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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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* Published separately as Special Supplement No. 2 A.

INTRODUCTION

1. The first, second and third reports of the Committee established in pursuance of Security Council resolution 253 (1968) were published on 30 December 1968, 1/ 12 June 1969 2/ and 15 June 1970 3/ respectively. The present report covers the Committee's work /since then/.

2. As stated in the third report (paragraph 5), following the expiry of the terms of office of three members of the Committee as members of the Security Council, at the end of 1969, consultations were undertaken concerning the membership of the Committee and the possibility of its enlargement. These consultations resulted in an agreement which enabled the Committee to continue its work and to prepare its third report to the Security Council. However, while there was agreement among the members of the Security Council that the Committee should continue its work during the first half of the year 1970 with a membership of seven, so that it would prepare its report to the Council as speedily as possible, the members of the Security Council had also agreed that, after the Committee's (third) report had been issued, the question of an enlargement of its membership would be taken up again for further consideration. 4/

3. As a result of consultations held after the publication of the Committee's third report, the President of the Security Council on 30 September 1970, issued a note 5/ in which he stated that it had been agreed that the Committee as of 1 October 1970 would be composed of all the members of the Security Council. The President of the Security Council further stated that it had also been agreed that the Chairmanship of the Committee should rotate every month in the English alphabetical order according to the presidency of the Security Council. Finally, the note indicated that in agreeing to the enlargement of the Committee, some members had expressed certain reservations which were to be stated for the record at the following meeting of the Committee which would be called in October.

4. In the course of this meeting which was held on 29 October 1970, some delegations, while welcoming the new members, expressed the view that a smaller Committee could have worked more effectively. Other members, pointing out that the Committee was not called upon to deal merely with technical questions but that its work was governed by Security Council resolutions which were political in nature, expressed satisfaction at the increased membership of fifteen which, they said, was not too large to consider normal Committee matters.

1/ S/8954.

2/ S/9252 and Add.1.

3/ S/9844 and Add.1, 2, 3.

4/ S/9748.

5/ S/9951.

5. Since the submission of its third report, the Committee has met twenty-nine times. In accordance with the decision referred to above that the Committee's Chairmanship would rotate among its members, the representatives of Spain, Syria, the Union of Soviet Socialist Republics, the United Kingdom, the United States, Argentina, Belgium and Burundi have acted successively as Chairman of the Committee.

Chapter I

WORK OF THE COMMITTEE

A. Consideration of cases carried over from previous reports and of new cases concerning possible violations of sanctions

6. Between the date of submission of its third report on 15 June 1970 and 1 March 1971, the Committee continued examination of thirty-six cases of suspected violations of the provisions of resolution 253 (1968) listed in its previous report. 1/ It also considered forty new cases brought to its attention as well as information on attempts to evade sanctions. The Committee also received information from Governments on action taken by them to prevent violations or take action against violators. The present chapter deals with these various aspects of the question.

7. As in the past, whenever the Committee considered that the information received was sufficiently reliable, it requested the Secretary-General to communicate it to the Governments concerned so that in accordance with paragraphs 20 and 22 of resolution 253 (1968) they might provide the Committee with any further information available to them.

8. As a general rule, the Governments informed of possible violations investigated the cases referred to them and informed the Committee of their findings. In three cases, involving commercial transactions in graphite, meat and wheat, the Governments concerned informed the Committee that the goods had been imported from or exported to Southern Rhodesia with their knowledge. The Committee expressed its particular concern with regard to these cases and decided that they should be dealt with separately in the present report. 2/ The same decision was taken with regard to a case involving the actual sale of an aircraft to Southern Rhodesia in which, however, the Government concerned emphasized that it had acted in good faith but had been taken by surprise.

9. Whenever the information transmitted to the Committee appeared insufficient, more details were requested including copies of the commercial documentation submitted to the investigating authorities. In that regard, the Committee felt that it should receive copies of this documentation, as a matter of routine, in any investigated case, both for its own information, and, when necessary, for transmission to other Governments potentially concerned.

10. The full text of the original reports and additional information received by the Committee in response to its inquiries are contained in annexes I to III. The information is briefly reviewed below.

1/ S/9844/Add.2, annex VII.

2/ See chapter II.

(i) Minerals

11. Concerning shipments of minerals, the Committee pursued the study of eighteen cases already mentioned in its last report. It also examined twenty-one new cases. Other cases were kept pending either because they concerned specific shipments on which further information was expected or because they referred to general transactions regarding certain types of minerals.

