	(30)	37	155	(255)	192	202	(112)	103
112	(155)	133	156	(109)	99	203	(245)	162
113	(169)	135	157	(110)	100	204	(172)	136
114	(78)	73	158	(256)	192	205	(208)	146
115	(156)	133	159	(257)	192	206	(192)	144
116	(31)	37	162	(191)	144	207	(113)	105
117	(147)	130	163	(243)	159	208	(246)	163
118	(62)	70	165	(35)	38	210	(259)	192
119	(157)	133	166	(199)	145	211	(209)	147
120	(121)	145	167	(200)	145	212	(36)	38
122	(158)	133	168	(182)	139	213	(251)	171
123	(170)	136	170	(175)	136	214	(260)	193
124	(133)	127	171	(244)	161	216	(210)	147
125	(134)	127	172	(97)	98	217	(211)	148
126	(159)	134	173	(183)	140	218	(261)	193
128	(160)	134	175	(201)	145	219	(212)	148

<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>	<u>Case No.</u>	<u>Serial No.</u>	<u>Page</u>
220	(213)	150	257	(230)	153	287	(117)	117
221	(176)	137	258	(231)	153	288	(42)	49
222	(214)	150	259	(265)	195	289	(43)	50
224	(215)	151	260	(232)	153	290	(88)	85
227	(252)	172	261	(266)	195	291	(44)	52
229	(216)	151	262	(114)	106	292	(50)	65
230	(217)	151	263	(261)	197	293	(271)	200
232	(193)	144	264	(233)	154	294	(241)	157
233	(262)	194	265	(85)	79	295	(89)	88
234	(218)	151	266	(86)	81	296	(118)	119
235	(219)	152	267	(178)	138	297	(45)	57
236	(82)	75	268	(234)	154	298	(90)	91
237	(220)	152	269	(38)	39	299	(51)	67
239	(83)	78	270	(39)	39	300	(46)	60
242	(221)	152	271	(235)	154	301	(119)	121
243	(262)	194	273	(268)	197	302	(272)	206
244	(222)	152	274	(269)	199	303	(242)	158
245	(37)	38	275	(253)	176	304	(247)	164
246	(84)	78	276	(270)	199	305	(179)	139
247	(264)	194	277	(236)	154	306	(54)	68
248	(223)	152	278	(237)	155	307	(120)	124
249	(224)	152	279	(238)	155	308	(91)	94
250	(64)	71	280	(239)	155	309	(92)	95
251	(225)	152	281	(115)	107	310	(121)	125
252	(226)	152	282	(40)	44	311	(93)	97
253	(227)	153	283	(41)	47	312	(47)	63
254	(228)	153	284	(87)	82	313	(74)	72
255	(229)	153	285	(240)	156	314	(148)	130
256	(177)	138	286	(116)	114			

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

Case No.

USI-1	<u>La Chacra</u> : United Kingdom
USI-2	<u>Treutenfels</u> : Federal Republic of Germany
USI-3	<u>Bris</u> : Norway
USI-4	<u>African Sun</u> , <u>Moormacove</u> , <u>Moormacargo</u> , <u>African Moon</u> , <u>African Lightning</u> , <u>Moormacbay</u> , <u>African Mercury</u> , <u>African Dawn</u> and <u>Moormactrade</u> : United States
USI-5	<u>Hellenic Leader</u> , <u>North Highness</u> , <u>Venthisikimi</u> and <u>Ocean Pegasus</u> : Greece
USI-6	<u>S.A. Huguenot</u> and <u>Nederburg</u> : South Africa
USI-7	<u>Angelo Scinicarellio</u> and <u>Alfredo Primo</u> : Italy
USI-8	<u>Marne Lloyd</u> , <u>Musi Lloyd</u> and <u>Merwe Lloyd</u> : Netherlands
USI-9	<u>Aktion</u> , <u>Pholegandros</u> , <u>Mexican Gulf</u> and <u>Trade Carrier</u> : Liberia
USI-10	<u>Trade Carrier</u> : Liberia
USI-11	<u>Hellenic Destiny</u> : Greece
USI-12	<u>Costas Frangos</u> : Greece
USI-13	<u>Adelfoi</u> : Liberia
USI-14	<u>Costas Frangos</u> and <u>Nortrans Unity</u> : Greece
USI-15	<u>Weltevreden</u> : South Africa
USI-16	<u>Steinfels</u> : Federal Republic of Germany
USI-17	<u>Nedlloyd Kingston</u> : Netherlands
USI-19	<u>Nedlloyd Kembla</u> : Netherlands
USI-20	<u>Morganstar</u> : South Africa
USI-21	<u>Hellenic Destiny</u> , <u>Ocean Pegasus</u> , <u>Venthisikimi</u> , <u>Costas Frangos</u> and <u>Nortrans Unity</u> : Greece
USI-22	<u>Sun River</u> : Norway
USI-24	<u>Wildenfels</u> and <u>Steinfels</u> : Federal Republic of Germany
USI-25	<u>Hellenic Destiny</u> : Greece
USI-26	<u>Weser Express</u> : Federal Republic of Germany
USI-27	<u>Stockenfels</u> : Federal Republic of Germany
USI-28	<u>S.A. Huguenot</u> : South Africa
USI-29	<u>Hellenic Laurel</u> : Greece
USI-30	<u>Nedlloyd Kimberly</u> : Netherlands

Case No.

USI-31	<u>Nedlloyd Kembla</u> : Netherlands
USI-32	<u>Hellenic Carrier</u> : Greece
USI-33	<u>Nedlloyd Kyoto</u> : Netherlands
USI-34	<u>Diana Skou</u> : Denmark
USI-35	<u>Hellenic Sun</u> : Greece
USI-36	<u>New England Trapper</u> : Liberia
USI-37	<u>Ogden Sacramento</u> : Panama
USI-38	<u>Ascendant</u> : Panama
USI-39	<u>Safine-E-Rehmet</u> : Pakistan
USI-40	<u>Nedlloyd Kingston</u> : Netherlands
USI-41	<u>Ogden Missouri</u> : Panama
USI-42	<u>Platte</u> : Panama
USI-43	<u>Great Faith</u> : Panama
USI-44	<u>Kaderbaksh</u> : Pakistan
USI-45	<u>Ocean Envoy</u> : Pakistan
USI-46	<u>Phaedra E</u> : Greece

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

INGO-2	Joba/Etb. Zephyr Co., Amsterdam: Information supplied by the Anti- <u>Apartheids</u> Beweging Nederland, Amsterdam, the Netherlands
INGO-4	Air Rhodesia and IATA agreements: Information supplied by the Center for Social Action of the United Church of Christ, New York, United States of America
INGO-5	Ferro-chrome: Information obtained from non-governmental sources
INGO-6	Tobacco: Report submitted by the Anti- <u>Apartheids</u> Beweging Nedeland, Amsterdam, the Netherlands
INGO-7	Tourism and travel to and from Southern Rhodesia: Information supplied by the Research Group for Interparliamentary Questions, Bonn, Federal Republic of Germany
INGO-8	Tourism, immigration and transfer of funds to Southern Rhodesia: Information supplied by the National Anti- <u>Apartheid</u> Committee (NAAC) of New Zealand

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

INGO-10 Package tours to Southern Rhodesia and landing rights to airlines flying to Salisbury:
Information supplied by Ms. Barbara Rogers

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

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

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

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

INGO-15 Irish hockey team tour in Southern Rhodesia:
Information supplied by the Anti-apartheid Movement, Dublin, Ireland

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

INGO-18 French trade and other relations with Southern Rhodesia:
Information supplied by a non-governmental organization in Paris, France

INGO-19 Trade in tobacco via a Swiss company:
Information supplied by the producer of the Canadian Broadcasting Corporation (CBC) programme "The Fifth Estate"

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

INGO-21 Loan to Southern Rhodesia by a Canadian bank:
Information supplied by an individual in Canada

Annex I

PERSONAL MEETINGS OF THE CHAIRMAN WITH THE PERMANENT REPRESENTATIVES OF COUNTRIES FROM WHICH REPLIES WERE STILL PENDING AFTER THIRD REMINDERS, OR HELD AT THE SPECIFIC REQUEST OF THE COMMITTEE

Report by the Chairman

1. The last report by the Chairman concerning the account of his personal meetings with the permanent representatives of certain Governments to the United Nations from which replies were pending after third (or second) reminders was reproduced in annex I to the ninth report. a/ Since then further meetings with the Chairman have similarly become due or were specifically requested by the Committee.
2. By letters dated 18 March, 28 and 30 June 1977, the Chairman or the Acting Chairman notified the Permanent Representatives of Colombia and Liberia, Switzerland and Austria, respectively, of his intention to seek a personal meeting with each of them in order to discuss with them the relevant cases, as requested by the Committee. A similar standing request had already been communicated in letter dated 13 August 1976 addressed by the Chairman to the Permanent Representatives of South Africa, Zaire and Zambia, with each of whom a personal meeting was due.
3. On 30 June 1977, the Acting Chairman sent letters to the Permanent Representatives of Liberia and Panama, inquiring whether the information requested by the Committee and promised by the Permanent Representatives, b/ was available and could be forwarded to the Committee, or whether an indication could be given of what action the Governments proposed to take on the matter.
4. On 26 July 1977, the Acting Chairman met with the Permanent Representatives of Austria and Zambia and the Permanent Observer of Switzerland individually. An account of the meetings is given below.

Austria

Subject of discussion:

Case No. 171: Rhodesian Iron and Steel Company (RISCO)

5. The Acting Chairman gave a brief summary of the case with special reference to the reported involvement of Austrian companies. In particular, he expressed the Committee's puzzlement at the contradictory nature of the testimony by the individual witness, formerly employed by an Austrian State-owned company, VOEST, as compared with the information given to the Committee by the Government of Austria.

a/ Official Records of the Security Council, Thirty-third Year, Special Supplement No. 2 (S/12265), vol. II, annex I.

b/ Ibid., paras. 18 and 24.

6. The Permanent Representative of Austria indicated that his Government had been extremely co-operative in the matter of Case No. 171. The witness, who had given very contradictory testimony, had not been a key employee of VOEST and had been in the employment of that company for only a few months. Nevertheless, the Austrian Government had shown its good faith by agreeing, without any obligation to do so, to hear the witness. There had been a detailed discussion with him in a governmental setting, with no intimidation of any kind and in a totally free atmosphere. Proceedings had shown that the witness had had no additional information, and the Government had provided the Committee with a full account of those proceedings. The witness had been an engineer with only limited responsibility and insight into the workings of VOEST; his evidence had at best been mere hearsay. If there was additional evidence regarding VOEST, the Austrian Government would be prepared to conduct further investigations, but there appeared to be no indication so far that that was the case.

7. The Acting Chairman drew attention to the fact that evidence available to the Committee indicated that sometimes Austrian equipment ostensibly sold to companies in South Africa apparently ended up in Southern Rhodesia. The Committee felt that that finding was not sufficiently appreciated by the Austrian Government and expressed the hope that it might be impressed on the Government more strongly by the Permanent Representative.

8. The Permanent Representative of Austria said that any goods sold to South Africa contained a risk factor that such goods might eventually land in Southern Rhodesia. There was no legislation barring sales to South Africa. The Austrian Government had taken the RISCO case very seriously and the existing regulations already ensured that violations of sanctions by Austrian companies, such as those alleged, could not occur. The Government was nevertheless contemplating instituting even stricter measures to strengthen the application by Austria of the mandatory sanctions against the illegal régime in Southern Rhodesia.

Switzerland

Subject of discussion

Case No. 113: Anhydrous ammonia - "Cypress" and "Isfonn"
Case No. 163: Swiss company loan to Southern Rhodesia Railways
Case No. 214: Swiss trade with Southern Rhodesia
Case Nos. 236, 239, 246, 265 and 266: Steel billets (RISCO cases)

9. The Acting Chairman indicated the essence of the Committee's interest in each case, which formed the basis of its request to the Chairman to seek a personal meeting with the Permanent Observer of Switzerland to the United Nations.

10. The Permanent Observer of Switzerland indicated that the Swiss Government had voluntarily placed a ceiling on Switzerland's imports from Southern Rhodesia, limiting them to the level of the average during the years 1964, 1965 and 1966. Since then, the volume of Swiss imports from Southern Rhodesia had actually not increased and any increase in the value of such imports could be explained by inflation and monetary fluctuations. On the export side there had actually been a decrease both in the volume and value of Swiss exports to Southern Rhodesia, the total amount of which was in any case relatively insignificant. That decrease had stemmed in great part from the fact that insurance procedures had been tightened so that unauthorized goods destined for Southern Rhodesia were refused insurance

coverage. The Government felt, therefore, that there was no need for the time being to introduce special measures for putting a similar ceiling on the exports.

11. The Acting Chairman pointed out that the Committee was greatly interested in knowing if no controls could really ever be placed against companies established in Switzerland, which either maintained branch offices abroad, or engaged in operations, for the purpose of facilitating the evasion of sanctions against the illegal régime in Southern Rhodesia. The Committee was already considering that situation with regard to such companies established within the juridical territory of Member States. Moreover, since Switzerland's import and export trade with Southern Rhodesia was that insignificant, Switzerland could very well do without it, thereby inviting more favourable international public opinion.

12. The Permanent Observer of Switzerland pointed out that many measures had already been taken by the Government. Nevertheless, a report was being prepared for the attention of the Federal Council of Switzerland on the different aspects of the limited amount of Swiss trade with Southern Rhodesia, including in particular the role of triangular operations that held no interest whatever for Switzerland. Further developments in that connexion would be communicated to the Committee as and when they occurred in definitive form.

13. The attention of the Permanent Observer was also drawn specifically to Case No. 163 involving a loan reported to have been granted to Southern Rhodesia Railways by a Swiss company controlled by a Dr. Egli. The Committee felt that more exhaustive inquiries could have been conducted by the Swiss authorities with particular regard to the still unanswered question of whether the Swiss company concerned had not, at the material time, made a loan of about \$US 6 million to any one, not necessarily a Southern Rhodesian. The Permanent Observer took note of the matter.

14. Further to paragraph 12 above, a note dated 17 October 1977 was received from Switzerland for the substantive part of which see paragraph 8 of (260) Case No. 214 in annex IV, below.

Zambia

Subject of discussion:

Case No. 154: "Tango Romeo"

Case No. 156: Tobacco - "Hellenic Glory"

Case No. 168: Motor vehicles or motor-vehicle spare parts - "Straat Rio"

15. The Permanent Representative of Zambia indicated that the alleged violations in Case Nos. 154 and 168 would have occurred prior to the closure of Zambia's border to traffic to or from Southern Rhodesia. In relation to Case No. 156 (tobacco), the Permanent Representative indicated her feeling that it would be impossible for Zambia to comply with the Committee's request, i.e. to produce valid certificates of origin for tons of tobacco exported. Since the volume of tobacco trade is very high, and is sold to buyers from all over the world, she felt that the Committee's request presented an impossible task. Once the buyers purchased the tobacco, it became their property, over which the Zambian authorities had no jurisdiction as to its distribution or resale.

16. In addition, the Permanent Representative took strong exception to the

appearance of Zambia's name on the thirteenth quarterly list of Governments in default of replies, which was issued as a press release by the Committee on 25 July 1977. She indicated that Zambia had been one of the first countries to deny landings in its territory of aircraft flying to or from Southern Rhodesia and to forbid any other conduct of business traversing this route. She felt that the Committee was burdening the Zambian authorities with administrative procedures with which it was impossible to comply when the Government had other pressures to deal with. The Committee itself had no less responsibility than Zambia in tracking down violations of the sanctions. The Committee could have pursued the cases in question by examining the documentary evidence available from the shippers and from the countries of destination of the commodities claimed to have originated in Zambia or from the Governments of registration of the ships used. She indicated her desire to appear before the Committee to explain the position of her Government, especially with regard to Cases 154, 156, 168 and 182, concerning which the name of Zambia had appeared on the list of delinquent Governments. The Acting Chairman said that he would put her wish to the Committee and expressed the belief that the Committee would welcome an opportunity to hear her in person.

17. The Permanent Representative of Zambia appeared before the Committee at the 296th meeting on 28 July 1977, at which she made a statement covering the three cases in question. For an account of that statement, as summarized in the Committee's records see paragraph 20 of (254) Case No. 154 in annex II below.

18. At the time of preparation of the present report, arrangements were still under way for the Chairman to meet each of the Heads of Mission of the following additional Governments, with whom, by then, such a meeting had for the first time or again become due, or had been specifically requested by the Committee: Belgium, Colombia, Gabon, Greece, Israel, Liberia, Panama, Portugal, South Africa, Switzerland and Zaire.

Annex II

GENERAL CASES CARRIED OVER FROM PREVIOUS REPORTS AND NEW CASES

Specific cases concerning suspected violations

A. METALLIC ORES, METALS AND THEIR ALLOYS

Ferro-chrome and chrome ores

(1) Case No. 1. Chrome sand - "Tjibodas": United Kingdom note dated 20 December 1968

1. Previous information concerning this case is contained in the second report.
2. Additional information concerning the action taken on the case since the submission of that report is given below.
3. At its first meeting on 8 June 1977 the Committee's Working Group considered the case, as well as Case Nos. 3, 4, 5 and 6, as some of the old cases reviewed by the expert consultant in a document circulated to the Committee on 9 December 1976. The Working Group decided to recommend to the Committee that the cases should be closed, on the understanding that they could be reopened at any time, should any further, additional information concerning them come to light.
4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the cases were thus closed.

(2) Case No. 3. Chrome sand - "Tjipondok": United Kingdom note dated 22 January 1969

1. Previous information concerning this case is contained in the Committee's second report.
2. For additional information concerning the action taken on the case since the submission of that report, see paragraphs 2-4 (1) Case No. 1, above.

(3) Case No. 5. Trade in chrome ore and ferro-chrome: United Kingdom note dated 6 February 1969

1. Previous information concerning this case is contained in the Committee's third report.
2. For additional information concerning the action taken on the case since the submission of that report, see paragraphs 2-4 of (1) Case No. 1, above.

(4) Case No. 6. Ferro-chrome - "Blue Sky": United Kingdom note dated 12 February 1969

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

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

3. In the absence of a reply from Liberia, the Committee again included that Government in the twelfth quarterly list which was issued as a press release on 13 April 1977.

4. For further information concerning the action taken on the case since the submission of that report, see paragraphs 2-4 of (1) Case No. 1, above.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There is now new information concerning this case in addition to that contained in the fourth report.

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

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

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

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

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

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

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

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

(27) Case No. 100. Chrome - "Cuxhaven": United Kingdom note dated 16 October 1970

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

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

3. At its first meeting on 8 June 1977 the Committee's Working Group considered the case and decided to recommend to the Committee that the case should be closed. It also decided to request the Secretariat to ascertain whether there were any other similarly pending cases involving Spain, such cases to be put on the Working Group's agenda for consideration at a future meeting.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was hereafter closed. For the action taken with regard to the other pending cases involving Spain see paragraph 3 of (62) Case No. 118, below.

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

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

(29) Case No. 108. Minerals - "Schonfels": United Kingdom note dated 26 November 1970

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

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

3. At its first meeting on 8 June 1977 the Committee's Working Group considered the case and decided to recommend to the Committee that the case should be closed. Meanwhile, an informal expression of the Committee's appreciation for the efforts taken by the authorities of the Federal Republic of Germany in investigating the case would be conveyed to the Permanent Representative of that Government. In communicating the Committee's sentiments in that regard, the information requested by the Federal Government in its note dated 24 March 1975 would also be given to the Permanent Mission of that Government to the United Nations.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed and the required action with regard to the Federal Republic of Germany was appropriately taken.

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

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

(31) Case No. 116. Chrome ores and concentrates - "Rotenfels": United Kingdom note dated 31 March 1971

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

2. Additional information concerning the action taken by the Committee since the submission of that report is given below.

3. The case was considered at the fifth meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

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

See annex III below.

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

See annex III below.

(34) Case No. 153. Ferro-chrome - "Itaimbe": United Kingdom note dated 24 August 1973

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

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

3. The case was considered at the 5th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be considered closed.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(38) Case No. 269. High-carbon ferro-chrome - "Jupiter Sun": United Kingdom note dated 9 June 1976

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

(39) Case No. 270. High-carbon ferro-chrome - "MV Frontier": United Kingdom note dated 9 June 1976

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

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

3. A note dated 17 January 1977 was sent to Panama, inquiring whether the investigations undertaken by the appropriate authorities had been completed and the results could be communicated to the Committee.

4. A reply dated 24 January 1977 was received from Panama, the substantive part of which reads as follows:

"The Permanent Mission of the Republic of Panama to the United Nations ... in reply to /the Secretary-General's/ note (Case No. 270) of 17 January 1977, is pleased to enclose a copy of the letter received today from the Minister for Foreign Affairs of Panama."

Enclosure

Letter dated 27 December 1976 from the Minister of Foreign Affairs of Panama addressed to the Permanent Representative of Panama to the United Nations

"I have the honour to transmit to you the text of note No. 48-D.H.M.T. of 15 December 1976 from His Excellency Miguel A. Sanchiz, Minister of Finance and Treasury, which states:

"I would inform you that, pursuant to your note DOI.5683 of 5 November 1976 concerning violation by the vessel Frontier of the sanctions established in Security Council resolution 253 (1968), paragraph 3 (c), prohibiting the carriage of cargo originating in Southern Rhodesia, and referred to in Decrees Nos. 23 of 21 March 1967 and 276 of 21 August 1969, the Directorate of Consular Affairs and Shipping has taken appropriate action to obtain proof to the contrary from the owner of the above-mentioned vessel, failing which, steps will be taken to apply the appropriate penalties."

4. In accordance with the Committee's no-objection procedure, a note dated 4 March 1977 was also sent to Argentina, requesting copies of any other documentary evidence accompanying the shipment in question, attesting to the non-Southern Rhodesian origin of that shipment, bearing in mind the proper documentary evidence recommended to all States in the Secretary-General's note of 18 September 1969.

5. A first reminder was sent to Argentina on 16 June 1977.

6. A further reply dated 20 April 1977 was received from Panama, the substantive part of which reads as follows:

"The Permanent Mission of the Republic of Panama to the United Nations ... has the honour to transmit to /the Secretary-General/ copies of the following documents which it has received from the Ministry of Foreign Affairs of Panama:

- (1) Note DOI-1371 of 18 March 1977 from the Deputy Minister for Foreign Affairs of Panama.
- (2) Note No. 614-5-A.L. of 9 March 1977 from Mrs. Camila Vives, Director-General of the Directorate of Consular Affairs and Shipping.
- (3) Decision No. 8/77 of 9 March 1977 of the Ministry of Finance and Treasury stating that there has been an error in the matter in question."

Text of the note dated 18 March 1977 from the
Deputy Minister of Foreign Affairs of Panama

"I have the honour to transmit to you, in connexion with your note M.P.P. of 25 October 1976, a copy of decision No. 8/77 of 9 March 1977 concerning the Panamanian vessel Frontier which has been accused of transporting a shipment of ferro-chrome originating in Southern Rhodesia. After consideration of the proof presented by the representatives of that vessel, it appears that there are no grounds for proceeding against the vessel in question."

Text of the note dated 9 March 1977 from the Director-General
of the Directorate of Consular Affairs and Shipping

"I have the honour to transmit to you herewith a copy of decision No. 8/77 of 9 March 1977 adopted by this Directorate on the basis of your note No. D.O.I. 5683 of 5 November 1976 to the Minister of Finance and Treasury, in which you informed him that the Secretary-General of the United Nations had written to our Ambassador, Permanent Representative to that organization, to the effect that the Panamanian vessel Frontier had transported a shipment of ferro-chrome originating in Southern Rhodesia, and in which you provided the proof presented by the representatives of that vessel."

Text of decision No. 8/77 of the Ministry of
Finance and Treasury

"THE UNDERSIGNED DIRECTOR OF THE DIRECTORATE OF
CONSULAR AFFAIRS AND SHIPPING,

by virtue of the authority vested in her,

"CONSIDERING:

"That the Directorate has received information from the Secretary-General of the United Nations concerning an alleged violation by the Panamanian vessel Frontier, owned by the New Boundary Shipping Company Incorporated, of the ban imposed in paragraph 3 (e) of Security Council resolution 253 (1968), which prohibits the shipment of cargo originating in Southern Rhodesia;

"That, according to the above-mentioned information, the Panamanian vessel Frontier discharged one hundred and sixty-five (165) metric tons of high-carbon-content ferro-chrome at Buenos Aires on 17 January 1976, which was loaded in Maputo, Mozambique, late in 1975, for Acindar, SA and Establecimientos Metalúrgicos Santa Rosa, SA, both companies being based in Buenos Aires, Argentina, and sold by Rhodesian Alloys, Ltd., and Univex (Pvt), Ltd., both companies being based in Salisbury, Southern Rhodesia;

"That representatives of the Frontier transmitted to us a statement and bill of lading which state that the shipper was Rennies Consolidated, that the cargo in question was consigned on order and that the carrier was unaware of the origin of the cargo on board, since there were no documents to indicate it; further, that Rhodesia is not the only producer of ferro-chrome in the area, that South Africa also produces it and regularly ships it through Maputo, and that there was therefore no reason to suspect that the ferro-chrome came from Rhodesia;

"That the bill of lading states that the shipper is Rennies Consolidated (LM) Ltd., as agents, the goods being 91,984 kilograms of ferro-chrome destined for Acindar Ind. Arg. de Aceros, SA, Paseo Colón 557, Baires, Buenos Aires, leaving the port of Lourenço Marques, Mozambique, on 22 December and carried by the vessel Frontier;

"That, as no proof exists in the file to indicate that the goods come from Southern Rhodesia, as that country is not the only producer of the above-mentioned mineral in the area, and as the material or proof presented by the representatives of the vessel in question and lodged in the file tends to show that the ferro-chrome comes from Mozambique, no proceedings may be taken against the vessel in the absence of proof to the contrary;

THEREFORE DECLARES:

"TO PLACE the whole matter on file, since there are no grounds for proceeding against the Frontier;

"TO TRANSMIT a copy of this decision to our Ministry of Foreign Affairs for appropriate action;

"LEGAL BASIS: Decrees No. 18 of 13 April 1966, No. 23 of 21 March 1967 and No. 276 of 31 August 1969, Act 54 of 1926.

TO BE COPIED, PROMULGATED AND EXECUTED."

7. In accordance with the Committee's no objection procedure a further note dated 30 June 1977 was sent to Panama, expressing the Committee's appreciation for the co-operation shown by the Government, but pointing out the inadequacy of the documentary evidence submitted; the Committee therefore requested some other relevant documents which would give more conclusive evidence of the non-Southern Rhodesian origin of the shipment in question, bearing in mind the proper documentary evidence recommended to all States in the Secretary-General's note of 18 September 1969.

8. A reply dated 7 July 1977, also covering Case Nos. 282, 283 and 288, was received from Argentina, the substantive part of which reads as follows:

"The Permanent Mission of the Argentine Republic to the United Nations has the honour to refer to the Secretary-General's notes of 4 March, 28 March, 29 March, 20 June and 29 June 1976, relating to Cases Nos. 270, 282, 283 and 288 which are being dealt with by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

"In this connexion, the Permanent Mission would like the Committee to be informed that, in keeping with its consistent policy of giving maximum attention and support to all requests for co-operation made by that body, the Argentine Government has arranged to take further steps with a view to ascertaining the exact origin of the cargoes of ferro-chrome involved in the above-mentioned cases. To this end, and as recommended in paragraph (a) of the memorandum on the application of sanctions accompanying the Secretary-General's note of 18 September 1969, it has decided to try to elicit an official statement from the South African Government certifying the origin of the ferro-chrome consignments.

"In view of this, the Mission wishes to express its confidence that the Committee will agree as to the advisability of not taking any further action in connexion with the cases in question until the results of the investigation now in progress are available."

9. First and second reminders were sent to Panama on 15 September and 17 October 1977.

10. In the absence of a reply from Panama the Committee included that Government in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

11. The present case, as well as Case Nos. 282, 283 and 288, were discussed at the sixth meeting of the Working Group, at which the representative of Venezuela was requested to make an informal approach to the Permanent Mission of Argentina to the United Nations with a view to ascertaining what stage the Government had reached in its investigations and to seek some indication as to when the Committee might expect a reply from the Government concerning those cases.

12. Consequently, a reply dated 29 November 1977 was received from Argentina, enclosing a copy of the text of a note dated 23 September 1977, received by the Argentine Embassy in South Africa from the Department of Foreign Affairs of that country. The substantive part of the reply from Argentina and the text of the enclosure are given below:

"The Permanent Mission of the Argentine Republic to the United Nations ... with reference to its note N.U. No. 77/405 of 7 July 1977, relating to Case Nos. 270, 282, 283 and 288, which are being dealt with by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia:

"In this connexion, the Permanent Mission wishes to inform the Committee that, as stated in the above-mentioned note, the Argentine Government has taken further steps with a view to ascertaining the exact origin of the shipments of ferro-chrome involved in the above-mentioned cases and, as recommended in paragraph (a) of the memorandum on the application of sanctions accompanying the Secretary-General's note of 18 September 1969, it has elicited an official statement from the South African Government certifying the origin of the ferro-chrome consignments.

"It should be pointed out that those steps did not achieve the desired result because, as can be seen from the annexed note from the Department of Foreign Affairs of South Africa, the Authorities of that country consider that the issue of certificates in addition to those issued by the Johannesburg Chamber of Commerce is contrary to the generally accepted tendency to reduce and simplify export documentation on an international basis. The South African authorities add, moreover, that the Johannesburg Chamber of Commerce is associated with the Association of Chambers of Commerce of South Africa and that its certificates are accepted internationally by virtue of the fact that the aforementioned Association is a member of the International Chamber of Commerce.

"Accordingly, and without prejudice to any other measures which may be taken, the Argentine Government has arranged to take further additional steps in conformity with the suggestions contained in the above-mentioned memorandum of 2 September 1969. It has therefore requested a certificate of origin from the sellers of the ferro-chrome in question, which document it hopes to receive shortly.

"In expressing its confidence that the Committee will agree as to the advisability of taking no further action until the results of that measure are available and reiterating the firm intention of the Argentine Government to continue to give maximum attention and support to requests for co-operation made by the Committee, the Permanent Mission of the Argentine Republic to the United Nations renews to the Secretariat the assurances of its highest consideration."

Text of the enclosure

"The Department of Foreign Affairs presents its compliments to the Embassy of the Argentine Republic and with reference to the Embassy's Note Maosa:81 dated 1 August 1977, has the honour to refer to the legal

certificate required, in addition to the normal certificate of origin in respect of ferro-chrome exported from South Africa to the Argentine Republic.

"Although it is understood that this additional certificate is required in respect of only the four shipments referred to in the Embassy's above-mentioned note, it is nevertheless considered that this is contrary to the generally accepted tendency to reduce and simplify export documentation on an international basis.

"The Department wishes to add that it is not clear to the South African authorities how the required additional certificate could add to the authenticity of the normal certificates of origin which were issued by the Johannesburg Chamber of Commerce. At present all chambers of commerce which are associated with the Association of Chambers of Commerce of South Africa and all chambers of industries which are affiliated to the South African Federated Chamber of Industries issue certificates of origin. These certificates are accepted internationally by virtue of the fact that the aforementioned bodies are members of the International Chamber of Commerce. Specific requirements with which applicants for certificates of origin must comply have been laid down by that body."

(40) Case No. 282. High-carbon ferro-chrome - "Harlandsville": United Kingdom note dated 15 December 1976

1. By a note dated 15 December 1976 the United Kingdom reported information concerning a consignment of high-carbon ferro-chrome aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further investigation, that a consignment of ferro-chrome shipped to Argentina was of Southern Rhodesian origin.

"The information is to the effect that the MV Harlandsville, at Durban in mid-April 1976, loaded a consignment of about 80 tons of high-carbon ferro-chrome supplied by Rhodesian Alloys, Ltd., of Salisbury, Southern Rhodesia. The vessel, which is owned by Harlandsville Inc., Monrovia, Liberia, left Durban on 18 April and subsequently, on 17 May, put in at Buenos Aires where the material was unloaded for delivery to Establecimientos Metalúrgicos, Santa Rosa SA of Buenos Aires.

"The sale was arranged through Arnold, Wilhelmi and Company (Pty), Ltd., of Johannesburg and the Pittsburgh and Cardiff Coal Company SA, Ltd., of Buenos Aires.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Argentina in order to assist them with their investigations into the possibility that Argentinian firms may be trading with Southern Rhodesia, and that ferro-chrome unloaded from the MV Harlandsville at Buenos Aires may be of Southern Rhodesian origin. Should the importer or purchaser claim that the ferro-chrome is not of Southern Rhodesian origin, the Secretary-General may further wish to draw attention to

his notes of 18 December 1969 and 27 July 1971 about documentary proof of origin, and to request the Government of Argentina to indicate which documents have been produced as evidence that the ferrochrome was of non-Rhodesian origin.

"The Government of the United Kingdom further suggests that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Liberia in order to assist them with their investigations into the possibility that ferro-chrome of Southern Rhodesian origin was carried in a Liberian registered vessel."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 28 December 1976 and 5 January 1977 were sent to Liberia and Argentina, respectively, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 1 February 1977, also covering Case No. 283, was received from Argentina, enclosing copies of documentary evidence. The substantive part of that reply reads as follows:

"As a result of the immediate and exhaustive investigation undertaken by the Argentine Government, this Mission is able to supply the following information on the subject:

"(1) Case 282. The firm Establecimientos metalúrgicos Santa Rosa SA, which purchased ferro-chrome brought into the port of Buenos Aires on 17 May 1976 on board the MV Harlandsville coming from Durban, South Africa, indicated that it had received 20 tons of ferro-chrome on that occasion. It also sent a photocopy of the certificate of origin of the goods (annex I), which shows that the latter originated in South Africa.

"(2) Case 283. An investigation into the shipment of ferro-chrome brought into the port of Buenos Aires on 11 July 1976 on board the steamship Terpandros coming from Durban, South Africa, reveals that Acerías Bragado SA and Acindar SA received 23 and 282 tons respectively. In both cases, the certificates of origin of the goods (annexes II and III) establish that they originated in South Africa. In addition, the Argentine Government has been able to establish that the firm Aceros Bragado SA which is not mentioned in the note from the United Kingdom Government, purchased 20 tons of ferro-chrome from the same shipment and that, as in the cases mentioned above, the certificate of origin of the goods establishes that they came from South Africa (annex IV). It should be added that all these purchases together totalled 325 tons of ferro-chrome of high and low carbon content.

"With regard to the alleged purchases made by other firms mentioned in the note from the United Kingdom Government, it should be pointed out that Tandilmat SA said that it had received no ferro-chrome whatsoever on that occasion and also that there is no record of any Argentine firm by the name of "Aese" engaged in activities connected with the use of ferro-chrome.

"Finally, the Argentine Government trusts that the information provided above will satisfy the request of the Committee on sanctions against Southern

Rhodesia and reaffirms its readiness to continue to co-operate promptly and effectively with that body whenever the latter has occasion to make similar requests for co-operation."

4. The documentary evidence submitted for Case No. 282, a summary of which was prepared by the expert consultant in a table submitted to the Committee consisted of a certificate of origin issued by the Johannesburg Chamber of Commerce. It declared South Africa to be the origin of 20,382 kg (19,952 kg net) of high-carbon ferro-chrome valued at \$US 13,131.30 and shipped from Durban to Buenos Aires aboard the MV Harlandsville. The attention of the Committee was drawn to the fact that the certificate of origin submitted by Argentina was not considered as sufficient proof of the non-Southern Rhodesian origin of the consignment in question, as recommended in the Secretary-General's note to all States dated 18 September 1969. It was also noted that the weight of the cargo declared in the certificate of origin was considerably different from that reported in the United Kingdom note.

5. A first reminder was sent to Liberia on 14 March 1977.

6. In view of the observations made in paragraph 4 above, a note dated 28 March 1977 was sent to Argentina, under the Committee's no-objection procedure, the substantive part of which is reproduced below:

"The Committee has seen the reply from His Excellency's Government dated 1 February 1977, enclosing documentary evidence concerning a shipment of high-carbon ferro-chrome suspected to be of Southern Rhodesian origin shipped to Argentina aboard the vessel Harlandsville. The Committee expressed its appreciation for the reply thus received and for the co-operation shown by the Government's investigating authorities. It noted, however, that the supporting documentary evidence submitted with the letter does not provide sufficient proof of the non-Rhodesian origin of the shipment in question. Accordingly, in pursuance of the mandate entrusted to it by the Security Council, the Committee felt that it should request His Excellency's Government to obtain some other relevant documents which would give more conclusive evidence, bearing in mind the proper documentation recommended to all States in the Secretary-General's note of 18 September 1969, that the shipment was not of Southern Rhodesian origin. The Committee also wished the attention of His Excellency's Government to be drawn to the fact that the documentary evidence so far produced refers to a consignment of only 20,382 kg (19,952 kg net), which falls far short of the approximately 80 tons reported by the United Kingdom Government.

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

7. Second and third reminders were sent to Liberia on 19 April and 20 May 1977, respectively.

8. A reply dated 7 July 1977 was received from Argentina, the substantive part of which is contained in paragraph 8 of (39) Case No. 270, above.

9. In the absence of a reply from Liberia, the Committee again included that Government in the thirteenth quarterly list which was issued as a press release on 25 July 1977.

10. In pursuance of the Committee's decision at the 273rd meeting, a note dated 26 July 1977 was sent from the Acting Chairman to the Permanent Representative of Liberia, announcing the Acting Chairman's intention of contacting him, at the Committee's request, to discuss the present case in connexion with which a reply was still pending after three reminders.

11. Further to paragraph 9, above, the Committee again included Liberia in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

12. For additional information regarding the action taken on the case see paragraphs 11 and 12 of (39) Case No. 270, above.

(41) Case No. 283. Low and high-carbon ferro-chrome - "Terpandros": United Kingdom note dated 15 December 1976

1. By a note dated 15 December 1976 the United Kingdom reported information concerning a consignment of low and high-carbon ferro-chrome aboard the above-mentioned vessel. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have received information of sufficient reliability to merit further investigation that Argentinian firms are trading with Southern Rhodesia.

"The information is to the effect that the vessel Terpandros was at the Port of Durban in mid-June 1976 where she took on board four consignments totalling approximately 317 metric tons of low and high carbon ferro-chrome supplied by Rhodesian Alloys Ltd. The Terpandros, which is owned by the Terpandros Shipping Co. SA, Piraeus, Greece, left Durban on 22 June and subsequently put in at Buenos Aires on 11 July where the ferro-chrome was offloaded, for delivery to Aceria Bragadio S A I C of Buenos Aires, Tandilmat, Aese, Aceros Especiales S A I Y C of Buenos Aires and Acindar SA of Buenos Aires.

"The Government of the United Kingdom suggests that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Argentina and Greece in order to assist them with their investigations into the possibility that consignments of ferro-chrome carried by a Greek ship to Argentina were of Southern Rhodesian origin. The Secretary-General may wish to draw attention to his notes of 18 September 1969 and 27 July 1971 about documentary proof of origin.

"The Committee will note that the firm of Acindar SA of Buenos Aires was mentioned in two notes submitted to the Committee by the United Kingdom on 9 June 1976 in connexion with the importation of Rhodesian minerals into Argentina."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 29 December 1976 and 5 January 1977 were sent to Greece and Argentina, respectively, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 1 February 1977 was received from Argentina, enclosing copies of documentary evidence. For the substantive part of that reply see paragraph 3 of (39) Case No. 282, below.

4. The documentary evidence submitted for Case No. 283, a summary of which was prepared by the expert consultant in a table submitted to the Committee, consisted of six certificates of origin issued by the Johannesburg Chamber of Commerce. They declared South Africa to be the origin of 330,420 kg (323,780 kg net) of various grades of carbon ferro-chrome valued at \$US 236,469.34 and shipped from Durban to Buenos Aires aboard the MV Terpandros. The attention of the Committee was drawn to the fact that the certificates of origin submitted by Argentina are not considered as sufficient proof of the non-Southern Rhodesian origin of the consignment in question, as recommended in the Secretary-General's note to all States dated 18 September 1969. It will also be noted that the weight of the cargo declared in the certificates of origin was slightly different from that reported in the United Kingdom note.

5. A reply dated 28 February 1977 was also received from Greece, enclosing copies of documentary evidence. The substantive part of that reply reads as follows:

"The Permanent Mission of Greece to the United Nations ... has the honour to communicate that a preliminary investigation has been ordered and carried out by the Greek competent authorities in connexion with the information received by the Security Council Committee established in pursuance of resolution 253 (1968) as regards a transport and delivery of ferro-chrome by the vessel Terpandros.

"In this respect the Permanent Mission encloses herewith copy of the pertinent time-charter of the vessel as well as of a statement made under oath to the investigating magistrate by the representative of the shipowning company, Mr. L. Papadopoulos. As it can be seen from these documents the charterers of the ship were under obligation expressly stipulated in the time-charter agreement not to effect any shipment whatsoever of products of Southern Rhodesian origin. Also, the master of the ship was unaware of the origin of the cargo which was loaded at the ship in a South African port. Clear photostatic copies of these documents and translation of the above-mentioned statement will follow shortly."

6. In view of the observations made in paragraph 4 above, a note dated 29 March 1977 was sent to Argentina, under the Committee's no-objection procedure, the text of which was similar to that reproduced in paragraph 6 of (39) Case No. 282, above.

7. A reply dated 31 March was received from Greece transmitting a photocopy of the time-charter agreement concluded between the Greek owners of the vessel, Terpandros Shipping Co., SA, of Piraeus, and Unicorn Lines of Durban, South Africa, the charterers. The agreement included a restrictive clause prohibiting any shipment whatever of products of Southern Rhodesian origin. The note from Greece also promised to forward in due course the translated text of the statement reportedly made under oath to the investigating magistrate by the representative of the shipowning company.

8. A note dated 18 May 1977 was sent to Greece inquiring whether the promised, translated text of the statement made to the investigating magistrate was ready and could be forwarded to the Committee.

9. A reply dated 10 June 1977 was received from Greece transmitting the official translation of the statement, as promised in the previous note from that Government dated 31 March 1977.

Text of the statement

Sworn examination of witness

"In the City of Piraeus this Wednesday 26th day of January 1977, before me Lt. A. Papaspyrou, Harbour Cps., and in the presence of Lt. J. Zoumboulis, Harbour Cps., in his capacity as 2nd Inquiry Officer, appeared the witness hereunder named Lazaros Papadopoulos, son of Terpandros and Ariadne, born in Athens and residing at 81 Akti Miaouli, Piraeus, aged 47, shipowner, Greek citizen and Orthodox, stating he merely knows the defendant and is by no means related to him, and placing his right hand on the Holy Bible (sect. 218 and 219 C.P. Procedure) sworn in and said:

"Our ship Terpandros of Piraeus Reg. No. 3329 was time chartered by virtue of charter party dated 28.5.76 - copy of which I attach - for a round voyage of two months approximately, to the South African Company entitled Unicorn Lines of May House, 333 Smith Street, Durban - Natal, South Africa. The said time charter explicitly mentions that the freighters are not permitted to load Rhodesian cargo on board the ship (clause 2). As concerns the charge that a quantity of 317 tons of carbonic ferro-chrome of Rhodesian origin were loaded on board, the responsibility lies exclusively on the freighters who failed informing us of the origin and kind of the cargo. This is all I have to say."

10. A first reminder was sent to Argentina on 29 June 1977.

11. A reply dated 7 July 1977 was received from Argentina, the substantive part of which is contained in paragraph 8 (39) Case No. 270, above.

12. For additional information regarding the action taken on the case see paragraphs 11 and 12 of (39) Case No. 270, above.

(42) Case No. 288. High-carbon ferro-chrome - "Patagonia Argentina": United Kingdom note dated 31 March 1977

1. By a note dated 31 March 1977 the United Kingdom reported information concerning a shipment of high-carbon ferro-chrome aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information, of sufficient reliability to merit further investigation, that an Argentinian firm is trading with Rhodesia.

"The information is as follows. The vessel Patagonia Argentina was at Port Elizabeth in mid-November 1976 where she took on board a consignment of approximately 200 tonnes of high-carbon ferro-chrome. The Patagonia Argentina, which is owned by Cia Argentina de Nav Intercontinental Sacif of Buenos Aires, Argentina, left Port Elizabeth on 15 November 1976 and subsequently put in at Buenos Aires on 10 December 1976 where the consignment was offloaded for delivery to Dalmine Siderca Saic of Buenos Aires.

"The Government of the United Kingdom suggests that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Argentina in order to assist them with their investigations into the possibility that an Argentina firm is trading with Southern Rhodesia and that a vessel owned or registered in Argentina carried goods of Rhodesian origin. Should the purchaser claim that the ferro-chrome is not of Southern Rhodesian origin, the Secretary-General may further wish to draw attention to his notes PO 230 (1-2-1) of 18 September 1969 and 27 July 1971 about documentary proof of origin, and to request the Government of Argentina to indicate which documents have been produced as evidence that the ferrochrome was of non-Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 18 April 1977 was sent to Argentina, transmitting the United Kingdom note and requesting comments thereon.

3. A first reminder was sent to Argentina on 20 June 1977.

4. A reply dated 7 July 1977 was received from Argentina, the substantive part of which is contained in paragraph 8 of (39) Case No. 270, above.

5. For additional information concerning the action taken on the case see paragraphs 11 and 12 of (39) Case No. 270, above.

(43) Case No. 289. Chrome ore - "Kinkasan Maru": United Kingdom note dated 21 April 1977

1. By a note dated 21 April 1977 the United Kingdom reported information concerning the shipment of chrome ore on board the above-mentioned vessel. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have information, of sufficient reliability to merit further investigation, that a Japanese firm has imported chrome ore of Southern Rhodesian origin.

"The information is to the effect that the vessel Kinkasan Maru was at the Port of Durban in mid-September 1976 where she took on board a consignment of approximately 2,000 tons of chrome ore supplied by Rhodesian Alloys. The vessel Kinkasan Maru, which is owned by Mitsui Osk Lines, Ltd, Akasaka, Minato-Ku, Post Box 62, Tokyo, Japan, left Durban on 22 September 1976 and subsequently put in at Yokohama on 11 November 1976 where the chrome was offloaded for delivery to Nippon Yakin Kogyo Co., Ltd., of Tokyo.

"The Government of the United Kingdom suggests that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Japan to assist them with their inquiries into the possibility that a Japanese firm is importing chrome of Southern Rhodesian origin and that this chrome was carried in a Japanese ship. Should the purchaser claim that the chrome is not of Southern Rhodesian origin, the Secretary-General may further wish to draw attention to his notes PO 230 (1-2-1) of 18 September 1969 and 27 July 1971 about documentary proof of origin and to request the Government of Japan to indicate which documents have been produced as evidence that the chrome was of non-Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 29 April 1977 was sent to Japan, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 6 June 1977 was received from Japan, the substantive part of which reads as follows:

"The Permanent Representative of Japan to the United Nations ... with reference to /the Secretary-General's/ note dated 29 April 1977, has the honour to inform the Secretary-General of the Japanese Government's findings and comments on the matter as follows:

"Details of the transaction are as follows:

- | | |
|---|--|
| a. Importer: | Minamimachi Sangyo Co., Ltd. |
| b. Exporter: | Arnold, Wilhelmi and Co. |
| c. Cargo and quantity: | High-carbon ferro-chrome
990. <u>33</u> metric tons |
| d. Port of loading and date of departure: | Durban, South Africa
22 September 1976 |
| e. Port of unloading and date of arrival: | Yokohama
1 November 1976 |
| f. Name of vessel: | <u>Kinkasan Maru</u> |

"The Japanese Government carefully examined the relevant documents to ascertain the origin of the consignment, such as contract, certificate of origin issued by the Johannesburg Chamber of Commerce, invoice, bill of lading, import declaration and letter of credit

"As a result, it was confirmed that the above documents had all been duly issued and that the consignment was of South African origin.

"Being fully aware of the suggestions made in the memorandum on the application of sanctions dated 2 September 1969, transmitted by the Secretary-General's note dated 18 September 1969, the Japanese Government demanded that the importer should obtain such documents as bill of entry for export and railway consignment note.

"In spite of the importer's best efforts, however, bill of entry for export was not issued by the authorities concerned, and such documents as railway consignment note were not obtained either because, according to the exporter, Arnold, Wilhelmi and Co., each lot for shipment was made of consignments from various producers in South Africa pooled together, and, therefore, it was not possible to locate specific producers for the specific lot."

4. The case was considered at the 6th meeting of the Committee's Working Group, at which it was decided to recommend to the Committee that the case should be closed.

5. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

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

1. By a note dated 16 March 1977 the United Kingdom submitted information concerning shipments of ferro-chrome and ferro-silicon chrome on the above-mentioned vessels. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further investigation, that consignments of chrome shipped to Japan were of Southern Rhodesian origin.

"The information is that the Liberian vessel Goldbridge was at the Port of Durban in mid-May 1976 where she loaded a consignment of approximately 1,000 tons of ferro-chrome for delivery to Kawasaki Steel Corporation. The MV Goldbridge which is owned by Cedar Shipping Corporation, Monrovia, a subsidiary of Shoham Maritime Services, Ltd. Haifa, Israel, left Durban and later put in at Kobe on 8 July where the shipment was offloaded.

"The MV Goldbridge was later at Port Elizabeth in mid-November where she loaded another consignment of 1,000 tons of chrome for delivery to Nippon Yakin Kogyo Co., Ltd., of Tokyo. The vessel left Port Elizabeth on 24 November 1976 and arrived at Yokohama on 31 December 1976 where the shipment was offloaded.

"The MV Straat Holland was at the Port of Durban in late May 1976 where she loaded a consignment of approximately 1,000 tons of ferro-chrome for delivery to Nippon Yakin Kogyo Co. Ltd., Tokyo. The Straat Holland, which is owned by Koninklijke Java-China-Pakketvaart Lijnen BV, a subsidiary of Nederlandsche Scheepvaart Unie of Rijswijk ZH, the Netherlands, left Durban on 1 June 1976 and arrived at Yokohama on 23 June 1976.

"The MV England Maru was at Port Elizabeth in early November 1976 where she loaded approximately 700 tons of ferro-silicon chrome for delivery to Nippon Yakin Kogyo Co., Ltd., and Nippon Stainless Steel Co., Ltd., of Tokyo. The England Maru left Port Elizabeth on 8 November and arrived at Yokohama on 18 December where the chrome was offloaded.

"These transactions were arranged through various agents: Minamimachi Sanyo Kaisha Ltd. of Tokyo, Hikari and Kogyo Co., Ltd., of Tokyo and Arnold Wilhelmi and Co. (Pty), Ltd., of Johannesburg.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to draw the above information to the Government of Japan in order to assist them with their inquiries into the possibility that consignments of chrome purchased by Japanese companies were of Southern Rhodesian origin. If the companies claim that the goods were not of Southern Rhodesian origin, then the Secretary-General might like to draw attention to his notes PO 230 SORH (1-2-1) of 18 September 1969 and 27 July 1971 concerning documentary proof of origin.

"The Government of the United Kingdom further suggests that the Committee may wish to ask the Secretary-General to draw the above information to the attention of the Governments of the Netherlands, Israel, Liberia and Japan to assist them with their inquiries into the possibility that ships owned or registered by companies in their territories carried goods of Southern Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 28 March 1977 were sent to Israel, Japan, Liberia and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies were received from Israel and Japan, the substantive parts of which read as follows:

(i) Note dated 19 April 1977 from Israel

"The Permanent Representative of Israel to the United Nations ... has the honour to communicate that since the MV Goldbridge is not registered in Israel the results of the investigation may take some time in arriving."

(ii) Note dated 27 April 1977 from Japan

"The Permanent Representative of Japan to the United Nations ... has the honour to inform the Secretary-General of the Japanese Government's findings and comments on the matter as follows:

"1. The details of each transaction are as follows:

"a. Kawasaki Steel Corporation

Name of vessel:	<u>Gold Star</u>
Cargo and quantity:	High carbon ferro-chrome 929.860 metric tons
Port of loading and date of departure:	Durban, South Africa 16 June 1976
Port of unloading and date of arrival:	Kobe 29 July 1976
Exporter:	Arnold, Wilhelmi and Co.
Importer:	Yamamoto Sangyo Co., Ltd.

"b. Nippon Yakin Kogyo (Gold Bridge)

Name of vessel:	<u>Gold Bridge</u>
Cargo and quantity:	High carbon ferro-chrome 992.480 metric tons
Port of loading and date of departure:	Port Elizabeth, South Africa 24 November 1976
Port of unloading and date of arrival:	Yokohama 31 December 1976
Exporter:	Arnold, Wilhelmi and Co.
Importer:	Minamimachi Sangyo Co., Ltd.

"c. Nippon Yakin Kogyo (Straat Holland)

Name of vessel:	<u>Straat Holland</u>
Cargo and quantity:	High carbon ferro-chrome 990.830 metric tons
Port of loading and date of departure:	Durban, South Africa 21 May 1976
Port of unloading and date of arrival:	Yokohama 23 June 1976
Exporter:	Arnhold, Wilhelmi and Co.
Importer:	Minamimachi Sangyo Co., Ltd.

"d. Nippon Yakin Kogyo (England Maru)

Name of vessel:	<u>England Maru</u>
Cargo and quantity:	Ferro-silicon chrome 500.584 metric tons
Port of loading and date of departure:	Port Elizabeth, South Africa 8 November 1976
Port of unloading and date of arrival:	Yokohama 13 December 1976
Exporter:	Arnhold, Wilhelmi and Co.
Importer:	Minamimachi Sangyo Co., Ltd.

"e. Nippon stainless steel

Name of vessel:	<u>England Maru</u>
Cargo and quantity:	Silicon chrome 200.029 metric tons
Port of loading and date of departure:	Port Elizabeth, South Africa 8 November 1976
Port of unloading and date of arrival:	Yokohama 13 December 1976
Exporter:	Arnhold, Wilhelmi and Co.
Importer:	Hihari Kogyo Co., Ltd.

"2. The Japanese Government carefully examined the relevant documents to ascertain the origin of each consignment of chrome, such as contract, certificate of origin issued by the Johannesburg Chamber of Commerce, invoice, bill of lading, import declaration and letter of credit.

"As a result, it was confirmed that the above documents had all been duly issued and that the consignments of chrome were of South African origin.

"3. Being fully aware of the suggestions made in the memorandum on the application of sanctions dated 2 September 1969, transmitted by the Secretary-General's note PO 230 SORH (1-2-1) dated 18 September 1969, the Japanese Government demanded that the importers should obtain such documents as bill of entry for export and railway consignment notes.

"In spite of the importers' best efforts, however, bill of entry for export was not issued by the authorities concerned, and such documents as railway consignment notes were not obtained either because, according to the exporter, Arnhold, Wilhelmi and Co., each lot for shipment was made of

consignments from various producers in South Africa pooled together, and, therefore, it was not possible to locate specific producers for the specific lots."

4. A further reply dated 27 May was received from Israel, the substantive part of which reads as follows:

"The Permanent Representative of Israel to the United Nations ... has the honour to communicate that the Government of Israel has, as requested, conducted a further investigation into the carrying of ferro-chrome to Japan by the Liberian vessel MV Goldbridge. These investigations, thorough as they were, did not prove easy. The vessel in question is not an Israeli flagship. Moreover, it is not owned directly by Shoham Maritime Services, Ltd., but by a subsidiary of that company, incorporated in Liberia, called the Cedar Shipping Corporation of Monrovia.

"When the first investigation was conducted into this case some time ago, Shoham Maritime Services, Ltd., of Haifa informed the Israel authorities that at the time of consignment it had no reason to assume that the ferro-chrome in question had originated in Rhodesia. In the second investigation, recently undertaken at the request of the Committee, it was similarly impossible to determine that the ferro-chrome was of Rhodesian origin.

"The Permanent Representative of Israel to the United Nations wishes to add that in accordance with the scrupulous adherence by the Government of Israel to the provisions of Security Council resolution 253 (1968), the Israel authorities have once again issued clear instructions to Shoham Maritime Services, Ltd., to exercise increased vigilance in the future, and to make every possible effort to ensure strict compliance with the provisions of Security Council resolution 253 (1968) by its subsidiary company, the Cedar Shipping Corporation.

"In addition, the Israel authorities concerned have again been instructed to take all the steps necessary to ensure the fullest compliance with the existing directives aimed at the implementation of the provisions of Security Council resolution 253 (1968)."

5. A first reminder was sent to Liberia and the Netherlands on 31 May 1977.
6. A reply of the same date was received from the Netherlands the substantive part of which reads as follows:

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform the Secretary-General that the authorities in the Netherlands have investigated the case of a consignment of chrome on board MV Straat Holland. It has been established that when this consignment of chrome was presented at Durban for transport, the local agents of the 'Royal Inter-ocean Lines' had no indications that the chrome was of an origin other than South Africa itself. They therefore saw no reason to refuse the shipment.

"Examination of the relevant documents has not revealed a possibly suspicious origin of the consignment."

7. Noting the consistent inability, in the past, of the Netherlands to obtain and forward copies of documentary evidence examined by its investigating authorities, attributed by that Government to constraints of its domestic legislation, the Committee decided at its 291st meeting that a note should be sent to the Government requesting it at least to divulge the nature of the documents so examined.

8. In pursuance of the Committee's decision at the 273rd meeting, the Chairman sent a letter dated 25 November 1977 to the Permanent Representative of Liberia to the United Nations, announcing his intention to seek a personal meeting with the Permanent Representative at the request of the Committee, so as to discuss this case in connexion with which a reply was still pending after three reminders. The note also mentioned several other cases relating to Liberia in which a similar situation existed.

9. Further to paragraph 7 above, the proposed note was sent to the Netherlands on 14 December 1977.

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

1. By a note dated 8 July 1977, the United Kingdom reported information concerning shipments of chrome aboard the above-mentioned vessels, as well as information that a company in Zurich, acting as agent for a Rhodesian company, has arranged the shipments of chrome to European customers. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigations, that Grundstoffgesellschaft of Zurich, formerly named Handelsgesellschaft are the European agents for Rhodesia Alloys.

"The information is to the effect that Grundstoffgesellschaft have arranged the shipment of chrome from Rhodesia and its delivery to various European customers through Somet/Metallgesellschaft SA of Johannesburg and later through Mineralex of Johannesburg. The details of shipments are as follows:

- "a. The MV Cantonad, which is owned by Vasco Madrilena de Nav SA, a subsidiary of Ruiz de Velasco, Mauricio and Manuel, Hijos de Thomas of Bilbao was at the Port of Durban in mid-July 1976 where she loaded approximately 1,500 tons of chrome. The ship left Durban on 22 July and arrived in Rotterdam on 30 August where the goods were off-loaded;
- "b. The vessel Santa Isabella was at the Port of Durban in early August 1976 where she loaded approximately 10,000 tons of chrome. The Santa Isabella which is owned by Santa Isabella Maritima SA of Panama left Durban on 7 August 1976 and arrived in Rotterdam on 30 August where the goods were off-loaded. We believe that this shipment was the subject of legal proceedings in the Netherlands;
- "c. The vessel Baikor was at the Port of Durban in early August 1976 where she loaded a consignment of chrome. The ship which is owned by Bilbao Shipping SA of Bilbao, Spain left Durban on 6 August and arrived at Bilbao on 13 September where the shipment was off-loaded;
- "d. The vessel Nortrans Karen was at Durban on 21 October 1976 where she loaded approximately 6,000 tons of chrome. The Nortrans Karen which is owned by Larsen, Johns of Bergen, Norway left Durban on 27 October and arrived in Rotterdam on 20 November where the chrome was off-loaded;
- "e. The vessel Valle de Orozco was at the Port of East London in late November 1976 where she loaded a shipment of chrome. The Valle de Orozco which is also owned by Vasco Madrilena de Nav SA left East London on 2 December and put in at Bilbao on 12 January 1977 where the chrome was off-loaded for delivery to Cometal SA of Madrid.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Switzerland, Spain and the Netherlands to assist them with their investigations into the possibility that companies or agencies in their territories have been trading with Southern Rhodesia.

