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

Addendum

Annex I

COMMENTS AND VIEWS OF VARIOUS COMMITTEE MEMBERS
CONCERNING THE SEVENTH ANNUAL REPORT AND THE
WORK OF THE COMMITTEE DURING 1974

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A. Conclusions and recommendations submitted by the representative of Iraq on 2 October 1974

1. The Committee should make the following recommendations:

Sporting events

2. The Committee noticed with deep regret and frustration that Southern Rhodesians are participating, as individuals or in teams, unofficially and officially, in sporting events and similar activities in many foreign countries, particularly, European ones.

3. This participation is given prominence in some press media and, in particular, in the circulations or leaflets of the organizers of the sporting events.

4. The more disconcerting aspect of such participation, however, is the publicity which the Southern Rhodesian and South African press and public information media give it and the profound psychological effect it has on the white minority régimes in both countries. It serves as a definite boost to the morale of those radical elements in the illegal régime and, at the same time, tends to strengthen those white settlers who may be wavering in their enthusiasm or support for Ian Smith and his "government", as it conveys the impression that Southern Rhodesians and thus the illegal régime itself are being accepted by the international community and that international condemnation of the régime is being slackened or even reversed. In fact, it gives a cover of legality to the actual existence and status of the illegal régime. Such a representation contravenes paragraph 5 (a) of Council resolution 253 (1968).

5. The same purpose is also served when foreign athletes and sportsmen participate, as individuals or in teams, in sporting events in Southern Rhodesia. In this case, foreign athletes actually transfer funds into Southern Rhodesia, which is contrary to paragraph 4 of resolution 253 (1968).

6. Iraq considers such activity to be contrary to both the spirit and letter of paragraph 3 of Security Council resolution 253 (1968). In fact, it is in contradiction to the whole concept of sanctions and works against the Council's aims, which consist in bringing down the illegal white minority régime in Southern Rhodesia and allowing the rightful people of Zimbabwe to exercise their inalienable right of self-determination and self-rule.

7. The Security Council is therefore urged either to:

(a) Reinterpret the paragraphs of its resolution 253 (1968) in reference to this subject; or

(b) Adopt a new resolution (i) declaring, unequivocally, that such activities are to be prohibited and (ii) requesting all Governments to take the necessary steps through their national sport associations and clubs to have Southern Rhodesian membership of different international or regional sporting bodies rejected and expelled from such bodies.

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Travelling Southern Rhodesians

8. The Committee also was disturbed at the increasing travel by and presence of Southern Rhodesian "citizens" in European and other countries. The Iraqi delegation could not understand how this was possible when so many countries have adopted and passed laws and regulations refusing entry to people travelling on passports and travel documents issued by the illegal régime of Ian Smith.

9. Some countries in whose territories Southern Rhodesian citizens travelled have replied to inquiries of the Committee that they were unable to verify the travel documents of the Southern Rhodesian citizens concerned or that the visiting Southern Rhodesians did not travel on Southern Rhodesian passports.

10. Such activity gives rise to the basic question of how prominent Southern Rhodesians are able to travel freely around the world attending international conferences and other events (e.g., the Commonwealth Universities Conference held in Edinburgh during January and February 1973 and the International Chess Federation Olympiad in Nice, June 1974). It also raised the questions of whether all Southern Rhodesians are able to travel freely abroad; whether all Southern Rhodesians travelling abroad use British or other passports, and, if so, whether these were issued or, more important, renewed before or after the unilateral declaration of independence and by whom; and, finally, if they are travelling on passports issued by the Southern Rhodesian authorities, under what circumstances, if any, those documents are valid.

11. Iraq recommends that the Security Council and the General Assembly should request all Members to:

(a) Enact legislation making it a criminal offence for their subjects to visit Southern Rhodesia, except in specified circumstances;

(b) Cancel the citizenship of nationals who emigrate to Rhodesia;

(c) Require - if necessary by appropriate legislation - all insurance companies to refuse any coverage for any aircraft of any airline in the world flying into or out of Southern Rhodesia. Companies should refuse individual insurance for people flying into or out of Southern Rhodesia;

(d) Recall, when opportunities arise, and refuse to renew passports of their citizens who are residents in Southern Rhodesia and who travel outside Southern Rhodesia on those passports but intend to return there.