12. The Committee decided that two cases in which the information obtained had not, in its opinion, produced evidence that violations of sanctions had actually occurred should be considered as closed /cases No. 77 (23) "S.A. Statesman" and No. 87 (28) "Margaret Cord"/. It also decided that three cases involving five shipments of graphite imported with the knowledge of the Government concerned /cases No. 38 (56) "Kaapland", No. 43 (57) "Tanga" and No. 62 (58) "Transvaal", "Kaapland", "Stellenbosch" and "Swellendan"/ should be reported upon separately (see chapter I B hereafter).

13. In twenty-two cases, the Committee was informed that investigations had been performed at its request. In nine of these cases, the Governments concerned indicated that the commercial documents presented to the Customs authorities had established that the cargoes were of South African origin (in seven cases), Iranian origin or Mozambique origin. In the thirteen others the replies received stated solely that the shipment "was not of Southern Rhodesian origin", that "no irregularities had been found" or that the documents provided "did not show any indication of evasion of sanctions". These last thirteen cases were the following:

No. 17 (9) "Gasikara", No. 25 (10) "Batu", No. 31 (11) "Ville de Nantes", No. 40 (14) "Ville de Rheims", No. 55 (15) "Gunvor", No. 59 (17) shipments of ferrochrome "Nijkerk", No. 79 (24) "Schutting", No. 80 (25) "Klostertor", No. 84 (27) "Johs Stove", No. 89 (29) "Ville du Havre", No. 95 (30) "Trautenfels", No. 102 (41) "Randfontein", No. 86 (50) "Krugerland".

14. In most of these cases the Committee considered that the information provided to it, although interesting was not sufficient. More details were therefore requested including copies of the documentation submitted to the investigating authorities.

15. Although no cases of flagrant violation have been found which could justify the cancellation of the contract at the request of the investigating authorities, one case of cancellation occurred at the request of the South African exporter /case No. 46 (48) "Kyotai Maru"/.

(ii) Tobacco

16. No further information has been received by the Committee on cases No. 4 (59) "Mokaria", No. 10 (60) "Mohasi", No. 19 (61) "Goodwill" and No. 26 (62) on tobacco transactions, in addition to that contained in the Third Report. 3/

17. The Committee examined case No. 35 (63) "Montaigle" already reported upon in the third report 4/ and the following five new cases: No. 82 (64) "Elias L.", No. 92 (65) concerning cigarettes believed to be manufactured in Rhodesia, No. 98 (66) "Hellenic Beach", No. 104 (67) "Agios Nicolaos" and No. 105 (68) "Montalto". These cases are still under review.

(iii) Maize and cotton seed

18. With regard to maize and cotton seed, the Committee pursued examination of case No. 18 (69) already indicated in the third report, 5/ in which the United Kingdom Government drew the attention of the Committee on the possibility that much of Rhodesia's surplus maize had been exported under false description as being of Mozambique origin. It also examined five new cases of maize and cotton seed exports suspected to be of Rhodesian origin /cases No. 90 (77) "Virgy", No. 91 (78) "Master Daskalos", No. 96 (79) "S.A. Statesman", No. 97 (80) "Lambros M. Fatsis" and No. 106 (81) "Corviglia"7/. All these cases are still under review.

(iv) Wheat

19. A new case concerning the supply of wheat by Australia has been submitted to the Committee /No. 75 (82)7/. The Committee felt that this case, in which the goods had been supplied with the knowledge of the Government concerned, deserved special attention. Accordingly it decided to report on it separately together with other similar cases. 6/

(v) Meat

20. No new case concerning suspected transactions in meat has been submitted to the Committee since its third report. The Committee pursued examination of cases No. 33 (88) "Taveta", No. 42 (89) "Polana", No. 61 (90) on transactions on chilled meat and No. 68 (91) "Alcor". In case No. 42 (89) "Polana" concerning an import of meat from Southern Rhodesia to Switzerland the Committee, considering that here again a shipment had been effectuated with the knowledge of the Government concerned, decided that special reference of it should be made together with other similar cases. 7/

(vi) Sugar

21. Three new cases concerning sugar transactions have been submitted to the Committee /No. 83 (96) "Angelia", No. 94 (97) "Philomila" and No. 112 (98) "Evangelos M."7/. These cases are still under consideration. The Committee also pursued examination of the following cases already indicated in the third report /No. 28 (92) "Byzantine Monarch", No. 60 (93) "Filotis", No. 65 (94) "Eleni" and No. 72 (95) "Lavrentios"7/.