"The Committee may further wish to ask the Secretary-General to bring the above information to the attention of the Governments of Spain, Panama and Norway to assist them with their investigations into the possibility that ships owned by companies in their territories have been carrying goods of Southern Rhodesian origin.

"The Committee may further wish to ask the Secretary-General to alert all Member States to the possibility that Grundstoffgesellschaft of Zurich operates on behalf of Rhodesia Alloys and to request that, in accordance with operative paragraph 3 of Security Council resolution 253 (1968), they take all possible measures to prevent firms and individuals in their territories from trading with or through this company."

2. In accordance with the no-objection procedure established by the Committee, notes dated 19 July 1977 were sent to Norway, Panama, Switzerland, Spain and the Netherlands transmitting the United Kingdom note and requesting comments thereon. Furthermore, notes dated 25 July 1977 were transmitted to all Member States to alert them to the possibility that the company in Zurich might be operating on behalf of a Rhodesian company and requesting that they should take measures against trading with or through this company.

3. A reply dated 18 August 1977 has been received from the Netherlands, the substantive part of which reads as follows:

"The Acting Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform the Secretary-General that the investigation currently being conducted by the Netherlands authorities with regard to the case in question has not yet been completed. The results of the investigation will be transmitted to the Secretary-General as soon as they are known."

4. Acknowledgements, with regard to the note sent to all Member States, were received from Zaire (27 July), Burma (2 August) and El Salvador (8 August 1977).

5. First reminders were sent to Norway, Panama, Spain and Switzerland on 22 September 1977, and a note of the same date was sent to the Netherlands inquiring whether the investigations by the competent authorities had been completed and the results could be communicated to the Committee.

6. A letter dated 27 September 1977 addressed to the Secretary-General of the United Nations was received from the Permanent Representative of Panama to the United Nations, the substantive part of which reads as follows:

"I have the honour to inform you that today I forwarded to the Ministry of Foreign Affairs of Panama your note PO 230 SORH (1-2-1) of 22 September 1977, Case No. 297, in which you refer to an alleged violation

of sanctions against Southern Rhodesia by the Santa Isabella, which, according to that allegation, is owned by the Panamanian firm Santa Isabella Marítima S.A.

"I can assure you that my Government will give the complaint the most careful attention and that this Mission will communicate to you without delay the results of any investigations and of any measures which may be taken against any person who is guilty of complicity with the Salisbury racist régime."

7. Replies were also received from the Netherlands, Norway and Spain and a further reply from Panama, the substantive parts of which read as follows:

(a) Note dated 30 September 1977 from the Netherlands

"The results of the investigation conducted by the Netherlands authorities in compliance with the request of the Secretary-General have confirmed that the Spanish vessel Cantonad arrived from Durban in Rotterdam on 30 August 1976 with a cargo of 1,485 tons of chrome alloys, that the vessel Santa Isabella sailing under the flag of Singapore arrived in Rotterdam on 31 August 1976 with a cargo of 6,194 tons of chrome alloys and that the Norwegian vessel Nortrans Karen arrived in Rotterdam on 30 November 1976 with a cargo of 2,932 tons of chrome alloys.

"At the request of the German shipping agent, M. Zietschmann GmbH. the afore-mentioned cargoes were transferred in lighters by the Netherlands shipping and forwarding agents involved and transported in transit to Duisburg. The transport documents were issued in the name of this shipping agent.

"The investigation has yielded no indications with regard to the identity of the respective sellers and/or purchasers of these cargoes of chrome alloys. Nor have the records of the Netherlands firms concerned produced any indication that the goods in question were of Southern Rhodesian origin."

(b) Note dated 13 October 1977 from Norway enclosing copies of documentary evidence

"The investigation carried out by the Norwegian authorities reveals that the chrome carried by Nortrans Karen was of South African origin as documented by the enclosed weight certificates, issued by Rennies Consolidated (East London) (Pty) Ltd. on 2 November 1976."

(c) Note dated 17 October 1977 from Spain enclosing copies of documentary evidence

"The Permanent Mission of Spain to the United Nations ... has the honour to transmit to /the Secretary-General/ a copy of the documentation obtained by the competent Spanish authorities in respect of the case in question. It consists of some certificates of origin issued by the Johannesburg Chamber of Commerce relating to some consignments of chrome carried by the vessels Valle de Orozco and Baikor and of an import licence relating to one of those consignments for delivery to the firm of Cometal S.A. It has not been

possible to obtain any documentation on the consignment carried by the vessel Cantonad from Durban to Rotterdam, since the vessel did not call at a Spanish port during the voyage."

(d) Note dated 2 November 1977 from Panama

"Further to my notes MPP 566 of 27 September 1977 and MPP 599 of 19 October 1977, I have the honour to transmit copies of notes Nos. DOI-5831 of 21 October 1977 and 614-59-A.L. of 13 October 1977 from the Deputy Minister for Foreign Affairs of Panama and the Director of the Consular and Shipping Department of the Ministry of Finance and Treasury of Panama, respectively.

"This demonstrates that the Government of Panama is continuing to co-operate with the Sanctions Committee in connexion with the illegal régime in Southern Rhodesia. It has once more been established that the Santa Isabella (Case No. 297) is not known to the Panamanian authorities."

8. The documents submitted by Spain and Norway were analysed and summarized by the expert consultant in two tables submitted to the Committee. Table 1, concerning the consignments aboard the vessels Baikor and Valle de Orozco, represented a summary of five certificates of origin issued by the Johannesburg Chamber of Commerce and submitted by Spain. Two other documents submitted by the same Government entitled "Import declaration for goods released" were illegible and therefore could not be analysed. Norway submitted 11 weight certificates concerning the consignments aboard the vessel Nortrans Karen, issued by Rennies Consolidated (East London) (Pty.), Ltd., as agents for Mineralex Agencies (Pty.), Ltd. Those certificates were summarized in table 2. The expert consultant pointed out that the documents in question could not be considered sufficient proof of origin of the commodities in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

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

1. By a note dated 21 July 1977, the United Kingdom reported information concerning a consignment of chrome aboard the above-mentioned vessels. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Japanese firm has imported chrome of Southern Rhodesian origin.

"The information is as follows:

"i. The MV Shunkai Maru was at Port Elizabeth in early December 1976 where she took on board a consignment of approximately 1,000 tons of chrome supplied by Rhodesian Alloys. The MV Shunkai Maru which is owned by Nihonkai Kisen KK of Tokyo, a subsidiary of Mitsui Osk Lines Ltd of Tokyo, left Port Elizabeth on 7 December 1976 and subsequently put in at Yokohama on 27 January 1977;

"ii. The MV Gold Beetle was at the Port of Durban in the middle of December 1976 where she took on board a consignment of approximately

1,000 tons of chrome also supplied by Rhodesian Alloys. The MV Gold Beetle, which is owned by Topaz Shipping Corporation of Liberia, a subsidiary of Shoham Maritime Services Ltd of Haifa, left Durban on 24 December 1976 and subsequently put in at Yokohama on 27 January 1977;

"iii. Both these shipments were off-loaded at Yokohama for delivery to Nippon Yakin Kogyo Company Ltd of Tokyo,

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Japan to help them with their investigations into the possibility that consignments of chrome imported by a Japanese firm were of Southern Rhodesian origin and the possibility that a vessel owned or registered by companies in their territory carried these goods.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Liberia and Israel to help them with their investigations into the possibility that a vessel owned or registered by companies in their territories carried goods of Southern Rhodesian origin."

2. In accordance with the no-objection procedure established by the Committee, notes dated 29 July 1977 were sent to Israel, Japan and Liberia transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 22 August 1977 has been received from Japan, the substantive part of which reads as follows:

"The Permanent Representative of Japan to the United Nations ... has the honour to inform the Secretary-General of the Japanese Government's findings and comments on the matter as follows:

"1. Details of transactions are as follows:

"(1) The case of the MV Shunkai Maru

(a) Importer: Minaminachi Sangyo Co., Ltd.

(b) Exporter: Arnhold, Wilhelmi and Co., Ltd.

(c) Cargo and quantity: High carbon ferro-chromium
993.84 metric tons

(d) Port of loading and date of departure: Port Elizabeth
7 December 1976

(d) Port of unloading and date of arrival: Yokohama
20 January 1977

(f) Name of vessel: Shunkai Maru;

"(2) The case of the MV Gold Beetle

(a) Importer: Minamimachi Sangyo Co., Ltd.

(b) Exporter: Arnhold, Wilhelmi and Co., Ltd.

(c) Cargo and quantity: High carbon ferro-chromium
888.71 metric tons

(d) Port of loading and date of departure: Durban
24 December 1976

(e) Port of unloading and date of arrival: Yokohama
27 January 1977

(f) Name of vessel: Gold Beetle

"2. The Japanese Government carefully examined the relevant documents to ascertain the origin of the consignments, such as contract, certificate of origin issued by the Johannesburg Chamber of Commerce, invoice, bill of lading, import declaration and letter of credit.

"As a result, it was confirmed that the above documents had all been duly issued and that the consignments were of South African origin."

4. The attention of the Committee was drawn to the fact that the documents mentioned in the Japanese reply could not be regarded as sufficient proof of origin of the shipment in question in accordance with the memorandum on the application of sanctions transmitted to all States by the Secretary-General on 18 September 1969.

5. A reply dated 3 October 1977 was received from Israel, the substantive part of which reads as follows:

"The Permanent Representative of Israel to the United Nations ... further to /the Secretary-General's/ note (Case No. 300) transmitting a note dated 21 July 1977 addressed by the United Kingdom to the Security Council Committee on Sanctions against Southern Rhodesia, has the honour to communicate that the Government of Israel has conducted, as requested by the Committee, exhaustive investigations into the matter concerning the carrying of chrome to Japan by the Liberian vessel, MV Gold Beetle.

"These investigations involved considerable difficulties and took longer than expected. Besides the fact that both the ports of loading and unloading, the seller and the purchaser of the goods, had no connexion with Israel, there were in addition several other obstacles in the way of the Israeli investigation.

"(a) The MV Gold Beetle is not an Israeli flagship.

"(b) The above-mentioned vessel is owned by the Topas Shipping Corporation of Liberia, which is not registered in Israel.

"(c) Furthermore, other companies which similarly are not registered in Israel, have a part in employing the vessel at present.

"The only tenuous connexion between the vessel and Israel derives from the fact that the Topas Shipping Corporation of Liberia is a subsidiary of the Shoham Maritime Services Ltd. of Haifa, and it was in this specific context that the Government of Israel conducted its inquiry.

"The results of the investigation show that the MV Gold Beetle did not carry any consignment whatsoever for the company mentioned in the note submitted by the United Kingdom. Its consignment was destined for another company, the Minamaimachi Sangyo Kaisha Ltd. of Tokyo.

"Other facts which emerged in the course of the investigation were that the vessel embarked from the port of Durban in South Africa on 24 December 1976; it loaded 37 separate consignments; one of these was a consignment of chrome in bulk.

"At the time of the transaction by the Topas Shipping Corporation, there was nothing to indicate that the chrome was of Rhodesian origin. In addition, in the course of a subsequent thorough investigation by the Government of Israel, conducted at the request of the Committee, no proof whatsoever could be found that the chrome involved in the above-mentioned transaction had originated from Rhodesia.

"Nevertheless, the Permanent Representative of Israel to the United Nations wishes to add that in accordance with the scrupulous adherence by the Government of Israel to the provisions of Security Council resolution 253 (1968), the Israeli authorities have reiterated their instructions to Shoham Maritime Services, requesting it to redouble its vigilance, and to make every possible effort to ensure in the future strict compliance with the provisions in Security Council resolution 253 (1968) by its subsidiary company the Topas Shipping Corporation."

6. A first reminder was sent to Liberia on 6 October 1977.

7. In the absence of a reply from Liberia within the prescribed period of two months the Committee included that Government in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

8. A second reminder was sent to Liberia on 9 November 1977 and a third reminder on 9 December 1977.

(47) Case No. 312. Mixed high-carbon and low-carbon ferro-chrome - "Pampa Argentina": United Kingdom note dated 30 November 1977

1. By a note dated 30 November 1977 the United Kingdom reported information concerning a shipment of mixed high-carbon and low-carbon ferro-chrome on the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that Argentine companies have purchased ferro-chrome originating in Rhodesia.

"The information is as follows. The vessel Pampa Argentina was at Durban in late August 1977 where she took on board approximately 350 metric tons of mixed high-carbon and low-carbon ferro-chrome. The Pampa Argentina, which is owned by Cia Argenti de Nav Intercontinental Sacif of Buenos Aires and is registered in Argentina, left Durban on 26 August for Buenos Aires. The consignment was due for delivery to:

Acereros Bragado of Buenos Aires, Aceros Especiales Saiyc of Buenos Aires and Direccion General de Fabricaciones Militares (Fabmill), Avda Cabildo 65, Buenos Aires.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Argentina in order to assist them with their investigations into the possibility that Argentine firms are trading with Southern Rhodesia and that a vessel registered in Argentina carried goods of Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 8 December 1977 was sent to Argentina, transmitting the United Kingdom note and requesting comments thereon.

Silicon

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

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In pursuance of the Committee's decision at the 273rd meeting, a letter dated 18 March 1977 was sent from the Chairman to the Permanent Representative of Liberia to the United Nations, announcing the Chairman's intention of contacting him, at the request of the Committee, to discuss this case in connexion with which a reply was still pending after three reminders. To date, no result has as yet been obtained.
4. Further to paragraph 9 of the present case in the ninth report, the Committee again included Liberia in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977.

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

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.

3. In the absence of a reply from Liberia the Committee again included that Government in the twelfth quarterly list, which was issued as a press release on 14 April 1977.

4. 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. a/ 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.

5. Further to paragraph 3 above, the Committee again included Liberia in its thirteenth and fourteenth quarterly lists, which were issued as press releases on 25 July and 21 October 1977.

(50) Case No. 292. Ferro-silicon chrome and low-carbon ferro-chrome - "Straat Napier" and "Gerd Wesch": United Kingdom note dated 16 March 1977

1. By a note dated 16 March 1977 the United Kingdom reported information concerning a shipment of ferro-silicon chrome and low-carbon ferro-chrome aboard the above-mentioned vessels. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Brazilian firm is trading with Southern Rhodesia.

"The information is to the effect that the vessel Straat Napier was at Port Elizabeth on 23 October 1976 where she took on board a consignment of approximately 120 tons of ferro-silicon chrome supplied by Rhodesian Alloys, Ltd. The Straat Napier, which is owned by the Netherlands company Koninklijke Java-China-Pakketvaart Lijnen BV, a subsidiary of N derlandsche Scheepvaart Unie NV of Rijswijk ZH, the Netherlands, left Port Elizabeth on 24 October 1976 and subsequently put in to the Port of Santos on 30 November 1976 where the chrome was off-loaded for delivery to Acos Villares SA of Sao Caetano do Sul, Sao Paulo. This company received a further delivery of approximately 55 tons of low-carbon ferro-chrome from Rhodesian Alloys, Ltd. This was carried on the vessel Gerd Wesch which sailed from Port Elizabeth on 6 September 1976 and arrived in Santos on 14 October 1976. The Gerd Wesch is owned by Jonny Wesch of Hamburg-Neuenfelde, Federal Republic of Germany.

"The Government of the United Kingdom suggests that the Committee established in pursuance of Security Council resolution 253 (1968) may wish

a/ Official Records of the Security Council, Thirty-second Year, Special Supplement No. 2 (S/12265), vol. II, annex I, para. 18.

to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Brazil in order to assist them with their investigations into the possibility that Brazilian firms are trading with Southern Rhodesia. Should the importer or purchaser claim that the chrome is not of Southern Rhodesian origin, the Secretary-General may further wish to draw attention to his notes PO 230 (1-2-1) of 18 September 1969 and 27 July 1971 about documentary proof of origin, and to request the Government of Brazil to indicate which documents have been produced as evidence that the chrome was of non-Rhodesian origin.

"The Government of the United Kingdom further suggests that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Governments of the Federal Republic of Germany and the Netherlands in order to assist them with their investigations into the possibility that chrome of Southern Rhodesian origin was carried in vessels owned by companies registered in their territories."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 28 March 1977 were sent to Brazil, the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 25 May 1977 was received from the Netherlands, the substantive part of which reads as follows:

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform /the Secretary-General/ that the authorities in the Netherlands have investigated the case of a consignment of chrome on board the MV Straat Napier. It has been established that when this consignment of chrome was presented at Port Elizabeth for transport, the local agents of the Royal Inter-ocean Lines had no indications that the chrome was of an origin other than South Africa itself. They therefore saw no reason to refuse the shipment.

"Examination of the relevant documents has not revealed a possibly suspicious origin of the consignment."

4. First reminders were sent to Brazil and the Federal Republic of Germany on 6 June 1977.

5. A reply dated 22 June 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"At the time in question (Port Elizabeth 6 March 1976, Santos 14 October 1976), the motor vessel Gerd Wesch, owned by Jonny Wesch KG, 2155 Jork, was under time charter to African Coasters (Pty), Ltd., Durban, South Africa.

"Investigations into the origin of the ferro-chrome taken on board at Port Elizabeth can be conducted only with the shipper since the owner has no direct relationship to either consignors or consignees. By the same token, the owner is neither informed, nor can he exert any influence, as to the goods shipped aboard the vessel by the charterer.

"According to the owner, the vessel is no longer operating under this time-charter."

6. A second reminder was sent to Brazil on 6 July 1977.

7. A reply dated 19 September 1977 was received from Brazil including documentation, the substantive part of which reads as follows:

"The Permanent Mission of Brazil to the United Nations ... has the honour to enclose, for transmittal to the Committee established in pursuance of resolution 253 (1968), copy of the relevant documentation issued by Brazilian authorities in connexion with the import of two consignments of ferro-silicon chrome and low ferro-chrome, both originating from the Republic of South Africa and transported, respectively, by the vessels Straat Napier and Gerd Wesch."

8. An analytical summary of the documents submitted by Brazil was prepared by the expert consultant. He pointed out that the documents in question could not be considered sufficient proof of origin of the commodities in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969.

(51) Case No. 299. Ferro-silicon-chrome - "Straat Nagoya": United Kingdom note dated 14 July 1977

1. By a note dated 14 July 1977, the United Kingdom reported information concerning a shipment of ferro-silicon-chrome aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Brazilian firm has imported goods of Rhodesian origin.

"The information is that the vessel Straat Nagoya was at Port Elizabeth at the end of April 1977 where she took on board a consignment of approximately 200 tons of ferro-silicon chrome supplied by Rhodesian Alloys: and this vessel, which is owned by the Netherlands company of Koninklijke Java-China-Paketaart Lijnen BV of Rotterdam, left Port Elizabeth at the beginning of May and later put in at the Port of Santos in the middle of May, where the shipment was off-loaded for delivery to Acos Villares SA of Sao Paulo.

"The sale was arranged by the Johannesburg mineral brokers Arnold Wilhelmi and Co. (Pty) Ltd.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Brazil to help with their investigations into the possibility that a Brazilian firm has imported goods of Southern Rhodesian origin.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of the Netherlands to help them with their

investigation into the possibility that a vessel owned by a firm in their territory carried goods of Rhodesian origin."

2. In accordance with the Committee's established practice, under the no-objection procedure, notes dated 22 July 1977 were sent to Brazil and to the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 8 September 1977 was received from the Netherlands, the substantive part of which reads as follows:

"The Netherlands authorities have conducted a thorough investigation of this matter with the shipping firm involved. The ship's manifests of the firm concerning the period in question however, show no indications that the consignment of ferro-silicon chrome mentioned in the note was transported by the MV Straat Nagoya."

4. Second and third reminders were sent to Brazil on 26 October and 8 December 1977, respectively.

5. An acknowledgement dated 13 December 1977 was received from Brazil.

Ferro-manganese

(52) Cast No. 185. Ferro-manganese - "Straat Nagasaki"

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

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

3. The Committee considered the case at its 294th meeting, at which it was decided that the case should be closed.

Tungsten ore

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

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

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

1. By a note dated 28 October 1977 the United Kingdom reported information concerning trade with Southern Rhodesia by a firm in the Federal Republic of Germany. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a firm in the Federal Republic of Germany has been trading with Southern Rhodesia.

"The information is that the vessel Saronicos Gulf was at Durban in mid-January 1977 when she took on board approximately 10 tons of wolfram ore supplied by the brokers Metex Ltd. of Salisbury, and approximately 40 tons of antimony ore. The Saronicos Gulf which is owned by Saronicos Gulf Shipping Co. of Panama, a subsidiary of Blue Line Shipping Co. SA of Athens, left Durban on 12 January. She reached Europe in early March where the consignment was off-loaded for delivery to Hermann G. Staarch of Goslar, Federal Republic of Germany.

"The sale was arranged by African Shipping Ltd. of Durban through their associate company African Shipping (Antwerp) NV of Belgium.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of the Federal Republic of Germany to help with their investigations into the possibility that German firms have imported goods of Southern Rhodesian origin.

"The Government of the United Kingdom further suggest that the Committee may wish to draw the above information to the attention of the Government of Greece to assist them with their investigations into the possibility that goods of Southern Rhodesian origin were carried in vessels registered by companies in their territory.

"The Committee may further wish to ask the Secretary-General to draw the above information to the attention of the Government of Belgium to help with their investigations into the possibility that a Belgian company arranged the sale of goods of Southern Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 10 November 1977 has been sent to Belgium, Greece and the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

Copper

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

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

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

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

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

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

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

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

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

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

Nickel

(60) Case No. 102. Nickel - "Randfontein": United Kingdom note dated 28 October 1970

1. There is no new information concerning this case in addition to that contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered at the 1st meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.
4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(61) Case No. 109. Nickel - "Sloterkerk": United Kingdom note dated 11 January 1971

1. Previous information concerning this case is contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered at the 1st meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.
4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(62) Case No. 118. Nickel - "Serooskerk": United Kingdom note dated 6 May 1971

1. Previous information concerning this case is contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case, as well as three other pending cases involving Spain, namely, Case Nos. 229, 258 and INGO-5, was considered at the 4th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

5. The action taken with regard to the other cases is reported under each relevant case.

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

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

Aluminium

(64) Case No. 250. Export of aluminium products to Southern Rhodesia: United Kingdom note dated 22 March 1976

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

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

3. The case was considered at the 6th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be considered closed.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

Lithium ores

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

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

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

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

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

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

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

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

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of the Federal Republic of Germany and Belgium in order to assist them with their investigations into the possibility that a West German firm imported goods of Southern Rhodesian origin and that two Belgian firms were involved in the transaction.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Portugal to assist them with their investigations into the possibility that tantalite ore of Southern Rhodesian origin was transported in a vessel registered in their territory."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 14 December 1977 were sent to Belgium, the Federal Republic of Germany and Portugal, transmitting the United Kingdom note and requesting comments thereon.

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

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

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

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

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

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

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

3. In the absence of a reply from Liberia, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977.

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

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

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

3. The present case, as well as all the pending cases involving Greece at the time of the Committee's comprehensive note to Greece dated 2 April 1977, were considered by the Working Group at its 2nd meeting. The Working Group noted that there were 18 cases in which replies were still pending from Greece at the

time of dispatch of the comprehensive note to that Government on 2 April 1975; subsequently, replies had been received in 5 of those cases, namely: Case Nos. 124, 195, USI-5 and INGO-4. The reply in Case No. INGO-4 had been referred to the Committee for information only. The Working Group also noted that since the sending of the comprehensive note, 9 new cases involving Greece had been opened but were being dealt with individually by the Committee.

4. The Working Group decided first to deal individually with the cases forming part of the comprehensive note in which replies had been received from Greece. The Working Group's action on the present case is contained in paragraph 7 below.

5. The Working Group then considered Greece's replies to the Committee's comprehensive note of 2 April 1975 and the pending cases involving Greece in general. It decided to recommend to the Committee that the Chairman should be requested to seek a personal meeting with the Permanent Representative of Greece to the United Nations, bearing a list to be prepared by the Secretariat of all the cases in which replies were still awaited from Greece. The Chairman would point out that, while the Committee appreciated the legal action taken by Greece there appeared to have been no attempt by the Greek authorities, in some of the cases so far responded to, to establish evidence in support of the contention that the cargoes involved were not of Southern Rhodesian origin - an essential element of investigations, in view of the fact that some of those cases had been opened on the basis of United States reports that the cargoes had indeed originated in Southern Rhodesia. If no reply were received within two months after the Chairman's proposed meeting with the Permanent Representative of Greece, the Working Group recommended that the matter should be placed on the Committee's agenda for consideration by the Committee itself.

6. At the time of the preparation of the present report, the recommendation of the Working Group had been accepted by the Committee and appropriate follow-up action was under way.

7. With regard to the present case, the Working Group decided to recommend to the Committee to take note of the reply from Greece and of the Committee's own explanation given to Greece in its note of 16 August 1976. The Committee accepted the recommendation of the Working Group under the no-objection procedure.

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

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

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

3. In the absence of a reply from Liberia the Committee again included that Government in the twelfth and thirteenth quarterly lists, which were issued as press releases on 14 April and 25 July 1977, respectively.

4. The case was considered at the 5th meeting of the Working Group, at which it was decided to recommend to the Committee that the matter could not be usefully pursued with regard to Jordan, but that with regard to Liberia the case, as well as any other similar cases not already on the Chairman's list, should be included among those on which the Chairman was scheduled to make personal contact with the Permanent Representative of Liberia to the United Nations.

5. Further to paragraph 3 above, Liberia was again included on 21 October 1977 in the fourteenth quarterly list, which was issued as a press release.

6. At the time of the preparation of the present report, the recommendation of the Working Group had been accepted by the Committee and appropriate follow-up action was under way.

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

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

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

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

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

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

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

3. Further to paragraph 13 of (70) Case No. 236 in annex II of the ninth report, 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. The proposed note was sent to the Federal Republic of Germany on 24 January 1977 and a summary of the cases with special reference to Switzerland is given below.

Summary of the cases with special reference to Switzerland

Details of the involvement of Swiss companies in the financing of the expansion of the Rhodesian iron and steel plant at Que Que, Southern Rhodesia, are given in the Committee's special report to the Security Council on that matter (S/11597). According to the information available to the Committee, that involvement was indicated as follows:

- (i) Handelskredit-Bank, AG, of Switzerland, was to provide a loan of \$R 13.3 million towards the construction of the new steel plant;
- (ii) Handelsgesellschaft (HGZ) of Zurich, managed by Dr. Egli, replaced Handelskredit-Bank, AG, in the arrangement and offered a loan of \$R 19.3 million obtained from the European-American Finance (Bermuda), Ltd.
- (iii) Femetco, AG, of Zurich, also managed by Dr. Egli, received the loan of \$R 19.3 million from HGZ together with an additional \$US 5.5 million, and loaned the total sum to a South African company, South African

Steel Corporation (Pty), Ltd., later referred to as Southern Transvaal Steel (Pty), Ltd., from which the funds eventually reached RISCO. "It was found necessary to interpose a South African company to borrow the funds from Femetco, AG, in order to satisfy the Swiss authorities", one of the documents available to the Committee stated.

- (iv) Getraco-Finmetal, SA, of Switzerland, contributed \$R 3.3 million towards advance payments totalling \$R 9.3 million against future steel deliveries from RISCO. The other guaranteeing companies were Neunkircher Eisenwerk, AG, and Klockner and Co., both of the Federal Republic of Germany. The three guaranteeing companies were to co-ordinate the purchase and resale abroad of the additional steel products from the expanded RISCO plant, as a means of enabling RISCO to obtain the funds necessary to repay its creditors.

The information thus received was transmitted to all the Governments concerned with a request for thorough investigations of all the pertinent aspects of the matter. By a note dated 25 September 1974 Switzerland informed the Committee that the Federal authorities had "carefully examined the allegations concerning the role of certain Swiss companies but were not led to conclude that the companies were involved in the transfer of capital to RISCO".

The five cases arising out of RISCO indicated above and reported to the Committee by the United Kingdom involved Switzerland as follows:

Case No. 236: Steel billets - "Trianon"

Shipment of some 9,000 metric tons of steel billets suspected to be of Southern Rhodesian origin, aboard a Norwegian vessel, to a purchaser in the Netherlands. Arrangements for the sale of the billets were reportedly made by Klockner, AG, of Duisburg, acting through Femetco, AG, of Zug.

Case No. 239: Steel billets - "Shinkai Maru"

Shipment of some 6,000 metric tons of steel billets suspected to be of Southern Rhodesian origin, aboard a Japanese vessel, to a purchaser in Greece. Arrangements for the sale of the billets were reportedly made by Klockner, AG, of Duisburg, acting through Femetco, AG, of Zug.

Case No. 246: Steel billets - "Antje Schulte"

Shipment of some 7,000 metric tons of steel billets suspected to be of Southern Rhodesian origin, aboard a vessel of Federal Republic of Germany ownership, to El Salvador and Guatemala. Arrangements for the sale of the billets were reportedly made by Klockner, AG, of Duisburg, acting through Femetco, AG, of Zug.

Case No. 265: Steel billets - "Alessandros Skoutaris"

Shipment of some 11,250 tons of steel billets suspected to be of Southern Rhodesian origin, aboard a Cypriot vessel, to purchasers in Turkey. Arrangements for the sale of the billets were reportedly made by Klockner, AG, of Duisburg, acting through Femetco, AG, of Zug and a South African intermediary, the Southern Transvaal Steel (Pty), Ltd., of Johannesburg.

Case No. 266: Steel billets - "Aristides Xilas"

Shipment of some 10,000 tons of steel billets suspected to be of Southern Rhodesian origin, aboard a Greek vessel, to a purchaser in Jordan. Arrangements for the sale of the billets were reportedly made by Klockner, AG, of Duisburg, acting through Femetco, AG, of Zug and a South African intermediary, the Southern Transvaal Steel (Pty), Ltd., of Johannesburg.

In reply to the Committee's inquiries in connexion with Case Nos. 236, 239 and 246, Switzerland stated that the concluding of contracts for the delivery of goods which were not to be shipped to or from Swiss territory was not subject to control by the Swiss authorities; such activities in fact involved triangular transactions not governed by the Swiss authorities, "as explained in detail to the Secretary-General in the Permanent Observer's note of 13 May 1974 in connexion with Case Nos. 2 and 103 involving the companies Nitrex, SA, and Rif Trading Co., Ltd.". b/ With regard to Case Nos. 265 and 266, Switzerland, while maintaining its position relating to triangular transactions, also informed the Committee that Femetco, AG, of Zug, through Dr. Egli, chairman of the company's board of directors, had categorically denied any knowledge of the transactions in question.

4. An acknowledgement dated 27 January 1977 to the expert consultant's letter of 22 December 1976 was received from the resident representative of the UNDP in Mozambique, confirming that he had initiated contact with the Mozambican authorities on the matter raised.
5. An acknowledgement dated 24 February 1977, also covering Case Nos. 239, 246, 265, 266 and 284, was received from the Federal Republic of Germany.
6. Reminders dated 25 March 1977 were sent by the expert consultant to the Permanent Representative of Mozambique to the United Nations and the resident representative of the UNDP in Mozambique, inquiring whether the information sought had been obtained and could be forwarded to the Committee.
7. A first reminder was sent to the Federal Republic of Germany on 5 April 1977.
8. In the absence of a reply from the Federal Republic of Germany within the prescribed period of two months the Committee included that Government in the twelfth quarterly list, which was issued as a press release on 14 April 1977.
9. A second reminder was sent to the Federal Republic of Germany on 6 May 1977.
10. A further acknowledgement dated 13 May 1977 was received from the resident representative of the UNDP in Mozambique, enclosing a copy of his note verbale on the subject to the Minister of Foreign Affairs of the Republic of Mozambique on 27 January 1977, a copy of which the resident representative said had been given to the Minister of Transport and Communications on 22 April 1977.
11. A reply dated 22 May 1977, also covering Case Nos. 239, 246, 265 and 266, was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Government of the Federal Republic of Germany, having in each of these cases arranged for external trade audits to be conducted at the firm of Klöckner and Co., Duisburg, has been unable to refute the certificates of

b/ See the seventh annual report of the Committee (S/11594/Rev.1, vol. I, annex II, (136) Case No. 113, para. 6).

origin produced by the firm, which give South Africa as the country of origin of the steel products in question. As explained in this Mission's note No. 248/76 of 23 September 1976, according to the law of the Federal Republic of Germany it is incumbent upon the examining authorities to furnish proof of sanctions violations. The audited firm cannot be committed to furnish proof of its innocence.

"As also indicated in that note, the attempt to have the origin of the steel billets determined by chemical analysis was futile. We understand, however, that the Foreign and Commonwealth Office in London plans an initiative with a view to bringing about a clarification if there might not be a method, after all, to conclusively determine the origin of steel billets by chemical or mechanical means, or to find other, additional evidence. The federal Government welcomes this intention."

12. In continuation of the Committee's decision indicated in paragraph 3 above, a letter dated 28 June 1977 was sent by the Acting Chairman to the Permanent Observer of Switzerland to the United Nations announcing his intention to seek a suitable opportunity for a personal meeting to discuss this and the other cases arising from Case No. 171 (RISCO), namely Case Nos. 239, 246, 265 and 266, in accordance with the Committee's request.

13. On 26 July 1977, the Acting Chairman met with the Permanent Observer of Switzerland and discussed with him the cases in question together with the other cases similarly requested by the Committee. For an account of the meeting see the Chairman's report contained in annex I to the present report.

14. Subsequently, a note dated 17 October 1977 was received from Switzerland for the substantive part of which see paragraph 4 of (260) Case No. 214 in annex IV to the present report.

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

1. Previous information concerning this case is contained in the ninth report.
2. For additional information regarding the action taken on the case since the submission of that report, see paragraphs 3-14 of (82) Case No. 236 above.

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

1. Previous information concerning this case is contained in the ninth report.
2. For additional information regarding the action taken on the case since the submission of that report, see paragraphs 3-14 of (82) Case No. 236 above.

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

1. Previous information concerning this case is contained in the ninth report.
2. For additional information regarding the action taken on the case since the submission of that report, see paragraphs 3-14 of (82) Case No. 236 above. Other information regarding this case is given below.
3. A reply dated 5 January 1977 was received from Cyprus, enclosing two annexes. The substantive part of the reply and the text of the annexes read as follows:

Reply from Cyprus

"The Permanent Mission of Cyprus to the United Nations ... has the honour to convey the following information obtained through an investigation directed by the Ministry of Communications and Works and the Registrar of Cyprus Ships.

"In the course of the investigation, the Registrar of Cyprus Ships, by letter dated 19 June 1976, requested the owners of the vessel Alesandros Skoutaris to provide information and documents concerning the movements and the cargo of the ship during the period of the suspected violation. In response to the aforementioned letter, the owners of the vessel, 'Chio Shipping Limited', through its holding company 'Atlantis Shipping and Commercial Co., Ltd.', provided the requested documents and further stated that it could not be held responsible of the suspected violation. Copy of the aforementioned letter dated 12 July 1976, is hereto attached as annex I.

"A letter was further addressed by the Registrar of Cyprus Ships dated 19 June 1976, to the Customs and Port Authorities, Lourenco Marques (Maputo), Mozambique - hereto attached as annex II - requesting information concerning the suspected violation. Regrettably, until now there has been no reply.

"On the basis of the information obtained thus far, by the competent authorities of the Republic, it appears that there is no evidence leading to the conclusion that the cargo in question originated from Southern Rhodesia.

"The Permanent Mission of Cyprus wishes further to assure the Secretary-General of the United Nations that the appropriate authorities of the Republic will furnish the Security Council Committee with any additional information that may become available in the course of the investigation."

"Annex I

"Letter dated 12 July 1976 addressed to the Ministry of Communications and Works by the Atlantis Shipping and Commercial Co., Ltd.

"Further to our letter of 6 July 1976 in Greek, dealing with the allegation that our above vessel has carried cargo of Rhodesian origin, we would like to report further as follows:

"1. Regarding the supporting documents you ask us to furnish we beg to enclose you the following:

(a) The vessel's movements during the period January-March 1976 appear from the copy of the deck logbook enclosed herein, as in paragraph C. hereunder.

(b) The chartering of our vessel during the said period is covered by the charter party enclosed herein.

(c) Copy of the vessel's deck logbook, bills of lading and cargo manifest are enclosed herein.

(d) Replying to your request to supply you with any other data at our disposal, we would be allowed to report as follows:

AA. Our vessel was fixed on 23 January 1976 for the account of Messrs Rhein - Maas - U. SEE SCHIFFFAHRTSKONTOR GmbH, of Duisburg (West Germany) a very well known German firm of steel merchants.

BB. Throughout the negotiations carried out over telexes, copies of which are at your disposal - if required - there was never mentioned anything about Rhodesia.

CC. In the charter party enclosed, there was never mentioned again anything about Rhodesia, and we would draw your attention to paragraphs 35 and 36 thereof, where there are mentioned the names of all parties to which the vessel had to report, and where again there is none of them residing in Rhodesia.

DD. In the bills of lading and cargo manifest, copies of which are enclosed herein, as supplied to us by the agent at the loading ports, nothing again is mentioned about Rhodesia.

EE. Further we would be allowed to point out that taking into consideration that:

1. It is not within owners responsibility or obligation to investigate who the manufacturers and/or producers of each cargo might be.

2. The commodity loaded was an absolutely lawful merchandise.

3. Both the charterers - a first class German firm and the receivers in Turkey - an almost state controlled concern in Turkey - are subjects of European countries, members of the United Nations Organization, and therefore fully aware of relative regulations and restrictions on Rhodesian cargoes.

"We cannot see how the owners could ever be suspicious, and to eventually ask for clarification on the origin of the cargo, something which never happens in shipping trade and further in view of the fact that the political attitude of Mozambique - under the new régime - has been such that it could not raise any suspicion about the origin of the cargo.

"Further to the above and without prejudice to our stand point, we would

additionally mention that the Freight earned, has been a most moderate one. absolutely in line with freight market, and consequently it would be illogical - to say the least - even to imagine that the owners would ever take the risk to be involved in such a venture for 'nothing'.

"THEREFORE, we hereby reject absolutely all and any of such accusations, and we repudiate any responsibility to the allegation that the said cargo was of Rhodesian interest and we beg you to forward our above report and enclosed documents to the source which reported to you our vessel."

"Annex II

"Letter dated 19 June 1976 from the Ministry of
Communications and Works, the Office of the
Registrar of Cyprus Ships, Port Department
Headquarters to Customs and Port Authorities,
in Maputo (Mozambique)

"You are kindly requested to furnish me the following information regarding the above vessel, registered at Limassol port, which called at your port in early February 1976 and loaded a consignment of 11,250 tons of steel billets:

"(a) Date of arrival.

"(b) Kind of cargo and quantity loaded at your port.

"(c) Country of origin of cargo and certificate of origin of goods, particularly of steel billets.

"(d) Date of sailing.

"(e) Port and country of final destination of cargo loaded.

2. It could be greatly appreciated if you supply me with above information the earliest possible. And documents evidencing information requested will be most welcome."

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

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

2. For additional information regarding the action taken on the case since the submission of that report, see paragraphs 3-14 of (82) Case No. 236 above. Other information regarding this case is given below.

3. A reply dated 10 January 1977 relating to the present case per se was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the Secretary-General's notes of

8 June, 10 August, 13 September and 24 November 1976 ... and further to his own note of 8 December 1976 ... has the honour to communicate the following:

"The external trade audit conducted at Klöckner and Co., KG, Duisburg, did not produce any indication of a Southern Rhodesian origin of the steel billets in question. Under a contract concluded on 24 November 1972 with Femetco AG of Zug, Switzerland, Klöckner bought from that firm semi-finished steel products originating in the Republic of South Africa.

"The Permanent Representative of the Federal Republic of Germany requests the Secretary-General to transmit this information to the Sanctions Committee."

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

1. By a note dated 26 January 1977 the United Kingdom submitted information concerning a shipment of steel billets on the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further investigation, that a consignment of steel billets shipped to Turkey was of Southern Rhodesian origin.

"The information is to the effect that the vessel Alacrity was at the Port of Durban at the end of June 1976, where she loaded a consignment of approximately 11,000 metric tonnes of Rhodesian steel billets, manufactured in Rhodesia by the Rhodesian Iron and Steel Corporation. The vessel which is owned by Cia de Nav Porto Ronco S.A. Panama, a subsidiary of World Shipping S.A. c/o Compagnie Maritime Commerciale 'COMACO' 20 Boulevard Princesse Charlotte, Monte Carlo, Monaco, left Durban on 1 July 1976 and subsequently put in at the Port of Izmir in Turkey where the consignment was discharged for delivery to three different Turkish purchasers: Yutcu Demir Sanayi Ve Ticaret Koll Sti Gazi Bulvari 57/3, Izmir: Ferro Celik Sanayi Ve Ticaret Koll Sti, Tersane Caddesi, Izsai Han No 25, Karakoy, Istanbul: and Yilmaz Ozdemir Ve Biraderleir Koll Sti, Kizilay Caddesi 44, Karabuk, Zonguldak. The importer in this case was Tuerkiye Is Bankasi A.S. of Istanbul. The information also indicates that arrangements for the sale of the billets were made by a firm in the Federal Republic of Germany, Klockner AG of Duisburg, acting through a Swiss intermediary, Femetco AG of Zug and a South African intermediary, Southern Transvaal Street (Pty) Ltd., of Johannesburg.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to draw the above information to the attention of the Government of Turkey in order to assist them with their enquiries into the possibility that steel billets unloaded at a Turkish port were of Southern Rhodesian origin. The Secretary-General may wish to draw attention to his Notes PO 230 SORH (1-2-1) of 18 September 1969 and 27 July 1971 about documentary proof of origin, and to request the Government of Turkey to indicate which documents have been produced as evidence that the billets are of non-Rhodesian origin.

"The Committee may also wish to ask the Secretary-General to bring the above information to the attention of the Governments of Panama and Monaco to

assist them with their investigations into the possibility that a Panamanian-registered vessel owned by companies operating in their territories carried steel billets of Rhodesian origin to a port in Turkey.

"The Committee may further wish to ask the Secretary-General to bring the above information to the attention of the Governments of the Federal Republic of Germany and of Switzerland to assist them with their investigations into the possibility that companies in their territories were also concerned in the supply of steel billets of Rhodesian origin to importers in Turkey.

"The Committee will also be aware that the Turkish companies and the German and Swiss intermediaries were previously named in connexion with Case No 265."

2. In accordance with the Committee's practice under the no-objection procedure, notes dated 4 February 1977 were sent to the Federal Republic of Germany and Turkey, and 10 February 1977 to Monaco, Panama and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

3. An acknowledgement dated 24 February 1977 was received from the Federal Republic of Germany stating that the contents of the United Kingdom note had been noted and transmitted to the Federal Government and that the Secretary-General would be informed as soon as a reply was received.

4. First reminders were sent to the Federal Republic of Germany on 8 April 1977 and to Monaco, Panama, Turkey and Switzerland on 11 April 1977.

5. A reply dated 19 April 1977 was received from Turkey, the substantive part of which reads as follows:

"The Permanent Representative of Turkey to the United Nations ... with reference to the Secretary-General's note dated 4 February 1977 ... has the honour to communicate the following:

"Investigation was undertaken by the competent Turkish authorities on the basis of the note dated 26 January 1977 addressed to the Security Council Committee by the Government of the United Kingdom and forwarded to us by the Committee. As a result of the time-consuming nature of detailed investigation, it was not possible for the Turkish Government to respond to the Committee's note of 4 February 1977 within the requested period of one month.

"It was established as a result of the investigation that in December 1975 import licences covering a maximum period of 12 months were granted to each of the three Turkish firms in question, that is, Yurtcu Demir Sanayi Kollektif Sirketi, Ferro Celik Sanayi ve Ticaret Limited Sirketi, and Yilmaz Ozdemir ve Biraderleri Sirketi, by the Central Bank of the Republic of Turkey for 7,500 tons of consignment from a firm in the Federal Republic of Germany. In each of these licenses, the Federal Republic of Germany was indicated as the country of origin of the consignment and as recipient of the currency transfer. The transaction was completed in July 1976.

"It may be recalled that in a similar case in which the same firms were mentioned in a similar context, that is Case No. 265, the Turkish competent

authorities had conducted a thorough examination of all the relevant business records of the firms in question and had found no evidence whatsoever that those companies were involved in any commercial transactions in contravention of the relevant resolutions of the Security Council. Comprehensive inquiries with all the government offices in a position to provide useful information had confirmed the finding that the said firms had engaged in legal commercial transactions with Klockner and Co., Duisburg, Federal Republic of Germany.

"In the present case, further re-examination of all the relevant business records of the Turkish firms in question and additional inquiries with all the government offices in a position to assist the investigation have failed to produce any evidence at all indicating a contravention of the relevant resolutions of the Security Council. The competent Turkish authorities have concluded that the above-mentioned Turkish firms have in good faith purchased the steel billets in question from Klockner and Co., of Duisburg, Federal Republic of Germany.

"In transmitting this information, the Permanent Representative of Turkey wishes to repeat once again that Turkey has no political, diplomatic or consular relations with the illegal régime of Southern Rhodesia and has banned all trade and economic relations with it. The Turkish Government has always supported, and is determined to continue to implement, the measures taken by the Security Council vis-à-vis the illegal régime in Southern Rhodesia. These measures, it may be recalled were codified by the Turkish Government by its decree of 18 November 1968, the text of which was communicated to the Secretariat of the United Nations by this Mission's note No: 1519/1019 of 13 December 1968.

"If the Committee has any documentary evidence in connexion with Case No. 284 that would enable the Turkish competent authorities to undertake investigation of a judicial nature, the Government of Turkey would appreciate receiving it. In the absence of documentary proof establishing a contravention of the sanctions established by the Security Council and the above-mentioned decree by the Turkish Government dated 18 November 1968, the Turkish Government regrets not to be able to be of further assistance to the Committee."

6. A note dated 20 April was also received from the Permanent Mission of Panama transmitting the text of an acknowledgement dated 28 February 1977 received from the Ministry of Foreign Affairs of Panama in which it was stated that the matter had been forwarded to the appropriate authorities and that any decision taken would be transmitted in due course.

7. Further to paragraph 4, second reminders were sent to the Federal Republic of Germany, Monaco, Panama and Switzerland on 13 May 1977.

8. A reply dated 23 May 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"An examination of the business records of the firm of Klöckner and Co., Duisburg, has produced no indication that the consignment of 11,000 metric tons of steel billets shipped in July 1976 from Durban to Izmir aboard the vessel Alacrity were of Southern Rhodesian origin."

9. Third reminders were sent to Monaco, Panama and Switzerland on 16 June 1977.
10. In the absence of replies from Monaco and Panama within the prescribed period of two months, the Committee included those Governments in the thirteenth quarterly list, which was issued as a press release on 25 July 1977.
11. A reply dated 1 August 1977 was received from the Permanent Observer of Monaco to the United Nations, the substantive part of which reads as follows:

"I have the honour to transmit to you a letter dated 27 July 1977, which was addressed to me by His Excellency Mr. André Saint-Mleux, Minister of State concerning the Compagnie maritime commerciale (COMACO) and a consignment of steel billets carried by the vessel Alacrity between South Africa and Turkey."

Text of the enclosure

"With reference to the notes sent to you by the United Nations on 10 February and 16 June 1977 concerning an investigation into the origin of a consignment of steel billets transported by sea between South Africa and Turkey, I have the honour to inform you that the Monegasque authorities do not have sufficient information to express an opinion on the accuracy of the facts reported on the subject of the Compagnie maritime commerciale (COMACO).

"Since the vessel in question, Alacrity, is of Panamanian registration and is operated directly by a Panamanian company, the Government of Monaco is not able to deny or confirm the charges.

"I would inform you, however, that the Government of Monaco decided, precisely at the time when these facts were brought to its attention, to dissolve the company in question (COMACO) for other reasons."

12. In the absence of replies from Panama and Switzerland, the Committee again included those Governments in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.
13. In pursuance of the Committee's decision at the 273rd meeting, letters dated 25 November 1977 were sent from the Chairman to the Permanent Representative of Panama to the United Nations and to the Permanent Observer of Switzerland to the United Nations announcing the Chairman's intention of contacting them at the request of the Committee, to discuss this case in connexion with which replies were still pending from their Governments after three reminders.
- (88) Case No. 290. Steel billets - "Penmen": United Kingdom note dated 16 March 1977

1. By a note dated 16 March 1977, the United Kingdom reported information concerning a shipment of steel billets aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further

investigation, that a consignment of steel billets shipped to the Netherlands was of Southern Rhodesian origin.

"The information is to the effect that, in mid-April 1976, the MV Penmen was at the Port of Durban where she loaded 9,000 tons of steel billets manufactured in Rhodesia by the Rhodesian Iron and Steel Corporation (RISCO). The vessel, which is owned by the Société française de transports maritimes, a subsidiary of Compagnie navale Worms, 50 Boulevard Haussman, Paris, France, left Durban on 18 April 1976 and subsequently put in at the Port of Rotterdam in the Netherlands, where the steel billets were unloaded for delivery to Klockner AG, Duisburg, in the Federal Republic of Germany. This information also indicates that the arrangements for the sale of the billets were made by Klockner AG of Duisburg acting through FEMETCO AG of Zug in Switzerland and Southern Transvaal Steel (Pty) of Johannesburg.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to draw the above information to the attention of the Government of the Netherlands in order to assist them with their investigations into the possibility that a cargo of steel billets unloaded at Rotterdam was of Southern Rhodesian origin.

"The Committee may also wish to ask the Secretary-General to draw the above information to the attention of the Governments of the Federal Republic of Germany and Switzerland to assist them with their investigations into the possibility that companies in their territories were concerned in the supply of steel billets of Rhodesian origin to an importer in the Federal Republic of Germany.

"The Committee may further wish to ask the Secretary-General to draw the above information to the attention of the Government of France to assist them with their investigations into the carriage in a French registered vessel of steel billets believed to be of Southern Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 28 March 1977 were sent to France, the Federal Republic of Germany, the Netherlands and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

3. Replies were received from the Federal Republic of Germany and the Netherlands, the substantive part of which reads as follows:

(i) Note dated 19 May 1977 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the /Secretary-General's/ note of 28 March 1977, has the honour to communicate the following:

"The external trade audit conducted in the meantime at the firm of Klöckner and Co., KG, in Duisburg, has not produced any indication that the 9,346 tons of steel billets shipped from Durban to Rotterdam aboard the MV Penmen in mid-April 1976 were of Southern Rhodesian origin. The certificates of origin for the shipment gave South Africa as country of origin.

"The Permanent Representative of the Federal Republic of Germany requests the Secretary-General to transmit this information to the Committee established in pursuance of Security Council resolution 253 (1968) ..."

(ii) Note dated 31 May 1977 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations ... with reference to the /Secretary-General's/ note dated 28 March 1977, has the honour to inform him that the investigation which is currently being conducted by the Netherlands authorities has not yet been terminated. As soon as the results of the investigation will be known, they shall be transmitted to the Secretary-General."

4. First reminders were sent to France and Switzerland on 6 June and second reminders on 7 July 1977.

5. A note dated 11 July 1977 was sent to the Netherlands inquiring whether the investigations were completed and the results could be forwarded to the Committee.

6. A reply dated 18 July 1977 was received from France, the substantive part of which reads as follows:

"The Chargé d'affaires of France to the United Nations ... with reference to the /Secretary-General's/ letter dated 28 March 1977 concerning a note from the Government of the United Kingdom to the Committee on sanctions against Southern Rhodesia, has the honour to transmit the following information.

"The United Kingdom note states that in mid-April 1976 the Penmen, a vessel flying the French flag, sailed from Durban to Rotterdam carrying steel billets suspected of having originated in Southern Rhodesia.

"After a thorough investigation by the French authorities into the affairs of Compagnie navale Worms, it appears that in mid-April 1976 the vessel Penmen did in fact load 9,000 tons of steel billets at Durban for shipment to Rotterdam. However, the owner insisted that he had acted in good faith on the basis of the documents provided and that he was therefore completely unaware of the fact that the goods in question had originated in Rhodesia.

"The French Government nevertheless firmly reminded Compagnie navale Worms of the legal prohibitions established in 1968 with respect to the transport of products originating in Rhodesia.

"It pointed out that the company must take care to establish the authenticity of documents submitted to it."

7. In the absence of a reply from Switzerland within the prescribed time of two months, the Committee included that Government in the thirteenth quarterly list which was issued as a press release on 25 July 1977.

8. Further to S/AC.15/Case No. 290, a third reminder dated 8 August 1977 was sent to Switzerland.

9. A reply dated 31 August 1977 has been received from the Netherlands, the substantive part of which reads as follows:

"The Acting Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform the Secretary-General as follows:

"The investigation conducted by the Netherlands authorities with regard to the unloading in Rotterdam of a consignment of steel billets believed to be of Southern Rhodesian origin has been completed. The investigation shows that the MV Penmen arrived in Rotterdam on 9 May 1976 with a cargo of 9,346,306 kilograms of steel billets. The consignment was subsequently transported in transit to the Federal Republic of Germany. In the Netherlands therefore no declaration of import was made for this consignment. The Netherlands stevedoring and ship-broking firms involved do not possess any documentation or other information indicating an origin other than South Africa."

10. In the absence of a reply from Switzerland, the Committee again included that Government in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

11. In pursuance of the Committee's decision at the 273rd meeting, a note dated 25 November 1977 was sent from the Chairman to the Permanent Observer of Switzerland to the United Nations, announcing the Chairman's intention of contacting him, at the request of the Committee, to discuss this case in connexion with which a reply was still pending after three reminders.

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

1. By a note dated 30 May 1977 the representative of the United Kingdom reported information concerning a shipment of steel billets aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information, of sufficient reliability to merit further investigation, that certain West German and Swiss firms have arranged the sale of Rhodesian steel billets to two Turkish firms.

"The information is to the effect that vessel Johnny B was at Port Elizabeth at the beginning of February 1977 where she took on board a consignment of approximately 10,000 metric tons of steel billets supplied by the Rhodesian Iron and Steel Corporation (RISCO). The Johnny B which is owned by Viaventura Oceanic Annadora SA of Panama, left Port Elizabeth on 16 February and later put in at the Port of Izmir on 26 March, where the shipment was off-loaded for delivery to two Turkish firms. The firms are Yutcu Demir Sanayi Ve Tic Koll Sti of Gazi Bulvari, Izmir and Sozkesen Koll Sti, M Ali Sozkesen Ve Kardesleri, of Denizli.

"The sale was reportedly arranged on behalf of RISCO by Klockner AG of Duisburg, West Germany, through FEMETCO AG of Zug, Switzerland and Inter-Metmin (Pty), Ltd., of Johannesburg.

"The Government of the United Kingdom further suggests that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Governments of the Federal Republic of Germany and Switzerland to help them with their investigations into the possibility that firms in their territories are acting as agents in the export of goods from Southern Rhodesia.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Turkey to help with their investigations into the possibility that Turkish firms have been trading with Southern Rhodesia.

"The Government of the United Kingdom further suggests that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of Panama to help them with their investigations into the possibility that a vessel owned by a firm in their territory carried goods of Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 13 June 1976 were sent to the Federal Republic of Germany, Panama, Switzerland and Turkey, transmitting the United Kingdom note and requesting comments thereon.

3. An acknowledgement dated 20 July 1976 was received from Panama stating that the Secretary-General's note had that day been transmitted to the Ministry of Foreign Affairs of Panama for appropriate action.

4. A reply dated 11 July 1977 was received from Turkey, the substantive part of which reads as follows:

"The Permanent Representative of Turkey to the United Nations ... with reference to the Secretary-General's note dated 13 June 1977 has the honour to inform him that investigations are undertaken by the competent Turkish authorities on the basis of the note dated 30 May 1977 addressed to the Security Council Committee by the Government of the United Kingdom and forwarded to the Permanent Representative of Turkey by the Committee.

"The Permanent Representative of Turkey wishes to inform the Secretary-General that as a result of the time-consuming nature of detailed investigations that are undertaken by the competent Turkish authorities, it may not be possible for the Turkish Government to respond to the above-mentioned note within the requested period of one month.

"In this connexion, the Permanent Representative of Turkey wishes to reiterate that the Turkish Government has always supported, and is determined to continue to implement the measures taken by the Security Council vis-à-vis the illegal régime in Southern Rhodesia. These measures, it may be recalled, were codified by the Turkish Government by its decree of 18 November 1968.

"The Permanent Representative of Turkey requests the Secretary-General to transmit this information to the Security Council Committee."

5. First reminders were sent to the Federal Republic of Germany, Panama and Switzerland on 12 September 1977.

6. A note dated 22 September 1977 was sent to Turkey inquiring whether the investigations by the Turkish authorities had been completed and the results could be communicated to the Committee.

7. A reply dated 10 October 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the /Secretary-General's/ notes of 13 June and 12 September 1977, has the honour to communicate the following:

"An external trade audit carried out at the firm of Klöckner and Co., KG, Duisburg, produced no evidence that the steel billets shipped from Port Elizabeth to Izmir in February and March 1977 aboard the MS Johnny B were of Southern Rhodesian origin.

"The Federal Government reiterates its position as outlined in this Mission's note of 27 May 1977, a copy of which is attached for easy reference. c/ Further measures can be taken only on the basis of evidence solid enough to withstand judicial scrutiny. Should the reporting State be in possession of such evidence it may want to consider making it available to the Federal Government."

8. Second reminders were sent to Panama and Switzerland on 14 October 1977.

9. A reply dated 17 October 1977 was received from Turkey, the substantive part of which reads as follows:

"The Permanent Representative of Turkey to the United Nations ... with reference to /the Secretary-General's/ note dated 22 September 1977, concerning Case No. 295, has the honour to communicate the following:

"The investigation concerning the present case, which was announced in this Mission's note No. 969/228 of 11 July 1977, has now been concluded. As a result of the necessity to examine thoroughly the relevant business records of the firms in question, it was not possible for the Turkish Government to respond to the Committee's inquiries within the requested period of one month.

"The information obtained from the investigation shows that import licences in January 1977, were granted to two Turkish firms in question, that is, Yurtçu Demir Sanayi Kollektif Şirketi and Sözkese Kollektif Şirketi, by the Central Bank of the Republic of Turkey for consignments of steel billets from a firm in the Federal Republic of Germany. In each of the licences, the Federal Republic of Germany was indicated as the country of origin of the consignment and as the recipient of the currency transfer. Detailed examination of all the relevant business records of the Turkish firms in question and extensive inquiries with all the government offices in a position to provide useful information have failed to produce any evidence at all

c/ For text of the note referred to, see (82) Case No. 236, para. 8, above.

indicating a contravention of the relevant resolutions of the Security Council. The competent Turkish authorities have concluded that the above-mentioned Turkish firms have engaged in legal commercial transactions and have in good faith purchased the steel billets in question from Klöckner and Co. of Duisburg, Federal Republic of Germany.

"In transmitting this information, the Permanent Representative of Turkey wishes to reiterate that Turkey has no political, diplomatic or consular relations with the illegal régime of Southern Rhodesia and has banned all trade and economic relations with it. The Turkish Government has always supported, and is determined to continue to implement, the measures taken by the Security Council vis-à-vis the illegal régime in Southern Rhodesia. These measures, it may be recalled, were codified by the Turkish Government by its decree of 18 November 1968, the text of which was communicated to the Secretariat of the United Nations by this Mission's note No. 1510/1019 of 13 December 1968.

"If the Committee has any documentary evidence in connexion with Case No. 295 that would enable the Turkish competent authorities to undertake investigation of a judicial nature, the Government of Turkey would appreciate receiving it. In the absence of documentary proof establishing a contravention of the sanctions established by the Security Council and the above-mentioned decree by the Turkish Government dated 18 November 1968, the Turkish Government regrets not to be able to be of further assistance to the Committee.

"The Permanent Representative of Turkey requests the Secretary-General to transmit this information to the Security Council Committee ..."