Non-governmental organizations

12. The delegation of Iraq has come to the conclusion during the first year of its membership on the Security Council and the Committee that the greater part of the valuable information that comes to the Committee's attention on cases of sanction-breaking or evasion comes to it through two main channels:

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- (a) Communications from private non-governmental organizations and movements;
- (b) Articles that appear in the press media (whose origin is information fed to this media by the non-governmental organizations).

Mention, however, should also be made of communications and information received by the Committee from private individuals.

13. Other information on possible sanction violations comes from various Governments which, in most cases, refuse to divulge the sources or bases of such information and do not supply evidence.

14. On the other hand, non-governmental organizations often do supply thorough and well-documented evidence and proof concerning the information they provide, most of this the result of much hard and painstaking voluntary work on the part of their unpaid members.

15. The delegation of Iraq strongly believes that the Committee should do everything possible and permissible to help these organizations and movements and to encourage them in their activities.

16. We therefore propose that the Committee and the Security Council should undertake the following:

- (a) A letter of acknowledgement and appreciation from the Chairman of the Committee should be promptly sent in reply to all such communications, at the discretion of the Chairman and without the prior approval of the Committee as a whole.

- (b) The secretariat of the Committee should compile a list of the names and addresses of all such organizations and groups that are wholly or in part sympathetic to maintaining sanctions against Rhodesia (political parties, anti-apartheid movements and organizations, trade unions etc.).

- (c) The closest contact should be made and maintained with these bodies through:

- (i) The exchange of information and documentation on a regular and continuous basis (sending them all the reports and unrestricted documents of the Committee and, more important, any information that may come to the notice of the Committee from one non-governmental organization which the Committee may believe to be of some use or help to other non-governmental bodies);
- (ii) Establishing closer, whenever possible or feasible, personal contacts between members (Chairman) of the Committee and officials of these movements who happen to be in New York (e.g., accepting their invitations for participation by members of the Committee in their meetings);

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- (iii) Relying more often and in more direct ways on the help of these organizations (actually requesting them to undertake, if possible, for the benefit of the Committee, investigations on a specific case of sanction violation);
- (iv) Issuing more press releases, so that the media are constantly fed information on the activities of the Committee (this is essential because the Committee's meetings are closed).

17. The most important and essential principle is that the Committee should regard these organizations as an extension of itself or another arm of sanction enforcement and not as competitors or bodies that are suspect.

Organization of African Unity (OAU)

18. The delegation of Iraq regrets the fact that not enough co-operation or communication has been established or developed between the Committee and OAU.

19. We therefore recommend that:

- (a) Closer contacts be established and maintained by the Committee;
- (b) There be a two-way flow of information between the Committee and OAU on a regular and continuous basis;
- (c) The Security Council should impress on OAU the necessity of:
 - (i) Mounting an effective and serious campaign to persuade all major countries that are violating sanctions, especially the Federal Republic of Germany, Japan, Switzerland and the United States of America, to take the sanctions seriously;
 - (ii) Mounting an official campaign to ensure that all African States members of OAU, especially Gabon and Malawi, apply the sanctions fully.

Miscellaneous recommendations

20. The Iraqi delegation also recommends the following:

United States importation of Rhodesian minerals

- (a) The Committee should recommend to the Security Council that a formal and public disapproval be issued on the continuous violation by the United States of the sanctions provisions in importing Rhodesian minerals, especially chrome.
- (b) The Committee should express the hope that the Byrd amendment will be rescinded by the United States Congress as quickly as possible.

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Widening sanctions

(c) The Committee should strongly recommend that the Security Council take a decision to widen the scope and coverage of the sanctions provisions contained in its relevant resolutions and decisions. Circumstances and events have changed to such an extent and so many new ways and means have been found to circumvent the sanctions provisions that a new look must be cast on the problem. Sanctions should now cover all fields besides the purely economic, commercial and monetary. They should cover the social and human aspects of life as fully as possible and practicable.

Communications

(d) The illegal régime must be completely isolated, so that it can quickly be brought down.

Trade names and franchises

(e) The granting of franchises and trade names to Southern Rhodesians, directly or indirectly, should be declared illegal and contrary to the sanctions provisions.

(f) Wherever possible, franchises already granted should be withdrawn.