4/ S/9844/Add.2, annex VII, p. 83.

5/ S/9844/Add.2, annex VII, pp. 83-87.

6/ See chapter I E hereafter.

7/ See chapter I E hereafter.

(vii) Fertilizers and ammonia

22. Regarding the trade in fertilizers and ammonia, the Committee pursued examination of cases No. 2 (99) concerning imports of manufactured fertilizers from Europe, No. 48 (100) "Butaneuve", No. 66 (102) "Cerons", No. 69 (103) "Mariotte" and No. 52 (101), which described arrangements made by Southern Rhodesia to ensure its supply of ammonia in bulk. Two recent cases have also been submitted to the Committee, case No. 101 (104) in which the United States Government informed the Committee of its action taken with regard to a Mozambique firm suspected to have violated the sanctions provisions, 8/ and case No. 113 (105) concerning shipments of anhydrous ammonia believed to be destined to Southern Rhodesia. Considering the importance of fertilizers to the Southern Rhodesian agriculture, the Committee decided that a special study should be made on the matter. 9/

(viii) Other cases

23. In its second and third reports, the Committee referred to information supplied by the United States Government indicating that new automobiles of foreign manufacture were being assembled and sold in Southern Rhodesia. 10/ Further information having reached the Committee that these actions were continuing, the Committee decided that the matter deserved special attention and, in connexion with its pursued examination of case No. 9 (106), decided that a special study should be made of this question. 11/

24. The Committee was also seized of a case concerning the supply to Rhodesia of cycle accessories /No. 88 (107)/. This case is still pending.

25. Concerning tractor kits, the Committee pursued examination of case No. 50 (108) already indicated in the third report. 12/

26. Another new case submitted to the Committee deals with the supply to Southern Rhodesia of a Viscount aircraft /case No. 67 (110)/. Noting that this aircraft had actually been delivered to the Rhodesian régime, the Committee decided that the matter should be dealt with separately. 13/

27. The Committee also received information about efforts being made by the Southern Rhodesia régime to obtain traction equipment for incorporation in diesel electric locomotives to be built for Rhodesian railways; the attention of all the Governments potentially concerned was drawn to this information /case No. 111 (111)/.

28. Finally, a case concerning exports from Southern Rhodesia of shirts /case No. 93 (113)/ was also submitted to the Committee. The matter is still under review.

8/ See chapter I B (c) hereafter.

9/ See annex V.

10/ S/9252/Add.1, annex XI, p. 46; S/9844/Add.2, annex VII, pp. 124-137.

11/ See annex IV.

12/ S/9844/Add.2, annex VII, pp. 137-139.

13/ See chapter I D hereafter.

B. Actions taken by States in the field of sanctions

29. (a) In their replies to communications addressed to them for their information or comments, various Governments assured the Committee of their support for the sanctions provisions detailed in Security Council resolution 253 (1968). They emphasized that since the imposition of the embargo the measures which had been adopted at their national level in respect of trade with Southern Rhodesia were being strictly enforced. Furthermore, some Governments reported also on specific actions taken by them to prevent violations of sanctions against Southern Rhodesia.

30. In connexion with case No. 52 (101) concerning the possible supply to Southern Rhodesia of bulk ammonia as well as equipment for an ammonia synthesis plant, the Government of Cyprus informed the Committee that steps had been taken to make sure that no applications for the importation and re-exportation or trans-shipment of equipment for ammonia synthesis plant would be entertained before it is established that the final destination of any such goods is not Southern Rhodesia. On the same case, the Government of Finland stated that it had alerted all the Finnish firms concerned to the possibility that requests based partly on erroneous information might be forthcoming in the future; and the Japan Machinery Exporters Association published an outline of the note verbale of the Secretary-General with enclosure in its professional bulletin.

31. In connexion with case No. 59 (17) concerning imports of ferrochrome from Southern Rhodesia, the Brazilian Government stated that in order to avoid the possibility of the fraudulent entry into Brazil of any goods originating in Southern Rhodesia, it had decided to re-establish the requirement of a certificate of origin for all goods imported from South Africa, Angola and Mozambique. Such certificates would be considered valid only if issued by a Government authority of the country of origin. Furthermore, Brazilian consulates in all those areas through which merchandise might be shipped from Rhodesia had already received appropriate instructions from the Brazilian Government. ^{14/} In relation to the same case the Argentina Government informed the Committee that in addition to requiring certificates of origin for any suspicious cargoes, it had given specific instruction to its consulate in South Africa to tighten existing precautions in order to prevent any transactions which might even indirectly contravene the relevant Security Council resolutions.