10. In the absence of replies from Panama and Switzerland within the prescribed period of two months, the Committee included those Governments in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

11. Third reminders were sent to Panama and Switzerland on 28 November 1977.

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

1. By a note dated 14 July 1977 the United Kingdom submitted information concerning a shipment of steel billets aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that an Ivory Coast firm imported steel billets of Rhodesian origin.

"The information is to the effect that the vessel Agios Nicolaos was at Durban at the end of March 1977 where she took on board a consignment of approximately 1,500 tons of steel billets supplied by the Rhodesian Iron and Steel Corporation (RISCO). The Agios Nicolaos, which is owned by Trinity Shipping Co. Ltd. of Piraeus, left Durban on 31 March and later put in at the port of Abidjan on 4 May, where the shipment was off-loaded for delivery to Industrie Metallurgique de la Cote d'Ivoire, PO Box 20920, Abidjan.

"The sale was arranged on behalf of RISCO by Klockner AG of Duisburg through Femetco AG of Zug and Inter Metmin (Pty) Ltd. of Johannesburg.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of the Ivory Coast to help them with their investigations into the possibility that a company in their territory imported goods of Southern Rhodesian origin.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Governments of the Federal Republic of Germany and Switzerland to help them with their investigations into the possibility that firms in their territories acted as agents in the export of goods from Southern Rhodesia.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of Greece to help them with their investigations into the possibility that a vessel owned or registered by a company in their territory carried goods of Southern Rhodesian origin."

2. In accordance with the Committee's practice under the no-objection procedure, notes dated 22 July 1977 were sent to Greece, the Ivory Coast, the Federal Republic of Germany and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

3. First reminders were sent to Greece, the Ivory Coast, the Federal Republic of Germany and Switzerland on 23 September 1977.

4. A reply dated 29 September 1977 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations, referring to the Secretary-General's note dated 22 July 1977, has the honour to inform him that the Greek competent Ministries have already undertaken investigations concerning the case in question. Since these investigations are continuing, the Greek Government is not yet in a position to advise the Security Council Committee established in pursuance of resolution 253 (1968) of their outcome, but it will provide the Committee with a substantive reply, as soon as possible.

"In view of the above the Greek Government would very much appreciate if the Committee allowed for more time than indicated in the above-mentioned note, so that the inquiries under way could be accomplished."

5. A reply dated 18 October 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

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

"As in previous cases of a similar nature, an external trade audit conducted at the firm of Klöckner and Co., Duisburg, produced no evidence

that the steel billets shipped from Durban to Abidjan in the spring of 1977 aboard the vessel Agios Nicolaos were of Southern Rhodesian origin.

"The Permanent Representative of the Federal Republic of Germany would appreciate it if this note could be read in conjunction with his notes of 10 October and 27 May 1977 concerning Case Nos. 236, 239, 246, 265, 266 and 295."

6. A further reply of the same date, enclosing documentary evidence, was also received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... further to note Sub No. 6152.61/AS 2411 dated 29 September 1977, has the honour to enclose herewith copy of the pertinent uniform time-charter of the vessel Agios Nicolaos wherein it is expressly stipulated the obligation of the charterers of the ship not to effect any shipment whatsoever of products of South Rhodesian origin.

"The Permanent Representative of Greece expresses the belief that the Security Council Committee established in pursuance of resolution 253 (1968) will consider, in a conclusive way, the outcome of the investigations carried out by the Greek competent authorities."

7. The documentary evidence enclosed with the note consisted of a Uniform Time-Charter agreement concluded on 17 January 1977 between Pankada Shipping Co., SA, of Panama, owners of the Greek-registered vessel Agios Nicolaos, and New Frontier Shipping of Panama, charterers of the vessel. Clause No. 2 of the agreement included the following stipulation:

"The vessel to be employed in lawful trades for the carriage of lawful merchandises only ... No Rhodesian cargoes, logs, asphalt in bulk, ... to be shipped."

8. In the absence of replies from the Ivory Coast and Switzerland within the prescribed period of two months, the Committee included those Governments in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

9. Second reminders were sent to the Ivory Coast and Switzerland on 26 October 1977.

10. A note dated 18 November 1977 was sent to Panama, under the no-objection procedure, the substantive part of which is reproduced below.

"Recently, the Committee received information concerning a shipment of steel billets, suspected to be of Southern Rhodesian origin, aboard the vessel Agios Nicolaos, given as being of Greek registration. That information was contained in a note from the United Kingdom Government dated 14 July 1977, a copy of which is herewith attached for ease of reference.

"The Committee has now received an information from Greece indicating that the shipment of steel billets in question was carried aboard the vessel Agios Nicolaos while that vessel was under charter by the New Frontier Shipping of Panama, from the Pankada Shipping Co. SA, the owners of the vessel, also

of Panama. The charter agreement transmitted by Greece, included a clause prohibiting the shipment of cargoes from Southern Rhodesia, among other things.

"The Committee felt that the above information should be transmitted to His Excellency's Government, with a request for investigations to be undertaken by the appropriate Panamanian authorities so as to assist the Committee in determining the actual origin of the shipment of steel billets in question. The Committee expressed the hope that in carrying out their tasks the investigating authorities would take into account the proper documentation recommended in the Secretary-General's notes to all States dated 2 September 1969 and 17 June 1971.

"The Committee also expressed the hope that it might receive a reply from His Excellency's Government at the earliest convenience, if possible within a month."

11. Third reminders were sent to the Ivory Coast and Switzerland on 8 December 1977.

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

1. By a note dated 11 November 1977 the United Kingdom reported information concerning shipment of steel billets on the above-mentioned vessels. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Lebanese firm has imported steel billets of Rhodesian origin.

"The information is as follows:

- a. the vessel Markos was at Durban in March 1977 where she took on board a consignment of approximately 5,000 tonnes of steel billets. The Markos, which is owned by Marcovista Shipping Corp SA of Panama, and registered in Greece, left Durban on 20 March and subsequently put in at the Lebanese port of Tripoli where the consignment was off-loaded;
- b. the vessel Fulstar was in Durban in mid-April 1977 where she took on board a consignment of approximately 5,000 tonnes of Rhodesian steel billets. The Fulstar, owned by Fulstar Cis Nav SA Panama, a subsidiary of Fulship Greek Maritime Co SA of Athens, left Durban on 19 April and subsequently put into Tripoli where the consignment was off-loaded;
- c. the vessel Pytheas was in Durban in late April 1977 where she took on board a consignment of approximately 5,000 tonnes of Rhodesian steel billets. The Pytheas, which is also owned by Fulship Greek Maritime Co SA of Athens, sailed from Durban on 23 April and subsequently put in at Tripoli where the consignment was off-loaded.

"The three consignments were supplied by the Rhodesian Iron and Steel Company (RISCO) and were delivered to Consolidated Steel of Lebanon. The sale

was arranged on behalf of RISCO by Klockner AG of Duisburg, Femetco AG of Zug and Inter-Metmin (Pty) Ltd of Johannesburg.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Lebanon in order to assist them with their investigations into the possibility that a Lebanese firm has imported goods of Southern Rhodesian origin.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Greece to assist them with their investigations into the possibility that vessels registered by companies in their territory may have carried goods of Southern Rhodesian origin.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of the Federal Republic of Germany and Switzerland to assist them with their investigations into the possibility that companies in their territories arranged the sale of Rhodesian goods."

2. In accordance with the Committee's standard practice under the no-objection procedure, notes dated 5 December 1977 were sent to the Federal Republic of Germany, Greece, Lebanon and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

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

1. By a note dated 17 November 1977 the United Kingdom reported information concerning a shipment of steel billets on the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that five Turkish firms have imported steel billets of Rhodesian origin.

"The information is as follows. The vessel Aghios Gerassimos was at Port Elizabeth in February 1977 where she took on board a consignment of approximately 13,000 tonnes of steel billets. The Aghios Gerassimos, which is owned by the Endeavour Shipping Company of Piraeus, Greece, left Port Elizabeth on 25 February and subsequently put in at Yarinca where a consignment was off-loaded for delivery to two customers:

- a. Demir Topuz Sanayi Ve Ticaret A S, Karabuk, and
- b. Topuz Torcelik Sanayi Ve Ticaret A S, Karakoy, Aksu Han Kat 3, Istanbul.

The vessel proceeded to Istanbul where a further three consignments were off-loaded for delivery to:

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

1. By a note dated 23 November 1977 the United Kingdom reported information concerning shipments of steel billets aboard the above-mentioned vessels. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that West German firms have imported steel billets of Southern Rhodesian origin.

"The information is as follows:

- a. a consignment of approximately 6,000 tonnes of steel billets supplied by the Rhodesian Iron and Steel Corporation (RISCO) was shipped from Durban to Rotterdam aboard the MV Tini P. The Tini P., which is registered in Cyprus, left South Africa in the middle of June 1976 and arrived in Rotterdam on 10 September 1976 where the consignment was off-loaded for delivery to a customer in Troisdorf in the Federal Republic of Germany. This transaction was arranged through Femetco AG of Zug and Inter-Metmin Ltd of Johannesburg. The shipping agents were Nobek of Rotterdam;
- b. a consignment of approximately 9,000 tonnes of steel billets supplied by RISCO was shipped from Durban to Antwerp aboard the MV Charalambos N Pateras. The vessel which is owned by Acme Shipping Corporation of Panama, a subsidiary of Lyras Bros. Ltd of London, and registered in Piraeus, left Durban on 24 December 1976 and subsequently put in at Antwerp on 23 January 1977 where the consignment was off-loaded for delivery to a customer in Troisdorf. This transaction was arranged through Femetco AG of Zug, Klockner AG of Duisburg and Inter-Metmin Ltd of Johannesburg.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of the Federal Republic of Germany, the Netherlands, Belgium and Switzerland to help them with their investigations into the possibility that companies in their territories arranged the import of goods from Southern Rhodesia. It is further suggested that those companies arranging the import of the steel billets be asked for the names and addresses of the end-users in Troisdorf.

"The Government of the United Kingdom further suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Cyprus and Greece to help with their investigations into the possibility that vessels registered in their territories carried goods of Southern Rhodesian origin."

2. In accordance with the Committee's standard practice under the no-objection procedure, notes dated 5 December 1977 were sent to Belgium, Cyprus, the Federal Republic of Germany, Greece, the Netherlands and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

Graphite

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

See annex IV.

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

See annex IV.

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

See annex IV.

B. MINERAL FUELS

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

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

C. TOBACCO

- (98) Case No. 4. Tobacco - "Mokaria": United Kingdom note dated 24 January 1969

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

2. For additional information concerning the action taken on the case since the submission of that report, see paragraphs 2-4 of (1) Case No. 1, above.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(108) Case No. 149. Tobacco - "Straat Holland": United Kingdom note dated 19 July 1973

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

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

3. The case was considered at the 4th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(109) Case No. 156. Tobacco - "Hellenic Glory": United Kingdom note dated 4 October 1973

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

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

3. In the absence of a reply from Zambia the Committee again included that Government in the twelfth and thirteenth quarterly lists, which were issued as press releases on 14 April and 25 July 1977.

4. In the absence of the reply from Zambia promised by that Government in the acknowledgement dated 17 August 1976 (see the ninth report, S/12265, vol. II, annex II, (90) Case No. 156, para. 5), the Chairman renewed his request for a personal meeting with the Permanent Representative of Zambia to the United Nations to discuss this and the other cases concerning Zambia.

5. On 26 July 1977, the Acting Chairman met with the Permanent Representative of Zambia and discussed with her the cases in question. An account of the meeting is contained in the Chairman's report reproduced in annex I to the present report.

6. Subsequently, the Permanent Representative of Zambia was invited to appear before the Committee at its 296th meeting on 28 July 1977, at which she made a general statement covering the cases involving Zambia, including the present case. The text of that statement, as summarized in the Committee's records, is reproduced in paragraph 20 of (254) Case No. 154, below.

(110) Case No. 157. Tobacco - "Oranjeland": United Kingdom note dated 9 October 1973

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

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

3. The case was considered at the 4th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

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

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

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

3. Verbal acknowledgement of the Secretary-General's note of 13 December 1976 was communicated to the Secretariat by the representative of the United Kingdom on 11 February 1977, indicating that the matter had been forwarded to the appropriate authorities and was receiving due attention.

4. A first reminder was sent to Malawi on 17 February 1977.

5. Further to paragraph 3 above, a note dated 6 April 1977 was received from the United Kingdom, the substantive part of which reads as follows:

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations ... has the honour to refer to the Secretary-General's note of 13 December 1976, relating to Case No. 196 concerning information received by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

"The United Kingdom authorities are still attempting to trace the documents referred to in the Secretary-General's note but the task is not proving easy in view of the closure of the United Kingdom Beira Consulate in January 1976. A further reply will be submitted for the information of the Committee as soon as possible.

6. In the absence of a reply from Malawi within the prescribed period of two months, the Committee included that Government and again South Africa in the twelfth quarterly list issued as a press release on 14 April 1977.

7. A second reminder was sent to Malawi on 15 April 1977.

8. A note dated 26 April 1977 was received from Malawi, the substantive part of which reads as follows:

"The Permanent Mission of the Republic of Malawi wishes to advise that the matter is still under active investigation and would like to request that it be given more time in order to finalise it to a satisfactory conclusion."

9. At the 291st meeting on 2 June 1977 the representative of the United Kingdom made a statement concerning the case, in which he referred to his delegation's note of 6 April 1977, explaining that, because of the circumstances under which the British Consulate at Beira had been closed in January 1976, most of the documents relating to Case No. 196 had been destroyed. However, on a recent visit to Maputo, he had been able to obtain a number of documents which should clarify the situation and allow the Committee to take further action. He was able to inform the Committee that the British Consulate in Beira had issued no certificates of origin for the Mozambique portion of the cargo of the MV Swellendam, but had issued certificates of origin on the basis of certificates previously issued by the tobacco authorities of Malawi and Zambia. A portion of the cargo had been consigned by a company known as Africa Shipping, the headquarters of which were in Johannesburg. The Beira agency of that company had closed immediately prior to Mozambique's accession to independence.

10. The documents submitted by the representative of the United Kingdom consisted of two copies of certificates of origin, certified by the British Consulate in Beira in respect of a total of 671 bales, weighing 68,488 kg of Malawi sun-cured, unmanufactured tobacco leaf of the 1973 and 1974 crops, shipped aboard the MV Swellendam to Rotterdam, as well as a certificate issued by the Chamber of Commerce of Beira, stating that waybills (rail notes) had been produced certifying that unmanufactured tobacco shipped on the MV Swellendam to Rotterdam in 74 cases was of Mozambican origin.

11. At the 292nd meeting on 9 June 1977, the representative of the United Kingdom made a further statement concerning the case in which he informed the Committee that, with regard to the Swellendam case, his Government's inquiries were incomplete as the papers of the British Consulate at Beira had been destroyed when that office had been closed. The cargo in question had consisted of four separate consignments one of which represented the balance of a previous shipment and was so small that it was difficult to follow up. With regard to the two consignments from Malawi, it was reasonable to assume that certificates of origin had been issued by the British Consulate at Beira. That left the consignment shipped under bill of lading 13, consisting of 74 cases claimed to be of

Mozambican tobacco consigned to Africa Shipping, a South African company with headquarters at P.O. Box 3634, Johannesburg, and with offices in Lourenço Marques (subsequently closed), Salisbury and elsewhere. According to his information, the former manager of the Mozambique office had gone to Brazil.

12. At the same meeting it was decided that a note should be sent to the Netherlands inquiring whether final judgement had been given by the Appeals Court of Amsterdam in the Streefkerk case and also seeking information as to the identity of the Swiss importer involved. With regard to the Swellendam case, it was decided to request the Netherlands authorities to concentrate on the consignment consisting of the 74 cases and to ascertain whether they had seen a certificate of origin, other than one issued by the Mozambique authorities relating to those cases.

13. A reply dated 30 June 1977 was received from Malawi, the substantive part of which reads as follows:

"The Permanent Representative of the Republic of Malawi wishes to advise that tobacco is Malawi's largest export. After looking through tobacco export records, appropriate Malawi tobacco control authorities have informed me that in August 1974 between 6 August and 28 August, 13 certificates of origin were issued for Malawi tobacco consigned to the Netherlands, 15 certificates of origin were issued for Malawi tobacco consigned for the period between 3 and 23 September, and then, in October 1974, 16 certificates of origin were issued for Malawi tobacco consigned for the period 8 and 30 October, also to the Netherlands.

"The Permanent Representative of the Republic of Malawi wishes to advise that the foregoing shows that the information contained in note PO 230 SORH (1-2-1) Case No. 196 of 13 December 1976, concerning Malawi was not clear enough to make investigations conclusive."

14. Further to paragraph 4 above, the proposed note was sent to the Netherlands on 3 August 1977.

15. A further note dated 15 August 1977 was sent to Malawi requesting the authorities to amplify the information already given, in particular to indicate the exact quantities of Malawian tobacco in respect of which certificates of origin had been issued by the Malawi tobacco control authorities for shipment to the Netherlands and, in so far as it was possible to ascertain, the names of the vessels used and the approximate dates from the port(s) of loading.

16. A reply dated 3 October 1977 was received from the Netherlands, the substantive part of which reads as follows:

"As was already communicated, the case of the MV Streefkerk had been referred to the Amsterdam Court of Appeals after the Supreme Court of the Netherlands had annulled the judgement of the Court of Appeals of the Hague. The Amsterdam Court of Appeals acquitted the accused firm and ordered to have the impounded shipment of tobacco returned to the Swiss importer. The Amsterdam Court of Appeals decided in favour of acquittal because in its view it had not been established that the tobacco in question was of Southern Rhodesian origin.

"In the case of the MV Swellendam, the Permanent Representative of the Netherlands wishes to draw attention to the fact that the Netherlands authorities were not in a position to inspect any other documents apart from the documents mentioned in his note no. 5870 of 29 September 1976.

"The Netherlands Government wishes to emphasize once again that its authorities are doing everything in their power to ensure a strict implementation of the sanctions against Southern Rhodesia.

"In view of the large volume of frontier traffic of the Netherlands, it is not always feasible to make a further investigation in cases in which the competent authorities have already come to the conclusion that the goods in question are not of Southern Rhodesian origin."

17. A first reminder was sent to Malawi on 19 October 1977.

18. A further note dated 18 November 1977 was sent to the Netherlands requesting the Government to supply the name and address of the consignee to whom the impounded shipment of tobacco in question was ordered released by the Appeals Court of The Hague.

(112) Case No. 202. Tobacco - "M. Drammensfjord": United Kingdom note dated 6 March 1975

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

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

3. Further to paragraph 4 of (93) Case No. 202 in annex II to the ninth report, the proposed note was sent to Norway on 29 December 1976.

4. A reply dated 14 February 1977 was received from Norway, the substantive part of which reads as follows:

"The Permanent Representative of Norway to the United Nations ... has the honour to refer to /the Secretary-General's/ note of 29 December 1976 requesting possible supplementary documentary evidence supporting the non-Southern Rhodesian origin of some consignments of a cargo of tobacco aboard the Norwegian vessel MV Drammensfjord.

"The Norwegian Government has noted that the Committee has accepted the evidence of the non-Southern Rhodesian origin of the 292, 560 and 81 cases of Malawi tobacco. Origin of the 400 cases of Mozambique tobacco was supported by Servico de Exportacao issued 9 October 1974 by Direccao Provincial dos Servicos de Comercio of Mozambique, while the origin of the 59, 46, 80 and 18 cases of Malawi tobacco was substantiated only by manifests of cargo of 25 October 1974.

"Owing to the events that have taken place in Mozambique since 1974 and the time that has elapsed, it is not possible to obtain further documentary evidence of the origin of the tobacco carried by the MV Drammensfjord in 1974.

"The owners of the MV Drammensfjord have, however, reaffirmed the consistent policy of the company not to carry on their vessels cargo of Southern Rhodesian origin.

"The Government of Norway hopes this information will facilitate the Committee's further consideration of this matter."

5. The case was considered at the 2nd meeting of the Working Group, at which it was decided to recommend to the Committee that a further note should be sent to Norway requesting further investigations by the authorities there in order to determine whether the shipper or importer held any documentation which might establish the true origin of the remaining part of the cargo.

6. Pursuant to the recommendation of the Working Group, and in accordance with the Committee's no-objection procedure, the proposed note was sent to Norway on 11 August 1977.

7. A reply dated 8 September 1977 was received from Norway, the substantive part of which reads as follows:

"The Acting Permanent Representative of Norway ... has the honour to refer to the /the Secretary-General's/ note of 11 August 1977, asking the Norwegian Government to investigate further whether any additional documentation would be available which might establish the true origin of some consignments of a cargo of tobacco aboard the Norwegian vessel MV Drammensfjord.

"After having reexamined the various sources of information pertaining to the above-mentioned case upon the request contained in the Secretary-General's above-mentioned note, the Norwegian Government wishes to repeat its readiness to co-operate fully with the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia while at the same time take all necessary steps to facilitate the work of the Committee. However, as there is no additional information available to the Norwegian Government of the kind requested by the Secretary-General in his note of 11 August 1977, the Government will reiterate what was said in its note of 14 February 1977:

"Due to the events that have taken place in Mozambique since 1974 and the time that has elapsed, it is not possible to obtain further documentary evidence of the origin of the tobacco carried by MV Drammensfjord in 1974. The owners of MV Drammensfjord have, however, reaffirmed the consistent policy of the company not to carry on their vessels cargo of Southern Rhodesian origin."

8. The case was considered at the 5th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.

9. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(113) Case No. 207. Imports of tobacco by Belgian firm: United Kingdom note dated 3 July 1975

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. At the 285th meeting on 10 February 1977, the representative of the United Kingdom made a statement on the matter, the text of which is reproduced below:

"In response to the request from the Government of Belgium, circulated as Case No. 207 of 26 February 1976, the United Kingdom authorities have now compiled the list of suspected cases of importation of tobacco from Southern Rhodesia by G. van Onacker en Zoon of Geraardsbergen, as promised by my delegation at the 271st meeting of this Committee on 3 June 1976.

"My Government considers that the information which I am about to put before the Committee is of sufficient reliability to merit exhaustive further investigation by the Belgian Government. At the same time, it regrets that the information is less complete than it would wish, particularly with regard to the purchasers and final destinations of the consignments concerned. For this reason, it does not consider that the submission of individual notes would be appropriate.

"According to my Government's information, van Onacker en Zoon has arranged the following transactions between African Leaf Tobacco of Rhodesia, Ltd., and various unidentified third parties:

"(a) In June 1975 a shipment of Rhodesian tobacco was loaded at Durban on to the MV Vega which subsequently put in at Barcelona on 18 July. The Vega is owned by Silvamar, SA, Panama, which is a subsidiary of Compagnia Marittima Italiana, SRL, of Genoa.

"(b) On 27 October 1975, the vessel Hellenic Glory left Beira bound for Greece with Rhodesian tobacco on board. Hellenic Glory is owned by Transpacific Carriers Corp. of Panama, a subsidiary of Callimanospoulos, PG, of Piraeus.

"(c) On 17 December 1975, the vessel Hellenic Patriot left Beira with a consignment of Rhodesian tobacco bound for Egypt. Hellenic Patriot is owned by Hellenic Lines, Ltd., of Piraeus, another subsidiary of Callimanopoulos, PG.

"(d) On 24 February 1976, the vessel Hellenic Ideal left Durban with a consignment of Rhodesian tobacco and called in at New York on 19 March. Hellenic Ideal is also owned by Hellenic Lines, Ltd.

"(e) On 30 March 1976 the SS Mikhail Kedrov left Beira with a shipment of Rhodesian tobacco and put in at Iskenderum on 20 April. The Mikhail Kedrov is part of the USSR merchant fleet.

4. Further to paragraph 4 of (95) Case No. 262 in annex II to the ninth report, the Committee again included Portugal in the twelfth, thirteenth and fourteenth quarterly lists which were issued as press releases on 14 April, 25 July and 21 October 1977.

5. Further to paragraph 3 above a similar letter dated 25 November 1977 was sent by the Chairman to the Permanent Representative of Portugal to the United Nations in connexion with a number of cases, including the present one, concerning which replies were still pending after three reminders. At the time of preparation of the present report the proposed meeting had not yet taken place.

(115) Case No. 281. Trade in tobacco from Southern Rhodesia via Switzerland:
United Kingdom note dated 1 September 1976

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

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

3. Further to paragraphs 3 and 4 of (96) Case No. 281 in the ninth report, the matter was considered at the 284th meeting on 21 December 1976, at which the Committee adopted the text of the proposed transmittal note and decided that the United Kingdom note, as amended, should be dispatched immediately to the appropriate Governments mentioned therein. It was also decided that the last paragraph of the original United Kingdom note should be appropriately modified for transmission to all the other Member States.

4. Accordingly, the United Kingdom note, as amended, was transmitted to Bulgaria, Czechoslovakia, the German Democratic Republic and Switzerland on 22 December 1976 and the same note, as modified under the no-objection procedure, was sent to all Member States, except Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and the USSR, on 21 January 1977.

5. Replies were received from Czechoslovakia and the German Democratic Republic to the Secretary-General's earlier note of 22 December 1976, and from Zaire, Canada and Austria to the Secretary-General's note dated 21 January 1977. The substantive parts of those replies read as follows:

(i) Note dated 21 January 1977 from Czechoslovakia

"The Permanent Representative of the Czechoslovak Socialist Republic to the United Nations ... with reference to the Secretary-General's note dated 22 December 1976, with the United Kingdom's annexed note dated 1 September 1976 addressed to the Security Council Committee ... has the honour to advise the following:

"The Czechoslovak Socialist Republic does not recognize the illegal régime in Southern Rhodesia, does not maintain any diplomatic, or any other relations with it and consistently implements all provisions of Security Council resolution 253 (1968).

"The investigations, undertaken by the competent Czechoslovak authorities with regard to the information contained in the annex of the above-mentioned note have evidenced that no Czechoslovak trade organization

has any trade with the Michelle Enterprises (PVT), Ltd., of Salisbury, a Rhodesian trading agency controlled by Mr. Brian Comrie.

"The competent Czechoslovak authorities have also ascertained that no Czechoslovak trade organization has any trade conducted via three Swiss companies - Comaisa, SA, Tobatrade, SA, and Centrex, SA - to or from Southern Rhodesia.

"The Government of the Czechoslovak Socialist Republic takes this opportunity to express once again its full support to all measures taken by the United Nations with a view to assist the ending of the existence of the illegal régime in Southern Rhodesia."

(ii) Note dated 25 January 1977 from Zaire

"The Permanent Mission of the Republic of Zaire to the United Nations ... has the honour to inform him [the Secretary-General] that the contents of his note have been communicated to the competent Zairian authorities so that appropriate steps may be taken to prevent any dealings between Zaire and the Swiss companies concerned."

(iii) Note dated 28 January 1977 from Canada

"The Permanent Representative of Canada to the United Nations ... has the honour to refer to the Secretary-General's letter ... concerning trade in tobacco from Southern Rhodesia by a number of countries through the co-ordination of three Swiss companies.

"The Permanent Representative of Canada wishes to advise the Secretary-General that the information contained in that note is being drawn to the attention of the appropriate Canadian authorities for appropriate action."

(iv) Note dated 1 February 1977 from the German Democratic Republic

"The competent authorities of the German Democratic Republic have conscientiously examined the above-mentioned note and ascertained that the allegations set out in the United Kingdom's note of 1 September 1976 about a violation of Security Council resolution 253 (1968) by foreign trade enterprises of the German Democratic Republic are not consistent with facts. Investigations have clearly established that no foreign trade enterprise of the German Democratic Republic has maintained business relations with the Southern Rhodesian trading agency mentioned in the United Kingdom's note or conducted any foreign trading operations in goods mentioned in the note through the three Swiss companies named.

"In 1965 the foreign trade enterprises of the German Democratic Republic were instructed to stop all trading with Southern Rhodesia. This prohibition of trade is consistent with Security Council resolution 253 (1968) and is strictly observed.

"The Government of the German Democratic Republic reaffirms the irrevocable principle of its policy to support, with all means at its command, the just struggle of the oppressed peoples against colonialism,

neo-colonialism, racism and the policy of apartheid, and it consistently advocates the implementation of the right of the people of Zimbabwe to self-determination.

"The Government of the German Democratic Republic assures unrestricted observance of the provisions of Security Council resolutions 253 (1968) and 277 (1970) by all natural persons and corporate bodies under the German Democratic Republic's jurisdiction."

(v) Note dated 10 February 1977 from Austria

"The Permanent Representative of Austria to the United Nations ... has the honour to inform him /the Secretary-General/ that the information contained therein has been brought to the attention of the competent Austrian authorities and organizations, i.e., the Federal Ministry for Trade, Commerce and Industry, the Federal Ministry for Finance (including the Austrian Tobacco Company) and the Federal Economic Chamber."

6. A letter dated 17 February 1977 addressed to the Secretary-General of the United Nations by Centrex, SA, d/ Geneva, Switzerland, has been forwarded for circulation to members of the Committee, in accordance with the request contained therein. Accordingly, the substantive parts of the letter and of its attachment, reproduced below, are herein transmitted to the Committee.

Letter from Centrex SA addressed to the Secretary-General
of the United Nations

"We should be grateful if you would transmit to the members of the Security Council, and more especially to the members of the Rhodesian sanctions committee, a copy of our denial of 16 February addressed to the Herald Tribune.

"We should also be obliged if you would transmit a copy of the above-mentioned letter to your various press services to be distributed to the correspondents accredited to your distinguished Organization."

Attachment

Letter dated 16 February 1977 from Centrex, SA, addressed to
the Editor-in-chief, International Herald Tribune, SA, Paris,
France

"In an article headed 'UK Cites Soviet - Rhodesia Trade' with as the byline United Nations N.Y. - Feb. 10th (WP), which appeared in your issue of 11 February 1977, you made certain accusations in which our company was named amongst others.

d/ One of the three Swiss companies named in the United Kingdom note to the Committee dated 1 September 1976 (see the ninth report, vol. II, annex II, (96) Case No. 281, para. 1) as reportedly channelling trade in Southern Rhodesian tobacco with third countries. The note was subsequently the subject of notes from the Secretary-General, at the request of the Committee, to the countries primarily concerned, including Switzerland, and to all the other Member States of the United Nations. At the time of receipt of the letter from Centrex, SA, a reply is still awaited from Switzerland.

"You stated that our company had been specifically set up as a cover for trading operations between Rhodesia and countries of the Soviet bloc.

"These operations were stated to have been concerned with the exportation of tobacco and other agricultural commodities from Rhodesia and in turn the importation into Rhodesia of chemicals, metals and agricultural requirements from Eastern Europe.

"We hereby make this our formal and absolutely categorical denial to the charges that are made against us in the above-mentioned article.

"(1) CENTREX was not set up specifically for the purposes mentioned in your article neither did it take part even occasionally in such operations.

"(2) CENTREX, whose founders and owners from the very start of its activities are neither Rhodesians or citizens of the Soviet bloc. Its foundation goes back to 1962 and its establishment in Geneva to 1968.

"(3) CENTREX has never made, participated in, or acted as a cover in any transaction between Rhodesia and any country of the Soviet bloc.

"(4) CENTREX has never purchased tobacco or any agricultural product from Rhodesia neither has it participated in any way in any transaction with Rhodesia linked to such products.

CENTREX has no knowledge whatever of any manufacture of cigarettes utilising Rhodesian tobacco and purporting to have been sold in the Soviet bloc as manufactured in the United States or Britain.

"(5) CENTREX has never conducted any trade for Eastern Europe to Rhodesia and specifically in chemicals, metals and agricultural requirements.

"(6) CENTREX, before your article was published, had never heard of any of the companies or organizations mentioned in it and consequently could never have had any relationship with them.

"Following this, your charges and those of the sources mentioned in your article are without any doubt incorrect, not based on facts and are of a nature to cause a serious damage to CENTREX, as these allegations create a doubt that it might be acting reprehensibly. Based on which we ask you to publish the present denial in the next issue of your honourable newspaper.

"We would appreciate, too, if you would mention that your article of 11 February came from information that you could not check and that has been shown to be incorrect.

"If you give satisfaction to both our above-mentioned requirements, we will consider the subject closed. However, if you do not comply with our request we will find ourselves compelled to take appropriate legal action."

7. An acknowledgement was sent to CENTREX SA on behalf of the Secretary-General on 3 March 1977.

8. A reply dated 3 March 1977, pertaining also to Case Nos. 286 and 287, was received from Bulgaria, the substantive part of which reads as follows:

"The Permanent Representative of the People's Republic of Bulgaria to the United Nations ... in connexion with the latter's /the Secretary-General/ notes dated 22 December 1976 (Case No. 281); 25 February 1977 (Case No. 286) and the attached notes R 122/1 of 1 September 1976, R 122/24 of 15 December 1976 and R 122/32 of 12 January 1977 of the Permanent Mission of the United Kingdom to the United Nations, has the honour to state the following:

"According to the contents of these notes, the Government of the United Kingdom have received information to the effect that Michelle Enterprises (PVT), Ltd., Triesenburg, Liechtenstein, acting on behalf of the Rhodesian Tobacco Company, Tradimpex, have been negotiating with the Bulgarian State Tobacco Monopoly (Bulgartabac) to supply tobacco to Bulgaria. The information further suggests that representatives of the Swiss-based company Intabex have actually visited Sofia to hold discussions with officials of the above-mentioned Bulgarian agency.

"The content of the United Nations notes was brought to the attention of the competent authorities of the People's Republic of Bulgaria for an appropriate investigation. Consequently, the Permanent Representative of this Mission has been instructed to inform the Secretary-General of the United Nations that the Bulgarian authorities have found the information contained in the above-mentioned notes of the United Kingdom to be totally incorrect and without any foundation.

"Here again, the Permanent Representative of Bulgaria, astonished by these notes of the United Kingdom, should like to reject most categorically the allegations that Bulgarian foreign trade enterprises have conducted business transactions with Michelle Enterprises of Salisbury, and also that they have been negotiating with FA Intabex, SA, Geneva and Tobmark, Ltd., Triesenburg, Liechtenstein. This is a flagrant distortion of facts. The untenability of these allegations is evidenced by the inquiries undertaken by the competent Bulgarian authorities.

"The Permanent Representative of the People's Republic of Bulgaria should like also, to stress most emphatically that all trading and other organizations in the People's Republic of Bulgaria strictly pursue in practice the policy of the Government, as has always been the case, of complying with the sanctions imposed by the Security Council upon the illegal racist minority régime in Southern Rhodesia. The People's Republic of Bulgaria, faithful to its policy of unreserved support and assistance to the national liberation struggle of colonial peoples, and of the people of Zimbabwe in particular, has never had any dealings of any nature whatever with the illegal racist minority régime in Southern Rhodesia. These accusations levelled against Bulgaria represent an attempt to divert the attention from the real perpetrators of the breach of the Security Council decisions with regard to Southern Rhodesia.

"The Permanent Representative of the People's Republic of Bulgaria to the United Nations avails himself of this opportunity to request the Secretary-General of the United Nations to convey the contents of this note to the Committee established in pursuance of Security Council resolution 253 (1968)."

9. Further to paragraph 5 above, communications were received from the Federal Republic of Germany and the Philippines, the substantive parts of which read as follows:

(a) Note dated 4 April 1977 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the /Secretary-General's/ note of 21 January 1977, has the honour to inform /him/ that the Federal Minister of Economics has brought the contents of the note to the attention of the umbrella organizations of the German cigarette, tobacco, chemical and metal-processing industries.

"The recipients were requested to apprise their members of the situation and to remind them once again of the relevant provisions of the Foreign Trade Law of the Federal Republic of Germany."

(b) Note dated 6 April 1977 from the Philippines

"The Philippine Mission to the United Nations presents its compliments to the Secretary-General of the United Nations and, in reference to /the Secretary-General's/ note dated 21 January 1977, has the honour to enclose a copy of a memorandum dated 1 March 1977 which the Governor of the Central Bank of the Philippines caused to be circulated to authorized agent banks in implementation of the provisions of Security Council resolution 253 (1968), and pursuant to the request of the Security Council established in pursuance of that resolution concerning the question of Southern Rhodesia.

Enclosure

"Memorandum to authorized agent banks
(No. 15 of 1 March 1977)"

"A note from the United Nations Secretary-General dated 21 January 1977 reports on the trade activities being conducted by a number of countries with Southern Rhodesia which are in contravention of Security Council Resolution 253 (1968) imposing economic sanctions against the Rhodesian Government.

"In line with the policy of the Philippine Government on the matter and in accordance with the provisions of circular No. 262 dated 20 August 1968 prohibiting all authorized agent banks from (1) issuing letters of credit for imports coming from Southern Rhodesia; (2) selling foreign exchange for remittance to Southern Rhodesia except for specified payments; and (3) issuing permits for the export to the same country for specified commodities, all authorized agent banks and security dealers are hereby prohibited from giving due course to any transactions of whatever nature of the following Swiss companies, all based in Geneva, Switzerland:

"1. Comaisa SA;

"2. Tobatrade SA; and

"3. Centrex SA

and are enjoined to take all possible measures to prevent firms and/or individuals from trading with Southern Rhodesia through the above-mentioned companies.

"(Signature)"

10. In the absence of a reply from Switzerland within the prescribed period of two months, the Committee included that Government in the twelfth quarterly list which was issued as a press release on 14 April 1977.

11. A third reminder was sent to Switzerland on 10 May 1977.

12. A reply dated 19 May 1977 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to refer to the notes dated 22 December 1976 and 16 March, 7 April and 10 May 1977, regarding Case No. 281, in which the Secretary-General informed him that the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia would like an investigation to be undertaken to determine whether the Comaisa SA, Tobatrade SA and Centrex SA companies were in fact engaged in the sale of Rhodesian tobacco.

"As the Observer had occasion to explain in detail in the replies submitted to the Secretary-General in Cases Nos. 2 and 103 (Nitrex SA and Rif Trading Company Ltd.), the Swiss authorities have no control over transactions of this kind so long as the goods involved do not enter Swiss territory. They have, nevertheless, invited the Comaisa, Tobatrade and Centrex SA companies to Geneva to answer the allegations contained in the note of the Sanctions Committee. In their replies, the Comaisa SA, Tobatrade SA and Centrex SA companies denied the accusations.

"The federal authorities are always prepared to review the matter, should the Committee be able to provide them with new information on the subject."

13. The case was considered at the 284th meeting on 21 July 1977, at which it was decided that it should be closed.

14. Subsequently a communication dated 14 October 1977, also covering Case No. 293, was received from Australia, the substantive part of which reads as follows:

"The Permanent Representative of Australia to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the Secretary-General's notes of 21 January 1977 (Case No. 281) and 29 March 1977 (Case No. 293).

"The Permanent Representative of Australia has the honour to advise that exhaustive checks by the Australian Bureau of Customs have shown that there have been no imports into Australia during the last twelve months from the companies in question."

15. The Committee took note of the communication from Australia.

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

1. By a note dated 12 January 1977, the United Kingdom reported information concerning trade in tobacco from Southern Rhodesia. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further investigation, that a company in Liechtenstein is controlled by Rhodesian interests for the purpose of exporting Rhodesian tobacco.

"The information is to the effect that Tobmark, Ltd., Triesenburg, Liechtenstein, is a cover organization for the Rhodesian Tobacco Company, Trading Enterprises (PVT), Ltd., Beatrice Road, Salisbury, Southern Rhodesia. The information suggests that the Liechtenstein office collects orders and negotiates contracts with various countries on behalf of the parent company in Rhodesia. The customers to which Rhodesian tobacco is exported via Tobmark are said to include Iraqi Tobacco State Enterprises, Baghdad, and Tabak Dso Bulgarskitutini, Sofia Ul Stamboliishi.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Iraq and Bulgaria in order to assist them with their investigations into the possibility that companies or agencies in their territories are trading with Southern Rhodesia.

"The Committee may also wish to ask the Secretary-General to bring the above information to the attention of the Government of Liechtenstein, with the request that it take such action as may be necessary to prevent the establishment, purchase or operation of firms in Liechtenstein for the purpose of circumventing sanctions against Southern Rhodesia.

"The Committee may further wish to ask the Secretary-General to alert all Member States to the probability that Tobmark, Ltd., is controlled by Rhodesian interests and to request that, in accordance with paragraph 3 of Security Council resolution 253 (1968), they take all possible measures to prevent firms and individuals in their territories from trading with or through this company."

2. The proposed action in the United Kingdom note was discussed at the 285th meeting of the Committee. In accordance with the decision taken at that meeting, notes dated 25 February 1977 were sent to Bulgaria, Iraq and Liechtenstein, transmitting the United Kingdom note and requesting comments thereon. Similarly, a note dated 1 March 1977 was sent to all Member States, transmitting the United Kingdom note and drawing their particular attention to the last paragraph thereof.

3. A reply dated 3 March 1977 was received from Bulgaria, for the substantive part of which see paragraph 6 of (115) Case No. 281, above.

4. An acknowledgement dated 14 March was received from Burma, also covering Case No. 287, stating that the contents of the Secretary-General's notes of 1 March 1977 had been duly noted and transmitted to the authorities concerned in Burma.

5. A reply dated 17 March 1977 was received from Switzerland, on behalf of Liechtenstein, the substantive part of which reads as follows:

"The Office of the Permanent Observer of Switzerland to the United Nations ... refers to the Secretary-General's communication of 25 February 1977 enclosing a note dated 12 January 1977 from the delegation of the United Kingdom, for the Government of Liechtenstein on a matter relating to the sanctions against Southern Rhodesia.

"On the basis of the documents supplied to the Government of Liechtenstein, specifically the note of 12 January 1977 from the United Kingdom Mission in New York, it is not possible to establish whether Tobmark, Ltd., sold tobacco to the Iraqi company Iraqi Tobacco State Enterprises and to the Bulgarian company Tabak DSO Bulgarskitutini. In order to pursue the matter, the competent Liechtenstein authorities would have to be provided with documents or any other sort of evidence indicating that Tobmark, Ltd., violated Security Council resolution 253 (1968). Could the Security Council Committee established in pursuance of resolution 253 (1968) or the United Kingdom delegation provide such evidence, so that the competent authorities may continue their investigations?"

6. A reply dated 31 March 1977 was received from Iraq, the substantive part of which reads as follows:

"The Permanent Representative of Iraq to the United Nations ... with reference to /the Secretary-General's/ note dated 25 February 1977, has the honour to state that in consistently carrying out the provisions of the Security Council resolution No. 253 (1968) the Iraqi authorities stated that the Iraqi General Tobacco Company has never maintained any kind of commercial relations with the so-called company (Tobmark) and never imported any kind of Tobacco from Rhodesia. All the imported tobacco is from Zambia or Mozambique. It is worth mentioning that the suppliers of tobacco to Iraq are asked to present certificates confirming that this tobacco is not from a Rhodesian origin. This stipulation is incorporated in the letter of credit opened to those suppliers.

"We would like to state here that the Iraqi Government has firmly supported the struggle of the people of Zimbabwe against oppression of the settler régime."

7. A communication dated 15 April 1977, also covering Case No. 287, was received from Austria, the substantive part of which reads as follows:

"The Permanent Representative of Austria to the United Nations with reference to /the Secretary-General's/ notes of 1 March 1977 concerning a request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, has the honour to inform him that the competent Austrian authorities have been advised of the contents of the /United Kingdom/ notes of 15 December 1976 and

12 January 1977 addressed to the Committee by the United Kingdom. In particular, the attention of these authorities was drawn to the last paragraphs of these notes alerting them to the possibility that certain companies may be controlled by Rhodesian interests."

8. The case was discussed at the 5th and 6th meetings of the Working Group. At the 6th meeting the Group was informed, after appropriate inquiries with the Permanent Mission of Iraq and the Office of the Permanent Observer of Switzerland to the United Nations, respectively, that the Iraqi Tobacco State Enterprise and the Iraqi General Tobacco Company were in fact one and the same company, and that the Swiss Government generally served as the vehicle of communication between the Government of Liechtenstein and United Nations bodies, although such communication could at times be direct. The Office of the Permanent Observer of Switzerland had further confirmed that, as Liechtenstein and Switzerland belonged to the same customs union, their trade regulations were the same; that did not necessarily mean, however, that their foreign trade policy was the same and the fact that the replies submitted by the two Governments might sometimes be similar was purely coincidental.

9. The Working Group decided to recommend to the Committee that, in view of the apparently little investigation conducted by the Liechtenstein authorities, the Committee should request Liechtenstein to undertake more fundamental inquiries and at least seek assurance from Tobmark, Ltd., that it was not trading with the Southern Rhodesian company, Trading Enterprises (Pvt) Ltd.

10. At the time of preparation of the present report the recommendation of the Working Group was still under consideration by the Committee.

(117) Case No. 287. Trade in tobacco via a Swiss company: United Kingdom note dated 15 December 1976

1. By a note dated 15 December 1976 the United Kingdom reported information concerning trade in tobacco from Southern Rhodesia. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further investigation, that official agencies in Bulgaria and the Soviet Union may be trading with Southern Rhodesia.

"The information is to the effect that the Geneva-based firm INTABEX, acting on behalf of the Rhodesian Tobacco Company, TRADIMPEX, has been negotiating with the Bulgarian State Tobacco Monopoly (BULGARTABAC) and the All-Union Corporation for Trade in Miscellaneous Goods in the USSR (RAZNOEXPORT) to supply Rhodesian tobacco to Bulgaria and the USSR. The information further suggests that representatives of the Swiss company have actually visited Sofia and Moscow to hold discussions with officials of the above-named agencies.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Bulgaria and the Soviet Union, in order to assist them with their investigations into the possibility that agencies under their direct control may be trading with Southern Rhodesia.

"The Committee may also wish to ask the Secretary-General to bring the above information to the attention of the Government of Switzerland with the request that they take such action as may be necessary to prevent the establishment, purchase or operation of firms in Switzerland for the purpose of circumventing sanctions against Southern Rhodesia.

"The Committee may further wish to ask the Secretary-General to alert all Member States to the probability that INTABEX is controlled by Rhodesian interests and to request that, in accordance with paragraph 3 of Security Council resolution 253 (1968), they take all possible measures to prevent firms and individuals in their territories from trading with or through this company."

2. The proposed action in the United Kingdom note was discussed at the 285th meeting of the Committee. In accordance with the decision taken at that meeting, notes dated 25 February 1977 were sent to Bulgaria, Switzerland and the Union of Soviet Socialist Republics, transmitting the United Kingdom note and requesting comments thereon. Similarly, a note dated 1 March 1977 was sent to all Member States, transmitting the United Kingdom note and drawing their particular attention to the last paragraph thereof.

3. A reply dated 3 March 1977 was received from Bulgaria, for the substantive part of which see paragraph 6 of (115) Case No. 281, above.

4. An acknowledgement dated 14 March 1977 was received from Burma, the text of which is indicated in paragraph 4 of (116) Case No. 286, above.

5. A communication was received from Austria and a reply from the Union of Soviet Socialist Republics, the substantive parts of which read as follows:

(i) Note dated 15 April 1977 from Austria

(See para. 7 of (116), Case No. 286, above.)

(ii) Note dated 26 April 1977 from the USSR

"The Permanent Mission of the Union of Soviet Socialist Republics to the United Nations ... with reference to the Secretary-General's note of 25 February 1977 enclosing the United Kingdom note of 15 December 1976 addressed to the Security Council Committee, has the honour to inform him of the following.

"As representatives of the USSR have stated on several occasions, in the United Nations and elsewhere, support for peoples struggling for their national and social liberation, co-operation in the full and definitive implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, strict compliance with all the decisions of the General Assembly, the Security Council and other United Nations organs on questions of decolonization, including decisions relating to mandatory sanctions against Southern Rhodesia, have always been and still are among the most important principles of Soviet foreign policy.

"In accordance with this position of principle, the USSR does not recognize the illegal régime of Southern Rhodesia, does not maintain any relations with that régime, has no trade, business or other contacts of any kind with Southern Rhodesia, and strictly complies with all the provisions of Security Council resolution 253 (1968).

"As a result of an investigation carried out by the competent Soviet organizations into the information contained in the enclosure to the aforementioned note from the Secretary-General of the United Nations, it has been established that Soviet foreign trade organizations have no knowledge of the Rhodesian Tobacco Company, 'TRADIMPEX'. They have no relations whatsoever with that company, even through firms acting as intermediaries. The same applies to the Swiss firm 'INTABEX', with which Soviet foreign trade organizations have never entered into any business dealings or operations. Accordingly, the allegations in the information enclosed with the note from the Secretary-General of the United Nations can only be regarded as completely unsubstantiated and unfounded."

6. Second and third reminders were sent to Switzerland on 31 May and 6 July 1977.

7. In the absence of a reply from Switzerland within the prescribed period of two months the Committee included that Government in the thirteenth quarterly list which was issued as a press release on 25 July 1977.

8. A reply dated 15 August 1977 has been received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to refer to his /the Secretary-General's/ notes of 15 December 1976 and 25 February, 26 April, 31 May and 5 July 1977 concerning Case No. 287 and to his /the Secretary-General's/ notes of 21 March and 12 July 1977 concerning Case Nos. 289 and INGO-19, by which the Secretary-General informed him that the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia wished inquiries to be made to determine whether INTABEX SA was actually involved in the sale of Rhodesian tobacco.

"As the Observer had occasion to explain in detail in his replies to the Secretary-General concerning Case Nos. 2 and 103 (NITREX SA and Rif Trading Co., Ltd.), the Swiss authorities have no control over transactions of this kind as long as the goods in question do not enter Swiss territory. Nevertheless, they invited INTABEX SA to comment on the allegations contained in the notes from the Sanctions Committee.

"As regards the alleged sales of Rhodesian tobacco in Bulgaria and in the USSR (Case No. 287), INTABEX SA states that it has never had any dealings either with Bulgartabac or with Raznoexport and that no INTABEX SA representative went either to Sofia or to Moscow to negotiate on Rhodesian tobacco supplies. An official of INTABEX SA also denies the allegations that it is controlled by Rhodesian interests.

"As for the presumed violation of sanctions set out in the 'summary provided by Mr. William Cran of CBC' (Case Nos. 289 and INGO-19), INTABEX SA states that the goods in question were purchased 'in warehouse Antwerp' and were 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 Federal authorities regret that it was not possible to complete the inquiry in question sooner. They will be pleased to look into this matter again at any time should the Committee be in a position to supply them with further information."

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

1. By a note dated 30 June 1977 the United Kingdom submitted information concerning a shipment of tobacco aboard the above-mentioned vessel. The text of the note reads as follows:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that two firms in the Federal Republic of Germany imported tobacco of Southern Rhodesian origin.

"The information is as follows: the MV Elpis was at the Port of Durban on 16 March 1977 where she took on board a consignment of approximately 30 tonnes of unmanufactured tobacco of Rhodesian origin. The vessel sailed from Durban on 17 March and later put in at Port Elizabeth where a consignment of approximately 600 tonnes of tobacco was taken on board. The MV Elpis which is owned by N Balanikas and Co, a subsidiary of M Gigilinis of Salonika, subsequently put in at Bremen where 30 tonnes were off-loaded for delivery to

H Doelter, Abgerstrasse 9, 8171 Arzbach, Kr. Bad Toelz, and then at Hamburg where 600 tonnes were off-loaded for delivery to Baark and Bendt. The tobacco was supplied by the Rhodesian brokers, French and Smith (Pvt) Ltd of Salisbury and the sale arranged through Ace Hanie International (Pvt) Ltd of Johannesburg.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of the Federal Republic of Germany to assist them with their investigations into the possibility that German firms have imported tobacco of Southern Rhodesian origin.

"The Government of the United Kingdom further suggest that the Committee may wish to bring the above information to the attention of the Government of Greece to assist them with their investigations into the possibility that a vessel owned and registered by a company in their territory carried goods of Southern Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, notes were sent to Greece and the Federal Republic of Germany on 7 July 1977, transmitting the United Kingdom note and requesting comments thereon.

3. First reminders were sent to Greece and the Federal Republic of Germany on 20 September 1977.

4. A reply dated 20 September 1977, which crossed with the first reminder of the same date sent to that Government, was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ..., referring to /the Secretary-General's/ notes dated 7 July and 9 September 1977 has the honour to inform him that from investigations carried out by the Greek competent authorities concerning the MV Elpis, it results that:

"1. She is owned by N. Balanikas and Co. and is registered in Thessaloniki under ship register No. 96.

"2. She has gross tonnage of 498.70 tons, net tonnage 307.88 tons and dead weight 765 tons.

"3. From inspection of the ship's logbook it has been found that on 18 March 1977 she was at the port of Piraeus from where she sailed off and arrived at the port of Beirut on 22 March 1977.

"It follows that the above-mentioned particulars do not correspond to those regarding the vessel referred to in the note dated 30 June 1977 addressed to the Committee by the United Kingdom and possibly these particulars concern another ship. However, if any new relevant information becomes available, the Ministry for Foreign Affairs will immediately transmit it to the appropriate authorities for further investigation."

5. An acknowledgement dated 29 September 1977 was received from the Federal Republic of Germany, indicating that a foreign trade audit had been initiated at

the firms of H. Doelter, 8171 Argbach and Baark and Bendt, and that as soon as the findings were available they would be transmitted to the Committee.

6. The particular attention of the representative of the United Kingdom, the source of the original information, was drawn to the last two paragraphs of the reply from Greece.

7. A further acknowledgement dated 18 October 1977 was received from the Federal Republic of Germany, indicating that a check of the ship's log had established that the vessel Elpis had not put in at Bremen during the 15-month period between 12 May 1976 and 24 August 1977, and that meanwhile the external trade audit was still in progress.

8. In a statement to the Committee at the 298th meeting the representative of the United Kingdom gave the following corrective information:

"The problem has arisen because there appear to be three vessels all named Elpis, and unfortunately our note named the wrong one. The correct Elpis is owned by Kollintzaf Marine Company SA of Piraeus, which appears to be a subsidiary of Santa Sofia Cia. Navigation of Panama. The vessel's gross weight is 3762 tons and 1874 net."

9. At the time of preparation of the present report, appropriate follow-up action was under way.

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

1. By a note dated 21 July 1977 the United Kingdom reported information to the effect that a Swiss firm was acting as an agent for the sale of Southern Rhodesian tobacco and that consignments of tobacco had been shipped aboard the above-mentioned vessels. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Swiss firm is acting as an agent for the sale of Southern Rhodesian tobacco.

"The information suggests that Silvia de Monte of Nurensdorf regularly arrange the sale of tobacco produced in Southern Rhodesia and sold by Cosmos Tobacco Co. of Rhodesia (Pvt) Ltd of Salisbury.

"The Government of the United Kingdom are aware of the following cases. A consignment of tobacco supplied by Cosmos left South Africa on MV Klipparen in November 1976: the Klipparen, which is owned by Transatlantic Rederiaktiebolaget of Gothenburg, later put in at Gothenburg. A further quantity of Southern Rhodesian tobacco, consigned to Tabaqueira of Lisbon, was shipped from a South African port in November 1976 aboard the MV Serpa Pinto which is owned by CTM Companhia Portuguesa de Transportes Maritimos SARL. There is also information that tobacco samples were sent to the Nkhla Tobacco Factory, Shebin Elkom, Egypt, by Cosmos. All these shipments are understood to have been arranged by Silvia de Monte.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Switzerland to help them with their investigations into the possibility that a Swiss firm acts as agents for the sale of Southern Rhodesian tobacco.

"The Government of the United Kingdom further suggest that the Committee may wish to draw the above information to the attention of the Governments of Portugal, Egypt and Sweden to assist them with their investigations into the possibility that firms in their territory have been involved in trade with Southern Rhodesia.

"The Committee may wish to ask the Secretary-General of the United Nations to alert Member States to the possibility that the Swiss firm Silvia de Monte acts as agents for the sale of Southern Rhodesian tobacco."

2. In accordance with the Committee's standard practice under the no-objection procedure, notes dated 29 July and 2 August 1977 were sent to Egypt, Portugal, Sweden and Switzerland respectively, transmitting the United Kingdom note and requesting comments thereon. Furthermore, a note dated 5 August 1977 was sent to all Member States also transmitting the United Kingdom note and drawing their particular attention thereto.

3. Acknowledgements to the note to all Member States were received from Burma (9 August 1977), El Salvador (9 August 1977) and Upper Volta (23 August 1977) indicating that the contents of the United Kingdom note had been drawn to the attention of the appropriate Government authorities.

4. A reply dated 30 August 1977 has been received from Sweden, the substantive part of which reads as follows:

"The Permanent Representative of Sweden to the United Nations ... has the honour to inform him /the Secretary-General/ of the following:

"The information supplied by the Government of the United Kingdom regarding Southern Rhodesian tobacco reportedly being shipped on board the Swedish vessel 'MV Klipparen' from Southern Africa to Gothenburg in November 1976 has been transmitted to the Chief Public Prosecutor in Sweden.

"The case has been investigated by the office of the Public Prosecutor in Gothenburg, giving the following results.

"At the date in question the vessel Klipparen shipped 15 consignments of tobacco totalling 483.039 kilos from Durban and Cape Town in South Africa to Kristiansand and Oslo in Norway (7 consignments), Aarhus and Odense in Denmark (6 consignments) and to Gothenburg (2 consignments).

"For the tobacco discharged in Gothenburg the consignee, Svenska Tobaks AB, has made available certificates of origin stating that both consignments come from Mozambique. These certificates will be forwarded to the Committee shortly.

"The Prosecutor's office has been unable to procure documentation on the other consignments. The investigation has given no evidence, however,

to support the claim that the tobacco originated in Southern Rhodesia. The Prosecutor has therefore concluded that no further legal action is called for in the matter."

5. A further reply dated 20 September 1977, enclosing copies of documentary evidence, was received from Sweden, the substantive part of which reads as follows:

"The Permanent Representative of Sweden to the United Nations ... has the honour to forward copies of two certificates of origin related to the case in question. The certificates which were issued on the 1 and 4 August 1976 respectively, concern two consignments of tobacco shipped from Mozambique to Gothenburg on board the Swedish vessel MV Klipparen in November 1976."

6. The documents submitted by Sweden and analysed for the Committee by the expert consultant consisted of two certificates of origin dated 1 and 4 August 1976, issued by the Associação Comercial da Beira in respect of 135 and 287 cases of unmanufactured tobacco weighing 29,724 kg (25,000 net) and 67,024 kg (57,360 net), respectively, both certificates showing Mozambique as the declared country of origin of the consignments.

7. A reply dated 27 September 1977 was also received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations has the honour to refer to the Secretary-General's note of 2 August 1977 concerning Case No. 301 in which the Secretary-General informed him that the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia wished inquiries to be made to determine whether the firm Silvia De Monte had been involved in sales of Southern Rhodesian tobacco.

"As the Observer had occasion to explain in his replies to the Secretary-General on Case Nos. 2 and 103 (Nitrex SA and Rif Trading Company Ltd.), the Swiss authorities have no control over transactions of this sort if the goods do not pass through Swiss territory, but they nevertheless invited Mrs. Silvia De Monte to comment on the allegations in the notes from the Sanctions Committee.

"Mrs. De Monte stated that for three years she has been providing secretarial and translation services for various Swiss firms and foreign businessmen but has never in any way actively traded in any product whatsoever. She also stated that she does not belong to any company or to any board of directors, and does not hold any position of responsibility. According to her statement, her activities as a freelance secretary naturally mean that she has contacts abroad, but these are mainly with the Far East and occasionally with Eastern Europe. According to her, Cosmos Tobacco Co. of Rhodesia is not among her clients and she states that she knows nothing whatever about that firm's business, or about the shipments and consignments of samples concerned.

"The Federal authorities will willingly look into the matter again should the Committee be in a position to provide them with additional information."

8. First reminders were sent to Egypt and Portugal on 5 October 1977.

9. A reply dated 16 October 1977 was received from Egypt, the substantive part of which reads as follows:

"The Permanent Representative of the Arab Republic of Egypt to the United Nations ... with reference to the Secretary-General's note dated 29 July 1977, has the honour to inform him of the following:

"1. The Government of the Arab Republic of Egypt respects and abides by all United Nations resolutions relating to economic sanctions against Rhodesia.

"2. The Egyptian firms strictly conform to the Egyptian policy in this regard.

