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GENERAL ASSEMBLY

Thirty-sixth session

Agenda items 32, 33 and 94

POLICIES OF APARTHEID OF THE GOVERNMENT OF
SOUTH AFRICA

THE SITUATION IN THE MIDDLE EAST

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS

WHICH ARE IMPEDING THE IMPLEMENTATION OF THE

DECLARATION ON THE GRANTING OF INDEPENDENCE TO

COLONIAL COUNTRIES AND PEOPLES IN NAMIBIA AND IN

ALL OTHER TERRITORIES UNDER COLONIAL DOMINATION

AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND

RACIAL DISCRIMINATION IN SOUTHERN AFRICA

SECURITY COUNCIL

Thirty-sixth year

Letter dated 9 November 1981 from the Permanent Representative of
Kuwait to the United Nations addressed to the Secretary-General

I have the honour to intimate that, pursuant to their long-standing policy of boycotting South Africa and conscious of the importance attached to oil as a strategic commodity, members of the Organization of Arab Petroleum-Exporting Countries recognize the necessity of tightening the oil embargo against the apartheid régime. They have therefore adopted the enclosed resolution at the thirty-sixth session of the Council of Ministers held in Kuwait on 5 May 1981. They are convinced that through co-operation with other Member States and co-ordination with international organizations they will be able to translate fully their determination into concrete action. Collective effort and action by the international community would ensure the effective application of sanctions against South Africa.

I have the honour to request the distribution of the aforementioned resolution as an official document of the General Assembly, under agenda items 32, 33 and 94, and of the Security Council.

(Signed) Mohammad A. ABULHASSAN
Ambassador
Permanent Representative

ANNEX

Resolution 26/5 of the Council of Ministers of the Arab Petroleum-Exporting Countries, dated 2 Rajab 1401 A.H. (A.D. 6 May 1981), on the strengthening of the oil embargo against the South African régime

The Council of Ministers,

In accordance with the provisions of the Agreement establishing the Organization,

Having taken cognizance of its resolution 24/8 of 7 June 1980,

Of the memorandum by the Secretariat-General on the strengthening of the oil embargo against the South African régime and the study annexed thereto,

Of the memorandum of the Secretariat-General on the strengthening of the embargo on delivery of Arab petroleum to "Israel",

And of the memorandum of the Executive Office K-4/1981-8 of 5 May 1981,

Decides:

1. To recommend to the Governments of member countries to adopt the recommendations appended hereto and to be guided by them in operations for the sale of petroleum to purchasers, its transportation and its unloading in foreign ports, in order to increase the strengthening of the prohibition on any sale of Arab petroleum to South Africa;

2. To instruct the Secretariat-General to go more deeply into the study of what was mentioned in its memorandum on the strengthening of the embargo on delivery of Arab petroleum to "Israel" and to submit a separate report on this to the Council at its next meeting;

3. To recommend to member countries that they assist the Secretariat-General with support and by supplying the information necessary for its performance of the task referred to in article 2 of this resolution.

(Signed by the representatives of the the following States):

The United Arab Emirates

The State of Bahrain

The People's Democratic Republic of Algeria

The Kingdom of Saudi Arabia

The Syrian Arab Republic

The Republic of Iraq

The State of Qatar

The State of Kuwait

The Socialist People's Libyan Arab Jamahiriya

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APPENDIX

Recommendations on the strengthening of the embargo on the
delivery of Arab petroleum to the South African régime

1. An endeavour should be made to implement the recommendations set forth in the United Nations resolutions referred to in this report.
2. Companies operating in member countries must be compelled not to transfer their quota of petroleum or any portion of it or any of its derivatives to South Africa.
3. There should be control of all petroleum contracts, so that export contracts oblige the purchaser to deliver every amount of petroleum sold to him to the final party specified in the contract of sale; where refining is carried out at other refineries, the purchaser shall be obliged to obtain the consent of the seller; the purchaser or shipper shall be prohibited from unloading any portion of the cargo to sell it at any immediate market during the journey to the port of destination specified in the bill of lading.
4. The purchaser must show the certificate of unloading at the port specified in the contract of sale, authenticated by the official authorities at the port in question.
5. If the company purchasing the petroleum is to sell it on other markets, such as Rotterdam, after obtaining the prior consent of the seller, he must not sell it to a company or party which will re-export it to South Africa; the compulsion must be placed on the first purchasing company, because the second company is not subject to the restrictions imposed and is not the direct purchaser from the member country.
6. Since petroleum carriers known to unload their cargoes in South Africa take many precautions in order to avoid their navigational routes being known and resort to showing false papers - on many occasions - for their itineraries, it is possible to require their captains to show official papers showing the ports at which their carriers have anchored over a period of not less than one year, to prohibit the loading of petroleum on any vessel which has broken the embargo and to blacklist it.
7. It has been noted in recent times that some carriers transfer their cargo to other carriers, claiming to have sustained technical damage; the second-mentioned carriers unload their cargo in South African ports, while the first-mentioned carriers return to the ports of member countries to take on another cargo; in this event, the exporting country can obtain a report from the carrier explaining what kind of damage it sustained during its period of operation and can refuse to load carriers suspected of deliberately causing themselves damage as a regular practice.

8. Should companies and carriers violate the laws relating to the embargo, we propose the imposition of a penalty, ranging from refusal to supply them with the remaining loads of the quantity contracted for to placing them on a blacklist or the imposition of both penalties together, according to the size and character of the violation.

9. The delegations of the Arab States should support the proposal of the international Committee on Shipping of the United Nations Conference on Trade and Development (UNCTAD) for the establishment of a centre to observe carriers entering and leaving South African ports, because such support would have great importance in making clear the desire of Arab States for the imposition of an oil embargo on South Africa.

10. Impressing on ports of member countries the necessity of continuing to collect certificates of unloading from carriers which do not return to reload at those ports after unloading and of informing the competent marketing authorities in the country in question of any violations or any delay in receipt of such certificates; this should be done on a periodic basis.

11. Co-ordination and exchange of information between the competent marketing authorities of member States, through the Secretariat-General, on measures taken in respect of any purchaser or carrier that has been proved to have violated the embargo resolutions and the provisions of the contract of sale relating to the embargo.