32. In relation to another case of suspected shipment of chrome ores /^{case No. 73} (20) "Selene"⁷, the Yugoslav Government informed the Committee that all necessary measures were undertaken to prevent the unloading of the suspect cargo at Yugoslav ports. In the case of a shipment of sugar /^{case No. 83 (96)} "Angelia"⁷, the Permanent Observer of the Republic of Viet-Nam advised the Committee that in view of the lack of co-operation of the Mozambique authorities who had not yet supplied the detailed information requested from them concerning the origin of this suspected shipment, the Government of the Republic of Viet-Nam might consider prohibiting sugar imports from Mozambique.

^{14/} The full text of the reply from Brazil was reproduced in document S/9960.

33. In a case of suspected exports of motor vehicles and motor kits to Southern Rhodesia [case No. 9 (106)7], the Committee was informed by the Government of France that in accordance with governmental regulation French automobile manufacturers not only required of their dealers in countries adjacent to Southern Rhodesia an undertaking not to re-export vehicles or parts thereof to that territory, but also took the precaution of limiting sales to such countries. The French Government had also taken steps to ensure that all manufacturers were aware that violations of the provisions of the Decree passed in connexion with this embargo were subject to the penalties stipulated in the French Customs Code. On the same subject, the Committee was also informed by Japan that the Japanese Government had ascertained that all contracts between Japanese automobile exporters and their overseas distributors contained a strict territorial clause forbidding the distributors to sell outside their own areas. Furthermore, the Japanese automobile exporters frequently cautioned their distributors regarding the prohibition against re-exporting Japanese motor cars to Southern Rhodesia. Also, the Japanese automobile exporters, through their distributors, instructed overseas dealers in Japanese cars to make every effort to ensure that the end user would not be an inhabitant of Southern Rhodesia.

34. In connexion with chrome ore, the United States Government, by a note dated 17 September 1970, informed the Committee that at the time the United States implemented Security Council resolution 232 of 16 December 1966 (United States Executive Order of 5 January 1967); the United States Government announced that provisions would be made to alleviate undue hardship for American firms which had legally commenced transactions before United States implementation of the Security Council resolution. According to the "hardship" provision, the Treasury would "in general licence in those cases where payment had been made by Americans prior to 5 January 1967" (date of the Executive Order). The United States Government considered that in those circumstances it was consistent with the purpose of the sanctions programme to place the illegal régime in a less favourable position by denying it the benefit of keeping both the funds and the goods. In accordance with this hardship provision, a case involving the importation of 150,000 tons of Rhodesian chrome ore had been found by the Government of the United States to qualify since the ore was duly paid for and the funds transferred to Southern Rhodesia before 5 January 1967; but similar requests from other firms which had applied for import licences but did not qualify were denied.

35. (b) Furthermore, the Committee received with appreciation information from various Governments concerning actions which they had taken on specific cases of violations of sanctions.

36. By notes dated 25 June 1970 and 22 July 1970 respectively, the United Kingdom Government reported to the Committee a number of cases in which judicial action had been taken against United Kingdom companies, since the illegal declaration of independence. Companies and their managing directors had been found guilty on eight counts of dealing in goods with intent to evade prohibitions on exports to Southern Rhodesia and/or contravening exchange control measures against Southern Rhodesia. Fines totalling £155,390 (including costs) had been imposed in those cases for offences committed during the same period. In addition, several individuals had been fined as follows: one individual £1,400 in respect of an exchange control offence, another one £325 for sending £250 illegally to his brother in Southern Rhodesia, and a third one £100 with £21 costs for lending £500 to a Rhodesian national visiting the United Kingdom.

37. In connexion with a shipment of ammonia of United States origin, the Government of the United States reported to the Committee on 12 October 1970 that a Mozambique firm in Lourenço Marques had been denied all United States export licences for an indefinite period for having failed to account for the disposition of 20,000 tons of United States origin ammonia which had been exported from the United States in May and July 1969.