"3. Foreign firms and agencies occasionally send samples to Egyptian firms without prior request and without indicating their country of origin. The Egyptian authorities take the necessary steps on discovery that such samples emanate from countries against whom the United Nations has acted.

"4. The owners of Mkhla Tobacco Factory in Egypt indicated that they are dealing with the Swiss Company Industria AG and not with Cosmos Tobacco Co. of Rhodesia or with any other Rhodesian company."

10. In the absence of a reply from Portugal within the prescribed period of two months, the Committee included that Government in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

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

1. By a note dated 10 November 1977 the United Kingdom reported information concerning the import of tobacco from Southern Rhodesia and the export of tobacco products from Paraguay. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Paraguayan firm imports and processes Rhodesian tobacco, and also exports to that Territory.

"Our information is that the firm La Vencedora SA imports substantial quantities of Rhodesian tobacco for use in the manufacture of cigars and cigarillos. These are marketed under the brand name of Henri Winterman and exported to Western Europe.

"The Government of the United Kingdom wish to suggest that the Committee may wish to ask the Secretary-General of the United Nations to draw the above information to the attention of the Government of Paraguay to assist them with their investigations into the possibility that a firm in their territory trades with Rhodesia."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 29 November 1977 was sent to Paraguay transmitting the United Kingdom note and requesting comments thereon.

(121) Case No. 310. Tobacco - "Lendas": United Kingdom note dated 18 November 1977

1. By a note dated 18 November 1977 the United Kingdom reported information concerning a shipment of tobacco aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a West German firm and a Belgian firm have imported tobacco of Rhodesian origin.

"The information is as follows. The vessel Lendas was at Durban in mid-April 1977 where she took on board a consignment of approximately 80 tonnes of Rhodesian tobacco. The Lendas, which is owned by General Development and Shipping Enterprises Co Ltd, of Piraeus, Greece, left Durban on 21 April and subsequently put in at Antwerp on 24 May where the consignment was off-loaded for delivery to Tabaknatie, 66 Vande Wervestraat, B-2000 Antwerp, and to Johann Kriete, Stephanitorsbollwerk 11, 28 Bremen.

"The sale of tobacco was arranged through French and Smith (Pvt) Ltd of Salisbury and Ace Haniel (Pty) Ltd of Johannesburg.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Belgium and the Federal Republic of Germany in order to assist them with their investigations into the possibility that firms in their territories have imported goods of Rhodesian origin.

"The Government of the United Kingdom also suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Greece to assist in their investigations into the possibility that a vessel registered in their territory may have carried goods of Rhodesian origin."

2. In accordance with the Committee's established practice under the no-objection procedure, notes dated 29 November 1977 were sent to Belgium, the Federal Republic of Germany and Greece, transmitting the United Kingdom note and requesting comments thereon.

D. CEREALS e/

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

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

e/ See also (81) Case No. 140 above.

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

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

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

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

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

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

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

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

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

3. In the absence of a reply from Liberia, the Committee again included that Government in the eleventh, twelfth and thirteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The present case, as well as all the pending cases involving Greece at the time of the Committee's comprehensive note to Greece dated 2 April 1977, were considered by the Working Group at its second meeting. The action taken by the Working Group in that regard is contained in (78) Case No. 114, above.

4. The present case, as well as Case No. 125, were also considered together at the second and fourth meetings of the Working Group, as a result of which it was decided to recommend to the Committee that the two cases should be considered closed with regard to Venezuela, but that note should be taken of the pending action with regard to Greece and Panama in those cases.

5. The recommendation of the Working Group was accepted by the Committee.

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

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

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

3. In view of the reply from Venezuela reproduced in paragraph 4 of (109) Case No. 125 in the ninth report, a further note dated 28 March 1977 was sent to that Government, under the no-objection procedure, the substantive part of which reads as follows:

"The Committee has seen the reply from His Excellency's Government dated 12 October 1976, enclosing documentary evidence concerning a shipment of maize suspected to be of Southern Rhodesian origin transported to Venezuela aboard the vessel Alexandros S. The Committee expressed its appreciation for the reply thus received and for the co-operation shown by the Government's investigating authorities. It noted, however, that the supporting documentary evidence submitted with the letter does not provide sufficient proof of the non-Rhodesian origin of the shipment in question, as it consists merely of a

declaration of the sources and quantities of maize imported by the Corporacion de Mercadeo Agricola of Venezuela during 1971. Accordingly, in pursuance of the mandate entrusted to it by the Security Council, the Committee felt that it should request His Excellency's Government to obtain some other relevant documents which would give more conclusive evidence, bearing in mind the proper documentation recommended to all States in the Secretary-General's note of 18 September 1969, that the shipment in question was not of Southern Rhodesian origin.

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

4. Meanwhile, a further reply dated 22 March 1977, which crossed with the Committee's note of 28 March 1977, was received from Venezuela, the substantive part of which reads as follows:

"With reference to Case No. 125, concerning a consignment of maize shipped to my country on board the vessel Alexandros S, I transmitted a note to you on 12 October 1976 with a view to clarifying the situation.

"I can only confirm my Government's continuing concern to comply fully with the resolutions of the United Nations and quote the exact words used by the President of Venezuela, Carlos Andrés Pérez, in his statement to the General Assembly on 16 November 1976:

'Venezuela rejects and openly fights colonialism and racial discrimination. It vehemently repudiates apartheid, which oppresses millions of human beings. We condemn the South African régime and we share in the aims at emancipation of the peoples subjected to that disgraceful system. The lofty mission and authority of the United Nations are not well served by the fact that its resolutions regarding the offence of lèse humanité have not been complied with. To consent to this horrible situation serves not only to justify improper extranational interventions but also creates the risk of the world's one day awakening to a threat such as nazism and fascism were in their day. Here I must confess that in Venezuela we have not done everything that was necessary to affirm by deed that this is our position, as we have maintained a trade relationship with that régime which I have ordered to be discontinued.'

5. For additional information concerning the action taken on the case see paragraphs 4 and 5 of (133) Case No. 124, above.

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

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

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

3. In the absence of a reply from Liberia the Committee again included that Government in its twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977.

E. COTTON AND COTTON SEED

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

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

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

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

F. MEAT

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

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

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

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

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

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

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

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

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

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

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

See annex IV.

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

See annex IV.

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

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

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

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

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

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

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

1. On 9 December 1977 the attention of the Committee was drawn to a note dated 1 December 1977 addressed to the Secretary-General by the Permanent Representative of Mozambique and circulated in document S/12466. The note inter alia referred to a plane from an African country said to have frequently violated Mozambican territory to serve purposes contrary to the decision of Security Council resolution 253 (1968). Annex III of the said note from Mozambique contained an official communiqué issued on 29 November 1977 by that Government on the shooting down of a foreign plane violating Mozambican national territory. The text of that communiqué is reproduced below:

"Official communiqué issued on 29 November 1977 by the Government of the People's Republic of Mozambique on the shooting down of a foreign plane violating Mozambican national territory"

"On 26 November, at about 0625 p.m., in the Province of Tete and to the east of Zumbo, a DC-4 plane with the registration number 90 CAM was shot down by the People's Forces for the Liberation of Mozambique (FPLM) as it illegally overflew the territory of the People's Republic of Mozambique, coming from the British colony of Southern Rhodesia.

"The plane belongs to the 'African Lux' airline, which has its headquarters in the Republic of Zaire and, according to the registration inscription 90 CAM, it is registered in that African State.

"In violation of the sanctions decreed by the international community, the plane was transporting 8,500 kilograms of frozen meat from Rhodesia for the 'Cafrigel Company' of Lumumbashi, in Zaire.

"The plane had landed in Salisbury at 0600 a.m. on 26th instant and had taken off at 0430 p.m. local time.

"In accordance with the first informations, this was the fourth flight (trip) effected by that plane in November transporting meat between Salisbury and Lumumbashi.

"The captured pilots, Leopold Mouzon and Jean-Pierre Nibolle, declared being Belgian citizens.

"The People's Republic of Mozambique wished to remind that on 3 March 1976, in accordance with United Nations decisions, in a communication made by the President of the Republic and transmitted to all OAU and United Nations Members, she closed all her borders with the British colony of Southern Rhodesia and that, in the same communication, she expressly prohibited overflying the national territory by any plane bound for, coming from or stopping over in the rebel colony.

"This determination was communicated by the aeronautic authorities to all their counterparts, by the normal channels.

"At no time did the People's Republic of Mozambique receive any request for overflying her territory by the plane 90 CAM; nor did the plane at any time contact the radio stations of the national aeronautics.

"Therefore, this is a deliberate violation of the national territory with the intention of perpetrating yet another violation, that of the sanctions decreed by the United Nations.

"The inquest continues."

2. Notes were prepared for transmission to Belgium and Zaire, under the no-objection procedure, drawing attention to the contents of the communiqué issued by the Government of Mozambique and requesting comments thereon.

3. Before the proposed notes could be sent a note dated 14 December 1977 was received by the Secretary-General from the Permanent Representative of Zaire to the United Nations concerning the subject-matter of the present case. The text of that note, also issued as a document of the Security Council (S/12492), is reproduced below:

"The Permanent Representative of the Republic of Zaire to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the note verbale dated 1 December 1977 from the Permanent Representative of the People's Republic of Mozambique to the United Nations, which was distributed on 2 December 1977 as Security Council document S/12466, has the honour to submit the observations of the Executive Council of Zaire with regard to the DC 4 aircraft registration number 90 CAM shot down on 26 November 1977 in Mozambique.

"It is fitting to point out that the Executive Council of Zaire has made and continues to make great sacrifices in order to give material, moral and political support to the liberation movements in southern Africa in general and to the Zimbabwean nationalists in particular.

"The Mozambican Government would be the last to deny the manifold and generous efforts made by the people of Zaire to help FRELIMO in its liberation struggle against Portuguese colonialism.

"The Republic of Zaire cannot, therefore, agree to being linked, whether closely or remotely, with actions likely to impede the implementation of the sanctions ordered by the Security Council against the rebel British colony of Rhodesia, let alone with violating the air space of a brother country to whose liberation it contributed so constructively.

"The note from the Permanent Representative of the People's Republic of Mozambique speaks, in the fourth paragraph, of a plane from an African country, but the communiqué reproduced in annex III to that note implicates the Executive Council of Zaire in the violation not only of the sanctions ordered by the international community against Southern Rhodesia but also of the air space of the territory of Mozambique.

"While affirming that the identity of that aircraft must be doubtful because the registration numbers of aircraft of Zairian origin begin with the letters QC, the Executive Council of Zaire nevertheless wishes to reaffirm its determination to uphold and scrupulously to respect the sanctions imposed on the rebel British colony, to which the Republic of Zaire subscribed and is giving its full support.

"The Executive Council of Zaire likewise intends to give its unreserved support as it has always done in the past, to any United Nations assistance programme to help the People's Republic of Mozambique effectively to apply the sanctions against Southern Rhodesia and to overcome the difficulties arising from the closing of its frontiers with the rebel British colony.

"Even if the DC 4 aircraft shot down in Mozambique were an aircraft registered in Zaire, it should be pointed out that the aircraft in question belonged to a private company acting on its own responsibility, in breach of the domestic laws and regulations concerning air navigation and of sanctions politically, morally and administratively supported by the Executive Council of Zaire against Southern Rhodesia.

"In fact, the Republic of Zaire has its own airline, 'Air Zaïre', which for the past four years has had no DC 4 or DC 3 planes. That airline scrupulously observes the sanctions against Southern Rhodesia.

"The Executive Council of Zaire deeply regrets that, contrary to its African policy, a private Zairian company should have been implicated in an incident of this type.

"Moreover, the Republic of Zaire categorically and firmly rejects any accusation of aggression against a brother country or of responsibility for the violation of sanctions against the rebel British colony.

"It would, in any event, be an exaggeration to speak of aggression in the present case because, as the Government of Mozambique itself acknowledges, the aircraft in question was carrying only meat and accordingly could certainly not commit aggression against any country.

"The Republic of Zaire reserves the right to impose appropriate penalties on the private Zairian company using the services of the aircraft, once more light has been shed on this affair and full information on the matter is supplied to it by the brother Government of Mozambique.

"The Permanent Mission of the Republic of Zaire would be grateful if the Secretary-General would distribute the text of this communication as a Security Council document."

4. The proposed note was sent to Belgium on 15 December 1977 and further action with regard to the proposed note to Zaire was still under consideration by the Committee at the time of preparation of the present report.

G. SUGAR

- (149) Case No. 28. Sugar - "Byzantine Monarch": United Kingdom note dated 21 July 1969

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

- (150) Case No. 60. Sugar - "Filotis": United Kingdom note dated 4 December 1969

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

- (151) Case No. 65. Sugar - "Eleni": United Kingdom note dated 5 January 1970

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

- (152) Case No. 72. Sugar - "Lavrentios": United Kingdom note dated 8 April 1970

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

- (153) Case No. 83. Sugar - "Angelina": United Kingdom note dated 8 July 1970

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

- (154) Case No. 94. Sugar - "Philomila": United Kingdom note dated 28 August 1970

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

- (155) Case No. 112. Sugar - "Evangelos M": United Kingdom note dated 22 January 1971

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

- (156) Case No. 115. Sugar - "Aegean Mariner": United Kingdom note dated 19 March 1971

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

- (157) Case No. 119. Sugar - "Calli": United Kingdom note dated 10 May 1971

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

- (158) Case No. 122. Sugar - "Netanya": United Kingdom note dated 13 August 1971

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

(159) Case No. 126. Sugar - "Netanya": United Kingdom note dated 7 October 1971

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

(160) Case No. 128. Sugar - "Netanya": United Kingdom note dated 11 February 1972

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

(161) Case No. 132. Sugar - "Primrose": United Kingdom note dated 26 April 1972

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

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

3. In the absence of a reply from Liberia, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April and 25 July and 21 October 1977, respectively.

(162) Case No. 147. Sugar - "Anangel Ambition": United Kingdom note dated 27 June 1973

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

H. FERTILIZERS AND AMMONIA

(163) Case No. 2. Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969

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

(164) Case No. 48. Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969

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

(165) Case No. 52. Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969

1. Previous information concerning this case is contained in the ninth report of the Committee.

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

3. A note dated 17 November 1977 was sent to Portugal, recalling the comprehensive

communication received previously from that Government and inquiring whether the investigations promised then had been completed and the result could be communicated to the Committee.

(166) Case No. 66. Ammonia - "Cérons": United Kingdom note dated 7 January 1970

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

(167) Case No. 69. Ammonia - "Mariotte": United Kingdom note dated 13 February 1970

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

(168) Case No. 101. Anhydrous ammonia: United States note dated 12 October 1970

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

(169) Case No. 113. Anhydrous ammonia - "Cypress" and "Isforn": United Kingdom note dated 29 January 1971

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

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

3. A first reminder was sent to the Federal Republic of Germany on 26 January 1977, which crossed with the reply from that Government dated 24 January 1977. The substantive part of that reply reads as follows:

"Endeavours to establish the permanent address of Mr. Erich Schöpfner have led the investigating authorities in the Federal Republic of Germany to conclude that Mr. Schöpfner is a permanent resident of Switzerland. This makes him a territorial alien within the meaning of the Foreign Trade Ordinance of the Federal Republic of Germany and, consequently, not subject to the provisions of this Ordinance. For this reason, the plan to approach Mr. Schöpfner as outlined in the Permanent Representative's note of 8 March 1976 could not be implemented."

4. In the absence of a reply from Liechtenstein, the Committee again included that Government in the twelfth quarterly list which was published as a press release on 14 April 1977.

5. The case was considered by the Committee at the 291st meeting on 2 June 1977, at which the Committee noted the regular position of the Swiss authorities with regard to the triangular trade operations involving companies established in Switzerland; it also recalled the opinion of the United Nations Legal Counsel on the matter. The Committee decided that the case should be included among those on which the Chairman had been requested to have a personal discussion with the Permanent Observer of Switzerland to the United Nations.

6. Further to paragraph 4 above, the Committee again included Liechtenstein in the thirteenth quarterly list, which was issued as a press release on 25 July 1977.

7. On 26 July 1977, the Acting Chairman met with the Permanent Observer of Switzerland and discussed with him this and the other case similarly requested by the Committee. An account of that meeting is contained in the Chairman's report reproduced in annex I to the present report.

8. Subsequently, a note dated 17 October 1977 was received from Switzerland for the substantive part of which see paragraph 8 of (260) Case No. 214 in annex IV to the present report.

9. Further to paragraph 6 above, the Committee again included Liechtenstein in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

(170) Case No. 123. Anhydrous ammonia - "Zion": United Kingdom note dated 30 August 1971

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

(171) Case No. 129. Anhydrous ammonia - "Kristian Birkeland": United Kingdom note dated 24 February 1972

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

(172) Case No. 204. Import of agricultural crop chemicals by Southern Rhodesia: United Kingdom note dated 13 March 1975

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

I. MACHINERY

(173) Case No. 50. Tractor kits: United Kingdom note dated 2 October 1969

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

(174) Case No. 58. Book-keeping and accounting machines: Italian note dated 6 November 1969

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

(175) Case No. 170. Spare parts for sewing or knitting machines - "Elbeland"

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

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

3. In pursuance of the Committee's decision 151 at the 292nd meeting a note dated 6 July 1977 was sent to the Federal Republic of Germany, requesting information as to the circumstances in which the objectionable transactions leading to the punishment of two of the firms had taken place as well as information on the outcome of the proceedings against the third firm, if completed.

4. A first reminder was sent to the Federal Republic of Germany on 9 September 1977.

5. A reply dated 15 September 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ... with reference to the Secretary-General's notes of 6 July and 9 September 1977 has the honour to communicate the following:

"As to the circumstances in which the transactions in question took place, reference is made once more to this Mission's notes of 19 June 1974 and 6 October 1975. No additional information can be expected to come to light.

"Proceedings against the third firm involved have in the meantime been concluded with the imposition of a non-appealable fine in the amount of DM 1,000.00. An original higher fine had been appealed because of the financial plight of the firm caused by marketing problems."

6. Further note dated 24 October 1977 was sent to the Federal Republic of Germany, under the no-objection procedure, requesting information as to the identity of the third firm involved, namely its name and address, as had been the case with the earlier two firms.

(176) Case No. 221. Supply of electrical equipment: United Kingdom note dated 1 September 1975

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

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

3. Further to paragraphs 6 and 7 of (153) Case No. 221 in the ninth report, a note dated 31 December 1976 was sent to Belgium, transmitting the additional information provided by the representative of the United Kingdom and requesting that further investigation be undertaken and the results communicated to the Committee as soon as possible.

4. A first reminder was sent to Belgium on 7 April 1977.

5. In the absence of a reply from Belgium within the prescribed period of two months the Committee included that Government in the twelfth quarterly list which was issued as a press release on 14 April 1977.

6. Further to paragraph 4 above, second and third reminders were sent to Belgium on 9 May and 11 July 1977, respectively.

7. Further to paragraph 5 above, the Committee again included Belgium in the thirteenth and fourteenth quarterly lists which were issued as press releases on 25 July and 21 October 1977.

8. In pursuance of the Committee's decision at the 273rd meeting, a note dated 25 November 1977 was sent from the Chairman to the Permanent Representative

of Belgium to the United Nations, announcing the Chairman's intention of contacting him, at the request of the Committee, to discuss this case in connexion with which a reply was still pending after three reminders. At the time of preparation of the present report no result has as yet been obtained.

(177) Case No. 256. Supply of machine parts to Southern Rhodesia: United Kingdom note dated 21 April 1976

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered at the 5th meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be considered closed.
4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(178) Case No. 267. Industrial sewing machines from Japan: United Kingdom note dated 17 May 1976

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered at the 3rd meeting of the Working Group, at which it was decided to recommend to the Committee that a note should be sent to Japan, requesting the Government authorities to check the serial number of the machine which had been returned to Michael David in Port Elizabeth, and to verify the name of the original customer. Since the Japanese Government had indicated that it would be in a position to provide the serial number of the machine, the Working Group was of the opinion that that offer should be taken up and Elize Incorporated could then be asked to check to whom the machine with the number in question had originally been exported.
4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the proposed note was sent to Japan on 2 September 1977.
5. A reply dated 6 October 1977 was received from Japan, the substantive part of which reads as follows:

"The Permanent Representative of Japan to the United Nations ... with reference to the /Secretary-General's/ note dated 2 September 1977, in which the Japanese Government was requested to provide the serial number of the machine in question and ascertain to whom the same machine had first been exported, has the honour to reply to the Secretary-General as follows:

"The Japanese Government has learned the following from Elize Incorporated:

- "1. The serial number of the machine in question is 9661059;

"2. The same machine had first been exported to Michael David (P.O. Box 1115, Port Elizabeth), the same person to whom the machine was later re-exported after necessary repairs."

(179) Case No. 305. Shipment of parts for diesel locomotives to Southern Rhodesia - "Alcouthim": United Kingdom note dated 19 October 1977

1. By a note dated 19 October 1977 the United Kingdom reported a shipment of parts for diesel locomotives to Southern Rhodesia aboard the above-mentioned vessel. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Portuguese firm supplied machinery to Rhodesia.

"The information is as follows: a shipment of parts for diesel locomotives consigned to Univex of Salisbury by Sociedadas Reunidas de Fabricacoes Metalicas SARL, Amadora, arrived in Durban at the end of February 1977 aboard the MV Alcouthim. The Alcouthim is owned by Companhia Nacional de Navegacao of Lisbon.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Portugal to help them with their investigations into the possibility that a Portuguese firm has exported goods to Rhodesia and that those goods were carried in a vessel owned by a Portuguese firm."

2. In accordance with the Committee's established practice under the no-objection procedure a note dated 26 October 1977 was sent to Portugal, transmitting the United Kingdom note and requesting comments thereon.

J. TRANSPORT EQUIPMENT

Motor vehicles and/or motor-vehicle spares

(180) Case No. 9. Motor vehicles: United States note dated 28 March 1969

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

(181) Case No. 145. Trucks, engines etc.: information obtained from published sources

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

(182) Case No. 168. Motor vehicles or spare parts - "Straat Rio": United Kingdom note dated 15 March 1974

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

2. For additional information regarding the action taken on the case since the submission of that report, see paragraphs 3-6, of (109) Case No. 156, above.

(183) Case No. 173. Motor vehicles or motor-vehicle spares - "Daphne": United Kingdom note dated 16 May 1974

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

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

3. A reply dated 1 April 1977 was received from Sweden, the substantive part of which reads as follows:

"The Permanent Representative of Sweden to the United Nations ... has the honour to inform him /the Secretary-General/ of the following:

"The information supplied by the Government of Portugal to the effect that two of the Toyota motor vehicles shipped from Japan aboard the vessel MV Daphne had actually been delivered to Southern Rhodesia has been transmitted to the Chief Public Prosecutor in Sweden.

"The Prosecutor states that the case has been thoroughly investigated. Extensive documentation on the case has been transmitted to the Secretariat. No evidence has been found indicating deliveries to Southern Rhodesia. The Prosecutor sees neither reason for nor possibility to carrying investigations further than has already been done. He concludes again that no further legal action is called for in the matter."

4. The case was considered at the third meeting of the Working Group, at which it was decided to recommend that, in view of the categorical assurances given by Sweden and Japan that their investigating authorities had found no evidence of any illegal deliveries of Japanese motor vehicles to Southern Rhodesia, a note should be sent to Portugal requesting it to provide documentary evidence of the delivery of the two motor vehicles admitted by Portugal to have been delivered to Southern Rhodesia from Mozambique.

5. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, a note dated 14 September 1977 was sent to Portugal, the substantive part of which reads as follows:

"The Committee recently gave further consideration to Case No. 173 which concerns the shipment of Japanese motor vehicles to various countries in central and southern Africa aboard the vessel Daphne. His Excellency's Government has already replied in two letters, dated 8 May 1975 and 14 October 1976 respectively, to inquiries of the Committee relating to this matter. On both occasions the Committee expressed its appreciation for the co-operation of the Portuguese Government.

"The Committee is concerned that a number of motor vehicles may be reaching Southern Rhodesia despite the existence of sanctions. It is therefore of particular interest to the Committee to ascertain precisely how delivery of such motor vehicles may be effected. In connexion with this particular case, the Portuguese authorities have already acknowledged that

two vehicles were delivered to Southern Rhodesia in what appears to have been an apparent contravention of Security Council resolutions. The Committee would therefore appreciate receiving from the Portuguese investigating authorities, if possible within a month, all documentary evidence obtainable relating to the delivery of the two motor vehicles in question."

(184) Case No. 180. Motor vehicles and motor-vehicle spares - "Straat Rio":
United Kingdom note dated 20 June 1974

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

(185) Case No. 182. Motor vehicles or motor-vehicle spares - "M. Citadel":
United Kingdom note dated 24 June 1974

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Zambia, the Committee again included that Government in the twelfth and thirteenth quarterly lists, which were issued as press releases on 14 April and 25 July 1977.
4. At the 296th meeting on 28 July 1977 the Permanent Representative of Zambia to the United Nations appeared before the Committee, with the consent of the Committee, and made a general statement covering the cases involving Zambia, including the present case. The text of that statement, as summarized in the Committee's records, is reproduced in paragraph 20 of (254) Case No. 154, below.

(186) Case No. 195. Motor vehicles or motor-vehicle spares - "Soula K": United
Kingdom note dated 28 November 1974

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The present case, as well as the pending cases involving Greece at the time of the Committee's comprehensive note to Greece dated 2 April 1977, were considered by the Working Group at its second meeting. The action taken by the Working Group in that regard is contained in (78) Case No. 114, above.
4. With regard to the present case the Working Group decided to recommend to the Committee that notes should be sent to Greece requesting details of the cargo unloaded in Lourenço Marques (Maputo) on 2 October 1974 and to Japan, requesting reinvestigation of the matter and details of the shipper concerned. It was also decided to recommend to the Committee that verbal inquiry should be made by the Secretariat with the United States authorities with a view to establishing whatever documentary evidence existed concerning the Japanese firm Mitsui OSK Lines given as registered in New York.
5. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, notes dated 5 September 1977 were sent to Greece and Japan, the substantive parts of which read as follows:

(i) Note to Greece

"The Committee has seen the two latest replies from His Excellency's Government concerning the above-mentioned case. It has expressed its appreciation for the co-operation thus received from the Government of Greece. It now wishes to proceed to a conclusive end of this case and would greatly appreciate it if the Greek authorities would obtain and forward additional, pertinent information that is necessary for that purpose. The Committee would be grateful to know the exact nature of the merchandise unloaded in the port of Lourenço Marques (now Maputo) on 2 October 1974 from the vessel Soula K.

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

(ii) Note to Japan

"The Committee has recently made a review of the above-mentioned case and has noted that the information given to it by the Governments of Japan and Greece does not appear to be compatible. According to the information received from the Government of Greece, the vessel Soula K, while on charter to the Japanese company of Mitsui OSK Lines, had on 2 October 1974 unloaded in the port of Lourenço Marques (now Maputo) certain merchandise from that company. In view of the information received previously from the Government of Japan in His Excellency's note dated 6 January 1975 that the vessel had 'unloaded no motor-vehicles or motor-vehicle spare parts of Japanese origin ...' but had '... called at the port of Lourenço Marques solely to load a consignment of goods destined for Japan', the Committee felt that the information from Greece should be transmitted to His Excellency's Government with a request for reinvestigation of the matter. The Committee would also appreciate information regarding the Japanese shipper concerned.

"Bearing in mind the co-operation that has always been demonstrated by His Excellency's Government in these matters, the Committee expressed the hope that it might receive the requested information at the earliest convenience, if possible within a month."

6. A reply dated 4 October 1977 was received from Japan, the substantive parts of which read as follows:

"The Permanent Representative of Japan to the United Nations ... with reference to the /Secretary-General's/ note dated 2 September 1977, in which the Government of Japan was requested to reinvestigate the matter and provide information regarding the Japanese shipper concerned, has the honour to inform the Secretary-General the following results of the reinvestigation into the matter by the Japanese Government:

"The MV Soula K was chartered by Mitsui OSK Lines for the period of 11 February 1971 to 11 February 1975, and called at the port of Lourenço Marques on 2 October 1974.

"It has been reconfirmed that the MV Soula K did not unload motor vehicles or motor-vehicle spares of Japanese origin at the port of Lourenço Marques on the voyage cited and that the MV Soula K called at the port of

Lourenço Marques solely to load a consignment of goods distributed for Japan, as the Japanese Government said in its reply dated 6 January 1975."

7. First and second reminders were sent to Greece on 2 November and 2 December 1977.

8. A reply dated 12 December 1977 was received from Greece, the substantive part of which reads as follows:

"The Permanent Representative of Greece to the United Nations ... has the honour to communicate that in accordance with information provided to the Greek competent authorities by the shipowning company of the vessel Soula K this vessel was used for transporting cars during the period of time it was chartered by the Japanese firm in question. Consequently the goods unloaded by the ship at the port of Lourenço Marques (now Maputo) on 2 October 1974 were of that same kind.

"The Permanent Representative of Greece expresses the belief that the Security Council Committee established in pursuance of resolution 253 (1968) will proceed to a conclusive end of the case in question as stated in the above-mentioned note dated 2 September 1977."

9. Further to paragraph 3 above, at the 302nd meeting on 12 December 1977, the representative of the United States made a statement concerning several cases under consideration. The text of that part of the statement pertaining to this case is reproduced below:

"Regarding Case No. 195: Motor vehicles and motor-vehicle spare parts. If there were evidence that the items offloaded in Maputo were of United States origin or if merchandise in question was transported under authority of a United States subsidiary of Mitsui OSK located at World Trade Center, the United States Department of Commerce might be able to assist in obtaining relevant documents. If deliveries were of items of non-United States origin under the aegis of Mitsui OSK itself, which is headquartered in Japan, there is nothing the United States Government can do in that case. The Department of Commerce had determined that the vessel Soula K, which sailed from Japan, was in Maputo during the relevant period, after a stay in the Mozambican port of Beira. However, the Department of Commerce had no information on the nature or origin of items offloaded, if any, in Maputo."

(187) Case No. 197. Trade in motor vehicles (and other commodities): United Kingdom note dated 6 December 1974

1. Previous information concerning this case is contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered by the Committee at the 293rd meeting at which the representative of the United Kingdom informed the Committee that his Government was unable to provide any additional original information concerning the case. It was observed, however, that the pertinent question put to the Swiss authorities namely whether the authorities could secure assurance from the Swiss company concerned and its manager, Mr. Morgash, that no transactions of any kind had been

conducted with a Mr. Ian Malcolm or with the company called Afro-Trade of Southern Rhodesia, had not been satisfactorily answered. It was therefore decided at that meeting that the case should be included among those the Chairman would discuss with the Permanent Observer of Switzerland to the United Nations, with a view to obtaining the information sought by the Committee.

4. At the time of preparation of the present report follow-up action on the matter was under way.

Aircraft and/or aircraft spares

(188) Case No. 41. Aircraft spares: United Kingdom note dated 5 September 1969

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

(189) Case No. 67. Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

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

(190) Case No. 144. Sale of three Boeing aircraft to Southern Rhodesia: information obtained from published sources

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

(191) Case No. 162. Viscount aircraft: United Kingdom note dated 17 January 1974

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

(192) Case No. 206. Jet fighters and other military equipment: information obtained from published sources

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

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

3. The case was considered at the 294th meeting on 21 July 1977, at which it was decided that it should be closed.

(193) Case No. 232. Acquisition of DC-8 aircraft by Southern Rhodesia: United Kingdom note dated 28 November 1975

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

Others

(194) Case No. 88. Cycle accessories: United Kingdom note dated 13 August 1970

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

(195) Case No. 141. Locomotives - "Beira": United Kingdom note dated 24 April 1973

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

K. TEXTILE FABRICS AND RELATED PRODUCTS

(196) Case No. 93. Shirts manufactured in Southern Rhodesia: United Kingdom note dated 21 August 1970

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

L. SPORTING ACTIVITIES AND OTHER INTERNATIONAL COMPETITIONS

(197) Case No. 120. Southern Rhodesia and the Olympic Games: note from the Federal Republic of Germany dated 5 April 1971

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

(198) Case No. 148. Southern Rhodesia and the Maccabiah Games: information supplied to the Committee by the Sudan on 21 June 1973

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

(199) Case No. 166. Southern Rhodesia and the International Judo Federation (IJF) information obtained from published sources

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

(200) Case No. 167. Tour of Southern Rhodesian cricket player abroad: information obtained from published sources

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

(201) Case No. 175. Yachting coach on tour of Southern Rhodesia: information obtained from published sources

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

- (202) Case No. 181. Southern Rhodesia and the International Federation of Association Football (FIFA): information obtained from published sources

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

- (203) Case No. 186. Southern Rhodesia and the World Chess Federation (FIDE): information obtained from published sources

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

- (204) Case No. 191. New Zealand cricket club tour of Southern Rhodesia: information obtained from published sources

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

- (205) Case No. 192. Hockey club tour of Southern Rhodesia: information obtained from published sources

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

- (206) Case No. 198. Southern Rhodesia and golf championships in Colombia: information obtained from published sources

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

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

3. In pursuance of the Committee's decision at the 273rd meeting, a note dated 18 March 1977 was sent from the Chairman to the Permanent Representative of Colombia to the United Nations, announcing the Chairman's intention of contacting him, at the request of the Committee, to discuss this case in connexion with which a reply was still pending after three reminders.

4. An acknowledgement dated 22 March was received from the Permanent Representative of Colombia, expressing his readiness to meet the Chairman. At the time of preparation of the present report arrangements were under way for the proposed meeting to take place.

- (207) Case No. 199. Golf championships in the Dominican Republic (1974): information obtained from published sources

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

- (208) Case No. 205. Irish Rugby team tour of Southern Rhodesia: information obtained from published sources

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

(209) Case No. 211. Tour of certain European countries by Southern Rhodesian hockey club: information obtained from published sources

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

(210) Case No. 216. United States basketball coach tour of Southern Rhodesia: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. At the 296th meeting on 28 July 1977, the representative of the United States made a general statement in which specific reference was made to a number of cases, including the present case. The text of that statement is given below:

"On several occasions in the past, and in particular at the last meeting, the subject of American citizens travelling to and communicating with other individuals in Southern Rhodesia has been raised in connexion with cases before this Committee. Those cases are, more specifically, Cases 216, 234, 275, INGO-10 and 294. Case 294 concerns American bowlers who visited Southern Rhodesia. As you will recall from the 294th meeting of the Committee, f/ Case No. 275 concerned American travel agents who visited Victoria Falls in Southern Rhodesia.

"By way of a short history, the United States has, since the unanimous passage of resolution 253 (1968), found certain conflicts between the freedoms and guarantees under the United States Constitution to our citizens and actions which the Security Council might consider taking. Further, as has often been stated by the United States delegation to the United Nations, in many other United Nations organs and bodies, we have reiterated our strongly held views concerning freedom of travel and freedom of information. We are well aware that other countries which share many of the attributes of our legal system also have similar difficulties under their constitutions concerning certain aspects of Article 41 of the United Nations Charter.

"I, therefore, wish to restate, particularly for those members of the Committee who have not served on the Security Council in recent times or perhaps never before, that we could not agree to action that would infringe guarantees contained in the Constitution of the United States of basic human rights, such as freedom to travel and free flow of information. Our Supreme Court has expressly ruled that the United States Government cannot make it a crime for persons to travel abroad, nor can we attach criminal penalties to travel abroad without using an American passport. These fundamental decisions were handed down in United States v. Loub, 385 U.S. 475 (1967) and Travis v. United States, 385 U.S. 491 (1967). I would point out that even at a time when the United States was engaged in hostilities in a certain part of the world, we could not prevent our citizens from travelling to areas

f/ See para. 3 of (253) Case No. 275 below.

under the control of those against whom our armed forces were engaged. We could not do so because our Constitution guarantees a right of personal freedom to travel that cannot be circumscribed even by events of such seriousness as the military hostilities in which we were involved. We cannot circumscribe these rights now. I would also like to point out that the United States has no travel restrictions with respect to any country in the world. We understand that there have been similar judicial and legislative pronouncements in many countries of the world.

"I have already noted that the United States Government has taken active measures to discourage travel to Rhodesia even though it cannot prevent such travel. It cannot escape the attention of delegations that recent events in Rhodesia are acting as a far greater discouragement to travel to that areas than anything my Government could say. I am certain that if statistics on tourism to Rhodesia from distant parts of the world were available to us, they would show that tourism has greatly fallen off from 1976 to 1977. If the Smith régime continues on its current calamitous course, there will be no tourism whatever - and no possible need for the extension of sanctions to cover tourism, which is rapidly becoming non-existent."

(211) Case No. 217. Argentinian hockey umpire visit to Southern Rhodesia: information obtained from published sources

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

(212) Case No. 219. Southern Rhodesia and the International Tennis Federation (ITF): information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In June 1977 the Committee received information from published sources according to which a representative of the so-called Rhodesian Tennis Association would attend the International Lawn Tennis Federation meeting scheduled to be held in Hamburg, the Federal Republic of Germany, on 6 July 1977.
4. In accordance with the Committee's decision at the 244th meeting concerning sports events, a note dated 19 July 1977 was sent to the Federal Republic of Germany and a letter of the same date was sent by the Acting Chairman of the Committee to the General Secretary of ITF and Secretary of the Davis Cup Nations. The substantive parts of the note and the letter are reproduced below:

(i) Note to the Federal Republic of Germany

"The Committee has received information from published sources to the effect that a representative of the so-called Rhodesia Lawn Tennis Association, whose name was given as Arthur Farmersey, would attend the International Lawn Tennis Federation meeting scheduled to be held in Hamburg on 6 July 1977, as Rhodesia's delegate. A copy of the newspaper report is herewith attached for ease of reference.

"The Committee decided that the matter should be brought to the attention of the Government of the Federal Republic for investigation. Should the information be confirmed, the admission into the Federal Republic of Germany of the so-called delegate would certainly be considered contrary to the spirit and intent of the Security Council provisions establishing sanctions against the illegal régime of Southern Rhodesia, and if the person in question should happen to be the holder of a Southern Rhodesian passport his admission might well be contrary to the provisions of paragraph 5 of Security Council resolution 253 (1968). In that case, the Committee would find it useful to be informed of the circumstances in which the individual concerned might have been admitted into the Federal Republic of Germany, the nature of the travel documents and means of transportation used by him and the financial arrangements made to facilitate his travel and stay in the Federal Republic.

"The Committee also indicated that it would appreciate receiving the comments of His Excellency's Government on the matter at its earliest convenience, if possible within a month."

(ii) Letter to the General Secretary of ITF and Secretary of the Davis Cup Nations

"At the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, I have the honour to refer to the past correspondence between your organization and the Committee in connexion with the participation of Southern Rhodesia in the Davis Cup competition. The Committee appealed to your organization as well as to the States whose teams had participated in the 1976 Davis Cup competition to take measures that would ensure non-participation of Southern Rhodesia in the competition and non-membership of that country in the International Lawn Tennis Federation (ILTF).

"In your last letter dated 27 July 1976 you indicated that the matter would be put before the Davis Cup Committee of Management at their meeting in November 1976. The Committee would greatly appreciate receiving information as to the outcome of the Management Committee's deliberations on the matter.

"Meanwhile, the Committee has received information from published sources indicating that a meeting of ILTF was due to be held in Hamburg, Federal Republic of Germany, on 6 July 1977, at which the question of Southern Rhodesia's membership in that organization would be among the items to be discussed. The Committee wishes similarly to address itself to that organization, through the medium of this letter, and to record its dismay at the fact that Southern Rhodesia has continued to be a member of ILTF all this time. Furthermore, if the information received by the Committee is correct, the Committee is also disappointed that a representative of the so-called Rhodesia Lawn Tennis Association was scheduled to attend the meeting as a delegate.

"The Committee would therefore greatly appreciate being informed of the outcome of the deliberations of ILTF at its meeting in Hamburg, with regard to the membership of Southern Rhodesia in that organization."

5. Replies were received from the General Secretary of ITF and the Federal Republic of Germany the substantive parts of which read as follows:

(i) Letter dated 27 July 1977 from the General Secretary of ITF

"Thank you for your letter of 19 July. I am writing to inform you that while the Rhodesia Lawn Tennis Association remains an affiliated member of the ITF, they did not enter for either the 1977 Federation Cup, the Women's Team Competition, or for the 1978 Davis Cup. The annual meeting rejected a proposal to expel them in the hope that the political situation there would be resolved by the time the Federation met again in Switzerland next July."

(ii) Note dated 23 September 1977 from the Federal Republic of Germany

"The Permanent Representative of the Federal Republic of Germany to the United Nations ..., with reference to the /Secretary-General's/ note of 19 July 1977, has the honour to communicate the following:

"The German Tennis Federation has confirmed that Mr. Arthur J. Farmerey attended the International Lawn Tennis Federation (ILTF) meeting in Hamburg on 6 July 1977 as representative of the Rhodesia Lawn Tennis Association, P.O.B. 8219, Belmont, Bulawayo, which is one of 37 associate members of the ILTF without voting rights. According to the Federation, the invitations to these 37 associate members (as well as to the 68 affiliated associations, with voting rights) had been sent out by the ILTF in May. Mr. Farmerey, who was born in Scotland, can be presumed to be holding a British passport. He arrived in Hamburg on 5 July 1977 from London and, like the majority of the delegates, stayed at the Hotel Atlantic in Hamburg. He paid for the entire cost of his stay himself.

"The Government of the Federal Republic of Germany was not aware of the attendance at the Hamburg meeting by a representative of the Rhodesia Lawn Tennis Association. Owing to their autonomy, the German sports organizations are under no obligation to give the Federal Government advance information on the delegates of international sports federations attending meetings in the Federal Republic of Germany. The meeting in question had been convened by the ILTF headquartered in London, with the German federation merely making the physical arrangements once the meeting had been awarded to the Federal Republic of Germany. Had Mr. Farmerey travelled on a Rhodesian passport he would not have received permission to enter the territory of the Federal Republic of Germany."

(213) Case No. 220. Southern Rhodesia and the International Amateur Swimming Federation (FINA): information obtained from published sources

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

(214) Case No. 222. Participation of Southern Rhodesian yachtsmen in the World Fireball Regatta in France: information obtained from published sources

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

(215) Case No. 224. Participation of Southern Rhodesia in the World Ploughing Match in Canada: information obtained from published sources

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

(216) Case No. 229. Participation of Southern Rhodesian player in the international tennis championships in Spain: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The present case, as well as Case No. 258, were considered together at the fourth meeting of the Working Group, at which it was recalled that the representative of the United States had apparently indicated previously that the player in question had since acquired residential status in the United States. It was therefore decided to recommend to the Committee that, after verbal assurance by the United States delegation of the residential status of the player, the two cases should be closed.
4. The recommendation of the Working Group was accepted by the Committee under the no-objection procedure.
5. At the 300th meeting on 17 November 1977, the representative of the United States made a statement in response to the Committee's inquiries covering Case Nos. 229 and 258 in which he said that he had been advised by appropriate agencies in Washington that there was no information that the tennis player, Mr. Colin Dodswell, had been granted permanent alien resident status in the United States and it was therefore assumed that he was still resident in Southern Rhodesia; the cases involving that player should not, therefore, be closed.

(217) Case No. 230. Participation of Southern Rhodesian in the commemorative Marathon in Greece: information obtained from published sources

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

(218) Case No. 234. Visit of the American All-Stars College Basketball Team to Southern Rhodesia: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. At the 296th meeting on 28 July 1977 the representative of the United States made a general statement in which specific reference was made to a number of

cases, including the present case. The text of that statement is contained in paragraph 3 of (210) Case No. 216, above.

- (219) Case No. 235. Participation of foreign jockeys in Salisbury's Plate Glass Jockey's International: information obtained from published sources

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

- (220) Case No. 237. Participation of foreign sportsmen in Rhodesian Open Tennis Championships: information obtained from published sources

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

- (221) Case No. 242. Southern Rhodesia and the International Sports Federations (ISF) Games: information obtained from published sources

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

- (222) Case No. 244. Participation of Malawi in swimming association with Southern Rhodesia: information obtained from published sources

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

- (223) Case No. 248. Cypriot soccer players in Southern Rhodesia: information obtained from published sources

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

- (224) Case No. 249. Participation of a Southern Rhodesian yachtsman in Rio race: information obtained from published sources

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

- (225) Case No. 251. Participation of Southern Rhodesians in the British Women's Open Squash Championships: information obtained from published sources

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

- (226) Case No. 252. English cricket team visit to Southern Rhodesia: information obtained from published sources

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

- (227) Case No. 253. Participation of Southern Rhodesians in the World Amateur Team Golf Championships in Portugal: information obtained from published sources

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

- (228) Case No. 254. Visit of the Gloucestershire Rugby team to Southern Rhodesia: information obtained from published sources

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

- (229) Case No. 255. Participation of a baseball team from the United States in the test series against Southern Rhodesia: information obtained from published sources

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

- (230) Case No. 257. English boys' hockey team tour to Southern Rhodesia: information obtained from published sources

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

- (231) Case No. 258. Participation of Southern Rhodesian in the Valencia (Spain) international tennis tournament: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. For additional information regarding the action taken on the case since the submission of that report, see paragraphs 3-5 of (216) Case No. 229, above.

- (232) Case No. 260. Southern Rhodesian women's team and the Philadelphia Federation Cup international tennis tournament: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A second reminder was sent to Belgium on 5 April 1977.
4. In the absence of a reply from Belgium, the Committee again included that Government in the twelfth quarterly list, which was issued as a press release on 14 April 1977.
5. A third reminder was sent to Belgium on 6 May 1977.
6. A reply dated 3 June 1977 was received from the Permanent Representative of

Belgium to the United Nations addressed to the Secretary-General of the United Nations, the substantive part of which reads as follows:

"The Belgian authorities have requested me to inform you that they are aware of the obligations arising from Security Council resolution 253 (1968) concerning sanctions against Southern Rhodesia. They have drawn the attention of the Royal Belgian Lawn Tennis Federation to the concern of the sanctions Committee, in which connexion they referred to the Olympic principle which prohibits any discrimination based on race, religion or political affiliation.

"Governmental action in the matter is, however, limited by the fact that the sports federations enjoy an independence which they prize highly.

"That is why it was impossible to prevent the presence of a team of the Royal Belgian Federation at the Federation Cup women's world team tennis championships held at Philadelphia from 22 to 29 August 1976.

"The Belgian Government will, however, intensify its efforts to persuade Belgian sports federations to refrain from participating in any sports competitions the arrangements for which are marred by the application of racial criteria or by the participation of representatives of an illegal régime."

- (233) Case No. 264. Southern Rhodesia and the world championships of bodybuilders in Canada: information obtained from published sources

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

- (234) Case No. 268. Junior golf team from the United States tour of Southern Rhodesia in 1977: information obtained from published sources

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

- (235) Case No. 271. Participation of two Southern Rhodesian soccer players in the 1977 Greek soccer season: information obtained from published sources

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

- (236) Case No. 277. Visit of a Uruguayan polo team to Southern Rhodesia: information obtained from published sources

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

(237) Case No. 278. Participation of Southern Rhodesia in the 1977 Davis Cup tennis tournament: information obtained from published sources

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

(238) Case No. 279. Participation of an Australian team in the international squash tournament in Southern Rhodesia: information obtained from published sources

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

(239) Case No. 280. Participation of a Southern Rhodesian team in the world combat pistol championships in Salzburg, Austria: information obtained from published sources

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

(240) Case No. 285. Participation of a Southern Rhodesian team in the Eisenhower Trophy golf tournament in Portugal: information obtained from published sources

1. In January 1977 the Committee received information from published sources according to which a nationally representative golf team from Southern Rhodesia had taken part in the Eisenhower Trophy golf tournament, held in Penina, Portugal, in October 1976.
2. In accordance with the Committee's decisions at the 244th and 269th meetings concerning sports events, a note dated 5 February 1977 was sent to Portugal, under the no-objection procedure, transmitting a copy of the source of the information and requesting comments thereon. The note also expressed the Committee's concern at the participation by a Southern Rhodesian team in a sports event abroad, particularly in its reported representative nature, which was contrary to the spirit and intent of the Security Council sanctions against Southern Rhodesia. Consequently, the Committee wished to know the circumstances in which the team of players from Southern Rhodesia had been admitted into Portugal, the documents used by them and the travel facilities made available to them to and from Portugal.
3. A first reminder was sent to Portugal on 8 April 1977.
4. A reply dated 26 April 1977 was received from Portugal, the substantive part of which reads as follows:

"The Chargé d'affaires of Portugal to the United Nations ... with reference to /the Secretary-General's/ note of 5 February 1977, has the honour, under instructions of his Government, to inform him of the following:

"In effect, six players carrying Rhodesian passports participated in the Eisenhower Trophy golf tournament which took place in Penina, Portugal, in October 1976.

"Three of these players arrived in Lisbon, on Transportes Aéreos Portugueses (TAP), flight 252, on 6 October 1976, from Johannesburg, and departed on the 17th of the same month. The remaining three arrived on Transportes Aéreos Portugueses (TAP), flight 244, on 1 October 1976, and returned to Johannesburg on the 10th of that month, on flight 241, via the same airline.

"The Government of Portugal regrets this occurrence, pointing out, however, that, in the absence of internal Portuguese legislation applying the system of sanctions imposed by the Security Council on the illegal régime of Southern Rhodesia, the Portuguese Golf Federation had earlier agreed with the World Golf Council to hold the above-mentioned sports competition in Portugal on the condition that there be no discrimination whatsoever of a political nature.

"In order to avoid the repetition of similar cases, and so as to permit the rapid and effective application of the system of sanctions by all Portuguese entities and citizens, legislation is now being prepared that would incorporate Security Council resolutions 253 (1968) and 388 (1976) in the internal Portuguese legal order."

5. A note dated 9 July 1977 was sent to Portugal under the no-objection procedure, the substantive part of which is reproduced below:

"The Committee has seen His Excellency's note dated 26 April 1977 concerning the above-mentioned case. It has also expressed its appreciation for the investigations carried out by the competent authorities and for the findings therefrom, which indicate that Security Council sanctions appear to have been violated through the admission into Portugal of persons holding Southern Rhodesian passports.

"The Committee also expressed its appreciation for the co-operation promised by the Portuguese authorities, particularly the measures said to be under way to implement Security Council resolutions 253 (1968) and 388 (1976), which would insure non-recurrence of such incidents in the future. In that regard, it would greatly appreciate receiving at the earliest convenience, if possible within a month, information of the measures so contemplated, and if promulgated under the internal Portuguese legal order."

6. First, second and third reminders were sent to Portugal on 9 August, 9 September and 12 October 1977, respectively.

7. In the absence of a reply from Portugal the Committee included that Government in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

8. In pursuance of the Committee's decision at the 273rd meeting a letter dated 25 November 1977 was sent by the Chairman to the Permanent Representative of Portugal to the United Nations, announcing the Chairman's intention to seek a personal meeting with him in order to discuss this case, in connexion with which a reply was still pending after three reminders.

9. At the time of preparation of the present report the proposed meeting had not yet taken place.

(241) Case No. 294. Participation of bowlers from the United States in men's bowling test against clubs in Southern Rhodesia: information obtained from published sources

1. In May 1977 the Committee received information from published sources according to which a team of bowlers from the United States had taken part in the first and second men's bowling tests in Southern Rhodesia in April 1977.

2. In accordance with the Committee's decisions at the 244th and 269th meetings, a note dated 19 May 1977 was sent to the United States, under the no-objection procedure, transmitting a copy of the source of the information and requesting comments thereon. The note also expressed the Committee's concern that such activity, if confirmed, would certainly be considered contrary to the spirit and intent of the Security Council provisions establishing mandatory sanctions against Southern Rhodesia. The Committee therefore wished to be informed of the circumstances in which the team of bowlers had been permitted to travel to Southern Rhodesia; in particular, the Committee would welcome information on the banking, travel and other arrangements that had facilitated such travel to and from Southern Rhodesia.

3. At the 296th meeting on 28 July 1977, the representative of the United States made a general statement in which specific reference was made to a number of cases, including the present case. The text of that statement is contained in paragraph 3 of (210) Case No. 216, above.

(242) Case No. 303. Participation of teams from Belgium, the Federal Republic of Germany, South Africa and the United Kingdom in World Championships of pistol shooting in Southern Rhodesia: information obtained from published sources

1. In September 1977, the Committee received information from published sources to the effect that teams from Belgium, the Federal Republic of Germany, South Africa and the United Kingdom had taken part in the World Championships of pistol shooting held in Southern Rhodesia in August 1977.

2. In accordance with the Committee's decision at the 244th meeting concerning sports events, notes dated 10 October 1977 were sent to Belgium, the Federal Republic of Germany, South Africa and the United Kingdom, under the no-objection procedure, transmitting a copy of the information and requesting comments thereon. The note also drew the Governments' attention to the fact that should the information be confirmed such participation would be considered contrary to the spirit and intent of Security Council provisions establishing mandatory sanctions against the illegal régime of Southern Rhodesia. In that case, the Committee requested to be informed of the circumstances in which the pistol shooting teams from the countries concerned were permitted to travel to Southern Rhodesia and of the banking, travel and other arrangements that were made to facilitate the teams' travel to and from Southern Rhodesia.

3. A reply dated 28 October 1977 was received from the United Kingdom, the substantive part of which reads as follows:

"As the Committee will be aware, there is no possibility of the Government of the United Kingdom giving either moral or financial support to enable a British team to compete in a sporting encounter in Southern Rhodesia. Indeed the competent United Kingdom authorities do what they can to implement the Government's well-known policy of discouraging sporting exchanges with the territory.

"With regard to the event referred to in Case 303, the United Kingdom authorities would point out that the Southern Rhodesian newspaper report is misleading in so far as it implies that some participants were a representative British team. The sport of Practical Pistol Shooting has not yet been recognised in the United Kingdom and no Governing Body exists. Until these conditions have been fulfilled the question of a national team does not arise.

"The invitations to United Kingdom participants in what the Southern Rhodesian press described as 'the World Championships' were issued on an individual basis and taken up in an entirely private capacity. Under these circumstances there was no contravention of sanctions legislation and the competent United Kingdom authorities had no power to prevent the visit.

"One application was made to the Bank of England in connection with this event for banking facilities in Southern Rhodesia but, in accordance with

standard practice, the application was refused. The United Kingdom authorities have no evidence therefore that exchange control regulations or any domestic sanctions legislation was contravened."

4. After closer scrutiny of the original published information showed that a team of participants in the pistol shooting championships had travelled to Southern Rhodesia from the United States also, a note dated 30 November 1977 was similarly sent to the United States, under the no-objection procedure, transmitting a copy of the published information and stating as indicated in paragraph 2 above for the other Governments.

5. First reminders were sent to Belgium, the Federal Republic of Germany and South Africa on 13 December 1977.

6. At the 302nd meeting, the representative of the United States made a statement concerning several cases under consideration. The text of that part of the statement pertaining to this case is reproduced below:

"The United States Government has been unable to discover any official United States Government relationship to the pistol shooting team from the United States which apparently took part in a shooting match in Rhodesia. Members of the shooting team evidently travelled as individuals, which is not a violation of United Nations Security Council sanctions against Rhodesia. Moreover, the Committee is well aware that as a matter of policy the United States Government refrains from restricting travels of American citizens so long as no government funds or other assistance are involved. At present we have no information on arrangements made to facilitate the team's travel to and from Rhodesia. If we are able to uncover such information, we will apprise the Committee."

M. BANKING, INSURANCE AND OTHER RELATED FACILITIES

(243) Case No. 163. Swiss company loan to Rhodesia Railways: United Kingdom note dated 22 January 1974

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

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

3. Further to paragraph 6 of (226) Case No. 163 in the ninth report, the proposed note was sent to Switzerland under the no-objection procedure on 18 January 1977. The substantive part of that note is reproduced below:

"At its 281st meeting the Committee considered the above-mentioned case and had before it His Excellency's reply dated 27 August 1976. It took note of the efforts undertaken by the Swiss authorities to make the investigations requested and expressed its appreciation for the co-operation of the investigating authorities in that regard. The Committee is desirous of concluding its consideration of this matter and would appreciate receiving at the earliest convenience, if possible within a month, specific information as to whether the Swiss company concerned, Industrie-Maschinen Zürich AG, did make a loan of about \$US 6 million to anyone, not necessarily a

Southern Rhodesian, at the material time. The Committee wishes to remain in no doubt that no third party or intermediary might have possibly acted on behalf of a final Southern Rhodesian recipient of the loan."

4. A reply dated 23 March 1977 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to inform him [the Secretary-General] that the Swiss authorities have transmitted to the Committee all the information that they have been able to obtain in the matter and that, unless new acts are brought to their attention by the Committee, they will unfortunately not be able to continue their investigations."

5. The case as a whole was considered at the third meeting of the Working Group, at which it was decided to recommend to the Committee that a further note be sent to the Swiss Government pointing out that in its reply Switzerland had not replied to the question which the Committee had put to it. It was also decided to recommend that the Chairman of the Committee, during his personal contact with the Permanent Observer of Switzerland to the United Nations, should draw the Permanent Observer's attention to the case and suggest that the Swiss Government might co-operate a little more closely with the Committee.

6. The Acting Chairman, acting under the Committee's decision, under the no-objection procedure pursuant to the recommendation of the Working Group, included the case among those which he discussed with the Permanent Observer of Switzerland to the United Nations during their personal meeting on 27 July 1977. For an account of that meeting see the Chairman's report contained in annex I to the present report.

7. Also pursuant to the Working Group's recommendation and in accordance with the Committee's no-objection procedure, a note dated 6 September 1977 was sent to Switzerland, the substantive part of which reads as follows:

"The Committee considered the reply from His Excellency's Government dated 23 March 1977 relating to the Committee's inquiries into the possibility that a Swiss company had arranged a loan to Rhodesia Railways. While expressing its appreciation for the reply thus received, the Committee nevertheless felt that the response failed to address itself to the question contained in the Secretary-General's note of 18 January 1977. The Committee wishes His Excellency's Government to appreciate that it entirely depends on the co-operation of individual States in its efforts to fulfil the mandate entrusted to it by the Security Council. Therefore, the Committee earnestly requests the Swiss authorities to give further attention to the particular inquiry contained in the Secretary-General's note dated 18 January 1977.

"The Committee also indicated that it would appreciate a reply at the earliest convenience from His Excellency's Government, if possible within a month."

8. Further to paragraph 6 above, a note dated 17 October 1977, was subsequently received from Switzerland, for the substantive part of which see paragraph 8 of (260) Case No. 214, in annex IV to the present report.

9. Further to paragraph 7 above, first and second reminders were sent to Switzerland on 9 November and 9 December 1977, respectively.

(244) Case No. 171. Rhodesian Iron and Steel Corporation (RISCO): information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information obtained since the submission of that report is given below:
3. A reply dated 25 March 1977 was received from Austria, the substantive part of which reads as follows:

"The Permanent Mission of Austria to the United Nations ... with reference to the /Secretary-General's/ of 29 November 1976 in regard to the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia has the honour to inform him as follows:

"Upon receipt of the Committee's note dated 29 November 1976, the Austrian authorities investigating the question of the participation of VOEST in the expansion of the RISCO steel mill works proceeded to thoroughly examine the contents of the letter addressed to the Committee by the Research Group for Interparliamentary Questions, dated 29 September 1976, and of the notarized testimony by the Austrian citizen, /the witness/, of 23 September 1976 which was annexed to that letter.

"The Austrian authorities conclude that the statements contained in the notarized testimony given by /the witness/ on 23 September 1976 concerning observations he made at the period of his employment in the construction department of VOEST in Linz from August 1971 to May 1972 are - as regards their essential contents - not in contradiction to but coincide with the statements made at his interview at the Austrian Federal Chancellery on 24 March 1976.