Insurances

(g) The Security Council should call on all States to extend sanctions to marine insurance on all cargoes going to and coming from Southern Rhodesia and to insurance of all airplanes and passengers flying to and from Southern Rhodesia.

South Africa

(h) Sanctions should be extended to cover South Africa. The reasons for such an extension are too well known to warrant reiteration.

Foreign companies

(i) The question of foreign companies or their subsidiaries operating in Southern Rhodesia should be thoroughly examined with a view to terminating such operations.

Procedures of the Committee

(j) All communications addressed to the Committee by Member States of the United Nations should be made formally, officially and in writing, i.e., note form (this is essential and vital for the proper functioning of the Committee), and no exception or discrimination should be made between members of the Committee (whether permanent or non-permanent members of the Security Council) and other

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United Nations Members. All communications between a member of the Committee and the Committee should be submitted in official note form, and this procedure should be followed in addition to the oral communication that is made.

B. Communication dated 14 October 1974 from the representative of the United Kingdom of Great Britain and Northern Ireland and proposed conclusions for the seventh report

1. At the 208th meeting of the Committee, it was decided that members who wished to submit proposals for conclusions to the report should do so by 15 October (S/AC.15/SR.208).

2. My delegation does not wish, pending discussion in the Committee of any drafts which may be proposed, to state a firm view on the question of priorities involved in devoting further meetings of the Committee to the drafting of conclusions to the seventh report. Meanwhile, however, we wish to contribute to the preliminary discussion. I therefore enclose a paper, in the form of a draft chapter of conclusions, which my delegation wishes to propose. We do, of course, reserve our right to make further proposals, both for conclusions and, should the Committee decide to include recommendations in its report, for recommendations.

3. I should be grateful if you would have copies of this letter and its enclosure circulated to other members of the Committee.

Conclusions

1. Information received by the Committee from published sources, including information provided by Governments, data released in Southern Rhodesia, newspaper reports, trade statistics and documents furnished by other organs of the United Nations, by the Organization of African Unity, by non-governmental organizations and by individuals, all indicated that sanctions evasions continued on a major scale throughout 1974. The failure of the Government of the Republic of South Africa to enforce the mandatory sanctions of the Security Council continued to be the most important loophole in the system of sanctions enforcement. Southern Rhodesian trade also continued to flow through the Portuguese Territories in southern Africa and through Mozambique in particular.

2. The Committee none the less believed that a very substantial proportion of Southern Rhodesian trade with other countries continued to be conducted with countries the Governments of which did not question the validity of mandatory sanctions. The Committee concluded that, although sanctions might not be effective in securing a rapid return to legality in Southern Rhodesia without the co-operation of the authorities in South Africa and the Portuguese Territories of southern Africa (or successor Governments), strict enforcement by all those Governments which professed to enforce them could none the less make an important - and possibly decisive - contribution to the objectives of the Security Council in imposing sanctions.

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3. The Committee took the view that, while very few of the cases considered by it (see chap. I, sect. B) led to a firm conclusion that sanctions had been evaded, those cases, considered as a whole, certainly indicated that sanctions evasions were continuing at an unacceptably high level and that effective procedures to counter evasions were still lacking in many countries Members of the United Nations. The Committee concluded that the more effective procedures by Governments to enforce sanctions, as recommended by the Security Council in resolution 333 (1973), were still not generally instituted.

4. A number of particularly important cases of suspected sanctions evasions were considered by the Committee during 1974. The most significant of the cases carried forward from 1973 on which the Committee continued to work was Case No. 154 (Affretair). By far the most significant and apparently serious case opened during 1974 was Case No. 171 (Rhodesian Iron and Steel Company) reported to the Committee in April 1974 (see chap. I, sect. B, para. 49).

5. Evidence received by the Committee in Case No. 154 from various sources including Governments (in particular, the Government of Greece) indicated clearly that trade was being conducted, and foreign exchange earned, by the illegal régime in Southern Rhodesia, in violation of mandatory Security Council resolutions, through the operations of an international airline owned and controlled by interests in Southern Rhodesia. It was noted with regret that certain Governments seemed unwilling to co-operate with the Committee in putting an end to such violations. In some instances, not only was no substantial response received to urgent requests from the Committee issued in 1973, but it appeared that facilities continued to be made available to Affretair, the airline owned and controlled by persons in Southern Rhodesia (see chap. I, sect. B, para. 38, and chap. II, sect. B, para. 80).