38. On 13 January 1971, the Government of the United Kingdom informed also the Committee of two new cases in which legal action had been taken. The first was against an individual who had been fined the sum of £10 with £10 costs for sending electronic components to a friend in Southern Rhodesia. The second, against a firm which was fined £22,000 and £500 costs for exporting carpeting yarn to Southern Rhodesia. A joint managing director of this firm was fined £1,000.

39. The Committee observed that in the period since the beginning of sanctions every one of the eight cases in which the United Kingdom Government was able to obtain convictions against United Kingdom companies for exporting to Southern Rhodesia were in respect of transactions arranged via countries neighbouring Southern Rhodesia, i.e., South Africa and Mozambique. In other words, as the result of investigations which it itself initiated, the United Kingdom Government was able to prove to the satisfaction of the courts that the firms concerned had exported goods to the neighbouring territories knowing that they would be sent on to Southern Rhodesia.

C. Commodities in which, judging from a study of the cases in A above, there appears to be trade with Southern Rhodesia

40. There are several commodities in which, according to the case study in part A, there appears to be considerable trade with Southern Rhodesia in contravention of resolution 253 (1968) in spite of the efforts being made by reporting Governments.

41. As regards goods which appear to be destined for Southern Rhodesia, but declared as destined for neighbouring countries in southern and eastern Africa, it is clear that in some cases the quantities are in excess of the import requirements of those countries. From among the cases considered by the Committee, special attention has been devoted to those concerning the automobile industry and ammonia. The Committee has requested the Secretariat to prepare detailed studies of all that is known of the trade in these goods, so that these can be circulated to those Governments which produce them in order to alert them to the need for special vigilance. These studies are contained in annexes IV and V.

42. Furthermore, it is clear to the Committee, on statistical evidence alone, that Southern Rhodesia commodities continue to be accepted by reporting Governments under the guise of imports from Mozambique and South Africa, or elsewhere in southern Africa, as in the case of tobacco from Malawi. An example of this is to be found in the case of maize exports. The relevant cases of annex I show that the purported export of maize from Mozambique greatly exceeds total exports from that country as published in official statistical yearbooks. Considerations of the same nature also apply to mineral exports, especially chrome, lithium ores and asbestos.

43. In some cases, goods exported from Southern Rhodesia have been imported into and allowed to transit through countries on the basis of fraudulent or accommodation documents. Without prejudice to the possibility of preparing further commodity studies, the Committee believes that reporting Governments will welcome further guidance on the considerations to bear in mind when examining suspect cargoes. This matter is dealt with in chapter II, section B, of this report.

D. Transactions conducted without the knowledge of reporting Governments

44. The Committee feels it necessary to draw the attention of the Security Council to a case of a transaction with Southern Rhodesia which took place without the knowledge of the Government concerned. This is case No. 67, supply of aircraft to Southern Rhodesia (see annex II), which shows that an aircraft was sold by Middle East Airlines via an intermediary in Mozambique to Air Rhodesia. This transaction took place without the knowledge of the Lebanese Government, which has reported that Middle East Airlines was not aware of the intentions of the Mozambique broker. The Government of Lebanon has, when reporting this case to the Committee, reaffirmed its intention to implement fully the provisions of resolution 253 (1968). The Committee feels appropriate in connexion with this case to draw particular attention to the role which is frequently played by intermediaries in support of the Southern Rhodesian régime's efforts to render sanctions inoperative.

E. Cases of transactions conducted with the consent of reporting Governments

45. In three cases, which the Committee feels it necessary to draw to the particular attention of the Security Council, operations have been conducted with Southern Rhodesia by private firms, the Governments concerned acknowledging in their communications to the Committee that these operations were conducted with their knowledge and consent. A detailed factual account of the three cases may be found in annex III. They consist of the following:

1. Import of graphite to the Federal Republic of Germany

46. In paragraph 3 of its third report to the Security Council, the Committee expressed its particular concern with respect to five cases involving shipments of Southern Rhodesian graphite. These were cases No. 38 "Kaaoland", No. 43 "Tanga", No. 62 "Transvaal", "Stellenbosch" and "Swellendam". In these cases, the Government of the Federal Republic of Germany which had received the shipments, informed the Committee by a note of 16 January 1970 ^{15/} that the shipments had been delivered under a 1964 contract. It added that trade between the Federal Republic of Germany and Southern Rhodesia had declined to less than 10 per cent of its former volume and was almost exclusively confined to commodities "which are not included in the sanctions provisions" and to commodities "covered by old contracts". The Government of the Federal Republic of Germany stated that it would

^{15/} See S/9844/Add.2, annex VII, case No. 38 (35).

continue its efforts to help the importing company, which depended upon this type of graphite, to reduce or even discontinue imports from Southern Rhodesia.