"This applies in particular to his statement that the construction drawings he was working on during his temporary employment were executed for the South African firm SAEPIC and were even marked with the firm name of SAEPIC. It also applies to indications contained in his testimonies concerning remarks made by third persons to the effect that the parts of steel mill equipment supplied by VOEST to the South African firm SAEPIC were eventually assembled at RISCO. In both his testimonies the witness could not offer any evidence suggesting that VOEST delivered its equipment to RISCO. On the contrary, he stated expressly that the project in question was carried out by VOEST for SAEPIC. As regards legal relations between VOEST and RISCO /he/ could not provide any indications, precisely because such relations were never established. Furthermore, /his/ statements did not produce any leads helpful in clarifying the essential question, namely as to how and on the basis of what legal transaction the equipment sold to South Africa was eventually transferred to Southern Rhodesia.

"In support of these conclusions the Austrian authorities reiterate their willingness - already expressed in note 1726-RES/76 of 12 November 1976 - to

make the transcript on the course and the results of the interview of the witness at the Austrian Federal Chancellery on 24 March 1976 accessible to a representative of the Committee.

"In view of the fact that declarations and statements made by the witness on a variety of occasions to private groups as well as to representatives of the Austrian Government have been essentially similar in content and have not produced any new evidence to elucidate facts central to the case the Government of Austria can see little merit in further pursuit and analysis of testimony the usefulness of which has been of a limited nature only.

"Pursuing its policy to co-operate in good faith with the Committee, the Government of Austria will not fail, however, to lend all its support to future efforts of the Committee related to this case based on new evidence."

8. The case was considered at the 291st meeting at which it was decided that the Chairman should be requested to seek a personal meeting with the Permanent Representative of Austria to the United Nations and discuss with him the pertinent aspects of the case with regard to Austria, including, in particular, the point as to whether the Austrian firm concerned might have exported the equipment to South Africa knowing that such equipment would eventually be delivered to Southern Rhodesia.

9. In pursuance of the Committee's decision at that meeting a letter dated 30 June 1977 was sent by the Acting Chairman to the Permanent Representative of Austria, announcing his intention to seek a suitable opportunity for a personal meeting in accordance with the Committee's request.

10. On 26 July 1977, the Acting Chairman met with the Permanent Representative of Austria and discussed the case with him. For an account of the meeting see the Chairman's report contained in annex I to the present report.

(245) Case No. 203. Payment by Southern Rhodesia bank to Austrian company: United Kingdom note dated 7 March 1975

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

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

3. Further to paragraph 5 of (229) Case No. 203 in the ninth report, the proposed note was sent to Austria on 18 January 1977.

4. A reply dated 16 February 1977 was received from Austria, the substantive part of which reads as follows:

"The Permanent Mission of Austria to the United Nations ... has the honour to inform him the Secretary-General of the following:

"(1) Simmering-Graz Pauker AG so far has had dealings with Miner Metals (Pty), Ltd., exclusively by post and for the past three years has not dispatched a representative of the company to South Africa to conduct business negotiations with Miner Metals (Pty), Ltd. Simmering-Graz Pauker AG

nevertheless, to this date, never has had any reason to doubt the trustworthiness character of the South African firm since that firm has so far always given the impression of an orderly conducted enterprise and has also continuously honored its financial obligations in a correct manner.

"(2) Furthermore, the extent of orders occasionally received from Miner Metals (Pty), Ltd., for delivery of parts of standard industrial locomotives has been minor. As mentioned above, payment for such deliveries has always been in good order through correct issue of documents of credit. Simmering-Graz Pauker AG therefore, in the past never had any reason to establish personal contacts with the management of Miner Metals (Pty), Ltd., by dispatching a representative or to carry out a closer scrutiny of the business transactions of that South African firm.

"(3) Although Simmering-Graz Pauker AG has no evidence whatsoever that Miner Metals (Pty), Ltd., a company duly registered in the Republic of South Africa, has any business dealings with Southern Rhodesia, the Austrian firm shall in possible future dealings with that company exercise special circumspection as recommended by the Committee."

5. The case was considered at the second meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.

6. Pursuant to the recommendation of the Working Group and in accordance with the Committee no-objection procedure, the case was thereafter closed.

(246) Case No. 208. Financial loan to a Southern Rhodesian company: United Kingdom note dated 13 May 1975

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

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

3. The case was considered at the second meeting of the Working Group, at which it was decided to recommend to the Committee that a further formal note should be sent to the Luxembourg authorities seeking a specific assurance that a loan of about DM 10.5 million had not been made to a Southern Rhodesian company before 14 March 1975, and seeking clarification as to whether they considered the Commerzbank in Luxembourg an associate of a similar concern in the Federal Republic of Germany or a Luxembourg establishment only.

4. Pursuant to the recommendation of the Working Group and in accordance with the no-objection procedure decided on by the Committee at the 170th meeting, a note dated 11 August 1977 was prepared for transmission to Luxembourg, the substantive part of which reads as follows:

"The Committee considered His Excellency's reply of 22 December 1975 concerning the case indicated above. While expressing its appreciation for the reply thus received, the Committee indicated its desire to seek from His Excellency's Government a 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.

"The Committee would also appreciate receiving clarification from the Luxembourg Government as to whether the Commerzbank in Luxembourg is an associate of a concern of a similar name in the Federal Republic of Germany or a Luxembourg establishment only.

"The Committee would appreciate receiving a reply from His Excellency's Government at the earliest convenience, if possible within a month."

5. A reply dated 27 September 1977 was received from Luxembourg, the substantive part of which reads as follows:

"The Permanent Representative of Luxembourg to the United Nations ... with reference to the Secretary-General's note of 11 August 1977 concerning a loan allegedly made by the Commerzbank International S.A., Luxembourg, to a Rhodesian firm, has the honour to confirm the information given in his replies of 22 December 1975 and 2 June 1975.

"With regard to the status of the Commerzbank International S.A., Luxembourg, the Permanent Representative of Luxembourg has the honour to inform the Secretary-General of the United Nations that the bank is a joint stock company under Luxembourg law. This company is managed independently in accordance with the relevant laws and regulations of Luxembourg."

(247) Case No. 304. Transfer of personal funds to and from Southern Rhodesia: information obtained from published sources

1. At the 293rd meeting, the representative of India drew the Committee's attention to information obtained from published sources comprising a letter from a reader to a Southern Rhodesian newspaper who complained that the Reserve Bank of Southern Rhodesia did not allow adequate remittance facilities for would-be emigrants, and a reply from the Reserve Bank stating that all forms of income, including interest on savings and rents, were freely remittable to emigrants' new countries of residence, with the exception of Canada, the United Kingdom, the United States and Zambia, since those countries prohibited the transfer of funds to Southern Rhodesia. The reply further indicated that elderly persons who chose to retire in those countries received sympathetic consideration from the exchange control, where need could be established.

2. In accordance with the Committee's decision at that meeting, a note dated 2 November 1977 was sent to all Member States, the substantive part of which reads as follows:

"At its 293rd meeting the Committee's attention was drawn to a reader's letter appearing in a newspaper published in Southern Rhodesia in which the writer complained about the stringent regulations relating to currency remittances abroad by persons, particularly old-age persons, wishing to emigrate from Southern Rhodesia. A reply purporting to come from the so-called Reserve Bank of Southern Rhodesia stated 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 found the position of the illegal authorities rather puzzling since it appeared to give the impression that funds from Southern Rhodesia were freely remittable to all countries other than those mentioned and that only the countries mentioned prohibited the transfer of funds to Southern Rhodesia. The Committee therefore decided that the above information should be brought to the attention of all Member States, alerting them to the reported remittance policies of the authorities of the illegal régime in Southern Rhodesia and requesting them to comment on the claims of the so-called Reserve Bank of Southern Rhodesia."

3. An acknowledgement dated 7 November 1977 was received from Austria.
4. Replies were received from the Netherlands, Greece and Japan, the substantive parts of which read as follows:

(i) Note dated 1 December 1977 from the Netherlands

"Comments on the part of the 'Reserve Bank' of Southern Rhodesia to the effect that many countries do not impose restrictions on the transfer of funds to Southern Rhodesia cannot be considered to apply to the Netherlands. In implementation of operative paragraph 4 of Security Council resolution 253 (1968) the Netherlands Government has enacted the International Payments/Southern Rhodesia Act prohibiting the direct or indirect remittance of funds or other financial resources, or the granting of credits to Southern Rhodesia, without prior permission of the Minister of Finance of the Netherlands.

"Such permission is granted only for those categories of payments which operative paragraph 4 of resolution 253 specifically excludes from the application of sanctions."

(ii) Note dated 15 December 1977 from Greece

"The Permanent Representative of Greece to the United Nations ... has the honour to communicate that the banking authorities of Greece confirm that no currency remittances are effected to Greece from Southern Rhodesia or vice-versa."

(iii) Note dated 19 December 1977 from Japan

"Japan has been taking measures since 1968 to prohibit currency remittance to Southern Rhodesia in accordance with Security Council resolution 253 (1968). These measures were communicated to the Secretary-General in a letter dated 2 August 1968 by the Charge d'affaires of Japan and produced in Security Council document S/8718 dated 2 August 1968, the relevant part of which reads: 'With the suspension of trade between Japan and Southern Rhodesia, no remittance of funds in connection with trade will occur. In order to suspend any other remittance, minor as they may be in amount, two special ordinances were enacted on 20 June 1968, relating respectively to the Ministerial Ordinance concerning Control of Invisible Transactions (MOF Ordinance No. 58, 2 November 1963) and the Ministerial Ordinance concerning

Control of Invisible Trade Transactions relating to Foreign Trade (MITI Ordinance No. 49, 1 April 1963), both of which have been in effect since 25 June 1968. Under these circumstances, any payment to Southern Rhodesia requires the approval of the Minister of Finance or the Minister of International Trade and Industry, and such approval will not be given unless the case falls within any of the exceptions listed in Security Council resolution 253 (1968)."

N. TOURISM AND OTHER RELATED MATTERS

(248) Case No. 143. Southern Rhodesian representational offices abroad: information obtained from published sources and from non-governmental sources

- (a) Rhodesian Information Centre in Sydney, Australia
- (b) Rhodesian Information Office in Paris, France, and
- (c) Rhodesian Information Office in Washington, D.C., USA

1. Previous information concerning this case is contained in the ninth report.
2. Additional information received since the submission of that report is given below.
3. Further to paragraph 12 of (231) Case No. 143 in the ninth report, an analytical summary of the documents submitted by the representative of the United States was made by the expert consultant and circulated to the Committee on 13 January 1977. The text of the summary by the expert consultant is given below:

"The Rhodesian Information Office represents the Government of Rhodesia as a foreign principal.

"Political activity: the purpose of the work of the Rhodesian Information Office as an agency of the Rhodesian Government is to promote in the United States a better understanding of the aims and policies of the Rhodesian Government. The registrant endeavours to influence public opinion to the end that United States policy towards Rhodesia will be based on a desire to reciprocate friendship. This is done primarily by means of regular mailings of printed matter (magazines, newspapers, press releases, pamphlets and other publications), as well as through the news media (radio and television broadcasts, motion picture films, etc.), to individuals and groups (such as public officials, legislators, government agencies, editors, newspapers, civic groups and associations, libraries, nationality groups, etc.). The officers of the Rhodesian Information Office hold themselves available for speaking engagements and interviews. They also visit and discuss Rhodesian affairs, political and general, with any person wishing to learn more about Rhodesia. Contact is maintained with members of the United States Congress and their staff members, particularly when matters affecting Rhodesia are being considered.

"Money receipts: the Rhodesian Information Office receives its money from the Rhodesian Treasury for payments of salaries, office expenses and operational costs."

The analysis of the money receipts and expenditures was made in four tables attached to the summary.

4. At the 285th meeting on 10 February 1977, the representative of France made a statement on the matter, for the text of which and for subsequent action by the Committee see paragraphs 3 and 4 of Case No. INGO-12 in annex V below.

5. At the 295th meeting on 25 July 1977 the attention of the Committee was drawn to information obtained from published sources, according to which it appeared that the closure of the Rhodesian Information Office in Washington, D.C. had not yet been effected as expected, despite the facilities for such action provided by Security Council resolution 409 (1977). The representative of the United States informed the Committee that, during a recent visit to Washington, D.C., he had ascertained that action was proceeding as quickly as possible under existing regulations and laws.

6. The case was considered by the Working Group at its 5th meeting, at which the attention of the members of the group was drawn to the uncertainty about the status of the illegal régime's representational office in Sydney, Australia, as well as to the continued existence of and operations by the Southern Rhodesian Information Office in Washington, D.C. With regard to the office in Washington, D.C., the Working Group had before it the analytical summary, made for the Committee by the expert consultant, of the documents submitted by the representative of the United States relating to that office, and mentioned in paragraph 3, above.

7. The Working Group decided to recommend to the Committee that notes should be sent to Australia and the United States impressing upon those Governments the importance and urgency of effecting the closure of the representational offices of the illegal régime in their territories. In the case of the United States the note would also inquire whether the declared political and propaganda activities of the office in Washington, D.C., did not provide sufficient justification for ordering the closure of the office, if subsequent scrutiny confirmed that activities by such offices were conducted in contravention of the Security Council regulations imposing mandatory sanctions against the illegal régime in Southern Rhodesia.

8. Meanwhile, the representative of the United States made a statement by which he informed the Committee at its 299th meeting on 10 November 1977, that, as one of the sponsors of Security Council resolution 409 (1977), the United States Government favoured the application of that resolution to the Rhodesian Information Office in Washington, D.C., was currently studying the best way to implement it.

9. Also on 17 November 1977 the Permanent Mission of Australia to the United Nations submitted to the Committee's secretariat a document containing the text of questions and answers extracted from the Hansard of the House of Representatives of the Parliament of Australia on 1 November 1977, concerning the Southern Rhodesian representational office in Sydney, Australia. According to the report from Hansard, the Minister for Foreign Affairs of Australia was asked why the legislative programme for the rest of the session did not include legislation to close the Rhodesian Information Centre in accordance with the undertaking given by

Australia's Permanent Representative to the United Nations. g/ The Minister answered that he had sent back for redrafting the proposed legislation in that connexion because he felt that it was too wide in ambit, but he expressed doubt that proper legislation would be ready for introduction before the end of the session (on 8 November 1977). He emphasized, however, that the Government would discharge its international obligations on the issue as determined by the Security Council, although any measures taken in that regard would also ensure protection of the rights of Australians to engage freely in political matters and express their views about Southern Rhodesia. The document also contained the text of an extract from a press statement by the Minister for Foreign Affairs of Australia on 15 November 1977 on the measures contemplated by the Government to implement Security Council resolution 409 (1977). The relevant text of that statement is reproduced below:

"As we are required to do by resolution 409 (1977) of the United Nations Security Council, the Government will pass legislation to make it illegal to provide funds to the Rhodesian Information Centre in Sydney. No infringement on the liberty of Australians freely to express opinions with respect to Rhodesia, and no restriction on the right of individuals to disseminate material putting the Smith régime's case will result from this legislation. This is an absolutely fundamental condition of the legislation."

10. At the 302nd meeting on 12 December 1977, the representative of the United States made a statement concerning several cases under consideration. The text of that part of the statement pertaining to this case is given below:

"... in response to requests of the Committee, the United States Government transmits to the Committee as an attachment to this note the supplemental statements filed with the United States Department of Justice by the Rhodesian Information Office in Washington, under the Foreign Agents Registration Act of 1938, as amended. The attached statements cover the activities of the Rhodesia Information Office for the period 30 July 1976 to 30 July 1977."

11. Further to paragraph 7 above, the proposed notes were sent to Australia and the United States on 13 December 1977. The substantive parts of those notes are reproduced below:

(i) Note to Australia

"During its recent review of the above-mentioned case the Committee noted that to date it has received no further information from His Excellency's Government concerning the status and operations of the Southern Rhodesian representational office formerly established as the Rhodesian Information Centre in Sydney, Australia. The last information available to the Committee indicated that the registration of the business entity of that name had been cancelled so that the activities of that entity could no longer be carried out under that name. Since then, the Security Council adopted resolution 409 (1977) which prohibits the use or transfer of funds by the illegal régime

g/ Letter dated 2 June 1977 from the Permanent Representative of Australia to the United Nations addressed to the Secretary-General (S/12341) setting out the Government's attitude to Security Council resolution 409 (1977).

into territories of Member States for the purpose of facilitating the operations of such offices of the illegal régime abroad.

"The Committee took note with interest, from the documents received recently from the Australian Mission to the United Nations, that measures are contemplated by the Australian authorities to close the office still referred to as the Rhodesian Information Centre in Sydney and to implement the provisions of Security Council resolution 409 (1977). It decided however that a note should be sent to His Excellency's Government indicating the urgency of the matter and the Committee's anxiety at the continued existence in Australia of a representational office of the illegal régime in Southern Rhodesia, despite the provisions of Security Council resolutions 277 (1970), paragraph 3, and 409 (1977), paragraph 1, in particular.

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

(ii) Note to the United States

"During its recent survey of the above-mentioned case the Committee noted that the Rhodesian Information Office in Washington, D.C., continued its operations in the United States as a representational organ of the illegal régime in Southern Rhodesia. The Committee had before it an analytical summary showing the range and nature of those activities, as derived from the periodic supplemental statements filed by the Office with the Department of Justice of the United States Government. It had also taken note of the statements by the representative of the United States in the Committee declaring the intentions of the United States Government regarding that office.

"The Committee felt that a note should be sent to His Excellency's Government, indicating the urgency of the matter and the Committee's anxiety at the continued existence in the United States of a representational office of the illegal régime in Southern Rhodesia, particularly in view of the relevant provisions of Security Council resolution 409 (1977). The Committee also felt that His Excellency's attention should be drawn to the activities of that office and wondered whether the provisions of paragraph 3 of Security Council resolution 277 (1970) were not already sufficient as a basis for ordering the closure of the office.

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

12. At the time of preparation of the present report the documents submitted by the representative of the United States and referred to in paragraph 10 above were being analysed for the Committee by the expert consultant.

(249) Case No. 190. Tourism agencies and Southern Rhodesia: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Second and third reminders were sent to Belgium on 17 January and 24 February 1977, respectively.
4. A reply dated 9 March 1977 was received from Belgium, the substantive part of which reads as follows:

"I have the honour to refer to your note dated 24 February 1977, relating to case No. 190.

"In that note, you informed me that the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia had at that time received information from published sources according to which Mr. Jo De Wachter, Secretary-General of the Universal Federation of Travel Agents' Associations, the headquarters of which is at Brussels, had allegedly travelled to Southern Rhodesia in order to participate there as "chief foreign observer" in a conference of the Association of South African Travel Agencies.

"I communicated this information to the Belgian authorities. The latter in turn conducted an investigation which yielded the following facts:

"The Universal Federation of Travel Agents' Associations (UFTAA) is a strictly private organization which is completely independent of Governments and evidently deals with questions of general interest to the travel agents.

"The activities of UFTAA in which Rhodesian organizations allegedly participated would not seem in any way to constitute recognition of the Government of that country nor would they seem to provide any support to it.

"Moreover, the Belgian authorities have not failed to draw the attention of the Universal Federation of Travel Agents' Associations to the importance of the case referred to by the Sanctions Committee and have noted that the Secretary of the Federation has already had occasion to express his understanding of the concerns of the United Nations bodies competent in such matters, as evidenced by the reply addressed by him to those bodies on 3 December 1974.

"My Government would be grateful if the foregoing information could be brought to the attention of the Committee."

4. The case was considered at the fourth meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed with regard to all the other countries involved except the Federal Republic of Germany, and that the reply from that Government dated 2 December 1976 and reproduced in the ninth report (S/12265, vol. II, annex II (232) Case No. 190, paragraph 8 (iii)), should be referred to the Committee as a whole.

5. The recommendation of the Working Group was accepted by the Committee.

(250) Case No. 194. Holiday Inns and car rentals: information obtained from published sources

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

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

3. The case was considered at the fourth meeting of the Working Group, at which it was decided to recommend to the Committee 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.

4. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the question proposed by the Working Group was put to the representative of the United States on the Committee.

5. At the 302nd meeting, the representative of the United States made a statement concerning several cases under consideration. The text of that part of the statement pertaining to this case is reproduced below:

"United States parent companies have directed their franchise holders in South Africa to terminate their sub-franchises in Rhodesia. The franchise holders now report they have issued termination orders in compliance with the orders from the parent companies."

6. Consequently, the case was thereafter closed.

(251) Case No. 213. Flights to and from Southern Rhodesia: case opened at the 243rd meeting

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

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

3. Further to paragraph 99 of the ninth report (S/12265, vol. 1), a note dated 8 April 1977 was sent to Portugal and South Africa transmitting the text of the Legal Counsel's opinion on the general question of air links with Southern Rhodesia and Member States' obligations under the provisions of paragraph 6 of Security Council resolution 253 (1968).

4. Further to paragraph 9 of (234) Case No. 213 in annex II to the ninth report, in the absence of a reply from South Africa, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

5. 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 whether their 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.

(252) Case No. 227. Organized tours abroad for persons using Southern Rhodesian passports

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

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

3. Second and third reminders were sent to Switzerland on 10 January and 17 February 1977 respectively.

4. A reply dated 17 February 1977 was received from Switzerland, the substantive part of which reads as follows:

"On 10 February 1967 and 4 September 1968, the Federal Council declared that, for reasons of principle, Switzerland, as a neutral State, could not submit to binding United Nations sanctions against Rhodesia. The Swiss Government, would, however, independently and without recognizing any legal obligation in the matter, take care to prevent Swiss territory from being used for the purpose of circumventing the Security Council sanctions.

"There is no reason to suppose that the mere fact of admitting Rhodesian passport-holders to Switzerland should have resulted in an increase in the movement of travellers between Rhodesia and Switzerland since the entry into force of the sanctions. In any case this practice implies no recognition of nationality, since passports are considered simply as travel papers."

5. In accordance with the Committee's decision at the 292nd meeting, a note dated 8 July 1977 was sent to Switzerland requesting clarification of the Swiss Government's legal provisions governing passports in view of the Government's position that passports implied no recognition of their nationality, since they were considered simply as travel papers. The note also requested comments on a newspaper report, a copy of which was enclosed, which quoted official Swiss sources as stating that with effect from 1 May 1977 all Southern Rhodesians, except those holding diplomatic passports, would need visas to enter Switzerland.

6. In accordance with the Committee's instructions at the same meeting, a memorandum was sent to the Legal Counsel of the United Nations requesting his opinion with regard to the Swiss Government's position on passports and the potential implications for Member States of the acceptance of that position.

7. A reply dated 26 July 1977 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to give the following reply to the /Secretary-General's/ note of 8 July. The article enclosed with the Secretary-General's communication appeared to raise two questions.

"(a) The practice of the Swiss authorities with regard to holders of Rhodesian diplomatic passports:

"The details given on this point in the above-mentioned article are not in accordance with the facts. Since Switzerland does not recognize Rhodesia it likewise does not recognize the diplomatic or consular status of its agents. In these circumstances, persons holding Rhodesian diplomatic passports are obliged to comply with the same formalities as persons holding ordinary Rhodesian passports. They are, therefore, subject to the visa requirement.

"(b) The practice of the Swiss authorities with regard to Rhodesian residents holding United Kingdom passports:

"Although the Swiss authorities would have preferred to apply the visa requirement in the broadest possible way, they have been obliged to take into consideration the fact that the passports do not indicate the place of permanent residence of the persons holding them. In these circumstances, for purely practical reasons, the visa requirement is waived for persons holding United Kingdom passports."

8. 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 text of the statement by the representative of the United Kingdom is reproduced below:

"1. Operative paragraph 5 of United Nations Security Council Resolution No. 253 of 1968

'Decides that all States Members of the United Nations shall,

'(a) Prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a Southern Rhodesian passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal regime in Southern Rhodesia; and

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

"2. On 17 June 1968, the then Attorney-General announced that Her Majesty's Government were declaring invalid Southern Rhodesian passports, but retaining the power to issue in their place United Kingdom passports when there were special reasons for doing so. His statement described the categories of people to whom such 'concessionary' United Kingdom passports would be issued.

"3. Briefly, the passport measures introduced in 1968 are as follows. Concessionary United Kingdom passports are issued to 'mono-Rhodesians' of all races (those who have only Rhodesian citizenship) where:

- "(a) They are members of a family, one member of which is entitled to a full United Kingdom passport;
- "(b) There are compassionate grounds for travel (generally visits to relatives and medical treatment);
- "(c) They are political refugees;
- "(d) They are students;
- "(e) They are exercising their right of abode in the United Kingdom;
- "(f) Cases are approved specifically by the British Government when travel is considered to be 'in the public interest'

In addition, all Rhodesian citizens ordinarily resident outside Rhodesia are automatically eligible for twelve-month passports.

"4. All applications for concessionary passports are considered sympathetically on their merits although tight control of the system is necessary to avoid possible abuse of the system (e.g. by sanctions breakers)."

9. A note dated 17 November 1977 was sent to Portugal inquiring whether the investigations referred to in the comprehensive communication dated 14 October 1976 from Portugal had been completed and the results could be communicated to the Committee as soon as possible.

10. Further to paragraph 6 above, a memorandum dated 8 December 1977 was received from the Legal Counsel, the text of which is given below:

"I have received your memorandum of 7 July 1977, informing me that the Sanctions Committee at its 292nd meeting on 9 June 1977 decided to request an opinion of the Legal Counsel regarding the position taken by Switzerland in a note of 17 February 1977 with respect to the admission of holders of Southern Rhodesian passports into Switzerland and, in particular, the potential implications for Member States of the acceptance of the Swiss position that the practice of admitting holders of Southern Rhodesian passports 'implies no recognition of nationality, since passports are considered simply as travel papers'.

"The statement in question was made in connexion with the Committee's examination of Case No. 227 dealing with the admission by certain States into their territories of persons holding Southern Rhodesian passports contrary to the mandatory sanctions imposed by the Security Council and, in particular, paragraph 5 of Security Council resolution 253 (1968).

"As was pointed out in an earlier opinion dealing with the import of fertilizers into Southern Rhodesia through a Swiss company known as Nitrex A.G., there is no need to discuss whether or to what extent the Security Council in resolution 253 (1968) intended to impose a legal obligation upon non-members of the United Nations, or the extent to which such an obligation would be binding upon non-members without their consent. The Government of Switzerland in a note of 4 September 1968 replied as follows to the Secretary-General (S/8786/Add.1):

'In its statement of 10 February 1967 concerning the Security Council resolution of 17 December 1966, the Federal Council explained that, for reasons of principle, Switzerland, as a neutral State, cannot submit to the mandatory sanctions of the United Nations. However, independently and without recognizing any legal obligations to do so, it has taken steps to ensure that any possibility of increasing Rhodesian trade is excluded and that the United Nations sanctions policy cannot be contravened.

'...

'The Federal Council will maintain this position. With reference to the latest resolution of the Security Council /253/, it will attempt, independently and always in the context of the Swiss legal order, to see that Rhodesian trade cannot avoid the Security Council sanctions through Swiss territory.'

This unilateral declaration by the Swiss Government that it would ensure that United Nations sanctions policy cannot be contravened, albeit without recognizing any legal obligation to do so, has been reaffirmed and strengthened in the note of 17 February 1977:

'The Swiss Government, would however, independently and without recognizing any legal obligation in the matter, take care to prevent Swiss territory from being used for the purpose of circumventing the Security Council sanctions.'

"It seems clear on the basis of the foregoing, that with respect to the denial of entry to Rhodesian passport holders the Government of Switzerland has unilaterally and unreservedly accepted the obligation. To cite the note of 17 February 1977: 'The Swiss Government would ... take care to prevent Swiss territory from being used for the purpose of circumventing the Security Council sanctions.' This statement would seem to be unequivocal and subject to no reservations unlike, for example, the earlier position with respect to trade sanctions where the Government had only undertaken to ensure that any possibility of increasing Rhodesian trade was excluded.

"Switzerland having unilaterally undertaken to comply with paragraph 5 of Security Council resolution 253 (1968), it is necessary to examine the language of that paragraph in order to determine whether it is clear in intent. The paragraph in question provides as follows:

'/The Security Council/ Decides that all States Members of the United Nations shall:

(a) Prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a Southern Rhodesian passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal regime in Southern Rhodesia;'

The meaning and intent of this paragraph is clear, namely, that save on exceptional humanitarian grounds (which do not appear to be the case here) States should prevent all entry into their territories of holders of Southern Rhodesian passports. The fact that a passport may be considered by a particular Government merely as a 'travel paper' and implying no recognition of the issuing authority or of nationality would appear to be irrelevant. The admission of persons holding Southern Rhodesian passports manifestly violates the spirit and the intent of the resolution, paragraph 5 in particular, and would seem to be contrary to the Swiss Government's own statement that it will prevent Swiss territory from being used for the purpose of circumventing Security Council sanctions.

"In view of the apparent contradiction in the Swiss position, I would suggest that the Committee established in pursuance of Security Council resolution 253 (1968) consider requesting the Secretary-General to clarify in correspondence with the Swiss Government one aspect of its present position, namely, whether in applying para. 5 of Security Council resolution 253 (1968), it is the policy of the Government to ensure that the entry of Southern Rhodesia passport holders will be prevented or whether its policy is merely to ensure that there is no increase in the entry of such passport holders since the entry into force of sanctions."

(253) Case No. 275. Visit to Southern Rhodesia by travel agents from the United States: information obtained from published sources

1. Previous information concerning this case is contained in the Committee's ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was discussed at the 294th meeting on 21 July 1977, at which it was decided that a note should be sent to the United States requesting clarification and further information concerning the position maintained by that Government in an earlier reply that "... it is not possible, under the United States Constitution, for the United States Government to prevent individuals from travelling as individuals, even in an organized tour, if there is no official censorship".
4. At the 296th meeting on 28 July 1977, the representative of the United States made a general statement in which specific reference was made to a number of cases, including the present case. The text of that statement is contained in paragraph 3 of (210) Case No. 216, above. Consequently, the proposed note to the United States referred to above was not sent.
5. The case was considered by the Working Group at its 5th meeting, at which it was decided to recommend to the Committee that a note should be sent to the United States, indicating that the Committee had taken note of the position of the United States Government contained in the statements of the United States representative,

and seeking assurance that the persons from the United States who had travelled to Southern Rhodesia had, at least, not violated the sanctions regulations through a transfer of funds resulting from their expenditures there. The note was also to request further information regarding the position of the United States Government in respect of its United Nations obligations that might be in conflict with its constitutional policy.

6. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure a note dated 30 November 1977 was sent to the United States, the substantive part of which reads as follows:

"The Committee took note of the statement made by the representative of the United States at the 296th meeting concerning this and other cases involving persons from the United States travelling to Southern Rhodesia. Bearing in mind the possibility that the expenditures incurred by such persons in Southern Rhodesia might contravene the Security Council mandatory provisions prohibiting the transfer of funds to that Territory, the Committee particularly focused its attention on the constitutional difficulties described as making it impossible for the United States Government to take any action against such persons. On its part, the Committee expressed its puzzlement as to how, in such situations, the United States Government proposed to fulfill the obligations imposed on all Member States by the Security Council.

"Accordingly, the Committee felt that a note should be sent to His Excellency's Government, seeking assurance that, with regard to this particular case, no sanctions violations had occurred from the expenditures of the persons concerned to and within Southern Rhodesia, and requesting 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.

"The Committee also expressed the hope that it might receive a reply from His Excellency's Government at the earliest convenience, if possible within a month."

7. At the 302nd meeting on 12 December 1977, the representative of the United States made a statement concerning several cases under consideration. The text of that part of the statement pertaining to this case is reproduced below:

"... regarding the request for follow-up information on Case No. 275 regarding expenditures made by United States citizens travelling in Rhodesia, I wish to make the following statement on behalf of my Government: as the United States has reported on a number of occasions, citizens and permanent residents of the United States have a Constitutionally-based right to travel, which the Administration can not limit. Such persons may of course, take with them such amounts of their private resources as they wish. There is no indication that any private American traveller had taken large amounts of money to Rhodesia, and there is good reason to believe that the contrary was the case. Moreover, no United States financial institution can issue letters of credit or have other dealings with financial institutions in Rhodesia. Thus the individual traveller's only practical possibility of taking funds into Rhodesia is in the form of cash or traveler's checks, although, as is true for all other countries, the possibility of transmission of funds through South African channels remains open. Bearing in mind the fact that individual private travel to Rhodesia has been decreasing sharply, the total amount of any such funds must be small.

"Members of the Security Council have been aware from the beginning of the inability of the United States to prohibit private travel of individual American citizens and permanent residents. That position has been stated by United States representatives many times in the Committee. It reflects the position of my Government with respect to the First Amendment to the Constitution of the United States.

"Nonetheless, my Government will continue to do everything legally and constitutionally possible to discourage travel by American citizens to Rhodesia."

O. OTHER CASES

(254) Case No. 154. "Tango Romeo" - Sanctions-breaking activities via Gabon: information obtained from published sources and supplied by the United Kingdom on 30 August 1973

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Further to paragraph 17 of (238) Case No. 154 in the ninth report, a note dated 17 January 1977 was sent to Gabon, the substantive part of which reads as follows:

"At its 280th meeting, the Committee considered His Excellency's letter dated 25 September 1976 addressed to the Chairman confirming the points discussed during His Excellency's conversation with him on 19 August 1976. The Committee expressed its appreciation for the co-operation of the Government in providing the pertinent information. The Committee indicated, however, that it wished to receive further amplification from the Government of Gabon with regard to the dissolution of Affretair. In particular, the Committee decided to request the Government of Gabon to ascertain, as a matter of urgency, what cash sum, if any, was involved in the compensation, to whom payment had been made and what had become of Affretair's equipment subsequent to the company's dissolution. In addition, the Committee wished to be informed further of the reasons why Gabon obtained its meat supplies from Southern Rhodesia, the quantities of meat received, the payments involved and the expected duration of that situation."

"Accordingly the Committee would appreciate receiving from His Excellency's Government at its earliest convenience, if possible within one month, further information on the matters raised in the present note."

4. Further to paragraph 18 of the same case in the ninth report, the Committee decided, under the no-objection procedure, not to send the proposed reminders to Malawi and Portugal.
5. A reply dated 20 January 1977 was received from Gabon, the substantive part of which reads as follows:

"The Ambassador, Permanent Representative of the Gabonese Republic to the United Nations informs the Secretary-General of the United Nations that this problem has been brought to the knowledge of the Gabonese Government, which will be sure to give it the importance it deserves; he believes, however, that he is already able at present to furnish the following information in reply to the questions asked.

"By a governmental decision dated 5 May 1976, the Affretair company was incorporated into the national company Air Gabon; consequently, the former shareholders of Affretair became ipso facto shareholders of Air Gabon. Furthermore, Gabon, which consumes an average of 700 tons of meat per month, has had to find new sources for procurement of this commodity, thus respecting

the resolutions adopted by our Organization against the rebel régime installed in Rhodesia. Gabon has therefore negotiated and signed agreements with Burundi, Botswana, Swaziland and Chad, which are henceforth to provide it respectively with 120 tons, 1,000 tons, 60 tons and 120 tons of meat, amounts which far exceed Gabonese monthly meat needs.

"So far as the Gabonese Republic is concerned, the Affretair problem has already been resolved, since that company no longer exists and the meat currently being consumed by Gabon comes from the above-mentioned countries."

6. A reply dated 7 February 1977 to the Secretary-General's note of 18 May 1976 to all States (see the Committee's ninth annual report, S/12265, vol. II, annex II, (238) Case No. 154, paras. 5 and 9) was received from the Sudan, the substantive part of which reads as follows:

"The Permanent Representative of the Democratic Republic of the Sudan to the United Nations ... with reference to /the Secretary-General's/ note concerning the question of Southern Rhodesia /Case No. 154/, has the honour to state that the competent authorities in the Government of the Democratic Republic of the Sudan would like to know the calling signal of the Compagnie gabonaise D'affrètements Aériens (Affretair), BP 484 Libreville: airline."

7. A third reminder was sent to Belgium on 24 February 1977.

8. Further to paragraph 5 above, a further note dated 7 March 1977 was sent to Gabon, under the no-objection procedure, the substantive part of which reads as follows:

"The Committee considered the reply contained in the note of the Permanent Representative of Gabon dated 20 January 1977 concerning Affretair and expressed its appreciation for the co-operation of the Government of Gabon in assisting it in the performance of its tasks.

"The Committee, however, requested the Secretary-General to inquire once again from His Excellency's Government, as a matter of urgency, what financial arrangements, if any, were made in compensation and with whom they were made when Affretair was incorporated into Air Gabon. In addition, since it was indicated in the Committee's records that Affretair was owned and operated by Southern Rhodesia interests on behalf of the illegal régime of Ian Smith in that Territory, the Committee wished to be informed further of the names, nationalities and countries of residence of the former owners of Affretair who became ipso facto shareholders of Air Gabon, the names and nationalities of the crew of the old airline and whether members of that crew had also been hired by the new Air Gabon. It would also appreciate receiving a list of the former Affretair aircraft taken over by Air Gabon."

9. Further to paragraph 6 above, a note dated 15 March 1977 was sent to Sudan, under the no-objection procedure, the substantive part of which reads as follows:

"The Committee has seen His Excellency's note of 7 February 1977 requesting information by which aircraft belonging to the Affretair airline could be identified. The Committee expressed its appreciation for the

co-operative response from the Sudanese authorities aimed at enhancing the performance of its work. It wishes His Excellency's Government to be informed, however, that it recently received information from the Government of Gabon to the effect that Affretair had been dissolved and incorporated into Air Gabon, the national airline of Gabon. The Committee has requested and is awaiting further information from the Government of Gabon concerning various aspects relating to the former airline. The Committee is therefore unable as yet to provide any additional, relevant information, such as that requested by His Excellency's Government; it feels nevertheless that the foregoing might be of interest to the Government in the meantime."

10. In the meanwhile, a reply dated 9 March 1977 was received from Belgium, the substantive part of which reads as follows:

"The Belgian authorities have instructed me to inform you that the investigation carried out by the competent services basically confirms the conclusions reached by the Sanctions Committee, namely that Affretair's TR - LOR aircraft was refuelled at the Schiphol airport by the Mobil Oil Company.

"Document PO 230 SORH(1-2-1) of the Sanctions Committee, dated 1 June 1976, which makes reference to this fact, refers in addition to information on this matter provided by the Netherlands authorities who, in their reply reported on page 25 of the Committee's eighth report, indicated that 'no unlawful act could be established in that connexion'.

"In the event that the Committee should deem it necessary that additional information relating to this case be provided, you would probably find it useful to contact the aforementioned authorities with a view to ensuring a follow-up of the investigation into the facts concerning the refuelling of an aircraft of a third country in a foreign airport which at no time came within the competence of the Belgian authorities."

11. An acknowledgement dated 18 March 1977 was received from the Permanent Mission of Gabon to the United Nations stating that the Secretary-General's note had been forwarded to the competent Gabonese authorities, who would certainly give all due consideration to the problem in question.

12. In the absence of replies from South Africa, Zaire and Zambia, the Committee again included those Governments in the twelfth quarterly list, which was issued as a press release on 14 April 1977.

13. A first reminder was sent to Gabon on 16 May 1977.

14. A further acknowledgement dated 26 May 1977 was received from the Permanent Representative of Gabon, stating that the matter had already been brought to the attention of the competent Gabonese authorities and that he was awaiting their reply.

15. Second and third reminders were sent to Gabon on 17 June and 18 July 1977, respectively.

16. Further to paragraph 2 above, the Committee included Gabon and again

South Africa, Zaire and Zambia in the thirteenth quarterly list, which was issued as a press release on 25 July 1977.

17. In the absence of the reply from Zambia promised by that Government in the acknowledgement dated 17 August 1976 (see the ninth report, S/12265, vol. II, annex II, (90) Case No. 156, para. 5), the Chairman renewed his request for a personal meeting with the Permanent Representative of Zambia to the United Nations to discuss this and the other cases concerning Zambia.

18. On 26 July 1977, the Acting Chairman met with the Permanent Representative of Zambia and discussed with her the cases in question. An account of the meeting is contained in the Chairman's report reproduced in annex I to the present report.

19. Subsequently, the Permanent Representative of Zambia was invited to appear before the Committee at its 296th meeting on 28 July 1977, at which she made a general statement covering the cases. The text of that statement, as summarized in the Committee's records, is given below.

20. The Permanent Representative of Zambia said that it was precisely because Zambia recognized that the Committee had a particularly important role to play in the enforcement of sanctions against Southern Rhodesia that she wished to assure it of her Government's sincere wish to co-operate in any action to bring down the minority racist régime in that Territory. She was therefore anxious to prevent any misunderstanding that might arise from the Committee's publication on 25 July 1977 of a press release which listed Zambia, among other countries, as not having responded to the Committee's inquiries within a prescribed period of time. She was particularly disappointed that the Committee had included the name of Zambia in that press release when it had been fully aware that the Chairman and the Deputy Secretary of the Committee were to hold consultations with her on the following day. With that press release the Committee had, perhaps unwittingly, given the impression to the international community that Zambia was violating sanctions against Southern Rhodesia and was no different from countries which were actually known to have violated sanctions. Clearly, such an inference was unjustified.

Inquiries had been addressed to her Government in relation to three cases of alleged violations of sanctions. Case No. 154 related to an aircraft which was registered in Gabon but was believed to be owned and operated by Southern Rhodesian interests. She wished to assure the Committee that her Government had not and could not have allowed the aircraft in question to fly over Zambian territory on its flights to either Southern Rhodesia or Gabon for any purpose, including the shipment of meat from one of those countries to the other. All the competent Zambian authorities were under strict instructions not to permit the passage of such an aircraft through Zambian air space. The Committee was probably already aware that the Zambian authorities could know about flights over their territory only if they were informed of them in advance, and the Southern Rhodesian régime was hardly likely to inform them that it intended to use Zambian air space. Besides, as a very large and relatively undeveloped country, Zambia did not have the sophisticated equipment necessary to monitor every inch of its air space. Her Government had never been approached by Southern Rhodesia for permission to fly over its territory and if such permission had been sought, it certainly would not have been given.

With regard to Case No. 156 relating to a consignment of tobacco off-loaded at Alexandria, it should be clear to members of the Committee that, once sold, any commodity originating in Zambia ceased to be Zambian property and that her Government had no control over what happened to cargo once it left Zambian territory. The Committee was aware that whenever Zambia sold goods it issued certificates of origin. The Egyptian Government had provided the Committee with the certificates relating to its purchase of tobacco from Zambia. As the remaining tobacco had been shipped by a Greek-registered ship, the Committee could have asked either the shippers or the Greek Government to submit the certificates corresponding to that shipment. The Zambian Government was not accountable for what had happened to the tobacco in question between Zambia's border and Beira. Therefore, even in the absence of a reply from Zambia, the Committee could have solved the problem of the discrepancy brought to light by the documents submitted by Egypt and Greece by obtaining the necessary information from the shipping company involved.

With regard to Case No. 168 relating to a shipment of motor vehicles from Japan, there again the Committee could have verified whether sanctions had been violated simply by obtaining the pertinent information from the Netherlands, as the country of registration of the ship used. The fact that her Government had not replied to the Committee's inquiries did not mean that it was reluctant to co-operate with the Committee. Her Government's commitment to the policy of sanctions against Southern Rhodesia was total and the Committee was well aware that Zambia was second to none in bearing the burden of that policy, particularly since it had closed its border with Southern Rhodesia in 1973. It had always taken an unequivocal stand on sanctions and wanted to see the scope of sanctions widened.

In general, cases referred to dated back to 1973 and were somewhat out of date. In her view, the Committee should pay greater attention to the many current cases of violations of sanctions, some of which, such as the role of Western oil companies in supporting the Smith régime, were extremely serious. The Committee should resist any attempts from any quarter to divert its attention from actual and serious breaches of sanctions to what might really be extraneous cases, especially if it wished to retain its credibility and fulfil the hopes placed in it.

Finally, she wished to reaffirm the willingness of her Government to co-operate with the Committee, so that their common objective of liberating Zimbabwe might soon be realized.

21. At the same meeting, the Chairman explained that in issuing the press release in question, the Secretariat, on the Committee's instructions, had simply followed the established practice of listing the names of Governments which had not replied within two months to inquiries addressed to them by the Committee. He expressed the Committee's appreciation for the statement made by the Permanent Representative of Zambia, which would constitute the substantive reply of the Government of Zambia in the cases concerned and would be given careful consideration, when those cases came up for consideration by the Committee.

22. Further to paragraph 6 above the Committee again included Gabon, South Africa and Zaire in the fourteenth quarterly list, which was issued as a press release on 21 October 1977.

23. By a note dated 24 October 1977 the United Kingdom reported information concerning the activities of airline companies based in Gabon, Muscat and Switzerland and believed to be operating on behalf of a Southern Rhodesian airline known as Africa Trans-Air and for the benefit of the illegal régime in that Territory. The text of the note is reproduced below:

"The Government of the United Kingdom wish to inform the Committee that they have received information concerning the activities of Compagnie Gabonaise d'Affretements Aériens (Affretair). The Committee will recall that this company was the subject of United Kingdom notes of 28 November 1975 and 9 April 1976.

"The Committee will recall that Affretair was shown to be the cover organization for the Rhodesian airline Air Trans-Africa (ATA) of Salisbury. Our information is that ATA continues to operate two DC8s and one CL44, previously operated by Affretair, through two front companies. The first is Air Gabon Cargo which is based in Libreville and uses the same office and facilities previously operated by Affretair (including the block booking held at the Gamba Hotel for employees). The second is Cargoman Ltd. of Geneva and Muscat. The Geneva office of this firm is run by Mr. R. Lamprecht and the Muscat office by Mr. M. Longmore.

"This organisation is a major earner of foreign currency, which the illegal régime needs in order to pay for their clandestine imports. An indication of the importance of this airline to Rhodesia is that the régime have appointed a Mr. Finlay, the ex-Director of the Reserve Bank of Rhodesia and Accor, the Rhodesian Commercial Organisation, as Chief Executive. Mr. J. Malloch, named in a previous note, continues to work for the organization as Operations Director. Most of the staff who were named as previously working for Affretair continue to work as before (see list below). Mr. D. Barto is still the agent for the organisation in Amsterdam.

"From the various sightings it is possible to establish certain regular routes for the DC8s and CL44. One plane operates from Salisbury to Johannesburg where loads of chickens are taken on board for delivery to Tehran. From Tehran the plane flies to Amsterdam. A number of trips between Amsterdam and Muscat are made before the plane returns to base in Salisbury. Another regular route is Amsterdam to Libreville via Palma de Mallorca. These planes have landed at Brussels, Ostend, Lyons, Balalaie, Doha, Mahe Island (Seychelles), Kinshasa, Abu Dhabi, Dubai, Lubumbashi and Colombo.

"We believe the aircraft continue to be maintained by Cargo-Lux of Luxembourg.

"A vital part of ATA's operation is its charter work for other airlines. Aircraft have been seen under charter to Air France. In this connexion it should be noted that Mr. B. Jenni of Aerotrans of Zurich acts for ATA as air freight agent.

"We have information that ATA have concluded a contract with Trans Mediterranean Air Cargo (TMAC) of Beirut for the supply of aircraft spares.

"We believe that landing rights were granted recently to ATA/Air Gabon Cargo to operate in Mauritius.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Belgium, France, Gabon, Iran, Lebanon, Luxembourg, Mauritius, the Netherlands, Oman, Qatar, Seychelles, Spain, Sri Lanka, Switzerland, United Arab Emirates and Zaire, so that those countries may take such action as may be necessary to prevent aircraft controlled by Affretair/Air Gabon Cargo, Cargoman Ltd. and ATA from operating within their territories to the benefit of Southern Rhodesia, and to ensure that persons and firms within their territories do not, by activities in connexion with ATA and its front companies, render direct or indirect assistance to the illegal régime.

"The Committee may also wish to ask the Secretary-General of the United Nations to draw the above information to the attention of all Member States with the request that they deny use of their airports and entry into their air space to aircraft controlled by ATA or their associate companies because of their activities on behalf of the illegal régime in Southern Rhodesia.

"The Government of the United Kingdom wish to inform the Committee that in February this year the Hong Kong Civil Aviation Authority received an application from Cargoman Ltd. of Muscat to operate ad hoc charter flights between Amsterdam, Muscat and Hong Kong. This application was received from a British firm, International Aviation Services (IAS), to operate a DC8 out of Gatwick. When it was discovered that the aircraft was to be leased from Cargoman Ltd. of Geneva permission was withheld.

"The Government of the United Kingdom further wish to inform the Committee that the following list are all employees of Air Trans Africa/Affretair/Air Gabon Cargo/Cargoman Ltd. who have had travel restrictions placed on them by the British Government."

David Charles ADAMS, British, born Johannesburg, South Africa,
9 September 1944. Passport No. C742157 (Pretoria 22 March 1977).
Civil Servant, former Affretair representative in Gabon.

Jack BLANCHARD-SIMS, British, born Boksburg, South Africa,
13 October 1909. Passport No. C394679 (Pretoria 27 December 1973).
Operations Manager, Affretair/ATA. Address: Mandalay Cottage,
Ruwa, Salisbury.

Michael BRACKIN, British. Pilot Affretair/ATA.

Duncan Edward George CASTELL, British, born London 24 June 1938.
Passport No. C565153 (Amsterdam 30 December 1974). Engineer with
Affretair.

Adrian Philip CHARLTON, British, born Gainsborough, 26 May 1944.
Passport No. L234802A. Pilot Affretair/ATA.

Stuart Harold COMBERBACH, British, born Salisbury 27 September 1952.
Passport No. C353322 (reported lost). Employed by Affretair/ATA
Gabon as pilot/company representative in Gabon.

Brigadier Andrew DUNLOP, Rhodesian, born Calicut, India, 2 February 1907.
Passport No. C342959 issued Pretoria 31 July 1973 valid 2 months -
concessionary. Director Affretair/ATA. Former MP, Minister.

William Harvie FERGUS, British, born Newcastle-on-Tyne, 7 April 1935.
Passport No. D790423 (Salisbury 10 February 1967). First Officer,
Affretair.

Desmond John Bain FLETCHER, Rhodesian, born Salisbury, 21 October 1943.
Formerly held concessionary United Kingdom passport D842299 (issued
Lusaka 26 January 1968). Application for subsequent facilities
refused Pretoria 1972. Using passport C040254/71 in name of
J. DRYMAN. Commercial Director, Affretair/ATA.

William Antony GALLOWAY, British, born Kitale, Kenya, 19 August 1937.
Passport No. C694570 (Pretoria 19 August 1975). First officer
(ret. pilot) Affretair.

Alastair FRASER. Believed to hold South African Passport. Pilot,
Affretair/ATA.

Michael John GIBSON, British, born Bridgewater, 31 December 1946.
Passport No. D944770 (Gaborone). Airline pilot, Affretair/ATA.

Clifford John HAWTHORNE, British, born Dumfries, 11 February 1937.
Previous passport L0987728. First officer, Affretair.

Christopher Shorland HIGGINSON, British, born Salisbury, 16 April 1944.
Passport No. C471507 (Pretoria 6 June 1974). First officer,
Affretair.

John HODGES, British, born Croydon, 23 October 1931. Passport
No. C164718 (Pretoria 7 August 1972). Flight Engineer - Affretair/ATA

Adam Richard LITHERLAND, British, born Barnsley, 1 January 1945.
Passport No. C794832/29 376 (Pretoria). Affretair employee.

M. LONGMORE, Affretair representative.

Robert McINTYRE, British, born Pretoria, 13 December 1926.
Passport No. C417077 (Pretoria 19 February 1974). Aircraft Engineer
Affretair.

Ian Douglas Lithglow MALCOLM, British, born Bangor, Northern Ireland,
30 March 1919. Passport No. C059423 (Pretoria 15 March 1972).
Company Director, Export Agent, Affretair/ATA.

John Victor (Jack) MALLOCH, South African, born Durban, 8 October 1920.
South African Passport Holder No. 88246 (issued Salisbury). Director/
founder Affretair/ATA. Address: 14 Salcombe Road, Chadcombe,
Salisbury.

Captain Colin Thomas MILLER, British, born Bulawayo, 28 February 1935. Passport No. 187714 issued London 13 April 1966. Now travelling on Passport No. D980646 (Lusaka 28 September 1969). Senior Executive/Chief Pilot, Affretair/ATA.

Ian Gerald Wilfred NARRAWAY, British, born Kirkee, India, 17 August 1929. Passport No. C229276 (Luanda April 1973). Company Secretary - Affretair/ATA.

Captain Angus Geoffrey TATTERSALL, British, born London, 23 January 1937. Passport No. C369917 (Pretoria 6 September 1973). Pilot, Affretair.

"The Committee may wish to ask the Secretary-General to draw this information to the attention of all Member States so that in accordance with operative paragraph 5(b) of Security Council resolution 253 (1968) they can take all possible measures to prevent the entry into their territories of those mentioned above."

24. On the same date the Chairman received a letter from the Permanent Representative of Mauritius, a member of the Committee, the text of which was circulated to all members of the Committee on 27 October 1977, in accordance with the request contained therein. The text of the letter is reproduced below:

"I have the honour to refer to paragraphs (8) and (9) of the United Kingdom's note (R 122/19) of 24 October 1977, to the effect that landing rights had recently been granted to Air Trans-Africa/Air Gabon Cargo to operate in Mauritius.

"I wish to inform the Committee that my Government was duly seized of the matter and has, after investigations, categorically rejected such malicious allegations. I am, in this connexion, giving hereunder the text of a self-explanatory telegram dated 20 September 1977 and received from the then Acting Prime Minister of Mauritius on the subject:

'For Ambassador Ramphul. British High Commissioner handed over to the Ministry today text of a note to be submitted to United Nations Sanctions Committee, New York on 21 September concerning the activities of the following air companies indulging in sanctions busting regarding Rhodesia: Air Trans Africa, Affretair, Air Gabon Cargo, Cargoman Ltd. British Government alleging that Air Trans Africa/Air Gabon Cargo has been granted landing rights to operate to Mauritius wants Sanctions Committee to draw attention of Government of Mauritius and some other countries to the need to stand by United Nations sanctions against Rhodesia. Please assure the Committee that Mauritius has given no facility to any of the above-mentioned companies and faithfully respects United Nations sanctions.'

"The Committee may wish to know that on receipt of the telegram, the contents thereof were communicated by telephone to the Permanent Mission of the United Kingdom.

"I should like to avail myself of this opportunity to inform members of the Committee that the Government of Mauritius has always scrupulously observed United Nations sanctions against the illegal racist minority régime of Southern Rhodesia.

"I should therefore be grateful if you would kindly arrange to circulate this letter to all members of the Committee for their information."

25. The case was discussed at the 299th meeting on 10 November 1977, at which the letter from the Permanent Representative of Mauritius was accepted as that Government's substantive reply to the Committee's prospective request to the Governments primarily for appropriate action to be taken, as suggested in the United Kingdom note.

26. In accordance with the Committee's established practice under the no-objection procedure, the United Kingdom note was transmitted to the Governments primarily concerned on 7 November and to all Member States on 9 November 1977, drawing their particular attention to the relevant paragraph in that note.

27. Acknowledgements dated 11 and 17 November 1977 were received from Austria and Upper Volta, respectively.

28. An aide memoire from the Permanent Mission of the Netherlands was sent to the Secretary-General on 11 November 1977 and was subsequently forwarded to the Committee. Communications were also received from Gabon, France, Sri Lanka and Luxembourg. The substantive parts of the communications thus received read as follows:

(a) Aide memoire from the Netherlands

"The Permanent Mission of the Kingdom of the Netherlands has just received note No. PO 230 SORH (1-2-21) Case No. 154 of 7 November 1977 from the Secretary-General of the United Nations concerning information received from the United Kingdom Government on the activities of Air Gabon Cargo, established at Libreville, and Cargoman Ltd., with offices in Geneva and Muscat.

"According to this information, the two companies are cover organization for the Southern Rhodesian airline Air Trans-Africa. They are allegedly carrying on the activities previously conducted by Affretair, which was dissolved by the Gabonese Government when it became clear beyond a doubt that it was working for the illegal minority régime in Southern Rhodesia. According to the information, DC8 and CL44 aircraft of Air Gabon Cargo and Cargoman Ltd. are landing at airports in third countries, including Schiphol in the Netherlands. The United Kingdom Government believes that the activities of these two airlines are a major source of convertible currency for Southern Rhodesia.

"At the request of the United Kingdom Government, the Secretary-General of the United Nations brought the above information to the attention of the Government of the Netherlands so that it might take such action as might be necessary to prevent aircraft of the companies in question from operating within its territory. Accordingly the Government of the Netherlands has already begun a thorough investigation into the matter.

"The Government of the Netherlands is of the view that the activities of these two airlines could be most effectively blocked with the assistance

of the Government of Gabon. Accordingly, the Government of the Netherlands would be grateful if the Secretary-General of the United Nations would make an urgent appeal to the Government of Gabon to stop Air Trans-Africa from operating through its Gabonese front companies.

(b) Note dated 14 November 1977 from Gabon

"The Ambassador, Permanent Representative of the Gabonese Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the Secretary-General's note PO 230 SORH (1-2-1) Case No. 154 of 7 November 1977 transmitting a note dated 24 October 1977 from the United Kingdom addressed to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, has the honour to inform the Secretary-General that the contents of the British note have been brought to the attention of his Government.

"The Ambassador, Permanent Representative of the Gabonese Republic completely rejects all the allegations contained in the British note with respect to the company Air Gabon Cargo.

"In that connexion, the Ambassador, Permanent Representative of the Gabonese Republic wishes to refer to his note No. 109/MP/NY-77/GI/dmd of 20 January 1977, which stated, inter alia:

'Gabon, which consumes an average of 700 tons of meat per month, has had to find new sources for procurement of this commodity, thus respecting the resolutions adopted by our Organization against the rebel régime installed in Rhodesia. Gabon has therefore negotiated and signed agreements with Burundi, Botswana, Swaziland and Chad, which are henceforth to provide it respectively with 120 tons, 1,000 tons, 60 tons and 120 tons of meat, amounts which far exceed Gabonese monthly meat needs.

'So far as the Gabonese Republic is concerned the Affretair problem has already been resolved, since that company no longer exists and the meat currently being consumed by Gabon comes from the above-mentioned countries.'

"The Ambassador, Permanent Representative of the Gabonese Republic requests the Secretary-General to bring the contents of his note to the attention of all States Members of the United Nations, the Security Council and the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia."

(c) Note dated 15 November 1977 from France

"The Permanent Representative of France to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his note PO 230 SORH (1-2-1) Case No. 154 of 7 November 1977, has the honour to inform him of the following:

"The French authorities have conducted an investigation which revealed

that on three occasions - between November 1976 and January 1977 - Air France chartered a DC8 aircraft from Air Gabon Cargo in order to transport children's food products from Lyon to Dahrán in Saudi Arabia. The General Secretariat for Civil Aviation has reminded Air France of the ties existing between Air Gabon Cargo and the Rhodesian airline Air Trans-Africa. No further charter arrangements have been made since that time.

"These old and isolated incidents cannot, in the circumstances, be construed as a failure on the part of France to fulfil its obligations. Indeed the French authorities remain determined strictly to enforce the sanctions against the illegal régime of Southern Rhodesia."

(d) Note dated 17 November 1977 from Sri Lanka

"The Permanent Representative of Sri Lanka to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the Secretary-General's note No. PO 230 SORH (1-2-1) Case No. 154 dated 7 November 1977 transmitting a note from the Government of the United Kingdom dated 24 October 1977 addressed to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

"The Secretary-General's note together with the note dated 24 October 1977 from the Government of the United Kingdom was referred to the appropriate authorities of the Sri Lanka Government who have stated that the only landing in Sri Lanka by an aircraft of Cargoman Limited was on behalf of Air Gabon. This flight was permitted to land as it was a VIP flight operated by Air Gabon on 5 July 1976 carrying His Excellency President Omar Bongo of Gabon and his party who were on a visit to Sri Lanka. In the circumstances the Government of Sri Lanka had no occasion to inquire into the bona fides of the carrier.

"The Permanent Representative of Sri Lanka to the United Nations would request that the contents of this note be brought to the attention of the Security Council Committee established in pursuance of resolution 253 (1968) and to the Missions of Member States to whom the Secretary-General's note of 7 November 1977 was circulated."