6. The Committee took an even graver view of Case No. 171 and is preparing a special report to the Security Council covering this case. The evidence submitted to the Committee convinced it that a major scheme was in train to expand the production of iron and steel in Southern Rhodesia and to sell the bulk of the extra production abroad. The evidence suggested that in various countries which professed to enforce sanctions there were interests which were involved in financing the scheme, in providing capital goods for the plant and in concluding agreements to buy the production. The Committee took note of the fact that investigations at its request of the complicated transactions of which there was evidence were requiring considerable time and effort on the part of the authorities in the countries concerned. It firmly intended to examine minutely the explanations submitted to it by Governments in connexion with the case, since it remained convinced that the case was of the greatest importance to its work and that effective action by Governments to frustrate the intentions of the illegal régime in Southern Rhodesia was essential (see chap. I, sect. B, para. 49).

7. The Committee was particularly appreciative of the valuable contribution to its work made in Case Nos. 154 and 171, as in a number of other cases, by non-governmental organizations and individuals and by The Sunday Times of London in particular.

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8. The Committee pursued inquiries into a considerable number of other cases of suspected violations of sanctions. It considered that those cases almost certainly covered only a very small proportion of the imports and exports of Southern Rhodesia conducted in violation of sanctions. It noted that, while some Governments co-operated with it in investigating cases (see chap. I, sect. B, and annexes II-V), in a disturbingly large number of cases Governments failed to respond to its inquiries (see chap. III, sect. A (d)).

9. The Committee concluded that its investigations of those cases, if conducted efficiently and with the active co-operation of Governments, contributed substantially to the effectiveness of sanctions. It recognized that the Committee's own procedures and the way in which it organized its work had, to a marked extent, been responsible for the lack of progress in pursuing inquiries over cases. This was in contrast to the Committee's performance during 1973, when its procedures were improved and its work on cases conducted more expeditiously. It regretted that, in ... cases, it had failed to follow up information provided by Governments or been unable to take decisions on papers submitted to it. The Committee concluded that more expeditious and efficient conduct of its work on cases would contribute to encouraging Governments to enforce sanctions more thoroughly.

10. The Committee continued to receive quarterly reports from the United States Government on imports into the United States of chrome, nickel and other minerals from Southern Rhodesia (see chap. I, sect. C). It noted the action taken by the United States Senate to ensure the repeal of the legislation permitting these imports and looked forward with confidence to similar action on the part of the United States House of Representatives.

11. The Committee was conscious of the fact that, having made substantial progress during 1973 on implementation of Security Council resolution 333 (1973), it failed to consolidate this work during 1974 (see chap. III). It was, however, encouraged by the assistance it received from individuals and non-governmental organizations (see chap. III, sect. A (c)).

12. The Committee took note of the fact that, of the 138 Members of the United Nations, only ... had responded to the Secretary-General of the United Nations' note to all Member Governments of 3 August 1973 (see chap. II, sect. C). Although the Committee has not yet considered in detail those replies which were received, it noted with satisfaction that the Governments which replied professed their commitment to enforce sanctions and that some at least gave indications of a greater determination than in the past to give practical effect to their professions.

13. The Committee noted that, of the 138 Governments of Member States, only ... had responded to the request in paragraph 8 of Security Council resolution 333 (1973). The Committee concluded that, in this respect, as also in respect of inquiries concerning particular cases of suspected violations of sanctions, a greater degree of co-operation by Governments with the Committee was required.

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14. During 1974, the Committee devoted more time than in previous years to consideration of "consular, sporting and other representations" involving Southern Rhodesia. It welcomed action taken by the Governments of Australia and the United States of America to close offices operating in their territories on behalf of interests in Southern Rhodesia (see chap. IV, sect. B).

15. The Committee hoped that events in Mozambique would lead to further progress in eliminating the exchange of official representatives between Member States and the illegal régime in Southern Rhodesia, as well as in eliminating trade conducted in violation of sanctions. It corresponded on those questions with the Government of Portugal (see chap. II, sect. A (c)). It concluded that the active co-operation of the authorities in Portugal and Mozambique would contribute significantly to the effectiveness of sanctions and to isolating the illegal régime in Southern Rhodesia.