47. As indicated in the Committee's third report, the Secretary-General, at the request of the Committee, sent a note dated 29 April 1970 asking for an assurance that there would in fact be no further importation of such graphite.

48. Since then, the Committee has received a further communication dated 16 September 1970 from the Federal Republic of Germany re-emphasizing the difficulties of the German company in its efforts to find elsewhere graphite of similar specifications, and stating that although the German importers were looking for other sources, "their negotiations have shown that it is at present not possible nor will it be possible for the foreseeable future to obtain the necessary quantities elsewhere".

49. At the request of the Committee, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its latest reply and informing it that in its next report to the Security Council the Committee would have to indicate that for the reasons stated, the import of graphite in question had been permitted.

50. In its reply dated 24 February 1971, the Federal Republic of Germany indicated that since the immediate and total discontinuation of imports of natural graphite from Southern Rhodesia would endanger the existence of the German company concerned and result in the closing down of the Federal Republic of Germany's only graphite mine, the company had been continuing its efforts to reduce graphite imports from Southern Rhodesia. Despite increasing difficulties to obtain natural graphite from other sources it had to a certain degree succeeded in buying such graphite from other countries. The German note also pointed out that trade between the Federal Republic of Germany and Southern Rhodesia had been reduced from \$37.9 million (import to the Federal Republic of Germany) and \$12.17 million (export to Southern Rhodesia) in 1965, to \$0.6 million and \$1.24 million respectively in 1970 and that further efforts were made to eliminate this last remaining element of trade.

2. Import of meat to Switzerland

51. As indicated in its third report, 16/ by a note dated 17 September 1969 the United Kingdom Government drew the attention of the Committee on a consignment of meat which was allegedly carried from South Africa to Europe aboard the vessel "Polana".

52. As a result of various requests for information addressed by the Secretary-General to all States potentially concerned, it appeared that this consignment of meat had been directed to Switzerland. This was confirmed on 2 June 1970 by the Swiss Government which, stating that according to the bills of lading submitted to the Swiss customs authorities, the merchandise in question was of Rhodesian origin,

16/ See S/9844/Add.2 /Case No. 42 (57)7.

emphasized that this cargo was "part of the limited trade explained in the note which the Permanent Observer addressed to the Secretary-General on 13 February 1967" ^{17/}. The Swiss note of 13 February 1967, inter alia, stated that although for reasons of principle Switzerland as a neutral State could not submit to the mandatory sanctions of the United Nations, the Federal Council would however see to it that Rhodesian trade was given no opportunity to avoid the United Nations sanctions policy through Swiss territory. "It is for that reason", the note added, "that it (the Federal Council) decided, as early as 17 December 1965, independently and without recognizing any legal obligations to do so, to make imports from Rhodesia subject to mandatory authorization and to take the necessary measures to prevent any increase in Swiss imports from that territory". The Federal Council had therefore decided to restrict imports from Rhodesia "limiting them to a level not exceeding the average of the last three years".

53. At the Committee's request, the Secretary-General sent a note verbale dated 28 January 1971 to Switzerland inquiring as to whether the documents mentioned in its reply of 2 June 1970, together with any other relevant documentation, could be forwarded to the Committee as this documentation would be useful in assisting other Governments in preventing future attempted violations. The Secretary-General also transmitted in his note verbale the views expressed by the Committee that the Government of Switzerland should have the opportunity to send any further comments it might wish on the matter.

54. In his reply dated 22 February 1971, the Permanent Observer of Switzerland pointed out the small size of the operation involved and re-stated the position of principle of his Government in the matter as contained in the note dated 13 February 1967 referred to above, the text of which he quoted in its entirety.

3. Export of wheat from Australia

55. The Committee, having been informed of press reports concerning the sale of Australian wheat to Southern Rhodesia, asked the Secretary-General to request the Australian Government for information thereon. Replying to the note dated 14 May 1970 from the Secretary-General, the Australian Government confirmed on 10 July 1970, that Australian wheat had been exported every year since 1965 to Southern Rhodesia in amounts varying between 52,782 long tons in 1966/1967 and 78,958 long tons in 1967/1968. The Australian note pointed out that these exports were made under the provisions in paragraph 3 (d) of resolution 253 (1968). It further indicated that the increase in exports in 1967/1968 and 1968/1969 was due to drought conditions in southern Africa.