(e) Note dated 23 November 1977 from Luxembourg

"The Permanent Representative of Luxembourg to the United Nations ... with reference to the Secretary-General's note of 7 November 1977, to which was attached a note dated 24 October 1977 from the United Kingdom to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, has the honour to inform the Secretary-General that the Government of Luxembourg has considered the above-mentioned note with the greatest attention.

"Without repeating the explanations previously communicated to the Secretary-General in note verbale note A.L.16/517 of 22 June 1976, which are confirmed in their entirety, the Government of Luxembourg states categorically that the insinuation in paragraph 5 of the note of 24 October 1977 annexed to the Secretary-General's above-mentioned note is incorrect.

"Cargolux no longer maintains any Affretair aircraft, and the aircraft specifically mentioned in the documents under consideration has not landed in Luxembourg in the past 18 months."

29. A note dated 17 November 1977 was sent to Portugal inquiring whether the investigations under way regarding this and other cases, which had been discussed by the Chairman and the representatives of Portugal in September 1976, had been completed and the required information could be forwarded to the Committee.

30. In pursuance of the Committee's decision at the 273rd meeting, a letter dated 25 November 1977 was sent by the Chairman to the Permanent Representative of Gabon to the United Nations announcing his intention to seek a personal meeting with him, at the Committee's request, so as to discuss the case, concerning which a reply from Gabon was still awaited after three reminders.

31. 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. The note dated 12 December 1977 containing the text of the United States statement is reproduced below:

"The Government of the United States of America wishes to inform the Committee that it has information of sufficient reliability to merit further investigation that a Gabon-registered company is still engaged in the importation of meat from Rhodesia.

"The information is as follows:

"Mr. Jack Malloch, mentioned in the note of the United Kingdom of 24 October 1977 as Operations Director of an air cargo company believed to be a front for the Rhodesian airline Air Trans-Africa, continues to fly one DC-8 flight a week for that company, now referred to as Air Gabon Fret. Air Gabon Fret thrice weekly provides 400 tons of Rhodesian beef to Congo, Gabon and Sao Tome and arranges for the necessary conversion of CFA into Rhodesian dollars and vice-versa. There are indications that Air Gabon Fret hopes to expand its cargo fleet from its present three DC-8 aircraft. Air Gabon Fret operates in relationship with 'Soduco', a Gabon-registered company.

"The Government of the United States of America suggests that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Gabon, Congo, and Sao Tome and Principe in order to assist them in their investigations into the possibility that Rhodesian meat is being imported into their countries.

"The Government of the United States of America suggests that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Gabon in order to assist it in its investigation of the activities of the company 'Soduco' and its air cargo operation 'Air Gabon Fret'.

32. At the time of the preparation of the present report, action regarding the information submitted by the United States Government was under way.

(255) Case No. 155. Cameras from Switzerland: United Kingdom note dated 27 September 1973

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

(256) Case No. 158. Pine oil from the United States - "Charlotte Lykes": United Kingdom note dated 19 October 1973

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

(257) Case No. 159. Cardboard containers from Spain: United Kingdom note dated 12 November 1973

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of the report is given below.
3. A first reminder dated 24 February 1977 was sent to Spain.
4. A reply dated 28 March 1977 has been received from the Spanish Government, the substantive part of which reads as follows:

"The Permanent Representative of Spain to the United Nations ... has the honour to state the following:

"Despite the further thorough inquiries made, the competent Spanish authorities have been unable to obtain any additional information on the above-mentioned case or find any indication that the alleged export took place.

"The Permanent Representative of Spain requests the Secretary-General, in transmitting this information to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, also to point out that the United Kingdom note reporting this case in November 1973 did not mention any specific Spanish company which the investigation could have centred on."

5. The case was considered at the third meeting of the Working Group, at which it was decided to recommend to the Committee that the case should be closed.
6. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

(258) Case No. 201. Danish trade with Southern Rhodesia: information submitted by Denmark

See annex IV.

(259) Case No. 210. Supply of various items of miscellaneous equipment to Southern Rhodesia: United Kingdom note dated 24 June 1975

1. Previous information concerning this case is contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of the report is given below.
3. The present case, as well as Case No. 233, were considered together at the third meeting of the Working Group, at which it was decided to recommend to the Committee that the Chairman of the Committee should contact the Permanent Representative of Israel in order to draw his attention to the Israeli 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 Israeli Government, but that goods were apparently being exported to Southern Rhodesia covertly.
4. The recommendation of the Working Group was accepted by the Committee, under the no-objection procedure.
5. At the time of the preparation of the present report, appropriate follow-up action was under way.

(260) Case No. 214. Swiss trade with Southern Rhodesia: information supplied by Switzerland

See annex IV.

(261) Case No. 218. Southern Rhodesia and the International Chamber of Commerce Congress: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of the report is given below.
3. In accordance with the Committee's decision at the 294th meeting a further note dated 31 October 1977 was sent to Spain inquiring whether the investigations into the nature of the travel documents used by the businessmen from Southern Rhodesia, who had attended the 25th Annual International Chamber of Commerce and Industry in Madrid in June 1975, had been completed and the requested information could be submitted to the Committee.
4. A reply dated 30 November 1977 was received from Spain, the substantive part of which reads as follows:

"The Permanent Representative of Spain to the United Nations ... with reference to the Secretary-General's note of 31 October 1977 relating to Case No. 218, has the honour to inform him that the competent Spanish authorities have completed their investigations into this case. Those investigations failed to ascertain the nature of the travel documents used by the Southern Rhodesian businessmen."

could be obtained from the oil companies or from the South African Government that oil would not subsequently reach Southern Rhodesia. Moves could be made through the United Nations for modification of the laws of Member States to make it illegal to supply or transport oil to South Africa. In that connexion, although Iran provided most of the oil supplied to South Africa, and thus to Southern Rhodesia, the oil was transported to South Africa in ships registered in a number of different countries. Ultimately, of course, the Security Council could also impose a naval blockade on South African ports. Such a move might well lead to confrontation with South Africa; but so long as South Africa refused to accept Security Council decisions on Southern Rhodesia, a confrontation of some kind would appear to be inevitable.

No simple step could be guaranteed to make United Nations oil sanctions against Southern Rhodesia totally effective. Member States might wish to consider implementing simultaneously several of the possible moves which he had outlined. The international community must not meekly accept the arguments put forward by the oil companies. In effect, the companies were claiming that they had lost control of their multimillion-dollar subsidiaries in South Africa, even though they continued to receive the profits from their operations. If that argument was valid, then those companies should withdraw from South Africa; if it was not, then pressure of all kinds should be exerted on them and on the South African Government until oil ceased to reach Southern Rhodesia. As President Kaunda of Zambia had indicated, there could be no greater contribution to the liberation struggle in southern Africa than to end the sale of oil to Southern Rhodesia.

16. A letter dated 29 July 1977 addressed to the Chairman of the Committee was received from the representative of the United Kingdom, the substantive part of which reads as follows:

"1. In view of some of the testimony put before the Committee by Mr. Rivers at our 295th meeting, I thought it would be useful if I gave you an interim report on the present status of the inquiry being conducted by my Government with regard to allegations of evasion of sanctions against Rhodesia by major oil companies.

"2. Mr. Bingham has been working on the inquiry since his formal appointment on 10 May. Among his other activities he has met three times with the Secretary of State for Foreign and Commonwealth Affairs and he has also met with the United States Treasury officials who conducted the Mobil investigation. An accountant has been appointed to assist Mr. Bingham.

"3. The inquiry's terms of reference were announced by the Secretary of State on 8 April and remain unchanged. They are to carry out an investigation with the objects:

"(a) Of establishing the facts concerning the operations whereby supplies of petroleum and petroleum products have reached Rhodesia since 17 December 1965;

"(b) Of establishing the extent, if any, to which persons and companies within the scope of the Sanctions Order have played any part in such operations;

"In the light of the provisions of the federal penal code, the federal authorities regret to be unable to force disclosures of the requested type."

(265) Case No. 259. Violation of sanctions by a subsidiary firm in the United Kingdom note dated 2 April 1976

1. Previous information concerning this case is contained in the Committee's ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A reply dated 1 February 1977 was received from the German Democratic Republic, the substantive part of which reads as follows:

"The competent authorities of the German Democratic Republic have conscientiously examined the above-mentioned note and found that the facts recently submitted do in no way invalidate the factual and legal position as stated in the reply of the German Democratic Republic to the United Nations Secretary-General's note dated 30 April 1976 (Case No. 259). In addition, the presumptions and groundless charges made by the United Kingdom against Herr Fuchs are not such as will promote the work of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

"The Government of the German Democratic Republic reiterates that it is an irrevocable principle of its policy to support with all means at its command the just struggle of the oppressed peoples against colonialism, neo-colonialism, racism and the policy of apartheid. It consistently advocates the implementation of the right of the people of Zimbabwe to self-determination and assures unrestricted observance of the provisions of Security Council resolutions 253 (1968) and 277 (1970) by all the natural persons and corporate bodies under the German Democratic Republic's jurisdiction."

(266) Case No. 261. Trade with Southern Rhodesia by an Italian firm: United Kingdom note dated 5 May 1976

1. Previous information concerning this case is contained in the Committee's ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In pursuance of the Committee's decision at the 294th meeting, notes dated 31 October 1977 were sent to Italy and to Switzerland, the substantive parts of which are reproduced below:

(i) Note to Italy

"At its 294th meeting the Committee considered the above-mentioned case and had before it His Excellency's reply on the matter dated 8 July 1977, enclosing copies of the relevant documentary evidence. The Committee

expressed its appreciation for the reply thus received and was particularly gratified by the substantive nature of the investigations undertaken by the Italian authorities.

"The Committee noted, however, that the original information contained in the United Kingdom note of 5 May 1976 had indicated direct transactions between Signor M. Bini of Montedison Fibre Spa, Milan, and the Southern Rhodesian office of Security Mills (Pvt), Ltd.; whereas the findings of the Italian authorities indicated that the nylon shipment in question was specifically consigned to a destination in Durban, South Africa, and that, apparently, Mr. Mauro Bini of Montefibre Spa, had had no dealings with Security Mills (Pvt), Ltd. The Committee therefore felt that in order to proceed to a proper consideration of this case it should request His Excellency's Government to review the findings of the investigating authorities with a view to obtaining specific assurance that Mr. Bini had had no dealings whatsoever with the Southern Rhodesian firm.

"The Committee also expressed the hope that it might receive a reply to the foregoing at the earliest convenience, if possible within a month."

(ii) Note to Switzerland

"At its 294th meeting the Committee considered the above-mentioned case and had before it His Excellency's reply on the matter dated 21 August 1976. The Committee expressed its appreciation for the reply thus received and welcomed the assurance given by the Federal authorities to re-examine the matter, if additional relevant information became available.

"The Committee has now received information from the Government of Italy containing confirmation by the Italian company concerned that the firm Atlas Trading of Lausanne, Switzerland, had indeed been involved in transactions for the purchase of 20 tons nylon 66 from the Italian firm of Montefibre Spa of Milan, Italy. According to that information a Mr. Goldwasser, on behalf of Atlas Trading, had, during the International Exhibition of Textile Machinery held in Milan in October 1975, entered into negotiations with Mr. Mauro Bini of Montefibre Spa for the purchase of the nylon goods in question. Part of the documentary evidence submitted by the Italian Government consists of copies of a letter of credit account No. 68189/81176-AD issued in favour of Atlas Trading Etab., P. O. Box 15705, Lausanne, by the United Overseas Bank, 1211 Geneva 1 (Switzerland), P. O. Box 900, on 14 November 1975, and an invoice issued to Atlas Trading Etab. of the same address by Montefibre Spa, on 18 December 1975. Photocopies of these documents are herewith attached for easy reference.

"The Committee felt that the above additional information should be transmitted to the Federal authorities in the hope that it might facilitate further investigations by the authorities with a view to determining the actual consignee of the nylon goods in question.

"The Committee also expressed the hope that it might receive a reply to the foregoing at the earliest convenience, if possible within a month."

4. An acknowledgement dated 14 November 1977 was received from Italy.

(267) Case No. 263. Trade with Southern Rhodesia by a Belgian firm: United Kingdom note dated 26 April 1976

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered at the third meeting of the Working Group, at which it was decided to recommend to the Committee that a note should be sent to the Belgian Government requesting a specific assurance that the firm S. Janssen et Cie. had not, knowingly or unknowingly, been trading with Southern Rhodesia, and inviting closer co-operation on the part of the Belgian Government with the Committee.
4. Pursuant to the Working Group's recommendation and in accordance with the Committee's no-objection procedure, a note dated 2 September 1977 was sent to Belgium, the substantive part of which is reproduced below.

"The Committee considered the reply from His Excellency's Government dated 28 September 1976 relating to the Committee's inquiries into the possibility that a Belgian company had been trading with Southern Rhodesia. While expressing its appreciation for the reply thus received, the Committee nevertheless regretted that the Belgian investigating authorities should have considered scanty the information which the Committee had provided. The Belgian authorities were apprised of all the information relating to this case which had been made available to the Committee. The Committee wishes His Excellency's Government to appreciate that it has no investigative powers of its own but relies entirely on the co-operation of Governments in its efforts to fulfil the mandate entrusted to it by the Security Council. Accordingly, the Committee expressed the hope that the Belgian Government would strive to co-operate with the Committee to the closest extent possible.

"In this particular case, the Committee would appreciate receiving specific assurance that the firm S. Janssen et Cie. was in fact asked whether, knowingly or unknowingly, it had been exporting urea to Southern Rhodesia, through direct or indirect channels.

"The Committee indicated that it would appreciate a reply at the earliest convenience from His Excellency's Government, if possible within a month."

5. First and second reminders were sent to Belgium on 2 November and 2 December 1977 respectively.

(268) Case No. 273. Recruitment of mercenaries for Southern Rhodesia: information obtained from published sources

1. Previous information concerning this case is contained in the ninth report.
2. Additional information concerning the action taken on the case since the submission of that report is given below.
3. A communication dated 29 January 1977 was received from a non-governmental

"It would now like to state the following:

"In the first place, measures exist in France to prohibit the recruitment of mercenaries: under article 85 of the Penal Code, persons enlisting mercenaries in French territory are punishable by imprisonment (one to five years) and a fine (3,000 to 30,000 francs).

"Secondly, if the enlistment is proved, measures can be taken against the mercenaries. Their passports may be withdrawn and they may lose French nationality.

"Thirdly, although the French authorities have not been able to obtain formal proof of any recruitment of mercenaries, the Rhodesian Information Office in Paris has been closed by a ministerial order of 17 January 1977.

"It should be remembered that France can in no way be held responsible for the illegal activities committed abroad - which the Government has no possibility of controlling - by some of its nationals who enjoy the freedom to travel granted to French citizens."

9. The case was discussed at the 291st meeting on 2 June 1977, at which the Committee decided to consider it closed.

(269) Case No. 274. Purchase of timber from Southern Rhodesia by a United Kingdom corporation: information obtained from published sources

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

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

3. The case was considered at the 293rd meeting on 11 July 1977, at which the Committee decided to consider it closed.

(270) Case No. 276. The activities of Lonrho and other United Kingdom companies: information obtained from published sources and from non-governmental sources

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

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

3. At the 292nd meeting, the representative of the United Kingdom made a statement concerning Case No. INGO-21, in the course of which reference was made to the present case. The text of that statement is reproduced in paragraph 7 of Case No. INGO-21 in annex V to the present report.

4. A note dated 24 October 1977 was sent to the United Kingdom, inquiring whether the investigations by the United Kingdom authorities had been completed and the results could be communicated to the Committee.

5. A further interim reply dated 24 November 1977 was received from the United Kingdom, the substantive part of which reads as follows:

"The relevant United Kingdom authorities have not yet completed their investigations into this complex question and the Director of Public Prosecutions still has the matter under consideration. The United Kingdom authorities regret, therefore, that they are still unable to make a substantive reply to the Committee established by the Security Council in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, but assure the Committee that they will communicate further as soon as they are in a position to do so."

(271) Case No. 293. Trade in Southern Rhodesian minerals via network of companies in southern Africa and Europe - "S.A. Kaapland", MV "Merwe Lloyd", MV "Sparnekerk" and MV "Leersum": United Kingdom note dated 16 March 1977

1. By a note dated 16 March 1977 the United Kingdom reported information concerning trade in Southern Rhodesian minerals via a network of companies in southern Africa and Europe, listing specific shipments made aboard the above-mentioned vessels. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have received information, of sufficient reliability to merit further investigation, that a network of companies in southern Africa, Switzerland and other European cities are engaged in the importation of minerals of Southern Rhodesian origin.

"The information is to the effect that Minalex Agencies of Johannesburg and Mina Trade AG of Zurich act as agents for the sale of Rhodesian minerals in Europe and elsewhere. We believe that these firms operate on behalf of Univex (Pty), Ltd., of Salisbury who were named in a note submitted to the Committee on 16 June 1976.

"In addition, this organization deals with a number of subagents in Europe who handle the sale of these 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 following shipments were made from South Africa to Europe through the Port of Rotterdam for supply to a wide range of European customers. S.A. Kaapland, owned by South African Marine Corporation, Ltd., of Cape Town sailed from Durban on 7 April 1976 and arrived at Rotterdam on 29 April 1976; MV Merwe Lloyd owned by Koninklijke Nedlloyd BV of Rotterdam, sailed from Durban on 1 May 1976 and arrived in Rotterdam on 25 May 1976; MV Sparnekerk also owned by Koninklijke Nedlloyd, sailed from Durban on 6 September 1976 and arrived in Rotterdam on 19 October 1976; MV Leersum owned by Stoomvaart Maatschappij Oostzee NV of Amsterdam, was at Port Elizabeth on 3 July and subsequently sailed for Rotterdam, arriving 30 July.

"Mr. J. Cameron of Univex (Pty), Ltd., of Salisbury and Mr. Mark Rule of Minalex Agencies visited Europe together in late September and called on a number of European agents including Mina Trade AG, Krupp Minas and Itasarco. This was presumably to arrange further shipments of minerals from Rhodesia.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to draw the above information to the attention of the Governments of Switzerland, the Federal Republic of Germany, Italy and Belgium in order to assist them with their investigations into the possibility that companies in their territories were involved in the importation of goods believed to be of Southern Rhodesian origin.

"The Committee may further wish to ask the Secretary-General to draw to the attention of the Government of the Netherlands the above information to assist them with their investigations into the possibility that goods carried in vessels owned and registered in their territory were of Southern Rhodesian origin.

"The Committee may further wish to ask the Secretary-General to alert all Member States to the possibility that Mina Trade AG of Zurich and Mineralex Agencies of Johannesburg may be controlled by Rhodesian interests and to request that, in accordance with operative paragraph 3 of Security Council resolution 253 (1968), they may take all possible measures to prevent firms and individuals in their territories from trading with or through these companies."

2. In accordance with the Committee's standard practice under the no-objection procedure, notes dated 28 March 1977 were sent to Belgium, Italy, the Federal Republic of Germany and the Netherlands transmitting the United Kingdom note and requesting comments thereon. Similarly, a note dated 29 March 1977 was sent to all the other Member States, transmitting the United Kingdom note and drawing their attention to the last paragraph thereof.

3. An acknowledgement dated 7 April 1977 was received from Upper Volta.

4. A reply dated 22 April 1977 was received from Italy, the substantive part of which reads as follows:

"The information provided by the Government of the United Kingdom, and forwarded to the Government of Italy by the secretariat of the Security Council Committee, was duly processed, upon its receipt, by the competent Italian authorities. These authorities have conducted a thorough inquiry on the subject, as required by the relevant provisions of (Italian) law No. 1188, of 19 November 1968, which stipulate that individuals caught in commercial or financial transactions of any kind with Rhodesia are punishable by imprisonment of up to two years and by a fine of up to four times the amount of the transaction in question.

"The results of the above-mentioned inquiry could be summarized as follows:

"Itasarco of Turin, which is a private firm headed and owned by one person, Mr. Fabrizio Ruffo di Calabria, has willingly submitted its files and books for inspection by the relevant authorities. These records show that the company functions solely as a brokerage firm, with neither securities nor invoices of its own; dealing in neither goods nor the transport of goods from abroad, it does not engage in foreign trade.

8. A note dated 9 June 1977 was sent to Italy under the no-objection procedure, the substantive part of which reads as follows:

"The Committee has seen His Excellency's reply of 22 April 1977 concerning the above-mentioned case. It has expressed its gratitude for the investigations so extensively undertaken by the competent Italian authorities and for the comprehensive reply thus received. It wishes, however, its views on the matter to be brought to His Excellency's Government with regard to the activities of the one-man company of Itasarco of Turin. The Committee would appreciate receiving assurance that the Italian authorities are in no doubt that the company, though working solely in the capacity of an agent, is not using Italian territory for channelling contraband merchandise, particularly in view of its close association with a company in southern Africa, whose activities are already questionable. Moreover, the Committee has noted that the nature of documents cited as accompanying the goods handled, namely documents relating solely to 'embarkation, shipment and delivery procedures' do not appear sufficient to determine the true origin of the merchandise in question.

"Bearing in mind that Itasarco of Turin has engaged in its agency business since 1972, and presumably continues to do so, the Committee wonders whether the Italian authorities would be able to give the assurance referred to, in particular to require that company to base its transactions with foreign companies on the proper documents, copies of which would be appreciated by the Committee in sample form.

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

9. Second reminders were sent to Belgium, the Federal Republic of Germany and Switzerland on 7 July 1977.

10. A reply dated 8 July 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"An external trade audit conducted at the Krupp Minas Rohstoffhandel division of the firm of Friedrich Krupp GmbH, Essen, failed to produce any indication that the minerals imported by the former were of Southern Rhodesian origin. The certificates of origin for the goods shipped aboard the 'S.A. Kaapland', the MV Merwe Lloyd and the MV Leersum gave South Africa as the country of origin. No part of the cargo aboard the MV Spaarnek was consigned to Krupp Minas Rohstoffhandel."

11. A note dated 11 July 1977 was sent to the Netherlands inquiring whether the investigations had been completed and the results could be communicated to the Committee.

12. In the absence of replies from Belgium and Switzerland within the prescribed period of two months, the Committee included those Governments in its thirteenth quarterly list, which was issued as a press release on 25 July 1977.

13. A reply dated 25 July 1977 was received from Italy, the substantive part of which reads as follows:

"The Permanent Mission of Italy to the United Nations ... with reference to note PO 230 SORH (1-2-1), Case No. 293 of 9 June 1977.

"With regard to the first of the two observations contained in the above note, this Mission wishes to reassure the Committee that the competent Italian authorities, who have already conducted a thorough investigation into the activities of the company Itasarco of Turin, will continue to keep those activities under close scrutiny in order to ensure strict observance by Itasarco of the régime of sanctions against Southern Rhodesia.

"In regard to the second of the two observations, and following the request of the Committee, this Mission has asked the competent authorities in Italy to obtain the documents relevant to the alleged transaction of Itasarco which was brought to the attention of the Italian Government and may be identified as concerning imports of ferro-alloys from Southern Africa (specifically, from either Mozambique or South Africa).

"This Mission is, therefore, in a position to send to the Committee copies of these documents, enclosed herewith, in the hope that they may provide the Committee with the data needed to clarify the exact position and responsibilities of Itasarco."

14. The documentary evidence submitted by Italy consisted of copies of the following:

(a) A letter dated 8 September 1971 addressed to Dr. Fabrizio Ruffo di Calabria, of Itasarco, by Tribune Trading (Pty), Ltd., Johannesburg, South Africa, confirming Itasarco's appointment from 1 April 1971 as that company's "exclusive sales agent in Italy for minerals, concentrates and ferro-alloys products of South Africa, South West Africa and Portuguese East Africa ...".

(b) A collection letter dated 9 December 1976 addressed to Neue Bank, Zurich, by Ferania AG, Zug, Switzerland, in respect of 40.62 tons of ferro-chrome shipped to Dalmine SpA, Milan, Italy. The letter contained the following enclosures:

- (i) A commercial invoice from Ferania AG;
- (ii) A certificate of analysis from Ferania AG;
- (iii) Two notifications of shipment to Dalmine, SpA, issued by Mr. Zietzschmann GmbH, Duisburg, the Federal Republic of Germany.

15. Third reminders were sent to Belgium and Switzerland on 9 August 1977.

16. A reply dated 18 August 1977 was received from Switzerland, the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations ... has the honour to refer to his /the Secretary-General's/ notes of 28 March, 6 June and 6 July 1977 concerning case No. 293, in which the Secretary-General informed him that the Security Council Committee established in

pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia would like investigations to be undertaken to determine whether the corporations Frank and Schulte SA of Aigle, Ferania AG of Zug and Mina Trade AG of Zurich were actually involved in the sale of minerals of Southern Rhodesian origin.

"As the Observer had occasion to state in detail in the replies given to the Secretary-General in Case Nos. 2 and 103 (Nitrex SA and Rif Trading Company, Ltd.), the Swiss authorities have no control over sales of this kind since the goods concerned do not touch Swiss territory. They have, nevertheless, invited Frank and Schulte SA, Ferania AG and Mina Trade AG to answer the allegations contained in the note of the Committee on sanctions.

"In its reply, Frank and Schulte SA of Aigle pointed out that the minerals purchased in South Africa have always been declared to it to be of South African origin as shown by the certificates of origin.

"Ferania AG of Zug, moreover, claims that it has no business contacts with Southern Rhodesia. After examining and checking all of its contracts, it can give assurances that no goods have been transported on its behalf in the shipments mentioned in the Secretariat's note.

"Mina Trade AG of Zurich has stated to the Swiss authorities that it has not been engaged in any trade in minerals of Southern Rhodesian origin.

"The federal authorities regret that it was not possible to complete the investigation in question sooner. They are always prepared to re-examine this matter should the Committee be able to provide them with new information."

17. A reply dated 31 August 1977 was received from the Netherlands, the substantive part of which reads as follows:

"The Acting Permanent Representative of the Kingdom of the Netherlands to the United Nations ... has the honour to inform the Secretary-General as follows:

"The Netherlands authorities have recently completed the investigation with regard to the unloading in Rotterdam of minerals believed to be of Southern Rhodesian origin by the SA Kaapland, the MV Merwe Lloyd, the MV Spaarnekerk and the MV Leersum. The investigation has shown that the cargoes in question were transported in transit to Belgium and the Federal Republic of Germany, and have not been declared for import in the Netherlands. The companies involved in the transport and transit trade did not possess any documentation indicating the origin of the cargoes in question. The Netherlands stevedoring and ship-broking firms likewise did not have documents or other information indicating an origin other than South Africa.

"With regard to these matters the Acting Permanent Representative would like to inform the Secretary-General that the Ministry of Economic Affairs is preparing a communication to the business community in the Netherlands to warn against business transactions with the firms 'Minatrade AG' of Zürich and 'Mineralex Agencies' of Johannesburg in view of the fact that these firms are believed to be guilty of breaking the sanctions against

Southern Rhodesia. A similar communication was published in April 1977 to warn against business transactions with the Swiss firms 'Comaisa SA', 'Tobatrade SA' and 'Centrex SA', all of Geneva."

18. A communication dated 14 October 1977, also covering Case No. 281, was received from Australia. For the substantive part of that communication see paragraph 12 of (115) Case No. 281 above.

19. In the absence of a reply from Belgium within the prescribed period of two months the Committee included that Government in its fourteenth quarterly list, which was issued as a press release on 21 October 1977.

20. In pursuance of the Committee's decision at the 273rd meeting, a note dated 25 November 1977 was sent from the Chairman to the Permanent Representative of Belgium to the United Nations, announcing the Chairman's intention of contacting him, at the request of the Committee, to discuss this case in connexion with which a reply was still pending after three reminders.

(272) Case No. 302. Trade in chemicals via a Swiss firm - "Falcon", "Phoenix" and "Rocadas": United Kingdom note dated 10 August 1977

1. By a note dated 10 August 1977 the United Kingdom reported information concerning trade in Southern Rhodesian chemicals via a Swiss firm, giving specific shipments aboard the above-mentioned vessels. The text of the note is reproduced below.

"The Government of the United Kingdom wish to inform the Committee that they have information of sufficient reliability to merit further investigation that a Swiss firm acts as agents for a Southern Rhodesian firm.

"The information suggests that Centrex SA of Geneva acts as agents for the Southern Rhodesian firm Michele Enterprises (Pvt) Ltd. of Salisbury and, in particular, that it has recently arranged several shipments of chemicals to Rhodesia on behalf of this firm. Three such shipments are known to have arrived in South African ports for delivery to Southern Rhodesia in the first three months of 1977: 20 tons of sodium sulphide flakes aboard the SS Rocadas; a consignment of sodium ethyl xanthates aboard the MV Phenix; and 50 tons of potassium amyl xanthates aboard the MV Falcon.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to draw the above information to the attention of the Government of Switzerland to help them with their investigations into the possibility that a Swiss firm acts as agents for a Southern Rhodesian firm.

"The Committee may also wish to ask the Secretary-General to draw Member States' attention to the possibility that Centrex SA is controlled by Southern Rhodesian interests and acts as agents for the dispatch of goods to Southern Rhodesia."

2. In accordance with the Committee's established practice under the no-objection procedure, a note dated 6 September 1977 was sent to Switzerland, transmitting the United Kingdom note and requesting comments thereon. A note dated 13 September 1977 was also sent to all Member States, transmitting the United Kingdom note and drawing particular attention to its last paragraph.

3. An acknowledgement dated 29 September 1977 was received from Upper Volta and communications dated 27 September and 24 October 1977 were received from Burma and Austria, respectively, stating that the contents of the United Kingdom note had been brought to the attention of the competent authorities.

Annex III

LIST OF IMPORT OF CHROME, NICKEL AND OTHER MATERIALS FROM SOUTHERN RHODESIA INTO THE UNITED STATES OF AMERICA

A. SPECIFIC CASES

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

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

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

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

B. QUARTERLY REPORTS SUBMITTED TO THE COMMITTEE BY THE UNITED STATES OF AMERICA

1. Previous information concerning this matter is contained in the ninth report.
2. Additional information regarding the action taken on the matter since the submission of that report is given below.
3. A letter dated 14 June 1977 addressed to the Chairman of the Committee was received from the representative of the United States of America, the substantive part of which reads as follows:

"In conformity with the statement made by the United States representative on 22 March 1972 at the Committee's 68th meeting, I am submitting for the information of the Committee a report on shipments of strategic materials that have been imported into the United States from Southern Rhodesia in the period 1 October through 31 December 1976 and 1 January through 31 March 1977. Attached please find a list of these imports." a/

4. In accordance with the Committee's decision under the no-objection procedure, the letter from the representative of the United States of America and its attachments were issued as a press release on 25 July 1977. No notes of inquiry were sent to any Government since all the ships concerned were of United States registry. b/ The text of the press release is reproduced below:

a/ The list referred to in this communication from the United States is contained in the pages following para. 5 of this section.

b/ See sixth report (S/11178/Add.1), annex II, sect. B, paras. 9 and 10.

"By a report dated 14 June 1977 the Permanent Mission of the United States to the United Nations submitted to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia a list of shipments of chrome ore, nickel and other materials that were imported in violation of the Security Council resolution 253 (1968) into the United States from Southern Rhodesia in the period 1 October through 31 December 1976 and 1 January through 31 March 1977.

"After examining that report, the Committee expressed its deep concern at the violation by the United States Government of the sanctions provisions, especially paragraph 3 (a) of Security Council resolution 253 (1968), by its importation of strategic materials from the illegal régime in Southern Rhodesia during the period ended 31 March 1977.

"Furthermore, recalling that paragraph 18 of the first special report of the Committee (S/10632), which was approved by Security Council resolution 318 (1972), stated, among other things, that as part of the need to keep the international community regularly informed the Committee should consider the issuance of press releases covering its work and matters of topical interest, the Committee decided to make the matter public.

"Accordingly, the text of the United States report, which includes the quantities involved, is reproduced below /see para. 3 above/."

5. At the 302nd meeting on 12 December 1977, the representative of the United States stated that the Government of the United States was in the process of compiling data for a final report covering any imports arriving in the United States after 31 March 1977.

U.S. imports from Rhodesia 1 October through 31 December 1976

<u>Commodity</u>	<u>Quantity (in short tons)</u>	<u>Port of embarkation</u>	<u>Port of importation</u>	<u>Estimated date of arrival</u>	<u>Vessel</u>	<u>Country of registry</u>
High Carbon Ferrochrome	4 899	Maputo	New Orleans, LA	7/24/76*	Potcmac	U.S.
Chromite (MFS Concentrates)	1 957	Maputo	New Orleans, LA	7/24/76*	Potomac	U.S.
Asbestos Fiber	53	Port Elizabeth	Charleston, SC	9/7/76*	African Meteor	U.S.
Electrolytic Nickel Cathodes	408	Durban Cape Town	Baltimore, MD	9/27/76*	Mormacglen	U.S.
Electrolytic Nickel Cathodes	110	Port Elizabeth	Baltimore, MD	9/27/76*	Mormacglen	U.S.
Chrysotile Asbestos Fiber	120	Port Elizabeth	Charleston, SC	10/1/76	African Meteor	U.S.
Electrolytic Nickel Cathodes	405	Durban Cape Town	Baltimore, MD	10/10/76	Mormaccape	U.S.
Electrolytic Nickel Cathodes	165	Port Elizabeth	Baltimore, MD	10/10/76	Mormaccape	U.S.
High Carbon Ferrochrome	1 200	Durban	Baltimore, MD	10/18/76	Austral Pilgrim	U.S.
Ferrochrome Silicon	1 311	Durban	Baltimore, MD	10/18/76	Austral Pilgrim	U.S.
Electrolytic Nickel Cathodes	282	Cape Town	Baltimore, MD	11/9/76	Mormacbay	U.S.
Electrolytic Nickel Cathodes	177	Port Elizabeth	Baltimore, MD	11/9/76	Mormacbay	U.S.

* Information received too late to include in last quarter's report.

<u>Commodity</u>	<u>Quantity (in short tons)</u>	<u>Port of embarkation</u>	<u>Port of importation</u>	<u>Estimated date of arrival</u>	<u>Vessel</u>	<u>Country of registry</u>
High Carbon Ferrochrome	5 417	Port Elizabeth	Baltimore, MD	12/2/76	African Meteor	U.S.
Electrolytic Nickel Cathodes	411	Durban	Baltimore, MD	12/6/76	Mormacargo	U.S.
Chrysotile Asbestos Fiber	88	Port Elizabeth	Charleston, SC	12/6/76	African Meteor	U.S.
Asbestos Fiber	70	Port Elizabeth	Charleston, SC	12/6/76	African Meteor	U.S.
Asbestos Fiber	53	Port Elizabeth	Charleston, SC	12/7/76	African Sun	U.S.
Wolfram Ore	12	Durban	Baltimore, MD	12/11/76	Mormacglen	U.S.
Chrysotile Asbestos	123	Port Elizabeth	Charleston, SC	12/17/76	African Sun	U.S.
Ferrochrome Silicon	1 659	Durban	Baltimore, MD	1/11/77	African Dawn	U.S.
Low Carbon Ferrochrome	2 299	Durban	Baltimore, MD	1/11/77	African Dawn	U.S.
High Carbon Ferrochrome	1 101	Durban	Baltimore, MD	1/11/77	African Dawn	U.S.
High Carbon Ferrochrome	4 324	Port Elizabeth	New Orleans, LA	1/14/77	Penn	U.S.
High Carbon Ferrochrome	6 614	Durban	New Orleans, LA	1/14/77	Penn	U.S.
Ferrochrome Silicon	1 108	Durban	Burnside, LA	1/14/77	Penn	U.S.
High Carbon Ferrochrome	3 316	Durban	Burnside, LA	1/14/77	Penn	U.S.
Chrysotile Asbestos Fiber	353	Port Elizabeth	Charleston, SC	1/15/77	African Dawn	U.S.

<u>Commodity</u>	<u>Quantity (in short tons)</u>	<u>Port of embarkation</u>	<u>Port of importation</u>	<u>Estimated date of arrival</u>	<u>Vessel</u>	<u>Country of registry</u>
Wolfram Concentrates	14	Durban	Baltimore, MD	1/29/77	Mormactrade	U.S.
Electrolytic Nickel Cathodes	289	Port Elizabeth	Baltimore, MD	1/29/77	Mormactrade	U.S.
Electrolytic Nickel Cathodes	279	Durban	Baltimore, MD	1/29/77	Mormactrade	U.S.
Asbestos Fiber	141	Port Elizabeth	Charleston, SC	2/18/77	African Comet	U.S.
Chrysotile Asbestos Fiber	88	Durban, Port Elizabeth	Charleston, SC	2/18/77	African Comet	U.S.
Ferrochrome Silicon	1 102	Durban	Baltimore, MD	2/20/77	African Comet	U.S.
High Carbon Ferrochrome	3 762	Durban	New Orleans, LA	3/13/77	Aimee Lykes	U.S.
Electrolytic Nickel Cathodes	929	Port Elizabeth	Baltimore, MD	3/24/77	Mormacsea	U.S.
Nickel	331	Port Elizabeth	Baltimore, MD	3/24/77	Mormacsea	U.S.
Asbestos Fiber	83	Durban	Charleston, SC	3/26/77	Mormaccape	U.S.
Asbestos Fiber	53	Port Elizabeth	Charleston, SC	3/26/77	Mormaccape	U.S.
Electrolytic Nickel Cathodes	408	Durban	Baltimore, MD	3/28/77	Mormaccape	U.S.
Electrolytic Nickel Cathodes	340	Port Elizabeth	Baltimore, MD	3/28/77	Mormaccape	U.S.

* * *

C. CASES OPENED FROM INFORMATION SUPPLIED BY THE UNITED STATES IN ITS QUARTERLY REPORTS TO THE COMMITTEE

Case No. USI-1. Ferro-chrome silicon - "La Chacra": United States quarterly report dated 11 October 1972

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

Case No. USI-2. Ferro-silicon-chromium - "Treutenfels": United States quarterly report dated 9 January 1973

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

Case No. USI-3. High-carbon ferro-chromium - "Bris": United States quarterly report dated 10 July 1972

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

Case No. USI-4. Nickel cathodes, asbestos fibre, ferro-silicon chromium and high-carbon ferro-chrome - "African Sun", "Moormacove", "Moormacargo", "African Moon", "African Lightning", "Moormacbay", "African Mercury", "African Dawn" and "Moormactrade": United States quarterly reports dated 10 July and 11 October 1972 and 9 January 1973

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

Case No. USI-5. Nickel cathodes and ferro-chrome - "Hellenic Leader", "North Highness", "Venthisikimi" and "Ocean Pegasus": United States quarterly reports dated 10 July and 11 October 1972 and 9 January 1973

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

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

3. The present case, as well as all the pending cases involving Greece at the time of the Committee's comprehensive note to Greece dated 2 April 1977, were considered by the Working Group at its second meeting. For additional information concerning the action taken on this and those other cases, see under (75) Case No. 114 in annex II to the present report.

Case No. USI-6. High-carbon ferro-chrome - "S.A. Huguenot" and "Nederburg": United States quarterly reports dated 11 October 1972 and 9 January 1973

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

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

3. In the absence of a reply from South Africa, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

4. With reference to the proposed meeting between the Chairman and the Permanent Representative of South Africa, no result has been obtained to date.

Case No. USI-7. High-carbon ferro-chrome - "Angelo Scinicariello" and "Alfredo Primo": United States quarterly reports dated 11 October 1972 and 9 January 1973

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

Case No. USI-8. Nickel cathodes - "Marne Lloyd", "Musi Lloyd" and "Merwe Lloyd": United States quarterly reports dated 10 July and 11 October 1972

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

Case No. USI-9. Low-carbon ferro-chrome, ferro-chrome silicon - "Aktion", "Pholegandros", "Mexican Gulf" and "Trade Carrier": United States quarterly reports dated 11 October 1972 and 9 January 1973

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

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

3. In the absence of a reply from South Africa, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

Case No. USI-10. Ferro-chrome - "Trade Carrier": United States quarterly report dated 9 April 1973

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

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

3. In the absence of a reply from Liberia, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

Case No. USI-11. Nickel cathodes - "Hellenic Destiny": United States quarterly report dated 9 April 1973

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

Case No. USI-12. High-carbon ferro-chrome - "Costas Frangos": United States quarterly report dated 9 April 1973

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

Case No. USI-13. High-carbon ferro-chrome, chrome ore and ferro-silicon chrome - "Adelfoi": United States quarterly report dated 9 April 1973

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

Case No. USI-14. Low-carbon ferro-chrome and high-carbon ferro-chrome - "Costas Frangos" and "Nortrans Unity", respectively: United States quarterly report dated 2 July 1973

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

Case No. USI-15. High-carbon ferro-chrome - "Weltevreden": United States quarterly report dated 2 July 1973

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from South Africa, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.
4. With reference to the proposed meeting between the Chairman and the Permanent Representative of South Africa, no result has been obtained to date.

Case No. USI-16. Ferro-chrome - "Steinfels": United States quarterly report dated 9 October 1973

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

Case No. USI-17. Nickel cathodes - "Nedlloyd Kingston": United States quarterly report dated 9 October 1973

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

Case No. USI-19. Nickel cathodes - "Nedlloyd Kembla": United States quarterly report dated 25 January 1974

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

Case No. USI-20. Nickel cathodes - "Morganstar": United States quarterly report dated 25 January 1974

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

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

3. In the absence of a reply from South Africa, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.

4. With reference to the proposed meeting between the Chairman and the Permanent Representative of South Africa, no result has been obtained to date.

Case No. USI-21. Asbestos fibre, chrysotile asbestos fibre and ferro-chrome - "Hellenic Destiny", "Ocean Pegasus", "Venthisikimi", "Costas Frangos" and "Nortrans Unity": United States quarterly report dated 25 January 1974

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

Case No. USI-22. Silicon, low- and high-carbon ferro-chrome - "Sun River": United States quarterly report dated 25 January 1974

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

Case No. USI-24. High-carbon ferro-chrome - "Wildenfels" and "Steinfels": United States quarterly report dated 25 January 1974

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

Case No. USI-25. Chrysotile asbestos - "Hellenic Destiny": United States quarterly report dated 9 May 1974

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

Case No. USI-26. Nickel cathodes - "Western Express": United States quarterly report dated 9 May 1974

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

Case No. USI-27. Ferro-chrome silicon - "Stockenfels": United States quarterly report dated 9 May 1974

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

Case No. USI-28. Nickel cathodes - "S.A. Huguenot": United States quarterly report dated 9 May 1974

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

Case No. USI-29. Asbestos fibre and chrysotile asbestos fibre - "Hellenic Laurel": United States quarterly report dated 6 September 1974

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

Case No. USI-30. Electrolytic nickel cathodes - "Nedlloyd Kimberley": United States quarterly report dated 6 September 1974

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

Case No. USI-31. Electrolytic nickel cathodes - "Nedlloyd Kembla": United States quarterly report dated 6 September 1974

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

Case No. USI-32. Chrysotile asbestos fibre - "Hellenic Carrier": United States quarterly report dated 6 September 1974

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

Case No. USI-33. Electrolytic nickel cathodes - "Nedlloyd Kyoto": United States quarterly report dated 14 November 1974

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

Case No. USI-34. Electrolytic nickel cathodes - "Diana Skou": United States quarterly report dated 14 November 1974

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

Case No. USI-35. Asbestos fibre and chrysotile asbestos fibre - "Hellenic Sun": United States quarterly report dated 17 March 1975

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

Case No. USI-36. Electrolytic nickel cathodes - "New England Trapper": United States quarterly report dated 17 March 1975

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. In the absence of a reply from Liberia, the Committee again included that Government in the twelfth quarterly list, which was issued as a press release on 14 April 1977.
4. On 30 June 1977, 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.
5. Further to paragraph 3 above, the Committee again included Liberia in the thirteenth and fourteenth quarterly lists, which were issued as press releases on 25 July and 21 October 1977.

Case No. USI-37. Chrome ore - "Ogden Sacramento": United States quarterly report dated 17 March 1975

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. On 30 June 1977, the Chairman sent a letter to the Permanent Representative of Panama, recalling the meeting between the Permanent Representative and the former Chairman as a result of which a comprehensive communication had been received from Panama covering several cases except Case Nos. USI-37 and USI-38. In his letter, the Chairman inquired whether the information sought regarding those particular cases was available and could be submitted to the Committee.

Case No. USI-38. High-carbon ferro-chrome - "Ascendant": United States quarterly report dated 16 July 1975

1. Previous information concerning this case is contained in the ninth report.
2. For additional information regarding the action taken on the case since the submission of that report, see paragraph 3 of Case No. USI-37 above.

Case No. USI-39. Chrome ore - "Safina-E-Rehmet": United States quarterly report dated 16 July 1975

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

Case No. USI-40. Electrolytic nickel cathodes - "Nedlloyd Kingston": United States quarterly report dated 16 July 1975

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

Case No. USI-41. Chrome ore - "Ogden Missouri": United States quarterly report dated 14 November 1975

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

Case No. USI-42. High-carbon ferro-chrome - "Platte": United States quarterly report dated 14 November 1975

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

Case No. USI-43. High-carbon ferro-chrome, chrome and concentrates - "Great Faith": United States quarterly report dated 14 November 1975

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

Case No. USI-44. High-carbon ferro-chrome - "Kaderbaksh": United States quarterly report covering the period 1 October to 31 December 1975

1. Previous information concerning this case is contained in the Committee's ninth report.

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

3. An acknowledgement dated 5 January 1977, also covering Case No. USI-45, was received from Pakistan indicating that the contents of the Secretary-General's notes had been transmitted to the appropriate authorities in Pakistan for further necessary action.

4. First and second reminders were sent to Pakistan on 17 February and 21 March 1977, respectively.

5. A reply dated 13 April 1977 was received from Pakistan, the substantive part of which reads as follows:

"1. The Permanent Representative of Pakistan to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to draw the Secretary-General's attention to notes dated 26 August 1976 regarding the violation of Security Council resolution 253 (1968) by two Pakistani ships Kaderbaksh and Ocean Envoy respectively.

"2. In pursuance of Security Council resolution 253 (1968) the Government of Pakistan has issued standing instructions to all Pakistani shipping companies to direct that no Pakistan flag vessels should carry cargo of Southern Rhodesian origin and that all masters of Pakistani vessels should be directed

to take adequate precautions to ensure compliance with the provisions of Security Council resolution 253 (1968). The violation of these instructions came to the notice of the shipping companies a few days after the cargo had been off loaded by the ships in question.

"3. Investigations have revealed that the above vessels were fixed on voyage charter on 23 and 25 July 1975 respectively by MS Crossocean Shipping Company Inc., New York. It is not the normal practice of such voyage charter parties to indicate the origin of the cargo. The masters of the vessels did not identify the origin of the cargo as it was not known to the shipping company and the masters of the vessels that the cargo they handled was of Southern Rhodesian origin. There were also no identification marks on the cargo.

"4. On further investigation it was learnt that previous 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 were not taken by the masters of the ships in question. The services of the officials of the concerned shipping companies were, therefore, terminated on grounds of negligence resulting in the breach of instructions concerning the Security Council resolution.

"5. In order to ensure that future incidents are not repeated the Government of Pakistan has taken further steps to reinforce previous instructions. The Controller of Shipping, on 30 October 1975, issued the following instruction to all Pakistani Shipping companies to:

- "(a) Instruct the masters of all their vessels to obtain invariably, while loading any cargo, a certificate that the cargo was not of Southern Rhodesian origin;
- "(b) Include invariably a clause in the Charter Party - if any - for a ship, that no cargo of Southern Rhodesian origin would be carried;
- "(c) Direct all their agents abroad particularly at the ports through which imports and exports of Southern Rhodesia - a land-locked country - take place, not to book any cargo of Southern Rhodesian origin.

It is our hope that such unfortunate incidents will not be repeated in future."

6. In accordance with the no-objection procedure decided on by the Committee at the 170th meeting, a note dated 20 May 1977 was sent to Pakistan, the substantive part of which reads as follows:

"The Committee has seen the reply from His Excellency's Government dated 13 April 1977 concerning consignments of chrome ore and high carbon ferro-chrome of Southern Rhodesian origin transported to the United States aboard the Pakistani registered vessels Kaderbaksh and Ocean Envoy. The Committee has expressed its appreciation for the thorough and prompt investigations undertaken by the Government in this matter and has taken due note of the findings of the investigating authorities. It has particularly noted the measures undertaken by the Government to ensure that Pakistani ship owners do not in future repeat incidences of the nature that gave rise to the

present case. Meanwhile, the Committee is giving active consideration to the matter at issue with respect to cases of a similar nature already before it."

Case No. USI-45. Chrome ore - "Ocean Envoy": United States quarterly report covering the period 1 October to 31 December 1975

1. Previous information concerning this case is contained in the Committee's ninth report.
2. For additional information regarding the action taken on the case since the submission of that report see paragraphs 3-6 of Case No. USI-44 above.

Case No. USI-46. Chrome ore - "Phaedra E": United States quarterly report dated 10 September 1976

1. Previous information concerning this case is contained in the Committee's ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Two reminders dated 17 January 1977 and 24 February 1977 respectively were sent to Greece.
4. A reply dated 28 February 1977 was received from Greece, the substantive part of which reads as follows:

"The Permanent Mission of Greece to the United Nations ... has the honour to advise that the master of the vessel Phaedra E has certified in writing to the Greek competent authorities that neither the pertinent bill of lading and time-charter of the vessel nor the documents issued by the Customs Authorities of the port of loading bore any indication that the cargo in question was of Southern Rhodesian origin. Consequently, because of the lack of evidence required by Greek Penal Law, the Port Authority of Piraeus cannot institute proceedings in this case.

"This Permanent Mission will shortly provide copy of the aforesaid written statement."

5. In conformity with the semi-automatic procedure decided on by the Committee at the 170th meeting, a note dated 21 March 1977 was sent to Greece, the substantive part of which is reproduced below:

"The Committee has received the reply dated 28 February 1977 from His Excellency's Government relating to the Committee inquiries into a consignment of chrome ore of Southern Rhodesian origin, shipped aboard the vessel Phaedra E.

"While expressing its appreciation for the reply thus received, the Committee has requested the Secretary-General to draw the attention of His Excellency's Government to the fact that the importing country (the United States of America) reported to the Committee that the shipment in question was of Southern Rhodesian origin. The Committee has expressed the hope that the Government of Greece will pursue the matter further and transmit to it copies of the documentation submitted to the investigating authorities.

"In accordance with the Committee's request, the Secretary-General would appreciate receiving from His Excellency's Government at its earliest convenience, if possible within one month, any available information together with copies of the relevant documentation."

6. A reply dated 29 March 1977 was received from Greece, transmitting an unofficial translation of the statement referred to in Greece's earlier reply of 28 February 1977 (see para. 4 above). The text of that statement is reproduced below:

"The undersigned, Ioannis M. Baptismas (Matr. No. 18980), Master of CB Phaedra E, flying the Greek flag, /I/ hereby state jointly with the undersigned Chief Officer of the vessel, Georghios Kourdoubas (Matr. No. 7497) in full cognizance of the penalties provided for by Penal Law for false statement, that in the documents produced with regard to the cargo in question - namely the bills of lading, the charter party, the cargo manifest, etc. - there was no indication that this cargo of 20,781 metric tons chrome ore in bulk, loaded on the ship on 25 January 1976 in the port of Lourenço Marques, was of Southern Rhodesian origin."

7. A reply dated 10 June 1977, accompanied by three bills of lading, freight manifest and charter certificate, were submitted by the Government of Greece. The substantive part of the reply reads as follows:

"The Permanent Mission of Greece to the United Nations ... has the honour to enclose herewith copies of the bill of lading, freight manifest and charter party of the vessel Phaedra E concerning the chrome ore shipment in question. Thorough examination of these documents proves that they bear no indication whatsoever that this cargo was of Southern Rhodesian origin."

8. According to the analysis of the documents made for the Committee by the expert consultant, no indication of the country of origin was given for the cargo of chrome ore, weighing 22,751,457 pounds, shipped from Lourenço Marques (Maputo) to Burnside, Louisiana, United States, aboard the ship Phaedra E, a vessel given as being of Greek registry. He pointed out that the documents submitted by Greece could not be considered as sufficient proof of origin of the suspected shipment in accordance with the memorandum on the application of sanctions transmitted to all States on 18 September 1969. Furthermore, he drew the Committee's attention to the fact that the vessel, Phaedra E, was chartered in December 1975 to Oxford Marine, Ltd., of Monrovia, Liberia. The analysis of the documents is contained in the attached tables.

D. THE QUESTION OF CONFLICTING REPORTS RECEIVED FROM GOVERNMENTS

1. Since 1 January 1972 the United States Government had permitted, under the so-called "Byrd amendment", imports into the United States of chrome, nickel and other materials from Southern Rhodesia in contravention of the Security Council mandatory sanctions against the illegal régime in that Territory. Subsequently, the United States Government voluntarily submitted to the Committee periodic reports of its imports of such materials, indicating the quantities involved, the flag of the vessels used for transportation and the ports of loading and unloading. For vessels of non-United States registration the Committee opened specific cases (USI series), requesting the Governments concerned to investigate the circumstances.

in which vessels of their registration had been permitted to carry cargoes of Southern Rhodesian origin, contrary to the provisions of paragraph 3 of Security Council resolution 253 (1968). To date, the number of such cases has reached 46, although only 43 remain active on the Committee's list.

2. On 22 April 1977 the representative of the United States informed the Committee that the United States Congress had passed a bill in effect repealing the "Byrd amendment"; the new bill was signed into law and became effective on 18 March 1977. On 17 November 1977 he further informed the Committee that the United States would be submitting a final report of the imports, which would cover such imports caught on the high seas at the time of the coming into force of the new law. It is thus possible that the number of cases in the USI series might yet increase.

3. In 21 of the 43 current cases, the Committee has received information which appears to be in conflict with the original reports submitted to the Committee. For the most part, the conflict in the information received from the replying Governments has consisted of denials, sometimes documented, that the cargoes in question had originated in Southern Rhodesia; in some cases there has been great diversity in the quantities reported to have been transported. Subsequent efforts by the Committee to have the discrepancies resolved or at least explained did not succeed. The Committee remained seized of the matter, however, noting that a solution of the problem might perhaps yield one break-through into the methods used to circumvent the Security Council sanctions against Southern Rhodesia.

4. Consequently, at the 289th meeting on 12 May 1977, the Committee requested 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 expert consultant submitted his report to the Committee on 24 June 1977, the text of which is reproduced in paragraph 7 below, and the USI cases were considered as a whole at the 6th meeting of the Committee's Working Group on 8 November 1977.

5. The Working Group decided to recommend to the Committee that the USI cases should remain open and be referred to the Committee as a whole, where various aspects of those cases would be discussed. The Working Group also decided to recommend that, meanwhile, the opinion of the United Nations Legal Counsel should be requested on the general question raised in some of those and other cases before the Committee regarding the allocation of responsibility between owners, on the one side, and charterers or subcharterers of vessels, on the other, as well as their countries of registration, for the vessels employed in transporting the prohibited merchandise.

6. The recommendation of the Working Group was accepted by the Committee, under the no-objection procedure, and at the time of preparation of the present report, appropriate follow-up action was under way.

7. Report by the expert consultant

"1. At its 289th meeting on 12 May 1977 the Committee decided that the expert consultant should prepare a tabulation on conflicting information reported to it by Member States concerning imports by the United States of Rhodesian chrome and chromium products under the so-called Byrd Amendment of 1971.

"2. In accordance with that request the attached table is submitted to the Committee for consideration. It should be pointed out in this connexion that there might be other areas of conflicting reports which could be brought out when cases are considered individually by the Committee."

SUMMARY OF CONFLICTING REPORTS OF MEMBER STATES ON THE QUANTITY AND
ORIGIN OF GOODS DECLARED BY THE UNITED STATES TO HAVE BEEN IMPORTED
FROM SOUTHERN RHODESIA

** Note: For explanation
of foot-notes
see p. 229 below.

Case No.	Name of vessel	Vessel's country of			Commodity	Port of loading	Port of unloading as reported by the USA	Quantity (in short tons) as reported by 1/**		Documentation submitted by other Gov't(s)	Declared country of origin by other Gov't(s)
		Registration	Ownership	Charter party				USA	Other Gov't(s)		
USI-1	La Chacra	United Kingdom	United Kingdom	Canada 19/5/72	Ferro-chrome silicon	Lourenço Marques	Detroit (USA) 13/9/72	550	550 (Canada)	Canada: certificate of origin issued by the Chamber of Commerce of Lourenço Marques	South Africa
USI-2	Treutenfels	Germany, Federal Republic of	Germany, Federal Republic of	-	"	"	Detroit (USA) 17/11/72	1 102	1 270.79 902.97 3 306.93 5 480.69	-	"
USI-3	Bris	Norway	Norway	Canada (1964) Sub-chartered UK 19/1/72	High-carbon ferro-chromium	"	San Francisco 2/ (USA) 23/5/72	548	548	Canada: bills of lading	Non-Rhodesian origin
USI-7	Angelo Scinicariello 2/	Italy Liberia 10/1/73	Italy	Liberia 1967	Ferro-chrome	Beira	Burnside (USA) 23/7/72	28 164	-	-	-
"	Alfredo Primo	Italy	Italy	-	High-carbon ferro-chrome; low-carbon ferro-chrome	Lourenço Marques	New Orleans (USA) 2/1/73	2 038) 506) 2 544)	8 460	Italy: cargo manifest	Non-Rhodesian origin
USI-8	Marne Lloyd	Netherlands	Netherlands		Nickel cathodes	Beira	Los Angeles (USA) 20/6/72	10	-	-	"
"	Musi Lloyd	"	"		"	"	New York (USA) 24/7/72	5	-	-	"
"	Merwe Lloyd	"	"		"	"	Los Angeles (USA)	42	-	-	"

Case No.	Name of vessel	Vessel's country of			Commodity	Port of loading	Port of unloading as reported by the USA	Quantity (in short tons) as reported by 1/		Documentation submitted by other Gov't(s)	Declared country of origin by other Gov't(s)
		Registration	Ownership	Charter party				USA	Other Gov't(s)		
USI-12	Costas Frangos	Greece	-	-	High-carbon ferro-chrome	Lourenço Marques	New Orleans (USA) 10/2/73	1 656	1 556 (ferro-alloy)	Greece: certificate of origin issued by Associação Comercial de Lourenço Marques (Camara de Comércio); Companhia Internacional de Comércio de Comércio LDA, (Lourenço Marques) Rennies Consolidated (L.M.) LDA (Lourenço Marques) Mitchell Cotts and Co. (South Africa) (Pty) Ltd. " " " " " " " " " " Companhia Internacional de Comércio LDA (Lourenço Marques) Rennies Consolidated (L.M.) LDA (Lourenço Marques) 1 268 (crude vermiculite ore) 7 382	South Africa

Case No.	Name of vessel	Vessel's country of			Commodity	Port of loading	Port of unloading as reported by the USA	Quantity (in short tons) as reported by 1/		Documentation submitted by other Gov't(s)	Declared country of origin by other Gov't(s)
		Registration	Ownership	Charter party				USA	Other Gov't(s)		
USI-14	Costas Frangos	Greece	-	-	Low-carbon ferro-chrome	Lourenço Marques	New Orleans (USA) 10/2/73	520		Greece: four certificates of origin issued by Associação Comercial de Lourenço Marques and four bills of lading	South Africa
"	Nortrans Unity	"	-	Norway 17/11/69 Sub-chartered Canada 24/1/73	High-carbon ferro-chrome	"	New Orleans (USA) 20/3/73	3 750	(4 198.4	(6 944.1	None
								(11 142.5		Four bills of lading	None
USI-16	Steinfels	Germany, Federal Republic of	-	Canada	Low-carbon ferro-chrome	"	New Orleans (USA) 18/6/73	4 197	(7 489	Canada: six certificates of origin issued by the Associação Comercial de Lourenço Marques	South Africa
								(2 800		One certificate of origin issued by the Durban Chamber of Commerce	"
								(10 289			
USI-17	Nedlloyd Kingston	Netherlands	-	-	Nickel cathodes	Durban Lourenço Marques	Seattle (USA) 20/7/73	72	21	-	Non-Rhodesian origin
USI-18-22	Sun River	Norway	Norway	Denmark 28/10/72 Sub-chartered Canada 24/7/73	Low-carbon ferro-chrome	Lourenço Marques	Burnside (USA) 16/9/73	3 547	4 830	Canada: three certificates of origin issued by the Associação Comercial de Lourenço Marques	South Africa
					High-carbon ferro-chrome	"	New Orleans (USA) 16/9/73	1 633	High-carbon ferro-manganese and chrome		"
						"	Burnside (USA) 17/9/73	1 488	2 800	One certificate of origin issued by the Durban Chamber of Commerce	
								6 688	High-carbon ferro-manganese		
									7 630		

Case No.	Name of vessel	Vessel's country of			Commodity	Port of loading	Port of unloading as reported by the USA	Quantity (in short tons) as reported by 1/		Documentation submitted by other Gov't(s)	Declared country of origin by other Gov't(s)
		Registration	Ownership	Charter party				USA	Other Gov't(s)		
USI-19	Nedlloyd Kembla	Netherlands	-	-	Electrolytic nickel	Durban	Seattle (USA) 1/2/74	21	21	-	Non-Rhodesian origin
USI-26	Weser Express 4/	Germany, Federal Republic of	-	-	Nickel cathodes	Rotterdam	Norfolk (USA) 25/1/74	36	-	-	FRG: No nickel cathodes aboard the vessel during said voyage 4/
USI-27	Stockenfels 5/	Germany, Federal Republic of	-	Canada	Ferro-chrome silicon	Lourenço Marques	Burnside (USA) 5/2/74	1 005	10 183 (FRG)	FRG: 5 certificates of origin issued by the Associação Comercial de Lourenço Marques	South Africa
					Ferro-chrome silicon	Durban	-	-	3 262 13 445	Three certificates of origin issued by the Durban Chamber of Commerce	South Africa
USI-30	Nedlloyd Kimberly	Netherlands	-	-	Electrolytic nickel cathodes	Lourenço Marques	Los Angeles (USA) 1/5/74	36	-	-	Non-Rhodesian origin
							Seattle (USA) 4/5/74	6	-	-	No consignment of nickel to Seattle
USI-31	Nedlloyd Kembla	"	-	-	"	"	Seattle (USA) 30/5/74	20	21 (shipped from Durban)	-	(Non-Rhodesian origin)
USI-33	Nedlloyd Kyoto	"	-	-	"	"	Los Angeles (USA) 6/7/74	42	44 (discharged on 10 July 1974)	-	"
USI-40	Nedlloyd Kingston	"	-	-	"	Durban	Seattle (USA) 5/2/75	20	21	-	South Africa
USI-46	Phaedra-E	Greece	-	-	Chrome ore	Maputo (Lourenço)	Burnside (USA) 9/3/76	22 906*	22 751	Three bills of lading and	Non-Rhodesian origin

(Foot-notes to table)

* The United States Government reported to the Committee that there were five shipments of chrome ore weighing, in short tons, the following: 9,849; 2,419; 1,699; 7,257; and 1,682. Total: 22,906.

