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SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS
OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE
STAGE REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The complete list of items of which the Security Council is seized is contained in document S/11935 of 5 January 1976 and the pertinent addenda. During the week ending 23 October 1976, the Security Council took action on the following items:

The situation in Namibia (see S/8367, S/8424, S/8428, S/8438, S/8450, S/8468, S/9107, S/9373, S/9382, S/9395, S/9636, S/9898, S/10351, S/10369, S/10375, S/10377, S/10757, S/10770/Add.15, S/10770/Add.16, S/10855/Add.3, S/10855/Add.50, S/11185/Add.50, S/11593/Add.21, S/11593/Add.22, S/11935/Add.4, S/11935/Add.35, S/11935/Add.39, S/11935/Add.40 and S/11935/Add.41).

The Security Council continued its consideration of the question at its 1962nd and 1963rd meetings, held on 18 and 19 October 1976. At the 1963rd meeting, in accordance with the request contained in a letter dated 19 October 1976 from Benin, the Libyan Arab Republic and the United Republic of Tanzania (S/12216), the President, with the consent of the Council, extended an invitation to Mr. Theo-Ben Gurirab under rule 39 of the Council's provisional rules of procedure.

At the 1962nd meeting, the representative of Guyana introduced a draft resolution (S/12211) sponsored by Benin, Guyana, the Libyan Arab Republic, Pakistan, Panama, Romania and the United Republic of Tanzania. In its operative paragraphs, the draft resolution read as follows:

1. Condemns South Africa's failure to comply with the terms of Security Council resolution 385 (1976) of 30 January 1976;
2. Condemns all attempts by South Africa calculated to evade the clear demand of the United Nations for the holding of free elections under United Nations supervision and control in Namibia;

3. Denounces the so-called Turnhalle constitutional conference as a device for evading the clear responsibility to comply with the requirements of Security Council resolutions, and in particular resolution 385 (1976);

4. Reaffirms the legal responsibility of the United Nations over Namibia;

5. Reaffirms its support for the struggle of the people of Namibia for self-determination and independence;

6. Reiterates its demand that South Africa take immediately the necessary steps to effect the withdrawal, in accordance with resolutions 264 (1969), 269 (1969), 366 (1974) and 385 (1976), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations;

7. Also demands that South Africa put an end forthwith to its policy of Bantustans and so-called homelands aimed at violating the national unity and the territorial integrity of Namibia;

8. Reaffirms its declaration that in order that the people of Namibia be enabled to determine freely their own future, it is imperative that free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity;

9. Demands that South Africa urgently comply with the foregoing provisions for the holding of free elections in Namibia under United Nations supervision and control, undertake to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia, and recognize the territorial integrity and unity of Namibia as a nation;

10. Demands again that South Africa, pending the transfer of power provided for in the preceding paragraphs:

(a) Comply fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights;

(b) Release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;

(c) Abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and so-called homelands;

(d) Accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment;

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11. Acting under Chapter VII of the United Nations Charter,

(a) Determines that the illegal occupation of Namibia and the war being waged there by South Africa constitute a threat to international peace and security;

(b) Decides that all States shall cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa and shall prohibit their nationals from engaging in any such consultation, co-operation or collaboration;

(c) Decides that all States shall take effective measures to prevent the recruitment of mercenaries, however disguised, for service in Namibia or South Africa;

(d) Decides that all States shall take steps to ensure the termination of all arms licensing agreements between themselves or their nationals and South Africa and shall prohibit the transfer to South Africa of all information relating to arms and armaments;

(e) Decides that all States shall prevent:

(i) Any supply of arms and ammunition to South Africa;

(ii) Any supply of aircraft, vehicles and military equipment for use of the armed forces and paramilitary or police organizations of South Africa;

(iii) Any supply of spare parts for arms, vehicles and military equipment used by the armed forces and paramilitary or police organizations of South Africa;

(iv) Any supply of so-called dual-use aircraft, vehicles or equipment which could be converted to military use by South Africa;

(v) Any activities in their territories which promote or are calculated to promote the supply of arms, ammunition, military aircraft and military vehicles to South Africa and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;

12. Decides that all States shall give effect to the decisions set out in paragraph 11 of this resolution notwithstanding any contract entered into or licence granted before the date of this resolution, and that they shall notify the Secretary-General of the measures they have taken to comply with the aforementioned provision;

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13. Requests the Secretary-General, for the purpose of the effective implementation of this resolution, to arrange for the collection and systematic study of all available data concerning international trade in the items which should not be supplied to South Africa under paragraph 11 above;

14. Requests the Secretary-General to follow the implementation of the resolution and to report to the Security Council on or before

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15. Decides to remain seized of the matter.

At its 1963rd meeting, the Security Council voted on the draft resolution (S/12211), with the following result: the draft resolution received 10 votes in favour to 3 against (France, United Kingdom of Great Britain and Northern Ireland and United States of America), with 2 abstentions (Italy and Japan), and was not adopted, owing to the negative votes of permanent members of the Security Council.

The situation in the Middle East (see S/7913, S/7923, S/7976, S/8000, S/8048, S/8066, S/8215, S/8242, S/8252, S/8269, S/8502, S/8525, S/8534, S/8564, S/8575, S/8584, S/8595, S/8747, S/8753, S/8807, S/8815, S/8828, S/8836, S/8885, S/8896, S/8960, S/9123, S/9135, S/9319, S/9382, S/9395, S/9406, S/9427 and Corr.1, S/9449, S/9452, S/9805, S/9812, S/9930, S/10327, S/10341, S/10554, S/10557, S/10703, S/10721, S/10729, S/10743, S/10770/Add.4, S/10855/Add.15, S/10855/Add.16, S/10855/Add.23, S/10855/Add.24, S/10855/Add.29, S/10855/Add.30, S/10855/Add.33, S/10855/Add.41, S/10855/Add.43, S/10855/Add.44, S/11185/Add.14, S/11185/Add.15, S/11185/Add.16, S/11185/Add.42/Corr.1, S/11185/Add.47, S/11593/Add.15, S/11593/Add.21, S/11593/Add.29, S/11593/Add.42, S/11593/Add.48, S/11593/Add.49 and S/11935/Add.21).

The Security Council resumed its consideration of the item at its 1964th meeting, held on 22 October 1976, and included in its agenda the report of the Secretary-General on the United Nations Emergency Force covering the period 17 October 1975 to 18 October 1976 (S/12212).

The President called attention to the draft resolution before the Council (S/12219), which had been prepared during prior consultations among members of the Council. The Security Council adopted the draft resolution (S/12219) as resolution 396 (1976) by 13 votes to none. China and the Libyan Arab Republic did not participate in the vote. In its operative paragraphs, resolution 396 (1976) reads as follows:

1. Decides

(a) To call upon all the parties concerned to implement immediately Security Council resolution 338 (1973);

(b) To renew the mandate of the United Nations Emergency Force for a period of one year, that is, until 24 October 1977;

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(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the steps taken to implement Security Council resolution 338 (1973);

2. Expresses its confidence that the Force will be maintained with maximum efficiency and economy.

Following the vote, the President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the discussion without the right to vote.