56. When the Committee examined the Australian reply at its 40th meeting, some members expressed doubts as to the applicability to the case of paragraph 3 (d) of resolution 253 (1968) which, inter alia, specifically excludes foodstuffs from the scope of sanctions "in special humanitarian circumstances". They emphasized that while it was reasonable to speak of special humanitarian circumstances in

^{17/} The text of this note dated 13 February 1967 was circulated in document S/7781, Official Records of the Security Council, Twenty-second year, Supplement for January to March 1967, pages 117-118; it is also reproduced in appendix I hereafter.

the event of a natural disaster, Australia had been in fact carrying on a constant, active trade in wheat since at least 1965. Moreover, although according to the Australian reply, the export figures for the period 1967/1969 had been higher as a result of drought conditions in southern Africa, wheat had been exported in significant amounts in 1969/1970 and in previous years as well. It appeared therefore that the Committee was dealing not with a case of humanitarian assistance but with one of normal trade relations which would be at variance with the spirit of the Security Council resolution.

57. Other delegations stated that since the resolution did not clearly define what constituted a humanitarian exception, there was room for doubt as to this matter. However, it was not the role of this Committee to pronounce whether or not this case was genuinely a humanitarian exception but to provide the facts of the case. It was agreed that additional information should be requested from the Australian Government.

58. Doubts having also been expressed as to whether the wheat exported from Australia to Southern Rhodesia was really intended for immediate consumption and not for stockpiling, it was suggested that statistical information on wheat imports to Southern Rhodesia prior to the illegal declaration of independence be requested from the United Kingdom to enable the Committee to make comparisons with the figures supplied by the Australian Government.

59. Accordingly the Committee decided (i) that the United Kingdom Government should be requested to supply the Committee with the additional statistical data suggested above; (ii) to request the Secretariat to provide available information relating to all wheat imports into Southern Rhodesia prior to the illegal declaration of independence; and (iii) to inform the Australian Government that the Committee intended to report on the matter to the Security Council, inviting any further comments the Government might wish to make.

60. As requested by the Committee, the Secretary-General sent a note verbale dated 29 January 1971 to the Permanent Representative of Australia informing him that the Committee intended to report to the Security Council on the matter and inquiring as to whether the Australian Government had any further observations to make on the supply of wheat to Southern Rhodesia, particularly with respect to the applicability of paragraph 3 (d) of resolution 253 (1968).

61. The United Kingdom delegation in the note on statistical data which it provided in accordance with the Committee's request, indicated, inter alia, that in each of the calendar years 1964 and 1965, imports by Southern Rhodesia from Australia amounted to about 65,000 tons, a further 10,000 tons coming from the United States. As for the consumption of wheat in Southern Rhodesia it is approximately 90,000 tons a year. It was estimated that the urban African population (700,000) have a total wheat consumption of some 50,000 tons and the 250,000 Europeans of roughly 16,000 tons a year while the rural African population would absorb the remaining 24,000 tons. The note added that most, if not all, the wheat not imported from Australia is now produced in Rhodesia.

62. Replying by a note dated 19 February 1971 to the Secretary-General's note of 29 January 1971, the Permanent Representative of Australia stated that it was the Australian Government's view that the application of sanctions was never intended to deprive the Rhodesian population - of whom the overwhelming majority are black Rhodesian - of basic foodstuffs. Pointing out further that wheat is an important part of the diet of the majority of the black population of Rhodesia and that it is no part of the Australian Government's policy to inflict hardship in the indigenous population through its application of sanctions against the illegal Smith régime, the note reiterated Australia's support to the application of sanctions against Southern Rhodesia and emphasized that Australia had permitted the exports of wheat to that country on humanitarian grounds, as provided for in paragraph 3 (d) of Security Council resolution 253 (1968).

63. Some members of the Committee, however, expressed doubts that the delivery of wheat to Southern Rhodesia was of a humanitarian nature, since Southern Rhodesia was known to be a net exporter of maize. Because of the opinion of other delegations, the Committee did not pass any judgement on the question, leaving it for consideration by the Security Council.

Chapter II

PROCEDURAL ISSUES AND FUTURE WORK OF THE COMMITTEE

64. In the course of its 38th meeting on 18 January 1971, the Committee considered certain procedural issues relating to the conduct of its work, particularly with regard to the procedural pattern to be followed when investigations of cases of alleged violation of sanctions are requested.