The Greek Government reported three shipments of chrome ore weighing, in short tons, the following: 4,839; 3,399; and 14,514. Total: 22,751.

1/ All metric tons have been converted into short tons (2,000 lbs) to be consistent with the weights given by the United States. Short ton = .907187 metric ton.

2/ The port of unloading reported by Norway was Oakland, California (United States).

3/ The Italian authorities indicated in a reply dated 18 October 1973, that the vessel Angelo Scinicariello is no longer a vessel under Italian registration, and as of 10 January 1973 has been registered in another country under the name Adriatic Sea. The Liberian Government pointed out in its reply dated 8 November 1973, that the said vessel is under the Italian flag, Messina Societa De I. Nav., Messina, Italy.

4/ At the 234th meeting of the Committee on 24 April 1975, the representative of the United States made a statement concerning the case in question. He indicated that the shipment was discharged at Norfolk, Virginia (USA), on 5 January 1974, contrary to the original report in which the date was given as 25 January 1974. Accordingly, the Federal Republic of Germany in its reply of 19 August 1975 pointed out that the vessel Weser Express did not call at the port of Norfolk, Virginia on 5 January 1974, but on 25 January 1974. During none of these voyages did the vessel have nickel cathodes aboard.

5/ The reply from Canada dated 1 April 1975 concerning several cases, among them Case No. USI-27, does not cover the vessel Stockenfels. Accordingly, a reply from Canada is still outstanding.

Annex IV

CASES OF TRANSACTIONS REFLECTED IN FOREIGN TRADE FIGURES
SUBMITTED BY REPORTING GOVERNMENTS

(a) Cases of transactions conducted with the consent or knowledge of reporting Governments

- (94) Case No. 38. "Kaapland": United Kingdom note dated 27 August 1969
- (95) Case No. 43. "Tanga": United Kingdom note dated 18 September 1969
- (96) Case No. 62. "Transvaal", "Kaapland", "Stellenbosh" and "Swellendam":
United Kingdom note dated 22 December 1969

There is no new information concerning these cases in addition to that contained in the fourth report.

MEAT

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

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

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

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

(b) Others

- (258) Case No. 201. Danish trade with Southern Rhodesia: information obtained
from published sources submitted by Denmark

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. A communication dated 23 February 1977 has been received from Denmark indicating that during the period January to December 1976 Denmark's total exports to Southern Rhodesia amounted to DKr 738,000. This export figure is shown in the table below.

Reporting country: Denmark

Trade with Southern Rhodesia

During period: January-December 1976

	Value	
	Unit	Amount
Total imports from Southern Rhodesia	1 000 DKr	-
Total exports (including re-exports) to Southern Rhodesia	1 000 DKr	738
of which: exports (including re-exports) of arms, ammunition, and material and equipment for the manufacture and maintenance thereof SITC 95	1 000 DKr	-

Specify even if nil.

4. Bearing in mind the Committee's decision at the 280th meeting (see the ninth report, S/12265, vol. II, annex IV, Case No. 201, para. 6), a note dated 15 March 1977 was sent to Denmark under the no-objection procedure, requesting the Government's comments on the trade between Denmark and Southern Rhodesia amounting to DKr 738,000 during 1976.

5. A reply dated 14 April 1977 was received from Denmark, the substantive part of which reads as follows:

"The Permanent Representative of Denmark to the United Nations ... has the honour to refer to the Secretary-General's note dated 15 March 1977 concerning a request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

"By a note dated 23 February 1977 the Permanent Representative transmitted statistical information about the imports and exports of Denmark during the period January-December 1976 of the commodities listed in the operative paragraph 2 of Security Council resolution 232 (1966). It appears explicitly from forms I and II that no imports from or exports to Southern Rhodesia of the commodities enumerated in the list have taken place during the period.

"As indicated in the statistical material transmitted the exports of Denmark to Southern Rhodesia of commodities not included in the list amounted to DKr 738,000 during 1976. The composition was as follows:

"BTN-pos. 3002 and 3003 (pharma-medicaments)

DKr 408,014

"BTN-pos. 9017, 9019 and 9025 (products for medical purposes)

DKr 299,509

"The remainder, approximately DKr 30,000 principally products of plastic for use in hospitals.

"The Permanent Representative believes that the information communicated above and previously exhausts the subject."

6. A communication dated 24 May 1977 was received from Denmark indicating that during the period January-March 1977 Denmark's total exports to Southern Rhodesia amounted to DKr 254,000. This export figure is shown in the table below.

Form III

Reporting country: Denmark

Trade with Southern Rhodesia

During period: January-March 1977

	Value	
	Unit	Amount
Total imports from Southern Rhodesia	1 000 DKr	-
Total exports (including re-exports) to Southern Rhodesia	1 000 DKr	254
of which: exports (including re-exports) of arms, ammunition, and material and equipment for the manufacture and maintenance thereof	1 000 DKr	-

Specify even if nil.

7. The case was considered at the 292nd meeting on 9 June 1977, at which it was decided that the case should remain open and that the Committee should continue to receive periodic figures from Denmark. Furthermore, a note should be sent to Denmark, expressing the Committee's appreciation for the information and co-operation received from the Government.

8. Meanwhile, a communication dated 15 August 1977 was received from Denmark indicating that during the period January to June 1977 Denmark's total exports to Southern Rhodesia amounted to DKr 555,000, as shown in the table below.

Form III

Reporting Country: Denmark

Trade with Southern Rhodesia

During period: January-June 1977

	Value	
	Unit	Amount
Total imports from Southern Rhodesia	1 000 DKr	-
Total exports (including re-exports) to Southern Rhodesia	1 000 DKr	555
of which: exports (including re-exports) of arms, ammunition, and material and equipment for the manufacture and maintenance thereof SITC 95	1 000 DKr	-

Specify even if nil.

9. In accordance with the Committee's decision in paragraph 7 above, the proposed note was sent to Denmark on 4 October 1977.

10. A further communication dated 21 November 1977 was received from Denmark indicating that during the period January-September 1977 Denmark's total exports to Southern Rhodesia amounted to DKr 991,000. This export figure is shown in the table below.

Form III

Reporting country: Denmark

Trade with Southern Rhodesia

During period: January-September 1977

	Value	
	Unit	Amount
Total imports from Southern Rhodesia	1 000 DKr	-
Total exports (including re-exports) to Southern Rhodesia	1 000 DKr	991
of which: exports (including re-exports) of arms, ammunition, and material and equipment for the manufacture and maintenance thereof SITC 95	1 000 DKr	-

Specify even if nil.

(260) Case No. 214. Swiss trade with Southern Rhodesia: information obtained from published sources submitted by Switzerland

1. Previous information concerning this case is contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The foreign trade figures for 1976 submitted by Switzerland with reference to Southern Rhodesia were analysed and summarized by the expert consultant in four tables, which were circulated to the Committee on 14 June 1977. Tables 1 and 2 showed a comprehensive commodity analysis of Swiss imports from, and Swiss exports to, Southern Rhodesia, respectively. Table 3 represented Switzerland's external trade with Southern Rhodesia classified according to principal groups of commodities, and table 4 showed the value of Swiss exports and imports during the period 1964-1976. The expert consultant observed that, in accordance with the official declaration of the Swiss Government in a letter to the Secretary-General dated 13 February 1967 and contained in document S/7781, annex II, a/ the Federal Council decided to limit imports from Southern Rhodesia to a level not exceeding the average of the three years 1964-1966. Tables 1, 3 and 4 are reproduced below.

a/ Official Records of the Security Council, Twenty-second Year, Supplement for January, February and March 1967, annex II, pp. 117-118.

ANNEX

Table 1

SWISS IMPORTS FROM SOUTHERN RHODESIA
DURING THE YEAR 1976

BTN No.	Description of commodity	Quantity (kg)	Value (SwF)
0201	Meat and edible meat offals of animals	1 443 366	13 542 848
2401	Unmanufactured tobacco	952 538	5 580 171
	Other commodities	357	26 222
	GRAND TOTAL	<u>2 396 261</u>	<u>19 149 241</u>

Table 3

SWISS EXTERNAL TRADE WITH SOUTHERN RHODESIA CLASSIFIED ACCORDING
TO PRINCIPAL GROUPS OF COMMODITIES DURING THE YEAR 1976
(SwF)

	Raw materials	Energy	Investment equipment	Consumption goods	<u>Total</u>
Imports from Southern Rhodesia	5 582 224	-	1 000	13 566 017	19 149 241
Exports to Southern Rhodesia	1 808 012	2 055	1 418 907	1 724 725	4 953 699

Table 4

SWITZERLAND'S FOREIGN TRADE WITH SOUTHERN RHODESIA
DURING THE PERIOD 1964-1976
(in thousands of US dollars)

Year	Exports	Imports	Average 1964-1966	Variation	
				Absolute	%
1964	1 503	2 429)	4 087		
1965	1 641	5 678 }			
1966	1 890	4 155)			
1967	1 939	3 925		-162	-3.96
1968	2 513	3 483		-604	-14.78
1969	1 540	3 625		-462	-11.30
1970	1 969	4 296		209	5.11
1971	2 851	4 511		424	10.37
1972	3 230	4 582		495	12.11
1973	3 834	7 749		3 662	89.60
1974	4 546	7 352		3 265	79.89
1975	2 750	7 302		3 215	78.66
1976	1 985	7 673		3 586	87.74

Source: United Nations Security Council, S/11594/Add.3, 7 May 1975, pp. 32-36. The figures for 1964 and 1974 are taken from: United Nations Commodity Trade Statistics (Statistical Papers, Series D), while the figures for 1975 and 1976 are taken from the Monthly Statistics of the External Trade of Switzerland.

4. A communication dated 2 June 1977 has been received from the Permanent Observer of Switzerland. The report included the cumulative total of Swiss trade with Southern Rhodesia during the period January to March 1977, as indicated below.

	<u>Kg</u>	<u>Value (SwF)</u>	<u>(weighted average for January-March 1977) (SwF/\$US)</u>	<u>Value (\$US)</u>
Imports	689,519	4,129,485	.396454	1,637,157
Exports	20,385	1,127,267	.396418	446,870

5. The case was considered by the Committee at the 291st meeting on 2 June 1977, at which it was decided that the Chairman should be requested to seek personal contact with the Permanent Observer of Switzerland to the United Nations so as to discuss the pertinent aspects of the case. In particular, the Chairman would put the Committee's wish that the Swiss authorities might consider revising their declared policy with regard to Swiss trade with Southern Rhodesia; he would moreover point out that, under the Charter of the United Nations, even non-members of the United Nations were expected to comply with the sanctions regulations.

6. In pursuance of the Committee's decision at that meeting a letter dated 28 June 1977 was sent by the Acting Chairman to the Permanent Observer of Switzerland, announcing his intention to seek a suitable opportunity for a personal meeting in accordance with the Committee's request.

7. On 26 July 1977, the Acting Chairman met with the Permanent Observer of Switzerland and discussed with him this and the other cases similarly requested by the Committee. An account of the meeting is contained in the Chairman's report reproduced in annex I to the present report.

8. Subsequently, a note dated 17 October 1977 was received from Switzerland, the substantive part of which reads as follows:

"By his two letters dated 28 June 1977, the Acting Chairman of the Security Council Committee established in pursuance of resolution 253 (1968) on the question of Southern Rhodesia had expressed the desire to talk with the Permanent Observer on certain aspects of the commercial relations between Switzerland and Southern Rhodesia. In the course of their talk, which took place on 26 July last, the Observer informed the Acting Chairman of the Committee on Sanctions that the competent services of the Federal Administration were in the process of preparing a report for the Federal Council on all economic and commercial relations between Switzerland and Southern Rhodesia.

"That report, which makes it clear, in particular, that trade between Switzerland and Southern Rhodesia has declined substantially during the past few years in both directions, was considered by the Federal Council on 3 October last. As a result of that consideration, the Federal Council requested a number of working groups composed of representatives of the competent services of the Administration to re-examine certain aspects of

the commercial relations between Switzerland and Southern Rhodesia and of the special problems resulting from so-called triangular transactions. The working groups are to submit their reports and conclusions to the Federal Council about the end of this year at the latest."

9. A further communication dated 15 December 1977 addressed to the Secretary-General of the United Nations was received from the Permanent Observer of Switzerland to the United Nations. The substantive part of the communication reads as follows:

"The Permanent Observer of Switzerland to the United Nations presents his compliments to the Secretary-General of the United Nations and, upon instructions from his Government, has the honour to inform him of the following concerning so-called triangular operations with Southern Rhodesia.

"On 12 December 1977, the Swiss Federal Council adopted an ordinance on transactions with Southern Rhodesia, forbidding persons domiciled or headquartered in Switzerland to participate in the conclusion or execution of juridical acts between persons domiciled or headquartered abroad the purpose of which is:

"(a) The acquisition or sale of goods originating in or destined for Southern Rhodesia which at no time touch Swiss territory;

"(b) The granting of credit or transfer of funds to persons domiciled or headquartered in Southern Rhodesia;

"(c) The provision of services relating to operations referred to in subparagraphs (a) and (b) above.

"Exceptions to this ban are made in the case of goods and funds intended for medical purposes or relating to teaching material, to books or publications and, in so far as they serve humanitarian purposes, to food-stuffs.

"The ordinance, the text of which is annexed hereto, will enter into force on 1 January 1978. This measure has been adopted in accordance with the policy independently chosen by the Federal Council with regard to the sanctions instituted by the Security Council against Rhodesia."

"Enclosure

"Ordinance on transactions with Southern Rhodesia
(of 12 December 1977)

"The Swiss Federal Council,
pursuant to article 102, subparagraphs 8 and 9, of the Constitution,
decides:

Article 1

"Ban on participation in transactions

"Persons domiciled or headquartered in Switzerland shall be forbidden to participate in the conclusion of juridical acts between persons domiciled or headquartered abroad, or in the execution of such acts, when they relate to:

"(a) The acquisition or sale of goods originating in or destined for Southern Rhodesia which at no time touch Swiss territory;

"(b) The granting of credit or transfer of funds to persons domiciled or headquartered in Southern Rhodesia;

"(c) The provision of services relating to operations referred to in subparagraphs (a) and (b).

"Article 2

"Exceptions

"This ban shall not apply where the juridical acts concern goods or funds intended for medical purposes or relate to teaching material, to books or publications and, in so far as they serve humanitarian purposes, to food-stuffs.

"Article 3

"Penal provisions

"1. Anyone who intentionally violates the provisions of this ordinance shall be liable to arrest or to a fine of not more than 100,000 francs.

"2. If the violation is committed through an oversight, the perpetrator shall be liable to a fine of not more than 50,000 francs.

"3. Penal action shall be barred at the end of five years. In the event of interruption of the statutory period of limitation, the time-limit may not be extended by more than half. Moreover, the general provisions of the Penal Code (1) and article 6 of the Federal Act on Administrative Penal Law (2) shall apply.

"Article 4

"Prosecution

"1. The cantons shall be responsible for prosecution and judgement in the case of violations.

"2. A complete copy of all judgements, administrative rulings and dismissals of charges issued pursuant to this ordinance shall be communicated immediately and free of charge to the Office of the Public Prosecutor of the the Confederation.

"Article 5

"Communications to the United Nations

"The Federal Political Department shall be authorized to inform the Secretary-General of the United Nations of the implementation of the provisions of this ordinance.

"Article 6

"Entry into force

"This ordinance shall enter into force on 1 January 1978.

"Berne, December 1977

"On behalf of the Swiss Federal Council:

"Furgler, President of the Confederation

"Huber, Chancellor of the Confederation."

(261) Case No. 243. Federal Republic of Germany trade with Southern Rhodesia: information obtained from published sources submitted by the Federal Republic of Germany

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Further to the Secretary-General's note of 19 August 1976 a reply dated 23 September 1976 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations ..., with reference to the Secretary-General's note of 19 August 1976, has the honour to communicate the following:

"The Government of the Federal Republic of Germany is acutely aware of the complicated distinguishing features contained in its foreign trade statistics regarding Southern Rhodesia. As it elaborated in its note of 17 March 1976, it has to respect the legal principle of statistical confidentiality, on the one hand, and its declared compliance with the sanctions against Southern Rhodesia, on the other. To gradually eliminate these difficulties, it is exploring all avenues open to it to forestall violations of its embargo policy. (Reference is made in this connexion to this Mission's note of 29 July 1976 in which plans for the enactment of new legislation were announced.) Also, the federal authorities have been refining and widening their investigative procedures, as evidenced, e.g., by the number of cases prosecuted without prior information from the Sanctions Committee. Together, these measures are expected to ensure an increasing implementation of the Security Council decisions.

"The Permanent Representative of the Federal Republic of Germany requests the Secretary-General to transmit this information to the Sanctions Committee ..."

4. In implementation of a request made by the Secretary-General in his notes of 13 January 1967 and 23 May 1969 under resolution 232 of the Security Council

on Southern Rhodesia, a communication dated 28 April 1977 was received from the Permanent Representative of the Federal Republic of Germany to the United Nations. It indicated that during the period January to December 1976, the Federal Republic of Germany imported from Southern Rhodesia 3,686.3 metric tons of goods for an amount equivalent to \$US 499,000 and exported to Southern Rhodesia 438.3 metric tons of goods for an amount equivalent to \$US 1,282,000. The exports consisted of 169.4 metric tons of petroleum products (SITC-Code 332) valued at \$US 91,000 and 4.1 metric tons of motor vehicles and parts (SITC-Code 732) valued at \$US 23,000. The trade figures are shown in the tables below. The substantive part of the above-mentioned letter reads as follows:

"As to the figures for SITC Codes 332 and 732 in Form II it has to be presumed, in the light of the stringent licensing regulations in force in the Federal Republic of Germany, that the petroleum products as well as the motor vehicles and parts exported to Southern Rhodesia in the fourth quarter of 1976 were again delivered within the framework of humanitarian aid. As to the figures shown in Form III, reference is made to this Mission's note of 17 March 1976 (Pol.410.41 RHO)."

Form II

Reporting country: Federal Republic of Germany

Exports (including re-exports) of: Petroleum products (SITC-Code 332)

During period: January-December 1976

	Partner country code	Quantity		Value	
		Unit	Amount	Unit	Amount
Exports to all destinations:		100 kg	84,080,813	\$1,000	1,133,455
of which to: (countries of destination)					
Southern Rhodesia	382	"	1,694	"	91

Form II

Reporting country: Federal Republic of Germany

Exports (including re-exports) of: Motor vehicles and parts (SITC-Code 732)

During period: January-December 1976

	Partner country code	Quantity		Value	
		Unit	Amount	Unit	Amount
Exports to all destinations:		100 kg	36,501,183	\$1,000	13,753,509
of which to: (countries of destination)					
Southern Rhodesia	382	"	41	"	23

Form III

Reporting country: Federal Republic of Germany

Trade with Southern Rhodesia

During period: January-December 1976

	Value	
	Unit dt = 100 kg	Amount \$US 1,000
Total imports from Southern Rhodesia	36,863	499
Total exports (including re-exports) to Southern Rhodesia	4,383	1,282
of which: exports (including re-exports) of arms, ammunition, and material and equipment for the manufacture and maintenance thereof	-	-

5. The Committee decided at its 292nd meeting, when it discussed the present case, that the trade figures submitted by the Federal Republic of Germany should be analysed and requested that the representative of that country should take note of the Committee's concern on the matter and to obtain any additional information from his Government.

6. Accordingly, a note dated 14 November 1977 was sent to the Federal Republic of Germany the substantive part of which reads as follows:

"At its 292nd meeting on 9 June 1977, the Committee discussed the above-mentioned case, concerning Federal Republic of Germany trade with Southern Rhodesia. At that meeting the representative of the Federal Republic of Germany in a statement to the Committee confirmed that much of that trade had been conducted on the basis of special humanitarian circumstances permitted under paragraph 4 of Security Council resolution 253 (1968), but also agreed that some of the items of that trade were difficult to justify under the humanitarian exceptions and therefore required further explanation. He said that his delegation was ready to assist in any efforts to rectify the unsatisfactory situation. At the same meeting the Committee decided to request the representative of the Federal Republic of Germany to seek any additional information that his Government might be able to obtain on the matter.

"The Committee wishes to inquire whether any subsequent investigations by the Federal authorities have yielded any additional information that might be submitted at the earliest convenience, if possible within a month, for the Committee's consideration."

7. A note dated 2 December 1977 was received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The Permanent Representative of the Federal Republic of Germany to the United Nations [...] has the honour to refer to the foreign trade statistics compiled by the Federal Statistical Office and submitted periodically to the Secretary-General, for the information of the Committee established pursuant to the Security Council resolution 253 (1968).

"On 9 March 1977, the Federal Office for Trade and Industry (Bundesamt für gewerbliche Wirtschaft) issued its latest 'list of goods exempt for humanitarian reasons from the mandatory licensing provisions of the Foreign Trade Ordinance of the Federal Republic of Germany'.

"The list was subsequently published in the Federal Gazette (Bundesanzeiger). A photocopy of the relevant page is enclosed herewith. b/

"Broken down by the categories established for the Federal export schedules, the list itemizes these goods and provides clear evidence that licensing requirements are waived only in respect of goods intended for medical and/or educational use."

8. Also at the 302nd meeting, the representative of the Federal Republic of Germany made a statement regarding the present case. The text of that statement is reproduced below:

"The Federal Government cannot be held responsible for illegal import or export transactions performed without official knowledge and participation.

b/ The enclosure was entered in the Committee's records kept by the Secretariat.

Such transactions are not only regretted by my Government but they are punishable under German law. Given a monthly rate of 1.2 million export and 0.8 million import applications, it is inevitable that some illegal import and export shipments sometimes escape the notice of the customs authorities. The Federal Government is not in a position to guarantee an airtight control of the entire border-crossing goods traffic in our export-oriented country, which can be handled effectively only through speedy clearance. However, in order to guard as far as possible against violations, customs authorities have been instructed time and again to investigate export and import shipments as to their legality with a particular view to the regulations regarding Southern Rhodesia. The most recent instruction to this end was included in the federal finance regulations on 22 November 1977 as a consequence of the instigation of the United Nations Sanctions Committee.

"I should like, furthermore, to underline once again our readiness to co-operate to the fullest extent with the United Nations Sanctions Committee. The Federal Government sees to it that all cases singled out by the Committee for alleged attempts to evade the sanctions against Rhodesia are subject to investigation. They are subject to penalties where there is conclusive evidence that a violation has occurred."

Annex V

CASES OPENED FROM INFORMATION SUPPLIED BY INDIVIDUALS
AND NON-GOVERNMENTAL ORGANIZATIONS

Case No. INGO-2. Joba/Etb. Zephyr Co., Amsterdam: information supplied by the Anti-Apartheids Reweging Nederland, Amsterdam, the Netherlands

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

Case No. INGO-4. Air Rhodesia and IATA agreements: information supplied by the Center for Social Action of the United Church of Christ, New York

1. Previous information concerning this case is contained in the ninth report.
2. Additional information concerning the action taken on the case since the submission of that report is given below.
3. Further to paragraph 99 of the ninth report, a note dated 8 April 1977 was sent to Portugal and South Africa transmitting the text of the Legal Counsel's opinion on the general question of air links with Southern Rhodesia and Member States' obligations under the provisions of paragraph 6 of Security Council resolution 253 (1968).
4. In the absence of a reply from South Africa, the Committee again included that Government in the twelfth, thirteenth and fourteenth quarterly lists, which were issued as press releases on 14 April, 25 July and 21 October 1977, respectively.
5. A note dated 17 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 whether their result could be communicated to the Committee.

Case No. INGO-5. Ferro-chrome imported into Spain: information obtained from non-governmental sources

1. Previous information concerning this case is contained in the eighth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. The case was considered at the 4th meeting of the Working Group at which it was decided to recommend to the Committee that a further note should be sent to Spain, drawing the attention of that Government to the information previously circulated to all Member States indicating the existence of evidence suggesting that the Swiss firm, Handelsgesellschaft, said to have been involved in arranging the sale of the merchandise to the Spanish firm, was an agent for Southern Rhodesian export companies; the note would also request the Government to ensure that Spanish companies exercised great circumspection in any future dealings involving the Swiss firm in question.

4. Pursuant to the recommendation of the Working Group, and in accordance with the Committee's no-objection procedure, a note dated 8 November 1977 was sent to Spain stating as indicated above.

Case No. INGO-6. Tobacco report: report submitted by the Anti-Apartheids Beweging Nederland, Amsterdam, the Netherlands

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

Case No. INGO-7. Tourism and travel to and from Southern Rhodesia: information supplied by the Research Group for Interparliamentary Questions, Bonn, Federal Republic of Germany

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

Case No. INGO-8. Tourism, immigration and transfer of funds to Southern Rhodesia: information supplied by the National Anti-Apartheid Committee (NAAC) of New Zealand

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

Case No. INGO-9. Cargo Air Transport (CAT): information supplied by the Comité contre le colonialisme et l'apartheid, Brussels, Belgium

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

Case No. INGO-10. Package tours to Southern Rhodesia and landing rights to airline flying to Salisbury, Southern Rhodesia: information supplied by Ms. Barbara Rogers

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

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

3. At the 296th meeting on 28 July 1977, the representative of the United States made a general statement in which specific reference was made to a number of cases, including the present case. The text of that statement is contained in paragraph 3 of (202) Case No. 216 in annex 2 above.

4. Subsequently, the case was considered at the 5th meeting of the Working Group at which it was decided to recommend to the Committee that the case should be considered closed.

5. Pursuant to the recommendation of the Working Group and in accordance with the Committee's no-objection procedure, the case was thereafter closed.

Case No. INGO-11. Tour to Southern Rhodesia organized by a United Kingdom travel agency: information supplied by the Women's International League for Peace and Freedom (WILPF), British Section, London

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

Case No. INGO-12. Trading activities and other relations with Southern Rhodesia: information supplied by the Mouvement contre le racisme, l'antisémitisme et pour la paix, Paris, France

1. Previous information concerning this case is contained in the ninth report.
2. Additional information concerning the action taken on the case since the submission of that report is given below.
3. At the 285th meeting on 10 February 1977, the representative of France made a statement on the matter, the text of which is reproduced below.

"As my delegation indicated in a letter dated 20 March 1976 addressed to the Committee, the French Government undertook a thorough investigation of the circumstances referred to in the original note relating to case No. INGO-12. I am in a position to inform the Committee that, as a result of the investigations which have been carried out with the greatest care since that date, it has been found that certain provisions of French legislation relating to associations were not complied with in the case of the Rhodesian Information Office. In view of that failure to comply with the regulations in force, the Minister of the Interior, in an order dated 17 January 1977, declared the foreign association known as the Rhodesian Information Office illegal and ordered the leaders of that association to liquidate its assets within one month.

"I should like to emphasize that this decision reflects the determination of the French Government to ensure strict compliance with its regulations, particularly where this might in some way help to reinforce the pressure exerted by the international community on the illegal régime in Salisbury."

4. In accordance with the Committee's decision, under the no-objection procedure, a note dated 15 March 1977 was sent to France, expressing the Committee's appreciation for the action taken by the French Government in effecting the closure of the Rhodesian Information Office in Paris, which was found to be operating there illegally. In the note the Committee also expressed the hope that the French authorities would act likewise in the event that evidence of similar impropriety might be found with regard to the other items brought to the Committee's attention in the present case.

Case No. INGO-13. Mining operations in Southern Rhodesia by Canadian-owned companies: information supplied by the Taskforce on the Churches and Corporate Responsibility, Toronto, Canada

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

Case No. INGO-14. Export of military aircraft to Southern Rhodesia by New Zealand information received from the President of the Citizens' Association for Racial Equality (CARE), New Zealand

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

Case No. INGO-15. Irish hockey team tour in Southern Rhodesia: information received from the Anti-Apartheid Movement, Dublin, Ireland

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

Case No. INGO-17. Supply of oil and oil products to Southern Rhodesia: information supplied by the Anti-Apartheid Movement, United States of America, and the Center for Social Action of the United Church of Christ, New York

1. Previous information concerning this case is contained in the ninth report.
2. Additional information regarding the action taken on the case since the submission of that report is given below.
3. Second and third reminders were sent to South Africa on 17 January and 28 February 1977 respectively.
4. A communication dated 28 February 1977 was received from Mr. Mike Terry, Executive Secretary of the Anti-Apartheid Movement, a non-governmental organization in London, forwarding a pamphlet entitled Shell and BP in South Africa, written by Martin Bailey and published jointly by the Anti-Apartheid Movement and the Haslemere Group, both of the United Kingdom. The pamphlet contained a chapter on the supply of oil and oil products to Southern Rhodesia by the Shell and BP companies. A great deal of the information in that chapter consisted of summaries and extracts from the Oil Conspiracy report, which had been submitted to the Committee by representatives of the Center for Social Action of the United Church of Christ and the Anti-Apartheid Movement, both of the United States, during their appearance before the Committee at the 274th meeting. a/ The other relevant information in the aforementioned chapter from the pamphlet is reproduced below:

"Busting Sanctions"

"The story of how petroleum has been supplied to Rhodesia since UDI illustrates two important aspects of the operations of the oil companies in Southern Africa. First, the oil companies are naturally concerned with maximising profits and they have shown little interest in encouraging majority rule. Secondly, the South African government, through a series of laws and regulations, has restricted the activities of the oil companies and forced them to serve the interests of the white régimes.

a/ See the Committee's ninth annual report, Official Records of the Security Council, Thirty-second Year, Special Supplement No. 2, vol. II, annex V, Case No. INGO-17.

"Petroleum is vital to the Rhodesian economy. After Ian Smith declared UDI, on 11 November 1965, one of the first measures taken by the United Nations was the imposition of an oil embargo against the rebel régime. The pipeline from the Mozambican port of Beira into Rhodesia was shut, cutting off supplies of crude oil for the Umtali refinery. The refinery, with a capacity of 20,000 barrels a day, is owned by Central African Petroleum Refineries. Both Shell and BP each hold a 21 per cent stake in the refining company.

"Yet, despite the embargo, Rhodesia continued to receive sufficient supplies of oil. On 5 February 1966, after an intensive surveillance of the South African-Rhodesian border at Beit Bridge, the Rand Daily Mail reported that three or four vehicles were crossing the frontier every day with fuel. A photograph, published in the newspaper, showed a Rhodesian oil tanker. Just visible through a thin coat of grey paint was a large 'P' - part of the 'BP' insignia of British Petroleum. 55/ Soon Shell also joined BP in supplying Rhodesia by road from South Africa. Later in 1966 Shell and BP co-operated with Mobil to finance a 100,000 gallon oil depot at Messina. This was just ten miles from the Beit Bridge border and the depot was presumably built for supplying petroleum to Rhodesia.

"Since UDI, the Rhodesian subsidiaries of Shell and BP have been 'directed' companies, under local legislation, and the headquarters of the oil firms in London claim to have no control over their operations. Shell and BP, it could be argued, might have been able to take some action to put pressure on their Rhodesian subsidiaries to comply with UN policy. Nevertheless, at present they are not legally responsible for the activities of their Rhodesian companies. Shell and BP, however, still retain control over the operations of their South African subsidiaries.

...

"When Shell's South African subsidiary plans its future sales, it apparently includes a special category enigmatically entitled FS. 61/ This stands for Freight Services, the main intermediary used by Mobil, and the figure is believed to cover purchases made for subsequent resale to Mozambique, Malawi ... and Rhodesia. Every three months Freight Services, acting on behalf of themselves and the other intermediaries, apparently sends Shell details of its requirements for a variety of oil products, specifying how much they estimate will be needed over the next 3 and 12 months. 62/ Their requirements for Rhodesia have averaged a fairly steady rate over the past few years.

...

"Spokesmen for Shell and BP, contacted in London, have not denied that

"55/ Robert C. Good, UDI (London, 1973, p. 127).

"61/ The Oil Conspiracy (New York: Center for Social Action of the United Church of Christ, 1976), p. 26.

"62/ Ibid.

their South African subsidiaries sold petroleum to Freight Services. 66/ Neither of the oil companies appears to have investigated allegations that Freight Services has been supplying oil to Rhodesia.

"The simple facts of the situation are that Shell and BP both refine oil in Durban; the two companies distribute petroleum inside Rhodesia; and clearly fuel has been flowing from South Africa to Rhodesia. There is therefore little doubt that Shell and BP oil has been reaching Rhodesia. The only question that remains is whether the South African subsidiaries of the two companies are themselves involved in this trade. But until Shell and BP have announced that they have taken measures to ensure that their products are not exported to Rhodesia, clouds of suspicion will remain.

"Government Control

"If Western oil companies took steps to prevent their petroleum from reaching Rhodesia, then they could in fact be liable to prosecution under South African law. The petroleum firms are forbidden from restricting their customers or the destination of their products.

"The degree of government control over the South African oil industry was recently illustrated when Mobil sent a Vice-President and two top executives of its International Division to South Africa to look into allegations that oil had been supplied to Rhodesia. These leading Mobil officials, according to a company statement, 'consulted a leading South African lawyer, who advised them that if they attempted to carry out any investigation in South Africa, they themselves would be subject to prosecution as foreign agents under the ... Official Secrets Act'. 67/ Three senior employees of a Western company were therefore in danger of being imprisoned as spies merely for enquiring into the affairs of their wholly-owned subsidiary in South Africa.

"Only about 4 per cent of South Africa's oil imports are re-exported to Rhodesia. South Africa would therefore presumably be reluctant to endanger its supply just to keep the Smith régime afloat. If, however, the South African government actually prevented Western petroleum companies from refusing to supply Rhodesia, then this would provide an additional justification for extending the embargo to include South Africa itself.

..."

"66/ Correspondence with author.

"67/ Mobil, press statement, Washington, 17 September 1976."

5. A note dated 28 February 1977 was sent to the Netherlands inquiring whether the investigation has been completed and the result could be communicated to the Committee.

6. In accordance with the Committee's instructions laid down at the 166th meeting, an acknowledgement dated 4 March 1977 was sent by the Secretariat to the author of the communication.

7. A reply dated 10 March 1977 was received from the Netherlands, the substantive part of which reads as follows:

"In connection with the allegations contained in the report 'The Oil Conspiracy' the Netherlands Government approached the Board of the Royal Shell Group. As a result of the ensuing contact it became clear that the Netherlands branch of the Royal Shell Group is in no way responsible for the activities of Shell South Africa. The spokesman of the Royal Shell Group added that the Royal Shell Group had no knowledge whatsoever of any supply of oil or oil products to Southern Rhodesia in which Shell South Africa was involved. He pointed out, however, that it was not possible to keep track of resales by South African consumers of products sold by Shell South Africa as South African legislation does not allow seller to impose restrictions on such resales."

8. A reply dated 24 March 1977 was received from France concerning Case No. INGO-18, in which reference was made to the question of the supply of oil and oil products to Southern Rhodesia. The reference had arisen from information received from a non-governmental organization in Paris reporting a number of trade and other relations between France and Southern Rhodesia, including the supply of oil and oil products to Southern Rhodesia by the French company Total. The text of the reference to this matter is reproduced in the present annex under Case No. INGO-18, paragraph 2, subparagraph 3.

9. A note dated 13 April 1977 was received from the representative of the United Kingdom, transmitting the text of a statement made by the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom on 8 April 1977, concerning the question of the supply of oil and oil products to Southern Rhodesia. In accordance with the request contained in the note, the text of that statement, reproduced below, was circulated to members of the Committee.

"The Government have been studying allegations of evasion of sanctions against Rhodesia by major oil companies. As a result I have decided to set up an enquiry to conduct an investigation on my behalf into these allegations under the statutory powers provided in Article 15 and Schedule 1 of the Southern Rhodesia (UN Sanctions) (No 2) Order 1968.

"The terms of reference of the enquiry will be as follows: to carry out an investigation with the objects

- "(a) of establishing the facts concerning the operations whereby supplies of petroleum and petroleum products have reached Rhodesia since December 1965;
- "(b) of establishing the extent, if any, to which persons and companies within the scope of the Sanctions Order have played any part in such operations;
- "(c) of obtaining evidence and information for the purpose of securing compliance with or detecting evasion of the Southern Rhodesia (UN Sanctions) (No 2) Order 1968 ('The Sanctions Order');
- "(d) of obtaining evidence of the commission of any offences against the Sanctions Order which may be disclosed.

"I shall announce the composition of the enquiry shortly.

"I have informed the Chairmen of Shell and BP of the Government's decision. They have promised the full co-operation of their companies in the enquiry.

"The Netherlands Government have also been told that the enquiry will be held."

10. In the absence of a reply from South Africa, the Committee again included that Government in the twelfth quarterly list, which was issued as a press release on 14 April 1977.

11. A communication dated 6 May 1977 concerning the present case was received from Messrs. Bernard Rivers and Martin Bailey, both of the Haslemere Group, described as a research action group on third world issues, based in the United Kingdom. The text of the communication reads as follows:

"As you have heard, the United Kingdom Foreign and Commonwealth Secretariat recently announced the establishment of an official inquiry to look into allegations of sanctions-busting by British oil companies. b/ This step was taken just a few weeks after the publication of a report on 'Shell and BP in South Africa' c/ - published by the Haslemere Group and the Anti-Apartheid Movement - which claimed that there was strong evidence to suggest that the South African subsidiaries of the two companies were supplying Rhodesia.

"The Haslemere Group and the Anti-Apartheid Movement have now prepared a detailed submission to the official Inquiry outlining the evidence they have available at this stage. This submission was presented to the Foreign and Commonwealth Office in London on 25 April, and we have pleasure in formally presenting your Committee with a copy.

"The two of us have studied the problem of oil sanctions-busting for some years. One of us (Bernard Rivers) wrote 'The Oil Conspiracy'; this was released in New York last year, and contained the first detailed revelations on the subject. The other of us (Martin Bailey) wrote 'Shell and BP in South Africa', already mentioned above. The submission to the British Inquiry was written by the two of us together.

"It is clear from the speeches of President Kaunda and others that the question of how oil gets to Rhodesia is absolutely vital, and is of increasing concern to African leaders. Bearing this in mind, you may wish to consider the possible merits of circulating the enclosed submission to members of your Committee, or even more widely within the United Nations.

"We are actively continuing our research programme on this matter, and one of us (Bernard Rivers) is keeping in close contact with the Commonwealth Secretariat. We are interested not only in the British oil companies involved

b/ See para. 9 above.

c/ See para. 4 above.

but also in the American and French ones (Mobil, Caltex and Total). If you have any queries on our submission, or would like us to assist the Sanctions Committee by (for instance) writing a further study paper on the subject, please get in touch; we would of course be happy to help in any way possible. On our side, we would be pleased if you could possibly send us copies of any reports of your Committee in which the question of oil is mentioned."

12. The text of the submission referred to was circulated to the Committee for consideration, in accordance with the request contained in the communication, a summary of the submission, as provided by the authors, is reproduced below.

Summary

* * *

CHAPTER ONE - BACKGROUND

A. The Oil Companies in Rhodesia and South Africa

Five oil companies distribute in Rhodesia - Shell, BP, Mobil, Caltex and Total - and the same companies also operate in South Africa. All Rhodesia's oil now clearly comes from South Africa.

B. The Ownership of BP and Shell

The British government has a 68 per cent stake in BP. Shell is an Anglo-Dutch group. The South African operations of both companies are wholly-owned subsidiaries.

CHAPTER TWO - EVIDENCE

A. Stockpiling Before Sanctions

In the months before UDI the oil companies in Rhodesia - especially Shell and BP - helped Smith build up substantial stockpiles. Zambia, on the other hand, had very small stocks by the time of UDI.

B. Initial Response to Sanctions

The South African subsidiaries of Shell and BP appear to have helped Rhodesia survive the first few weeks of sanctions by assisting the effort to supply the country by road tankers.

C. From Road to Rail

Rail was the only economic method for Rhodesia to obtain its oil. But until the publication of a report entitled 'The Oil Conspiracy', little was known of exactly how Rhodesia arranged the importation of oil.

D. The Paper-Chase

Secret Mobil documents show that the South African subsidiary of the company used a complicated paper-chase to supply Rhodesia with oil through intermediaries.

E. Shell and BP

Strong evidence has emerged to suggest that Shell and BP established their own paper-chases to provide oil for Rhodesia. The main intermediary used was Freight Services Ltd.

F. Sources of Further Evidence

Likely sources of further evidence of sanctions-busting by Shell and BP are listed.

CHAPTER THREE - COMMENT

A. The Response of the Oil Companies

The head offices of the oil companies have not denied that their South African subsidiaries supply Rhodesia via intermediaries.

B. Legal Constraints

Mobil's headquarters claim that supplies to Rhodesia through intermediaries could not be cut off because of the South African Official Secrets Act and 'conditional selling' legislation. It is not clear, however, if these laws would actually be enforced, or whether they are a convenient shield for the oil companies to hide behind.

C. Conclusion

If this South African legislation is not likely to be enforced, then the oil companies should take immediate steps to ensure that supplies do not reach Rhodesia. On the other hand, if the legislation is enforced, then this would make it even more necessary for the British government to work for an extension of oil sanctions to cover South Africa.

13. In accordance with the instructions laid down by the Committee at the 166th and 233rd meetings, an acknowledgement was sent to the individuals who submitted the information.

14. At the 294th meeting on 21 July 1977 the Committee decided to invite Mr. Bernard Rivers, of the Haslemere Group, London, and author of The Oil Conspiracy report, who was currently in New York, to appear before the Committee at the following meeting and give it any additional up-to-date information on the supply of oil and oil products to Southern Rhodesia.

15. At the 295th meeting on 25 July 1977 Mr. Bernard Rivers made a statement to the Committee, which was summarized in the Committee's records as follows:

Mr. Rivers said that the testimony he had to present was based on a wealth of information which he had gathered while doing research, over a period of two to three years, on the matter of oil supplies to Southern Rhodesia. In orally presenting his report he would condense it, and later provide copies for full perusal by members of the Committee.

He had just completed a report on sanctions-breaking by Western oil companies for the Commonwealth Sanctions Committee in the United Kingdom, and was speaking as a member of the Haslemere Group, an ad hoc group in the United Kingdom involved in research and publication of occasional reports on Western economic involvement in the third world.

The prediction made 11 years earlier by the British Prime Minister that the Rhodesian rebellion would be over "within weeks, rather than months", was based on the assumption that oil sanctions would be effectively implemented. That had never been the case. Rhodesia had no oil of its own and, before the imposition of sanctions, had been importing nearly all its requirements in the form of crude oil, subsequently refined at the country's only refinery, near Umtali. The refinery was supplied by a pipeline from Beira, built by a subsidiary of the British-based multinational company Lonrho. Five oil companies owned subsidiaries in Rhodesia - Shell, British Petroleum, Mobil, Caltex and Total, all being wholly owned by parent companies based in Europe or in the United States. After the unilateral declaration of independence (UDI) the subsidiaries had become "directed" companies under Southern Rhodesian legislation, while the subsidiaries in South Africa and Mozambique had continued their activities as before. Both the Mozambique-Rhodesia pipeline and the refinery at Umtali had been dormant since the end of 1965, and since that time Southern Rhodesia had had to import not crude oil but the entire range of oil products. It had continued to do that, but few people knew how the products were reaching Southern Rhodesia. The report The Oil Conspiracy, published in June 1976 by the Center for Social Action, had been based on secret documents obtained from the South African and Southern Rhodesian subsidiaries of Mobil by OKHELA, an underground group of white South Africans dedicated to combating apartheid. The report had revealed for the first time how Southern Rhodesia had obtained most or all of its oil from the South African subsidiaries of the five oil companies. Those South African subsidiaries had not sold the oil products directly to Southern Rhodesia, they had sold them through intermediary companies in South Africa. Mobil had called the scheme a "paper-chase". Its purpose was to avoid detection, and the South African subsidiaries would sell oil products to a South African company, usually Freight Services Limited, in the knowledge that the oil would then be passed on to other intermediary companies and eventually sold to the customer in Southern Rhodesia through GENTA, an agency set up by the Smith régime to co-ordinate the importation of oil products. As GENTA resold to the Southern Rhodesian subsidiaries of the five oil companies for final sale to the public, the South African subsidiaries of the five companies could claim that they made no sales to Southern Rhodesia, although supplying most of Southern Rhodesia's needs indirectly. The Oil Conspiracy had revealed that the five companies intended their products to reach Southern Rhodesia. An internal Mobil-Rhodesia memorandum in the report showed that the scheme had been devised to avoid any link between Mobil-South Africa and Mobil-Rhodesia. Until 1976, most of Southern Rhodesia's oil went from South Africa to Southern Rhodesia via Mozambique. The central allegations of the report were that the South African subsidiaries of the five oil companies had provided virtually all Southern Rhodesia's oil requirements since UDI, that the sale had taken place through South African intermediaries, thus enabling the oil companies to claim that they made no sales directly to Southern Rhodesia, and that the involvement of the South African subsidiaries was deliberate. Since the publication of the report, there had been a number of developments: The New York Times had

published an article on 2 August 1976 providing independent confirmation of certain key allegations in The Oil Conspiracy; Mobil and the United Church of Christ had been called to testify before the United States Senate Sub-Committee on African Affairs on 17 September 1976; the Government of Ghana had issued a statement on 24 December 1976 based on "incontrovertible evidence" and condemning the activities of the five oil companies in supplying Southern Rhodesia; President Kaunda of Zambia had publicly condemned the companies in mid-January 1977; Joseph Garba, Nigeria's Federal Commissioner of Foreign Affairs, had spoken in Lagos in late January 1977 of the Western oil monopolies' continued evasion of United Nations decisions against apartheid; President Kaunda had raised the matter at a meeting on 31 January 1977 with Mr. Ivor Richard, Chairman of the Geneva Conference on Rhodesia; President Kaunda had called for a tightening of oil sanctions at the Afro-Arab Summit in Cairo on 8 March 1977; the United African National Council of Zimbabwe had sent a memorandum on 10 March 1977 on oil sanctions-breaking to the United States Senate Foreign Relations Committee, referring to new evidence; President Kaunda had announced on 3 April 1977 that Zambia intended to sue the five oil companies for supplying Southern Rhodesia; British television news had reported on 6 April 1977 that the Government of Nigeria was threatening to freeze local assets of Shell and British Petroleum if the South African subsidiaries of those companies did not cease to supply Southern Rhodesia; Dr. Owen, the United Kingdom Foreign and Commonwealth Secretary, had announced on 8 April 1977 that he was setting up an official inquiry to investigate allegations that Shell and British Petroleum had been supplying Rhodesia; the Netherlands Government had announced on 9 April 1977 that it would assist with the inquiry; the British-based multinational company Lonrho had revealed on 10 April 1977 that it was planning to sue the five oil companies on evidence of sanctions breaking; Robert Mugabe, joint leader of the Patriotic Front, had criticized Western Governments on 16 May 1977 for permitting their oil companies to supply Southern Rhodesia; Sonny Ramphal, Commonwealth Secretary-General, had called on 16 May 1977 for oil sanctions to be extended to cover South Africa if Western companies based there did not stop supplying Southern Rhodesia; the United States Treasury had released a report on 17 May 1977 on its investigations concerning the allegations against Mobil; the Maputo Declaration in Support of the Peoples of Namibia and Zimbabwe, released on 21 May 1977, had called for a tightening of oil sanctions by Governments; the United States General Accounting Office report, issued on 23 May 1977, had criticized the United States Treasury and other agencies for assigning too low a priority to the implementation of sanctions; Lonrho had commenced its legal proceedings against the five oil companies on 31 May 1977; oil sanctions-breaking had been debated at length at the meeting in London of Commonwealth heads of Government, who had undertaken to strengthen enforcement procedures in their own countries so as to prohibit exports of oil and oil products which might find their way to Southern Rhodesia; in June 1977 Joshua Nkomo, joint leader of the Patriotic Front, had condemned the five companies for sanctions breaking; in late June 1977 the OAU Political Committee had expressed support for Zambia's legal moves against the five oil companies; the Government of Zambia had written to the five companies on 2 July 1977 informing them of its intention to sue them; and in early July OAU heads of State, meeting in Gabon, had agreed to send a six-nation ministerial commission to oil-producing countries to ask them to halt oil supplies to Southern Rhodesia and South Africa.

After the construction of the oil pipeline from Beira to Southern Rhodesia in 1962, the Lonrho subsidiary responsible for construction had signed a contract with the five oil companies under which they guaranteed that they would use no other route to supply Southern Rhodesia. When the pipeline had been closed after the imposition of sanctions, and the oil companies had decided to send oil products to Southern Rhodesia from South Africa, they had been acting in breach of the contract. In consequence Lonrho had made a consistent loss on the pipeline, and had been collecting evidence for a lawsuit against the oil companies for breach of contract. If Lonrho won its case, it would also be proving that the oil companies had been evading United Nations sanctions. The Haslemere Group had obtained a copy of the correspondence between Lonrho's Chief Executive, Mr. R. W. Rowland, and United Kingdom Government officials. According to that correspondence, when the five oil companies had still been under the control of their parent companies overseas prior to UDI, they had helped Ian Smith to prepare for UDI by building up stocks of oil within Southern Rhodesia between mid-October and early December 1965. It was probable that the companies had thereby reduced their supplies to Zambia, which had had no refinery at the time of UDI and had been receiving its supplies from the Southern Rhodesian refinery at Umtali. The oil companies had also apparently supplied the Southern Rhodesian Government with ongoing data on the level of stocks in Zambia, and that had assisted Southern Rhodesia's attempts to "hold Zambia hostage". The low level of Zambia's stockpile suggested that oil sanctions would not be imposed against Southern Rhodesia, as Zambia would thereby be seriously harmed. Southern Rhodesia's oil reserves had been increased by the oil companies from 24 days' supply to 90 days' supply by the time sanctions had been imposed, and Southern Rhodesia had had sufficient time to establish new ways of importing oil from South Africa. Oil had first been brought into Southern Rhodesia by road or rail via Mozambique, and until March 1976 by ship from Durban to Lourenço Marques and then by rail into Southern Rhodesia. The Chairman of the Southern Rhodesian Government agency GENTA had flown to South Africa every six weeks to negotiate quantities and prices of fuel with four of the oil companies, subsequently instructing the South African firm Freight Services Limited to purchase the agreed quantities as GENTA's agents. The oil had been sent in refined form to Lourenço Marques, and had been "in bond" during the entire journey, thus never featuring in the trade figures of South Africa or Mozambique. The scheme had saved on customs payments and reduced the chances of detection. Numerous details, including statistics of the quantities of oil supplied to Southern Rhodesia by each oil company from 1966 to 1976, had been provided by Mr. Rowland in his correspondence. The Zambian Government was now taking its own legal action against the five oil companies, accusing them of depriving Zambia of oil in the mid-1960s in order to build up stocks in Southern Rhodesia, and causing considerable financial loss to Zambia. The Zambian Government's case would be based on evidence in The Oil Conspiracy, on evidence gathered by Lonrho, and on its own evidence.

Mobil had replied to the allegations in The Oil Conspiracy in its testimony to the United States Senate Sub-Committee on African Affairs by saying that the United States sanctions regulations did not prevent the South African subsidiaries of United States companies from trading with Southern Rhodesia as long as United States personnel and products originating in the United States were not involved. The South African and Southern Rhodesian subsidiaries of Mobil had refused to comment on the allegations, claiming that they would thereby be violating the South African and Southern Rhodesian

Official Secrets Acts; and officials sent by Mobil in New York to South Africa to carry out investigations had been told that they would be prosecuted as foreign agents under those Acts if they attempted to investigate the subject in South Africa or Southern Rhodesia. Mobil had also been advised that its South African subsidiary could not refuse to sell oil products to any customer within South Africa that was willing to pay the current price, nor could it impose conditions on sales. However, neither Mobil nor any of the other oil companies in question had ever denied the central allegation that its South African subsidiary had deliberately sold oil to Southern Rhodesia via intermediaries. Mobil had claimed that it could not find out from its South African subsidiary whether the allegations were true, nor could it prevent the sales from taking place. There was not sufficient time to discuss in detail the various legal points made by Mobil and the other oil companies, but a number of basic points could be made.

Firstly, the oil companies had correctly stated that the sanctions legislations of the United Kingdom, France, the Netherlands and the United States did not apply to their South African subsidiaries. That was a crucial loop-hole in the various national legislations on sanctions and the Committee might wish to consider how United Nations sanctions orders could be modified so as to make the parent oil companies legally liable for any sanctions-breaking activities by their South African subsidiaries. Secondly, under a strict interpretation of sanctions legislation, the export of oil to South Africa might constitute a contravention of the legislation, as it did under the United Kingdom's sanctions order, which forbade the supply of goods to any person in circumstances where the supplier or deliverer had "reasonable cause to believe" that the goods would be supplied to a person in Southern Rhodesia. As it was known that Southern Rhodesia was now obtaining all its oil requirements through South Africa, the Committee might wish to seek a precise legal opinion on the possibility of Member States prosecuting oil companies which supplied crude or refined oil to South Africa, on the grounds that some of that oil could reasonably be expected to reach Southern Rhodesia. Thirdly, each parent oil company might find it harder to disclaim liability for the actions of its South African subsidiary if it were persuaded by its Government to appoint as chairman of the subsidiary a person of the same nationality as the parent oil company. Fourthly, the oil companies appeared to be applying an excessively strict interpretation of the South African Official Secrets Act, since the parent oil companies must be in a position to find out how oil was reaching Southern Rhodesia if another company - Lonrho - and an underground political organization were able to do so. The information which the parent oil companies needed to obtain from their South African subsidiaries essentially concerned not South Africa, but Southern Rhodesia, and therefore could not be construed as information "prejudicial to the safety and interests of South Africa", in the sense of the South African Official Secrets Act. Fifthly, the oil companies had never suggested that there had ever been any legislation in Mozambique to prevent them from investigating and controlling the activities of their subsidiaries in that country; yet those subsidiaries had until 1976 played a key role in getting oil from South Africa to Southern Rhodesia.

Finally, the oil companies' arguments were also based on a questionable interpretation of South African legislation regarding what was known as "conditional selling".

Shortly after the publication of The Oil Conspiracy, the United States Treasury had carried out an 11-month investigation into the allegations against Mobil. It had concentrated on the narrow question of whether United States personnel or products were involved, rather than on the wider question of whether Mobil's South African subsidiary had actually been supplying Southern Rhodesia via intermediaries. Even then, the Treasury report had been almost entirely inconclusive, since Treasury investigators had been unable to obtain any information from South Africa and had therefore been able to authenticate only one of the documents mentioned in The Oil Conspiracy.

It seemed barely credible that the United States Government had been unable to verify facts which were almost common knowledge. The Treasury report revealed very considerable weaknesses. Firstly, no attempt had been made to investigate the activities of Mobil in Mozambique, through which oil products were sent from South Africa to Southern Rhodesia. If the Official Secrets Acts of South Africa and Southern Rhodesia prevented investigation in those two countries, why had the Treasury investigators not gone to Mozambique? Secondly, no attempt had been made to inquire of the Mozambican Government as to the ultimate destination of the frequent cargoes of refined oil transported to Maputo from the Mobil refinery at Durban. Thirdly, no attempt had been made to pursue the leads uncovered by The New York Times, which had reported in a full-page article in August 1976 that it had obtained independent confirmation of certain key aspects of Mobil's scheme to supply Rhodesia.

Equally strong criticism could be made of the United Kingdom Government. In April 1977, as a result of revelations and pressures by the Haslemere Group and others, that Government had announced that it would make an official inquiry into the operations whereby petroleum products had been reaching Southern Rhodesia. However, it had not even named the people who were to assist in the inquiry, and the inquiry had still not formally begun. Yet the United Kingdom oil companies had been refusing to answer questions from stockholders regarding the allegations of sanctions-breaking, on the grounds that the official inquiry was "looking into the matter". In addition, it was now known that the inquiry would be held in camera and that it would be mostly "on a narrow point of law" rather than "an over-all inquiry into oil sanctions and their breaking".

The Sunday Times, of London, in two major articles, had revealed the results of its own detailed investigations. They had shown independently how the South African subsidiaries of Shell, BP, Mobil, Caltex and Total had been supplying Southern Rhodesia both directly and via Mozambique. The articles had revealed the role of GENTA, the quantities of oil being sent and the use of South African intermediaries. Yet those articles had been published no less than a decade earlier, in 1967. He therefore wondered whether the parent oil companies had carried out exhaustive investigations as a result of the articles, and whether Western Governments had reported the allegations to the Committee.

The question arose as to what extent the United Kingdom and United States Governments wanted the true facts to emerge. The war being fought in and around Southern Rhodesia was made possible by fuel imported into that country. Firm action was needed now, not at the end of a slow and under-staffed inquiry which avoided confronting key issues.

A change had apparently occurred in the stand taken by the United Kingdom Government. Whereas it had stated in September 1976 that it had accepted assurances from Shell and BP that neither they nor any company in which they had an interest had engaged either directly or with others in supplying oil to Rhodesia, the United Kingdom Foreign and Commonwealth Secretary had recently indicated that he now accepted that the South African subsidiaries were involved in the sanctions breaking, the question simply being whether it took place with the connivance of international oil companies or purely because their subsidiaries in South Africa broke the system.