16. The Committee considered a number of cases of sporting competitions, either in Southern Rhodesia or involving Southern Rhodesian athletes taking part in events abroad (see chap. IV, sect. C). The Committee was not convinced that such activities could be reconciled with the provisions of Security Council resolutions. It was particularly concerned about sporting exchanges with Southern Rhodesia of a representative character. It considered that such exchanges, whether or not they involved a direct breach of the provisions of mandatory resolutions of the Security Council, gave encouragement to the illegal régime in its quest for international respectability. The Committee concluded that these sporting exchanges were consequently contrary to the spirit of sanctions resolutions, even when not contrary to the letter. It looked to the Governments of States Members of the United Nations to take all actions that might be open to them to prevent such exchanges.

C. Conclusions and recommendations submitted by the representative of the Union of Soviet Socialist Republics on 16 October 1974

Conclusions

1. The Committee notes with regret that the measures taken by the Security Council in respect of Southern Rhodesia, including the sanctions applied against the Southern Rhodesian régime, are still not sufficiently effective.

2. Some of the reasons for this situation are as follows:

(a) South African continues to be the main route for violation of the sanctions. Despite the repeated appeals of the Security Council and notwithstanding Council resolutions 253 (1968) and 277 (1970), the South African authorities continue to provide substantial material aid and political support to Southern Rhodesia, thereby considerably reducing the effectiveness of the sanctions.

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(b) The continuing broad trade links between a number of countries (the Federal Republic of Germany, Japan, the United Kingdom, the United States and several others) with the Republic of South Africa weaken, and to a considerable extent negate, the measures taken in the sphere of sanctions against Southern Rhodesia. It is well known that many Southern Rhodesian commodities (minerals, tobacco, agricultural produce) are exported via South Africa to markets in many areas of the world.

(c) The utilization of foreign capital in the economy of Southern Rhodesia, which is condemned by resolution 253 (1968), still continues. In one of the cases being considered by the Committee it is alleged that a number of west European companies and banks have provided the Southern Rhodesian authorities with loans amounting to 68.5 million Rhodesian dollars for the expansion of the production of steel and steel manufactures by the Rhodesian Iron and Steel Company (RISCO).

(d) The Committee possesses a great deal of information confirming the presence in the Territory of Southern Rhodesia of a large number of foreign companies and their subsidiaries which engage in numerous trade and financial operations to the benefit of the Southern Rhodesian régime.

(e) The Committee has repeatedly expressed concern at the fact that in the course of its investigation of cases of suspected sanctions violations, questionnaires have been sent to certain countries 20 or more times.

(f) A situation in which the Committee's questionnaires sent to particular countries remain unanswered cannot be considered normal. The list of countries that have failed to respond to the relevant inquiries from the Committee confirms this. The non-co-operation of certain countries is causing considerable difficulty in the work of investigating cases of suspected sanctions violations.

Recommendations

1. The measures taken so far by the Security Council in respect of Southern Rhodesia, including the sanctions which have been applied, have not brought the desired result - the attainment of the liberation of the Zimbabwe people from the tyranny of the Southern Rhodesian racists. It is therefore essential that the Security Council should again point out to States Members of the United Nations that non-compliance with its resolutions 253 (1968), 277 (1970) and others constitutes a breach of the obligations arising out of Articles 25, 48 and 49 of the Charter of the United Nations.

2. The active support given to the Southern Rhodesian racists by the Republic of South Africa urgently requires the adoption and implementation of sanctions against South Africa, in particular, sanctions which will forbid all States to conclude commercial transactions or to maintain railway, sea, air, postal, telegraph, radio and other communications, and also, sporting and other cultural ties with South Africa.

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3. The Committee must give serious attention to the instances in which particular countries have been sent 20 or more notes and must take a definite decision in the matter.

4. It would be desirable for the Security Council to require the States in which the companies and subsidiaries operating in Southern Rhodesia are registered to do everything possible to put an end to all activity in Southern Rhodesia, to stop the investment of capital in the Southern Rhodesian economy and to withdraw existing investments from Southern Rhodesia.

5. The Committee should be invited to prepare a report on the foreign companies and their subsidiaries in the Territory of Southern Rhodesia which continue to engage in illegal trade with the Southern Rhodesian puppet authorities. The report should contain conclusions and recommendations for the Security Council with a view to the adoption by the Council of such measures as it may consider necessary.