Since the closure of Mozambique's border with Southern Rhodesia in March 1976, there were now only three routes by which oil could reach Southern Rhodesia. The most important one was the rail link between South Africa and Southern Rhodesia, opened in September 1974; the second and more expensive route was a road link between the two countries; and the third was a rail link routed via Botswana and owned by Southern Rhodesia, a fact which made it difficult - but not impossible - for Botswana to stop the flow of oil.

Although the matter was surrounded by secrecy, research suggested that Southern Rhodesia's current consumption of oil products was between 14,000 and 18,000 barrels per day, roughly equivalent to 600,000 tons per annum and representing some 7 1/2 per cent of that produced in the South African refineries.

With regard to action to reduce the flow of oil, two basic approaches were possible. Firstly, pressure could be exerted to persuade the South African subsidiaries to prevent their oil products from reaching Southern Rhodesia. Such action would no doubt require pressure on the South African subsidiaries by the parent companies; that in turn would probably involve the exertion of pressure on the five oil companies by their respective Governments. That pressure on the parent companies could take two main forms: firstly, the Governments could use non-legislative means in the form of a public request backed by private pressure. In the case of BP and Total, the Governments of the United Kingdom and France, which had majority holdings, could also intervene directly. Thus, the parent oil companies could be persuaded to insist that their South African subsidiaries test South African law by requiring guarantees from purchasers of bulk consignments of oil products that the oil products were not destined for transshipment to Southern Rhodesia. The parent companies could also threaten to replace the boards of directors of their South African subsidiaries with more amenable and non-South African personnel; to cut back on the supply of investment capital and technological assistance; and, ultimately, to cut off oil deliveries. The second form of pressure would be for the four Governments to extend sanctions legislation so as to render the parent oil companies legally liable for the activities of their South African subsidiaries with regard to trade with Rhodesia. A further suggestion was that the Governments of certain countries in which the five oil companies had extensive investments could threaten to impose an extra tax on the profits of the subsidiaries in the absence of evidence that the oil had stopped reaching Southern Rhodesia from South Africa.

If those various forms of pressure proved ineffective, firmer action would be required. The second basic approach would therefore consist of curtailing the supply of oil to South Africa unless meaningful guarantees

could be obtained from the oil companies or from the South African Government that oil would not subsequently reach Southern Rhodesia. Moves could be made through the United Nations for modification of the laws of Member States to make it illegal to supply or transport oil to South Africa. In that connexion, although Iran provided most of the oil supplied to South Africa, and thus to Southern Rhodesia, the oil was transported to South Africa in ships registered in a number of different countries. Ultimately, of course, the Security Council could also impose a naval blockade on South African ports. Such a move might well lead to confrontation with South Africa; but so long as South Africa refused to accept Security Council decisions on Southern Rhodesia, a confrontation of some kind would appear to be inevitable.

No simple step could be guaranteed to make United Nations oil sanctions against Southern Rhodesia totally effective. Member States might wish to consider implementing simultaneously several of the possible moves which he had outlined. The international community must not meekly accept the arguments put forward by the oil companies. In effect, the companies were claiming that they had lost control of their multimillion-dollar subsidiaries in South Africa, even though they continued to receive the profits from their operations. If that argument was valid, then those companies should withdraw from South Africa; if it was not, then pressure of all kinds should be exerted on them and on the South African Government until oil ceased to reach Southern Rhodesia. As President Kaunda of Zambia had indicated, there could be no greater contribution to the liberation struggle in southern Africa than to end the sale of oil to Southern Rhodesia.

16. A letter dated 29 July 1977 addressed to the Chairman of the Committee was received from the representative of the United Kingdom, the substantive part of which reads as follows:

"1. In view of some of the testimony put before the Committee by Mr. Rivers at our 295th meeting, I thought it would be useful if I gave you an interim report on the present status of the inquiry being conducted by my Government with regard to allegations of evasion of sanctions against Rhodesia by major oil companies.

"2. Mr. Bingham has been working on the inquiry since his formal appointment on 10 May. Among his other activities he has met three times with the Secretary of State for Foreign and Commonwealth Affairs and he has also met with the United States Treasury officials who conducted the Mobil investigation. An accountant has been appointed to assist Mr. Bingham.

"3. The inquiry's terms of reference were announced by the Secretary of State on 8 April and remain unchanged. They are to carry out an investigation with the objects:

"(a) Of establishing the facts concerning the operations whereby supplies of petroleum and petroleum products have reached Rhodesia since 17 December 1965;

"(b) Of establishing the extent, if any, to which persons and companies within the scope of the Sanctions Order have played any part in such operations;

"(c) Of obtaining evidence and information for the purpose of securing compliance with or detecting evasion of the Southern Rhodesia (United Nations Sanctions) (No. 2) Order 1968 ('The Sanctions Order');

"(d) Of obtaining evidence of the commission of any offences against the Sanctions Order which may be disclosed.

"4. As stated by the Secretary of State at that time, the statutory instrument under which the enquiry was launched is the Southern Rhodesia (UN Sanctions) (No. 2) Order 1968. This requires that the investigation be conducted in camera, which is in any case appropriate because of the possibility that the investigation will uncover evidence justifying court proceedings.

"5. The Secretary of State rebuts any suggestion that the inquiry is intended to be a whitewash. He has personally impressed upon Mr. Bingham the need to press on with the enquiry as fast as possible and his determination to get at the facts.

"6. As the Committee will not be meeting again for some weeks, I should be grateful if you would arrange for this letter to be circulated to our fellow members."

17. A letter dated 12 October 1977 addressed to the Chairman was received from Mr. Bernard Rivers of the Haslemere Group, described as a research action group on third world issues, based in the United Kingdom. The substantive part of the letter reads as follows:

"On 25 July 1977 I was given the opportunity of testifying before the Sanctions Committee. I spoke on the subject of how the South African subsidiaries of Western-owned oil companies have been supplying Southern Rhodesia with oil since the Unilateral Declaration of Independence. This is a subject which, in my capacity as a freelance British economist, I have been researching for over 3 years.

"When I testified, I mentioned that I have also worked as a consultant to the Commonwealth Working Group on Sanctions. Together with my colleague Martin Bailey, I was commissioned to produce a lengthy report entitled 'Oil Sanctions against Rhodesia', which was in effect the only input used by the Working Group.

"The purpose of this letter is:

1/ to bring to your attention the attached front-page article from the Observer (London) of last Sunday, 9 October 1977. You will note that the article reports that the eleven-nation Working Group, of which Britain is one member, has completed its deliberations, and has unanimously recommended that unless the South African Government guarantees to prevent oil supplies reaching Rhodesia, 'the United Nations Security Council should be asked to impose in mandatory form, an embargo on the supply of crude oil and petroleum products to South Africa itself'.

2/ to request permission to testify for a second time before the Sanctions Committee. In testifying, I would seek:

- (a) to elaborate on that part of my original testimony where I made certain suggestions as to how oil sanctions could be made effective;
- (b) to bring to the attention of the Committee certain further and up-to-date information which Martin Bailey and I have obtained on how Southern Rhodesia obtains its oil;
- (c) to respond, insofar as I am able, to any questions which members of the Committee might have on this issue.

If convenient, I hope it might be possible to appear before the Committee at an early date. Please be assured that, whether or not I am invited to testify, I remain anxious to assist the Committee in any way possible in its current deliberations, which I consider to be of the utmost importance."

18. In response to the request contained in the above-cited letter, the Committee decided to invite Mr. Rivers to present further oral testimony on the question of the supply of oil and oil products to Southern Rhodesia at its 298th meeting. At that meeting, held on 20 October 1977, Mr. Rivers made a statement to the Committee which was summarized in the Committee's records as follows:

"Mr. RIVERS (Member of the Haslemere Group and Consultant to the Commonwealth Secretariat, London) said that most of the information he had supplied to the Committee at its 295th meeting had applied to the period prior to the closure of Mozambique's border with Southern Rhodesia in March 1976. A considerable amount of information had been acquired since then which he did not intend to make public as yet but which he would like to pass on to the Committee. Copies of the full text of his testimony would be made available for distribution to all members.

"The South African subsidiaries of all five of the oil companies concerned were still supplying oil to Southern Rhodesia. There was physical proof that South African subsidiaries of Shell, British Petroleum, Total, Mobil and Caltex were actually transporting oil to a storage depot at Messina, close to the Southern Rhodesian-South African border whence it was being carried by road and rail into Southern Rhodesia. Unmarked trucks, often belonging to the oil companies themselves, were being used for road transport and there was a secret colour coding system to identify them. There was extremely close co-operation between the five Western oil companies in South Africa. Every month they held what was known as an 'industry meeting', presided over by BP-South Africa, to discuss matters of mutual concern, including the sale of oil to Southern Rhodesia. In at least one case, the parent company was fully aware of the activities of its South African subsidiary. In addition, ships belonging to one or more of the parent oil companies sometimes carried crude oil to South Africa that had been purchased in certain Arab countries which in recent years had attempted to enforce an oil embargo against South Africa; some of the cargo manifests and other documents were actually printed with the words 'Not for delivery to South Africa'. The oil companies were therefore deliberately undermining the stated

policy of various Arab members of the Organization of Petroleum-Exporting Countries (OPEC) with regard to South Africa.

"Important documentary evidence had recently been obtained in Maputo, with the approval of the Mozambican Government, concerning the key roles of the Southern Rhodesian Government agency GENTA and Freight Services Limited in getting oil through to Southern Rhodesia. The documents related mostly to the small percentage of Southern Rhodesia's oil which had been supplied by the then Portuguese-owned Sonarep refinery in Lourenço Marques prior to the independence of Mozambique. All those documents would be made available to the Committee. A secret memorandum written by an official in the Office of the Prime Minister of Southern Rhodesia in December 1971, when Southern Rhodesia believed the lifting of sanctions to be imminent, clearly showed how companies in South Africa and Mozambique had helped Southern Rhodesia to evade sanctions. Considerable further documentation was available in Mozambique, mostly dating from the period when that country had been a Portuguese colony, and he thought that the Committee might wish to approach the Government of Mozambique with a view to sending a representative or consultant to Maputo to study the material.

"Together with a fellow consultant, Martin Bailey, he had submitted a lengthy report on oil sanctions against Southern Rhodesia to the Commonwealth Working Group on Sanctions, which had in turn reported to its parent committee, the Commonwealth Committee on Southern Africa, of which all Commonwealth countries were members. That Committee had released a public statement the previous day recommending that Governments whose companies supplied crude oil or oil products to South Africa, or who were themselves, or through their agencies, engaged in that trade should make it clear to the South African Government that it must either co-operate with the rest of the international community in ensuring an end to the evasion of oil sanctions or jeopardize its own continued supply of petroleum. In the event of South Africa being unwilling to give the necessary guarantees, it called for a decision by the Security Council to impose a mandatory embargo on the supply of crude oil and petroleum products to South Africa itself. The Commonwealth Committee had also considered a recommendation to the effect that the scope of existing legislation prohibiting the supply of oil or oil products to Southern Rhodesia should be extended to apply to South African subsidiaries of the oil companies.

"The latter proposal, on which certain reservations appeared to have been expressed within the Commonwealth Committee, would be virtually identical in its effect to the proposal contained in the draft resolution submitted to the Security Council Committee by India and reproduced in document S/AC.15/SR.296, on which he wished to comment.

"In the first place, that draft resolution merely requested Member States to re-examine their legislation; there was nothing to stop them procrastinating or deciding that they were unable to make the proposed changes. Second, it had been suggested that the United States and the United Kingdom might have legal problems in implementing such a resolution, but legal experts saw no fundamental problems as long as an honest distinction was made between the legal and political aspects; solutions to any legal problems could undoubtedly be found once a particular Government decided that it wanted to implement a

resolution. Third, there was some validity in the argument that unilateral actions to invoke legislation with extraterritorial aspects might establish undesirable precedents, but, when extraterritorial legislation was being applied as a result of a clear mandate expressed through a Security Council resolution under Chapter VII of the Charter of the United Nations, such reservations did not necessarily apply.

"A resolution of the kind proposed by India could and should be implemented, but it would not by itself be sufficient to stop the oil getting to Southern Rhodesia. It had two main drawbacks. First, it would probably lead to a protracted confrontation between the legal systems of South Africa and the countries in which the oil companies were based and there was a real risk that oil would continue to flow to Southern Rhodesia in the meantime; it was clear from the copy of a previously unreleased letter from the South African Secretary for Commerce addressed to Mobil in New York that under South African law the local subsidiaries of the oil companies were permitted, indeed virtually instructed, to sell oil to intermediaries who would sell it to Southern Rhodesia. Second, it would not be easy to apply such a resolution to South African-controlled or South African-owned oil companies, such as the Government-owned Sasol Marketing (Pty.) Limited. In order to overcome those problems, it would be necessary for national legislation introduced pursuant to the adoption of the proposed draft resolution by the Security Council to provide that parent companies must ensure strict compliance by their subsidiaries with provisions prohibiting the supply of oil or oil products to Southern Rhodesia; that, in order to facilitate supervision of their South African subsidiaries and to minimize the possibility of conflict with the South African Official Secrets Act, parent companies must appoint to the board of their South African subsidiaries a director with special responsibility for ensuring compliance with sanctions legislation; and that, where any subsidiary in South Africa, as a result of coercion or threats of coercion, contravened sanctions legislation, the supply of oil or oil products to such a company thereafter must be absolutely prohibited.

"In addition to the difficulty of applying such a resolution to South African-controlled oil companies, it would also take time for it to be applied effectively to other Western-controlled or Iranian-controlled companies. As the recent statement issued by the Commonwealth Committee on Southern Africa had made clear, it would be necessary for the Security Council to adopt a second resolution under Chapter VII of the Charter calling for an embargo on the supply of crude oil and petroleum products to South Africa itself. It would be difficult to make such a resolution fully effective immediately, but it could very quickly be made 90 per cent effective and ways of closing the remaining loop-holes could be devised during the early stages of operation of the embargo. Conversely, it might transpire that the embargo could be lifted after a short while once it had achieved its desired effect.

"A rather half-hearted compromise proposal had been put forward in certain quarters to the effect that the supply of oil to South Africa should be cut back by the percentage which it was thought South Africa was passing on to Southern Rhodesia. South Africa's oil consumption was some 20 times that of Southern Rhodesia and he could not see how effective ways could be found of ensuring that attempts to reduce South Africa's oil supplies by one twentieth

would not be circumvented. Since South Africa did not publish its oil import statistics, and since there was naturally a steady growth in those imports, problems of measurement would arise.

"The question of timing was a sensitive one which could well be of key significance for the Committee. It was impossible to consider proposals to stop oil reaching Southern Rhodesia without taking note of the current Anglo-American initiative for a Southern Rhodesian settlement. The question was, should the Security Council move immediately or should it wait until it was clear whether or not the Anglo-American initiative was going to succeed. President Kaunda of Zambia had recently pointed out that the initiative was based on the false premise of Smith's willingness to volunteer to surrender, but the past 12 years had shown that he would do no such thing. President Kaunda had also accused the British and American authors of the proposals of conveniently omitting a complementary set of ideas, including a fixed time-table to stop the flow of oil to Smith's rebel army. That statement echoed his own sentiments. Oil sanctions should be implemented as soon as possible in order to force Smith to give up power without engaging in his usual tactics of procrastination and deception.

"If agreement could not be reached within the Committee for immediate action along the lines he had suggested, he would strongly recommend that the Committee should agree on actions to be taken in the event that General Chand reported to the Security Council later in the year that he had been unable to obtain agreement on a cease-fire and a rapid transfer to majority rule. In such a situation, the Committee should recommend to the Security Council the adoption of two resolutions, one based on the draft resolution submitted by India and the other calling for the extension of oil sanctions to South Africa, as suggested by the Commonwealth Committee on Southern Africa. Moreover, the permanent members of the Security Council should give a firm public undertaking that, in such a situation, they would not veto the resolutions in question. In recent weeks there had been numerous reports in the British and South African press to the effect that the British and United States Governments had already decided that they would definitely support the extension of oil sanctions to South Africa if Smith did not agree to an acceptable settlement. Information he had received from well-placed sources indicated that the idea was merely 'under active consideration' and that no such decision had been made by either Government. In the year and a half since the first clear evidence had been released of the way in which the Western oil companies had been supplying Southern Rhodesia via their South African subsidiaries, none of the Western Governments in question had publicly acknowledged that the allegations were correct or publicly indicated that it was determined to act at any time to halt that flow. Such statements and actions were long overdue."

19. A letter dated 25 October 1977 was sent by the Chairman, in accordance with the Committee's request at the 298th meeting, to Mr. Rivers expressing the Committee's appreciation for his contribution to its work.

20. By a letter dated 16 November 1977, the Permanent Representative of France to the United Nations transmitted to the Chairman, for circulation to members of the Committee, the text of a note also of the same date concerning the activities of the Total oil company in the Republic of South Africa. The text of that note is reproduced below:

"In his statements to the Sanctions Committee on 25 July and 20 October 1977, Mr. Bernard Rivers accused Total, a subsidiary of the Compagnie Française des Pétroles, of being involved in supplying petroleum products to Southern Rhodesia.

"In view of the seriousness of the allegations, the French Government conducted an investigation which brought to light the following facts:

"Total-South Africa owns a 30 per cent interest in Natref, which controls the Sosoiburg refinery.

"The output of this refinery is 3.5 million tons per year, of which Total's share is slightly more than 1 million. Total distributes its entire share through its network of stations in South Africa, exporting none of it except for a few international sales of fuel for aircraft and ships.

"South Africa's total refining capacity is 21 million tons per year. Thus, it has no need whatever to resort to foreign companies in order to supply the 600,000 tons or so of petroleum products which Southern Rhodesia consumes annually.

"The French Government is therefore of the view that Total, not being involved in any way in supplying Rhodesia, is not violating the sanctions in force against that country. Accordingly, it categorically denies the allegations of Mr. Bernard Rivers in so far as they pertain to itself.

"The French Government reaffirms that it scrupulously complies, to the utmost of its ability, with the various resolutions adopted on the subject by the Security Council."

21. A letter of acknowledgement dated 29 November 1977 was sent by the Chairman to the Permanent Representative of France.

Case No. INGO-18. French trade and other relations with Southern Rhodesia: information supplied by the Mouvement contre le racisme, l'antisémitisme et pour la paix, Paris, France

1. A communication dated 29 January 1977 was received from a non-governmental organization in Paris, France, giving information on trade and other relations between France and Southern Rhodesia. The substantive part of the communication and the text of its attachment are reproduced below.

Text of the communication

"We are enclosing the most up-to-date information we have on the question of the breaking of sanctions by France.

"We hope you will find this useful. In the event of use, please do not mention the source."

Enclosure

"ECONOMIC RELATIONS BETWEEN FRANCE AND SOUTH AFRICA

"Additional note on Rhodesia

"The French Government states that it implements the decisions taken by the United Nations with regard to the illegal régime of Ian Smith, which holds sway in Rhodesia. The following facts relating to that problem should be brought to the attention of public opinion.

"(1) On 6 May 1976, when receiving a delegation representing all organizations struggling against apartheid, a member of the office of the Minister for Foreign Affairs affirmed the intention of the French Government to close the Rhodesian Information Office in Paris. (Cf. Le Monde, 9-10 May 1976) d/

"In January 1977, the Office continues to operate at the same address, 110 rue de La Boétie, Paris, 8ème.

"(2) According to foreign trade statistics, France exported to Rhodesia from January to November 1976 goods valued at 742,000 francs. (Code géographique No. 382)

"(3) Information published in The New York Times of 3 October 1976, and never since denied, disclosed the following:

"Ten Cessna aircraft constructed under licence at Reims by Reims Aviation were sold by France to the Rhodesian Army, which uses them as spotter aircraft to accompany the Smith régime's bombers in action against both Rhodesian nationalists and Mozambican targets. The French journalist Guy Riboreau, writing in Jeune Afrique of 28 January 1977, states that these aircraft are each equipped with four rockets and are located at the Buffalo-Range airport.

d/ The authors of the communication indicated their knowledge of the fact that the Rhodesian Information Office in Paris had been closed on 28 January 1977 by action of the French Government. See also Case No. INGO-12, para. 3.

"(4) Le Tourisme Française, 96 rue de la Victoire, Paris, 9ème, continues to organize group travel and tourist and business trips to Rhodesia (brochures were distributed at the Festival des Vacances, Maison de la Chimie, on 15-17 January 1977).

"(5) A report published on 21 June 1976 in New York by the Center for Social Action of the United Church of Christ (297 Park Avenue South, New York 10010) entitled The Oil Conspiracy reveals that the company TOTAL, together with United States companies, has never stopped selling oil to Rhodesia, despite the international embargo. c/

"(6) In April 1976 the United Kingdom sent a note to the United Nations Sanctions Committee affirming that France was not observing the sanctions against Rhodesia. f/

"(7) Also in April 1976 the Agence économique et financière (AGEFI), which belongs to the same press group as that which publishes the daily Le Nouveau Journal, issued a second, sumptuous brochure praising the merits of racist Rhodesia.

"(8) Several French journalists, including Patrick Chairhoff (who supplied proof in an article for the monthly Africa, of Dakar, of 8 November 1976), wrote to the Rhodesian Information Office in Paris for information concerning the recruitment of mercenaries in France. By return of post they received forms from the Rhodesian Army which merely needed to be filled out and sent to Salisbury. Official forms of the Rhodesian 'Government' are also supplied to all those who request visas for Rhodesia. All these forms ask whether the applicant is of 'pure European stock'. g/

"(9) On 30 August 1976 Radio Salisbury announced the presence of French participants at the Metallo-genesis symposium organized by Rhodesia University at Salisbury."

2. In accordance with the instructions laid down by the Committee at the 166th and 233rd meetings, an acknowledgement was sent to the authors of the communication.

3. In accordance with the Committee's decision under the no-objection procedure, a note dated 9 March 1977 was sent to France, the substantive part of which is reproduced below:

"The Committee has received information from a non-governmental organization in Paris listing a number of activities of trade and other relations between France and Southern Rhodesia, believed to be contrary to the spirit and intent, or possibly in violation of, the Security Council provisions establishing mandatory sanctions against the illegal régime in that Territory. A copy of the document submitted by the organization showing these activities is herewith enclosed for ease of reference.

e/ Already covered by Case No. INGO-17.

f/ Probably refers to the United Kingdom note of 9 April 1976, reproduced in Case No. 154. (See the ninth annual report (S/12265, para. 93), in which reference was made to certain activities of possible sanctions violations involving France.)

g/ Already covered by Case No. 273.

"The Committee - noted that the items numbered (1), (5), (6) and (8) were already under its consideration as parts of particular cases before it, under which appropriate action had been taken or was in train. With regard to the other items listed in the document, the Committee would be greatly obliged if the competent French authorities would undertake thorough investigations to determine if the provisions of the Security Council resolutions had been violated, as indicated in the communication from the non-governmental organization in Paris.

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

4. A reply dated 24 March 1977 was received from France, the substantive part of which reads as follows:

"The Permanent Mission of France to the United Nations ... has the honour to submit, in reply to the Secretary-General's note of 9 March 1977 the following information relating to the communication circulated on 7 March 1977 to the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

"1. The French delegation has informed the Committee see para. 3 of Case No. INGO-12, above that the French Minister of the Interior ruled on 17 January 1977 that the Rhodesian Information Office established in Paris was illegal and ordered its assets to be liquidated within one month's time. The closure of that Office therefore makes item (1) of the 'Additional note on Rhodesia' see para. 1 above irrelevant. The same applies to items (7) and (8), since the information or documents they refer to originated in that same Office.

"2. The official French foreign trade statistics (item (2) of the 'Additional note on Rhodesia') show that exports to Rhodesia in 1976 amounted to a value of F 834,000 (compared to 634,000 in 1975 and 890,000 in 1974). These figures relate exclusively to goods whose export or re-export to Rhodesia is not prohibited under Security Council resolution 253 (1968). These goods were organic and inorganic chemical products intended mainly for pharmaceutical purposes (F 602,000), pharmaceutical products (F 160,000), booksellers' supplies (F 21,000), spectacles, orthopaedic devices and surgical instruments (F 37,000).

"3. Item (5) of the 'Additional note' has already been considered in connexion with Case No. INGO-17, concerning which the French Government provided a reply dated 30 August 1976. This reply is reproduced in the ninth report of the Committee (doc. S/12265, vol. II, p. 304). From the further investigations carried out by our administration, it appears that the French company Total has nothing whatsoever to do with the supply of oil to Rhodesia.

"4. With regard to item (6) in the 'Additional note', which probably refers to Case No. 154 (Tango Romeo), it should be noted that, as indicated in the ninth report of the Committee (doc. S/12265, vol. I, para. 94), 'The Government of Gabon informed the Committee that the private airline, Affretair, formerly registered and based in Gabon, had been dissolved and incorporated into the national airline, Air Gabon'.

"5. Item (9) in the 'Additional note' mentions 'the presence of French participants at the Metallo-genesis symposium organized by Rhodesia University at Salisbury' on 30 August 1976. It should be noted that the French Government is seeking to dissuade its nationals from taking part in university or other events in Rhodesia, to which they may be invited privately. However it is not in a position to prohibit those wishing to do so from visiting Rhodesia for the purpose of attending a particular meeting in a purely private capacity.

"6. The French Government is making thorough investigations in connexion with items (3) and (4) in the 'Additional note', concerning which no reply is given in this note. As soon as it is able to do so, it will certainly inform the Committee of the results of these inquiries.

"The French Government reaffirms its determination to ensure the strict application of the sanctions prescribed in Security Council resolution 253 (1968) ..."

Case No. INGO-19. Trade in tobacco via a Swiss company: information supplied by Mr. William Cran, producer of the Canadian Broadcasting Corporation (CBC) programme "The Fifth Estate"

1. During the Chairman's interview by a team of reporters from the Canadian Broadcasting Corporation (CBC) on 14 January 1977, h/ a member of that team, the producer of the programme, mentioned that their investigations had unearthed a case of possible violation of sanctions, involving transactions in tobacco of Southern Rhodesian origin via a Swiss-registered company Intabex SA. Their supporting documentary evidence would be submitted to the Committee as soon as its compilation was completed.

2. A letter dated 21 February 1977, enclosing documentary evidence, was received from Mr. William Cran, producer of the CBC programme "The Fifth Estate". The substantive part of that letter reads as follows:

"Following your request for more information about the Swiss company Intabex and its Belgian subsidiary, I am sending you these summaries of our findings together with photostats of all relevant documents wherever possible.

...

"If there is anything else we can do to help, please feel free to contact us in Toronto. Meanwhile, I hope that the enclosed material will be assistance to ... the United Nations Sanctions Committee."

3. A summary of the information concerning the matter, as provided by Mr. William Cran is given below. Copies of the supporting documentary evidence, in the original, are given in the annex herewith attached.

h/ See chap. I, sect. A, para. 10 in vol. I of the present report.

Brief summary as provided by Mr. William Cran of CBC

MacDonald Tobacco ordered tobacco for their English subsidiary Manchester Tobacco.

The order was actually placed by MacDonald Leaf with Intabex of Switzerland.

Intabex say they passed the order on to Continental Agencies Anstalt, which has its headquarters in Liechtenstein.

It is claimed that the tobacco was put aboard the SS Asphalion in Bangkok and shipped to Lisbon. It was then put aboard the vessel Pereira d'Eca and shipped to Antwerp.

Intabex Belgium put the tobacco in a warehouse in Antwerp and then shipped 400,000 lbs aboard various ships belonging to the Free Enterprise shipping company to Dover.

The tobacco was taken by road from Dover to Bonded Warehouse 22 in Manchester.

The tobacco was being weighed in the presence of a Customs officer when a Rhodesian coin was spotted; the tobacco was then seized.

None of the companies involved were able to produce an authenticated certificate of origin. It also appears that the claim that the tobacco was carried by the SS Asphalion is false. According to Lloyd's Shipping Index, there are only two voyages made by the SS Asphalion on which the tobacco could conceivably have been carried. The Asphalion left Bangkok 21 June 1974 and arrived Lisbon 30 August; it left Bangkok 6 December 1974 and arrived Lisbon 13 February 1975. Both voyages went via the Panama Canal. According to the owners of the Asphalion, Blue Funnel of Liverpool, she carried no tobacco from Bangkok to Lisbon on either of those journeys.

MacDONALD TOBACCO INC.
1155 Sherbrooke Street West, Montreal, Quebec, Canada
(Tel: (514) 284 4113)

MacDonald ordered tobacco from Intabex via their leaf division the MacDonald Leaf Co. Ltd., P.O. Box 310 Tillsonburg, Ontario N4G 4H8, Canada.

Between 1973 and 1975, MacDonald placed tobacco orders with Intabex totalling 3.8 million lbs weight. The orders were said to be for Philippine, Thailand and Asian tobacco. These orders were intended for MacDonald European subsidiaries in Britain, Denmark and Holland. Two million pounds of this tobacco were "consumed".

The history of the consignment seized in Manchester is as follows:

24 May 1974 Four purchase orders totalling 900,000 lbs were sent to Intabex in Switzerland. The orders were placed by Mr. A. F. C. James, the MacDonald buyer at that time.

20 June 1974 Four additional orders were sent to Intabex by Mr. A. F. C. James. These amounted to 500,000 lbs.

February 1975	Of this total amount of 1,400,000 lbs, 1,003,172 were held in Antwerp, while 396,828 lbs were sent on to Manchester for eventual delivery to the MacDonald subsidiary Manchester Tobacco.
14 April 1975	MacDonald sent Intabex \$420,307.62¢ (Canadian)
May 1975	A British Customs officer discovered a Rhodesian 5 cent coin in a crate (labelled T40/TD). The consignment was then held by British Customs, who asked MacDonald to provide a satisfactory certificate of origin.
May 1975-July 1976	Since neither MacDonald nor their supplier Intabex had provided a satisfactory certificate of origin, British Customs announced the formal seizure of the tobacco and gave MacDonald a month to appeal the seizure. No appeal was ever made.
28 June 1976	MacDonald received a cheque from Intabex drawn on a Swiss bank and payable to the MacDonald account at the Bank of Montreal in Tillsonburg. The cheque was finally cleared and deposited 12 July 1976. The cheque was accompanied by a letter from Intabex in Geneva and was signed by N. J. McKisack.

MacDonald Tobacco have claimed from the outset that they have acted in good faith, that they ordered Thailand tobacco and that if anyone knows where it came from it must be Intabex or perhaps CAA.

No MacDonald executive can recall ever having visited Intabex or having met any Intabex representatives, we were told. Mr. A. F. C. James who was the MacDonald buyer at the time first told us that he had never heard of the seizure. Later he admitted that he had heard of it but could not remember placing the order. Mr. James no longer works for MacDonald or their controlling company R. J. Reynold. He lives near Chester in England. A MacDonald executive has said that James had been out of work for 18 months, but this has not been confirmed. After the CBC film was transmitted, a viewer telephoned to say that they had worked for MacDonald at the same time as Mr. James. According to this viewer, Mr. James comes from Rhodesia, but this has not been confirmed.

INTABEX SA

11, Boulevard des Philosophes, Geneva, Switzerland
(Tel: 295533)

Intabex SA is the headquarters of the Intabex organization. It is listed in the main Swiss business directory, the Annuaire de Commerce Suisse, as are its directors. It also appears in the Geneva telephone directory.

A certificate obtained from the Registre du commerce de Genève names as directors Mario Frizzoni and Raoul Oberson. Both Frizzoni and Oberson deny any connexion with Rhodesia or the Rhodesian tobacco trade.

When a Swiss journalist, working for the CBC, phoned the company and asked what kinds of tobacco the company handled, he was told, by a secretary, that Intabex did handle Rhodesian tobacco.

Another source has claimed that Intabex has produced lists which quote prices for Rhodesian tobacco. We were unable to confirm this.

We checked the Annuaire de commerce suisse to see if Mr. Frizzoni or Mr. Oberson were associated with Centrex, Comaisa or Tobatrade. We found that Mr. Oberson was listed as a director of Tobatrade, which, like Intabex, is suspected of participating in the Rhodesian tobacco trade.

CONTINENTAL AGENCIES ANSTALT
Vaduz, Liechtenstein
(tel: 075 22166)

Inevitably we were unable to find out much about CAA, except that it is still in business.

The sales director of Intabex Belgium told our researcher on the phone that CAA had "vanished" and that Intabex had been trying to trace them because they owed Intabex money.

However, Intabex knew where CAA was to be found on 2 October 1975, because on that date they forwarded a rather unsatisfactory certificate of origin from Continental Agencies Anstalt to MacDonald.

MacDonald have on their files a letter from CAA giving as its address Postfach 99, Zurich. The letter is dated 4 March 1975 and is signed by Mr. J. C. Miller. The letter is written on CAA headed note paper, which give CAA's Liechtenstein address and the phone number of the company - Vaduz 075-22166.

A phone call to CAA at their Liechtenstein number confirmed that J. C. Miller was known at that address, but that he was abroad.

INTABEX BELGIUM N.V.
Bel Nor House Ankerrui 12-14, B-2000, Antwerp, Belgium
(Tel: 316199)

The annex to the Moniteur belge, 28 December 1973, gives details of Intabex Belgium. Among these is a list of the main shareholders as follows:

Intabex (Switzerland)	994 shares
Leaf Tobacco (South Africa)	1 share
Leaf Tobacco Export Company (Malawi)	1 share
A. C. B. Taberer of Johannesburg	1 share
NJ McKisack of Johannesburg	1 share
Tabacs de Mocambique Lda	1 share
EH Hammond of Limbe, Malawi	1 share

The chief executive is Mr. C. V. Parker.

On 12-8-76 the Johannesburg Star attempted to trace Taberer and McKisack at their alleged Johannesburg address but could not find them. They found telephone listings for the two men in Salisbury, Rhodesia, but found the numbers continuously engaged.

The Rhodesia Directory 1975-1976 - a business directory - shows that C. V. Parker and N. J. McKisack share Post Office Box 1297 in Salisbury. In the Rhodesian Directory, another Taberer appears against Box 1297 (different initials from the Intabex Belgium shareholder). However the Telephone directory shows that Mr. ACB Taberer of "Marydown" also shares Box 1297.

TABEX LIMITED

cnr Beatrice Road and Salford Road, Southerton, Salisbury, Rhodesia
(Tel: Salisbury 660381)

A street map of Salisbury Rhodesia shows that Tabex Ltd. is to be found either inside or in the same street as the main Tobacco Auction Rooms.

It is interesting to note that Tabex Ltd shares the same address and the same phone number as Tradimpex. Tradimpex is the company linked with Intabex in the British note sent to the United Nations Sanctions Committee on 15 December 1976 (R122/24).

A telephone call to Tabex in Salisbury, Rhodesia, established that Mr. Parker and Mr. McKisack were known at that number. The man who answered our call said that we would probably find them at Intabex in Belgium. When asked whether Post Office Box 1297, Salisbury, Rhodesia was still a correct address for them, the Tabex executive answering our call said that was right.

HENDERSON MILLER COMPANY

84 North Street, Guilford, Surrey, England
(Tel: Guilford 0483 71817)

We discovered by accident that Intabex have a British subsidiary. In November 1976 Mr. C. V. Parker left Belgium for England on a business trip. We were told he could be contacted at Henderson Miller in Guilford.

When a phone call was made to a Mr. Henderson he described Henderson-Miller as "part of Intabex" and when asked if it was a subsidiary he answered "yes". When the same Mr. Henderson was asked if Henderson Miller of Guilford had any connexion with the Henderson Miller with a Post Office Box No. 1200 in Salisbury, Rhodesia, he replied, "I've been told what you've been doing ... I know where you've been ... I won't help you with your story ... You'll just have to find out."

4. In accordance with the instructions laid down by the Committee at the 166th and 233rd meetings, an acknowledgement was sent to the authors of the communication.

5. In accordance with the same instructions, notes dated 21 March 1977 were sent under the no-objection procedure to Belgium, Canada, Liechtenstein, Portugal, Switzerland and the United Kingdom. The substantive part of the note is reproduced below:

"The Committee has received information from Mr. William Cran, producer of the Canadian Broadcasting Corporation (CBC) programme 'The Fifth Estate', concerning a case of possible violation of sanctions, involving transactions in tobacco of Southern Rhodesian origin via a Swiss-registered company, Intabex SA. A summary of the information concerning the matter, as provided by Mr. William Cran, is herewith enclosed.

"The Committee considers that the information thus received, if proved, would constitute a case of grave violation of the mandatory sanctions established by the Security Council against the illegal régime in Southern Rhodesia. It has therefore requested His Excellency's Government to undertake thorough investigations into the relevant aspects of the matter. In making this request the Committee expressed the hope that the investigating authorities would pay special attention to /Belgium: (1) the present status of the remainder of the tobacco said to have been transported to Antwerp aboard the vessel Pereira d'Eca; (2) the role of Intabex in these transactions bearing in mind that this company is alleged, according to a recent United Kingdom note to the Committee, to be acting on behalf of the Southern Rhodesian tobacco company Tradimpex. Canada: the role of MacDonald Tobacco Inc. of Quebec, Canada, its divisions and its subsidiaries in these transactions. Liechtenstein: the location and the role of Continental Agencies Anstalt, a company said to be registered and to have its headquarters in Vaduz, Liechtenstein, in these transactions. Portugal: the origin of the tobacco said to have been carried aboard the vessel Pereira d'Eca from Lisbon to Antwerp. Switzerland: the role of Swiss-registered company Intabex SA, in these transactions, as well as the role of Mr. Raoul Oberson, given as a director of both Intabex and Tobatrade, bearing in mind that the latter company has been mentioned in Case No. 281 as suspected of channelling trade in Southern Rhodesian tobacco. United Kingdom: the present status of the impounded tobacco and the reported activities of Henderson Miller in Guilford, Surrey, said to be either a subsidiary of, or a contact for, Intabex SA Belgium.

"The Committee would also appreciate receiving the comments of His Excellency's Government on this matter at the earliest convenience, if possible within a month."

6. Replies were received from the United Kingdom and Canada, the substantive parts of which read as follows:

(i) Note dated 20 April 1977 from the United Kingdom

"The Government of the United Kingdom wish to inform the Committee that a quantity of tobacco, amounting to 370,518 lb was seized on 15 July 1976 under Section 44(b) of the Customs and Excise Act 1952, on the ground that it had been imported contrary to the prohibition in Article 2(1) of the Southern Rhodesia (United Nations Sanctions) (No. 2) Order 1968 and Article 1 of the Import of Goods (Control) Order 1954). Notice of the action of seizure was given by publication in the London Gazette in accordance with paragraph 2(c) of the Seventh Schedule to the Customs and Excise Act 1952.

"Under United Kingdom Customs law, goods imported contrary to a prohibition are liable to forfeiture whether or not any deliberate evasion is

involved. The tobacco was seized on the ground that it had been imported contrary to the prohibition on the importation of goods from Rhodesia. It therefore became the property of the Crown.

"The law also includes provisions enabling proceedings to be taken against anyone who knowingly evades a prohibition, but in this case there is no reason to believe that the importers knew the tobacco to be Rhodesian. While there were adequate grounds for seizure of the goods, therefore, there was no evidence that would support criminal proceedings.

"The investigation by the United Kingdom authorities into other aspects of this case is still in train. Any further relevant information will be passed on to the Committee on Sanctions when it becomes available."

(ii) Note dated 25 April 1977 from Canada

"The Permanent Representative of Canada to the United Nations ... has the honour to refer to the Secretary-General's note dated 21 March 1977 concerning a case of possible violation of sanctions, involving transactions in tobacco of Southern Rhodesian origin via a Swiss-registered company, Intabex SA. The Permanent Representative wishes to advise the Secretary-General that the case in question was referred to the Canadian Government agency responsible for enforcing Rhodesian sanctions, which has studied the case, drawing inter alia on the material provided by the Sanctions Committee, and has referred it to the Canadian Department of Justice for a determination as to whether there is sufficient basis for taking legal action against the company concerned. The Secretary-General will be kept informed of any developments on this matter."

7. A reply dated 16 May 1977 was received from Liechtenstein, the substantive part of which reads as follows:

"The head of Government of the Principality of Liechtenstein ... has the honour to refer to the Secretary-General's letter of 21 March 1977 whereby, at the request of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, the Secretary-General informed him of the alleged violation by Continental Agencies Anstalt, Vaduz, of resolution 253 (1968) of the Security Council of the United Nations.

"As soon as it received the letter from the Secretary-General of the United Nations, the Government of the Principality demanded that Continental Agencies Anstalt, Vaduz, furnish an explanation concerning the subject of the allegations. As soon as the result of the inquiry is known, the Government of the Principality will not fail to communicate it to the Secretary-General of the United Nations."

8. A note dated 17 June 1977 was sent to Liechtenstein inquiring whether the investigations were completed and the results could be forwarded to the Committee.

9. At the 293rd meeting on 11 July 1977, the representative of Canada made a statement concerning two cases, including the present case. The text of that statement is reproduced below:

"I would like for a moment to refer the Committee's attention to two cases involving Canada. The first, Case No. INGO-19 (and the Secretary-General's note to the Canadian delegation of 21 March 1977 refers) concerns a case of possible violation of sanctions, involving transactions in tobacco of Southern Rhodesian origin via a Swiss registered company, Intabex SA. The second is Case No. INGO-21 (and the Secretary-General's note to the Canadian delegation of 15 April refers) which concerns information obtained from public sources which suggests that the Canadian Imperial Bank of Commerce granted a loan of \$US 2 million which was ultimately used to finance copper mining in Southern Rhodesia.

"I would like to inform the Committee that the Canadian Government's investigations of both these cases are continuing and are being conducted on the advice of the Canadian Department of Justice using the customary facilities at its disposal and with full consultation between government departments concerned. However, the Canadian Government is not yet in a position to advise the Committee of the outcome of these inquiries but will provide the Committee with a substantial reply as soon as it is able to do so.

"I am sure members of the Committee will understand that these are extremely complex investigations involving many different agencies of the Canadian Government and, indeed, are being conducted in close co-operation with other Governments concerned."

10. First reminders were sent to Belgium, Portugal and Switzerland on 12 July 1977.

11. A further reply dated 4 July 1977 was received from Liechtenstein, the substantive part of which reads as follows:

"The head of Government of the Principality of Liechtenstein ... has the honour to refer to his letter of 16 May 1977 informing the Secretary-General of the United Nations that the Government of the Principality had asked Continental Agencies Anstalt, Vaduz, to provide explanations concerning the allegations to the effect that it had violated Security Council resolution 253 (1968).

"Dr. Herbert Batliner, member of the Board of the firm Continental Agencies Anstalt, Vaduz, whom the Government of the Principality approached for a statement on the subject of the allegations set forth in the note by the Secretary-General of the United Nations, issued the following statement on 20 June 1977:

"I refer to your communication of 18 May 1977, with which you sent me a copy of the letter of the same date from the Government of the Principality of Liechtenstein on the subject of the company in question and, in particular, an alleged violation by that company of United Nations Security Council resolution 253 (violation of sanctions against Southern Rhodesia).

"I had a long meeting on Thursday, 16 June 1977, with my clients in this company who are involved, and the outcome was as follows.

'1. The firm Continental Agencies Anstalt is a company which provides services and technical assistance and which has never engaged in activities originating in or concerning Rhodesia. Moreover, it neither buys nor sells goods. Finally, it does not deal with tobacco.

'2. After an inquiry following the letter which I wrote to it immediately on receipt of your communication of 18 May 1977, the management of the company discovered in fact that, the company having entered into a business relationship with a person living in the Far East, its name had been used in connexion with the sale of tobacco originating in an Asian country. My clients had no reason to exercise any kind of control - nor any means of doing so - over that person and over the use which he may have made of the name of the company which had entered into a business relationship with him. Moreover, my clients added, that person had never paid the commission which had been agreed upon in the matter in which the company was concerned. Moreover, the inquiry which they conducted in order to learn more about the ins and outs of that operation did not reveal any trace of the person concerned, who has given no further sign of life, and the preliminary requests for payment of the commission have also failed to produce any result.

'According to my clients, therefore, the situation which has thus been created is extremely regrettable as far as they are concerned, since they have already endured the consequences and now they must bear the bad reputation from which the company will inevitably suffer.

'They also add that, according to the statements which they obtained during their investigations, the matter appears rather to involve an act of commercial sabotage designed to make it seem as though the shipment of tobacco originated in Rhodesia, whereas, according to the assurances which they were given, the tobacco definitely originated in an Asian country. The existence of a Rhodesian coin 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 Rhodesian source, nor did the sacks and packaging come from that country, and no other evidence has been produced which would indicate that it had a Rhodesian source. My clients therefore dispute the validity of the point of view adopted by the United Nations on the basis merely of the presence of a single coin which was most certainly thrown in intentionally in order to destroy both the reputation of the company and the principal involved in the operation who, once again, was not the "beneficial owner" of the company. Moreover, as it appears from the report of the United Nations, the consequences of the operation were suffered by a third company which has nothing to do with my clients in this matter.

'In conclusion, my clients absolutely reject any responsibility in this case since they dispute its validity.

'Personally, as I know the clients involved in this company very well, I have no reason to doubt their sincerity. They have always appeared to me to act correctly both in their commercial activities and in their personal conduct.'

"Solely on the basis of the summary provided by Mr. William Cran of the Canadian Broadcasting Corporation which was transmitted to it with the note from the Secretary-General of the United Nations dated 21 March 1977, the Government of the Principality is not in a position to prove that the firm Continental Agencies Anstalt violated resolution 253 (1968) with regard to the role which it might have played in that connexion. If the competent Liechtenstein authorities are to be able to pursue this matter, they must be in possession of documents or any other preliminary evidence which would establish that the firm Continental Agencies Anstalt violated resolution 253 (1968)."

12. In the absence of replies from Belgium, Portugal and Switzerland within the prescribed period of two months, the Committee included those Governments in the thirteenth quarterly list, which was issued as a press release on 25 July 1977.

13. A reply dated 15 August 1977 has been received from Switzerland. For the substantive part of the reply see (117) Case No. 287, paragraph 8.

14. Second reminders were sent to Belgium and Portugal on 12 September and third reminders were sent to those two Governments on 12 October 1977.

15. At the 297th meeting on 13 October 1977 the representative of the United Kingdom made a statement concerning the case, the text of which is reproduced below.

"I should like to make a statement, further to the United Kingdom note of 20 April 1977, on case INGO 19.

"The joint investigation by the Department of Trade and Industry and the Customs and Excise into the role played by Henderson Miller and Co of Guilford, Surrey, is now complete.

"After a delay caused by the absence in India of Mr. James Henderson, principal of Henderson Miller, he was interviewed in Guilford on 13 July 1977.

"He explained that just after the war he formed the firm with John Midwinter Miller and Jack James Whelan to buy tobacco from Rhodesia and India. Visits were made to Rhodesia and India by the three men and the business prospered.

"They formed a company in Rhodesia named Henderson Miller (Dent) (Pty) in Salisbury, Rhodesia, to conduct their business which was dealing with most of the well known tobacco companies in the United Kingdom. Mr. Henderson said he moved with his family in 1959 to Rhodesia to conduct the business, but returned to the United Kingdom when Rhodesia declared unilateral independence and his firm ceased to operate. The Rhodesian firm is still in existence and is dormant but controlled by Whitmore and Fletcher, Accountants, Throgmorton House, Kingsway, Jameson Avenue, Salisbury, Rhodesia. The firm have a capital of £1,600 in Rhodesia which is sealed.

"Mr. Henderson said he had not dealt in any way with Rhodesian tobacco since leaving that country. He concentrated on the purchasing of Indian tobacco and built up a good connexion with growers.

"Miller left the concern in 1966, and Whelan has recently died.

"On 1 April 1975, Mr. Henderson sold the goodwill of his firm to Intabex, but agreed to act as their agent for a period of five years in the surveying of tobacco stocks in India. He goes to India about three times a year for this purpose.

"He quite frankly said he had heard of the Thailand tobacco that was being held by the Customs, but had no knowledge of the origin of it or any of the transactions concerning it.

"Despite a detailed search of the books and papers of the firm the investigators could find no evidence that Mr. Henderson was connected with the Thailand tobacco, or any correspondence with Rhodesia. Nor could they find any evidence that he is in any way connected with illicit dealings in Rhodesian tobacco. They had therefore to accept that he deals only in Indian tobacco.

"Extensive inquiries were also made in Great Britain and on the continent, but the net result had been that the country of origin of this tobacco had not been satisfactorily established, although the Government analyst had been able to state that it was not Thailand tobacco. The books and correspondence of Manchester Tobacco Company Limited, for whom the tobacco was destined, had been thoroughly examined and there was no evidence there to suggest that the country of origin of the consignment was known to them. Nothing to the detriment of this company or their forwarding agents Bahr Behrend and Co. Ltd., Deansgate, Manchester, was established.

"The investigators also interviewed C. V. Parker, described as Chief Executive of Intabex, Belgium NV who claimed that the order for Thailand tobacco, received from Macdonald Leaf Company Limited had been passed to Continental Agencies Anstalt, Lichtenstein. Parker also said that Intabex Switzerland had dealt in Rhodesian tobacco because it was not illegal to do so in Switzerland and similar dealings had been done in Portugal where, he claimed, the sanctions order was not implemented.

"Intabex had not come to notice prior to the discovery of the suspect tobacco in Manchester. However, enquiries show that that company certified on the Bill of Lading that the tobacco was of Thai origin; Intabex also gave the information that the shipment had been put aboard SS Asphalion at Bangkok. The owners of this vessel, Eleu Funnel Line, Liverpool, stated that it had not carried a cargo of tobacco for at least three years.

"As a result of these comprehensive investigations the United Kingdom authorities concluded that insufficient evidence had been adduced to institute proceedings in the United Kingdom under Section 304 of the Customs and Excise Act 1952, or the Import of Goods (Control) Order 1954, against any company, organisation or individual.

"The tobacco has been retained by the United Kingdom Customs and Excise authorities."

16. Further to paragraph 1 above, in the absence of replies from Belgium and Portugal, the Committee again included those Governments in its fourteenth quarterly list, which was issued as a press release on 21 October 1977.

17. A note dated 24 October 1977 was sent to Canada inquiring whether the investigations by the Canadian authorities had been completed and the results could be communicated to the Committee.

18. In pursuance of the Committee's decision at the 273rd meeting, a note dated 25 November 1977 was sent from the Chairman to the Permanent Representative of Portugal to the United Nations, announcing the Chairman's intention of contacting him, at the request of the Committee, to discuss this case in connexion with which a reply was still pending after three reminders. Similar action with regard to Belgium was under way at the time of preparation of the present report.

Case No. INGO-20. Promotion of tourism to Southern Rhodesia by a United States firm: information supplied by the Executive Associate of the American Committee on Africa, New York, NY, USA

1. A communication dated 17 February 1977, a copy of which was indicated to have been sent to the Office of Foreign Assets Control, United States Department of the Treasury, Washington, D.C., was received from the Executive Associate of the American Committee on Africa, New York, NY. The substantive part of the communication reads as follows:

"In compliance with your request that non-governmental organizations bring examples of sanctions violations to the attention of your committee, I enclose an item announcing that a Rhodesian firm has apparently entered into contract with a United States firm to promote tourism to Rhodesia.

"I believe that this action is the latest way that the racist régime of Ian Smith is seeking to promote tourism in this country since the closure of the Air Rhodesia office.

"I am simultaneously bringing this to the attention of the United States Government."

Text of the enclosure

"Promotion of tourism in Rhodesia by US firm (text) An American firm of consultants is to disseminate information about Rhodesian tourism to United States travel agents. The Rhodesian United Touring Company (UTC) has appointed the firm, Transportation Consultants International (TCI), to represent it throughout North America. The firm is based in Los Angeles and has offices in 12 major cities in the United States. It is to inform agents about UTC's facilities and to offer a service to travel agents wishing to book clients on Rhodesian tours. Two TCI representatives have already visited Rhodesia and two more are to come this month. The general manager of UTC, Mr. Derek Evans says the consultants will be able to give a factual description of Rhodesia which may differ from that appearing in American media."

2. In accordance with the Committee's instructions, decided on at the 166th and 233rd meetings, an acknowledgement was sent to the sender of the communication.

3. In accordance with the same instructions, a note was prepared, under the no-objection procedure, for transmission to the United States. The substantive part of the note reads as follows:

"The Committee has received information from the American Committee on Africa, a non-governmental organization in New York, USA, which was obtained from published sources, to the effect that a firm in the United States had been hired by a Southern Rhodesian company to publicize and promote tourism to Southern Rhodesia. A copy of the published information is herewith attached for ease of reference.

"The Committee felt that the attention of His Excellency's Government should be drawn to the fact that such an arrangement, if permitted to materialize, would promote a service that would be considered contrary to the spirit and intent of sanctions imposed by the Security Council against the illegal régime in Southern Rhodesia, in particular resolution 253 (1968), and may, furthermore, be in violation of the relevant resolutions of the Security Council establishing those sanctions.

"In requesting the Secretary-General to inform the Government of the United States of this possible case of sanctions violation, the Committee indicated also that it would appreciate receiving any comments His Excellency's Government might wish to make on the matter at its earliest convenience, if possible within one month."

4. However, before the proposed note was sent, the representative of the United States submitted a communication on the matter, the substantive part of which is reproduced below.

"With reference to the communication circulated to the Committee on 24 February 1977, the United States delegation takes note of the information contained therein, has already transmitted same to the Department of State, and will further inform the Sanctions Committee at a forthcoming meeting concerning this matter."

5. Consequently, the proposed note was not sent to the United States.

6. At the 286th meeting of the Committee on 22 April 1977, the representative of the United States made a statement regarding the present case. The text of the statement is reproduced below.

"I refer to the communication circulated to the Committee on 24 February 1977.

"The United States Government has informed the firm, Transportation Consultants International, that it must be licensed to promote the travel of Americans to Southern Rhodesia. Further, authorities of the United States Government currently have under investigation the activities of Mr. Derek Ebben, General Manager of the Rhodesian United Touring Company. This investigation encompasses not only the means of his entry into the United States, but his activities while here. We understand that Mr. Ebben has departed from the United States. We will provide the Committee further information as it becomes available."

7. A note dated 24 October 1977 was sent to the United States, inquiring whether the investigations by the United States authorities had been completed and the results could be communicated to the Committee at the earliest convenience.

8. At the 302nd meeting, the representative of the United States made a statement concerning several cases under consideration. The text of that part of the statement pertaining to this case is reproduced below:

"Regarding Case No. INGO-20. Promotion of tourism to Southern Rhodesia by a United States firm. United States Government Treasury officials investigating this matter contacted representatives of Travel Consultants International in California and informed them that their activities, on retainer from a Rhodesian principal, were unauthorized and must be terminated. The United States Government has no evidence to support that Travel Consultant International has now in fact not discontinued such activities."

Case No. INGO-21. Loan to Southern Rhodesia by a Canadian bank: information supplied by an individual in Toronto, Canada

1. A letter dated 9 March 1977 addressed to the Chairman of the Committee was received from an individual in Canada reporting information from published sources that a Canadian bank, the Canadian Imperial Bank of Commerce, had granted a loan of \$US 2 million, ultimately used to finance copper mining in Southern Rhodesia. The substantive part of the letter reads as follows:

"In reading the edition of the Financial Post of Canada (27 November 1976), I have read information concerning a loan to Southern Rhodesia by Canadian Imperial Bank of Commerce in 1976.

"I am sending you this information with the expectation that your Sanctions Committee investigate this loan.

"I would like this to be considered as a confidential matter, without mentioning my name."

2. According to the information submitted - a newspaper article, the full text of which is herewith attached in the original - British officials investigating the alleged sanctions-violating activities of Lonrho Ltd., had uncovered information to the effect that the Canadian Imperial Bank of Commerce, through its branch in the Bahamas, had granted a loan to Yeoman Investments, Ltd., a firm said to be controlled by Lonrho directors. i/ Yeoman had then passed the loan on to a South African company, which was involved with a Southern Rhodesian copper mine; these facts were stated to have been known to the manager of the Canadian bank branch in London. It was also stated that negotiations for the loan had been started as early as March 1970, when Lonrho directors met in London with the manager and deputy manager of the Canadian bank branch there.

3. The information further indicated that the Canadian federal authorities were aware of the transaction by the Canadian bank and had already made initial contacts with the bank's officials in search of full explanation for the loan and of the circumstances attending upon its conclusion; the Government authorities were still pursuing the matter.

4. In accordance with the instructions laid down by the Committee at the 166th and 233rd meetings, an acknowledgement was sent to the individual who submitted the information.

i/ See the Committee's ninth annual report, S/12265, vol. II, (225) Case No. 276, especially para. 2 thereof.

5. In accordance with the same instructions, notes dated 15 April 1977 were sent under the no-objection procedure to the Bahamas, Canada and the United Kingdom. The substantive part of the note is reproduced below.

"The Committee has received from an individual in Toronto, Canada, information obtained from published sources according to which a Canadian bank, the Canadian Imperial Bank of Commerce, granted a loan of \$US 2 million, which was ultimately used to finance copper mining in Southern Rhodesia. A copy of the pertinent newspaper report is herewith enclosed for ease of reference.

"The Committee considers that the information thus received, if proved, would constitute a case of grave violation of the mandatory sanctions established by the Security Council against the illegal régime in Southern Rhodesia. /The Bahamas: It has therefore requested His Excellency's Government to undertake thorough investigations into the relevant aspects of the matter, with special attention to the circumstances in which the reported loan was facilitated by a banking institution operating within the jurisdiction of the Government of the Bahamas, and to indicate what measures, if any, have so far been taken or are contemplated as a result. The Committee has expressed the hope that it might receive the comments of His Excellency's Government on this matter at the earliest convenience, if possible within a month. Canada and the United Kingdom: The Committee has taken note from the information supplied that the matter has already for some time been under investigation by the authorities. It has therefore expressed the hope that His Excellency's Government might forward to it at the earliest convenience, if possible within a month, the results of those investigations and any other relevant comments on the matter./"

6. A reply dated 23 May 1977 was received from the Bahamas, the substantive part of which reads as follows:

"The Permanent Representative of the Commonwealth of the Bahamas to the United Nations ... has the honour to refer to the /Secretary-General's/ note dated 15 April 1977 concerning a loan of \$US 2 million granted by the Canadian Imperial Bank of Commerce branch office in Nassau, Bahamas, which supposedly was used to finance copper mining in Southern Rhodesia.

"In this connexion, please note that the information submitted with said note was insufficient to justify an investigation.

"The Bahamas Government is therefore requesting the assistance of the Secretary-General in obtaining more authoritative information on which to act."

7. At the 292nd meeting on 9 June 1977 the representative of the United Kingdom made a statement concerning the case, the text of which is reproduced below:

"I should like to make an interim statement on Case INGO-21, with particular reference to the Secretary-General's note of 15 April.

"The question of the Yeoman Investments Loan is being dealt with in the context of the Lomrho report as a whole. The question is still under consideration by the Director of Public Prosecutions and it is of course for

him to decide what action is appropriate. The Committee will understand that it is not possible for my delegation to make a more substantive reply until the investigation is complete, and it is only fair to warn you that this is unlikely to be for some months. I do, however, undertake to report further as soon as it is possible for me usefully to do so."

8. At the 293rd meeting on 11 July 1977, the representative of Canada made a statement concerning two cases, including the present case. The text of that statement is contained in paragraph 9 of Case No. INGO-19, above.

9. Notes dated 24 October 1977 were sent to Canada and the United Kingdom inquiring whether the investigations undertaken by the respective authorities were complete and the results could be communicated to the Committee.

10. A reply dated 24 November 1977 was received from the United Kingdom, the substantive part of which reads as follows:

"The relevant United Kingdom authorities have not yet completed their investigations into this complex question and the Director of Public Prosecutions still has the matter under consideration. The United Kingdom authorities regret, therefore, that they are still unable to make a substantive reply to the Committee established by the Security Council in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, but assure the Committee that they will communicate further as soon as they are in a position to do so."