A. Automatic reminders to Governments

65. Members of the Committee expressed their concern about the fact that some Governments which had been requested to provide information on transactions brought to their attention by the Secretary-General had allowed a long period of time to elapse before replying. It was pointed out that such delays might seriously hamper the work of the Committee.

66. The Committee further decided that a limited period of time should be allowed for Governments to send their replies in such cases. After the expiration of that period the Secretary-General should, as a matter of routine, address reminders on behalf of the Committee to the Governments concerned. The Committee further decided that the maximum delay should be set at three months after which a reminder should in future be sent automatically. It was specified, however, that as necessity may arise the Committee could establish shorter time-limits in certain cases.

B. Memorandum on the application of sanctions in the field of commerce

67. As noted in chapter I, section A, the Committee has observed that Rhodesian commodities continue to be accepted as emanating from neighbouring territories. The statistical evidence in the cases of, for example, maize, tobacco, chrome, asbestos and lithium is proof of this; also the fact that Rhodesian meat, acknowledged as such by the Government of the importing country, was able to transit other countries without the knowledge of the Governments concerned.

68. The Committee believes that Governments would welcome a memorandum complementing the one sent to them by the Secretary-General on 2 September 1969. This memorandum would recall the use which can be made of a careful analysis of foreign trade statistics and by reference to the various criteria for determining the origin of certain products. It would deal with the attitude to be adopted towards documentation accompanying goods, and will draw up a list of the information which it is suggested that Governments bear in mind when their import authorities are faced with a suspect consignment, either as a result of their own checking procedures or following an intervention on the part of the Committee.

69. In this connexion, the Committee noted that information provided by Governments in reply to requests for investigation often gave little or no indication of the considerations underlying the conclusions reached. The Committee felt that whenever an investigation is performed at its request, the

inquiring authorities should be requested to provide the Committee with an indication of the considerations on which they have based their findings and/or copies of the documentary evidence.

70. A note for Governments covering the above matters is in the course of preparation.

Chapter III

CONSULAR AND OTHER REPRESENTATION IN SOUTHERN RHODESIA, REPRESENTATION OF THE ILLEGAL REGIME OF SOUTHERN RHODESIA IN OTHER COUNTRIES, DELEGATIONS AND GROUPS ENTERING OR LEAVING SOUTHERN RHODESIA

A. Consular relations

71. Prior to the illegal declaration of independence, about twenty countries had maintained some form of consular relations with Southern Rhodesia. While some of them closed their consulates in protest against this declaration, others did not. As indicated in the third report, the Secretary-General sent a note dated 7 January 1969 to those countries which had not severed their relations with the régime seeking their comments on the matter.

72. Since then, all the countries with the exception of South Africa and Portugal have closed their consular offices in Southern Rhodesia. On 10 March 1970, the Minister for Foreign Affairs of South Africa announced that South Africa's representation would not be withdrawn and added that relations with Southern Rhodesia were to remain unchanged. The South African representative is accredited to the "Foreign Minister of Rhodesia", not to the "head of State".

73. On 30 April 1970, the Government of Portugal announced that its Consul General in Salisbury would be withdrawn. He left on 9 May 1970, but the office has remained open under an acting Consul General, and consular functions are performed.

B. Trade promotion teams

74. In connexion with the question of activities of Southern Rhodesian trade promotion teams, the Committee noted information to the effect that such teams have been active in Portugal. Inquiries are being pursued as to similar activities elsewhere.

C. Southern Rhodesian offices abroad

75. The Committee took note also of information according to which the illegal régime of Southern Rhodesia asserts to have the following missions and offices abroad:

Missions abroad: Pretoria ("Diplomatic Mission"),
Cape Town ("Consulate"),
Lisbon ("Diplomatic Mission"),
Lourenço Marques ("Consulate General"),
Beira ("Consulate").

Trade missions: Johannesburg, Luanda.

Information offices: Washington, D.C., Sydney.

76. At its 49th meeting held on 21 April, the Committee decided to ask the Secretary-General to request further information on the matter from the Governments concerned.

D. Southern Rhodesia and the Olympic Games (1972)

77. The Committee received information to the effect that the "Secretary-General of the National Olympic Committee of Rhodesia" had travelled to Munich to discuss Rhodesian participation in the Olympic Games. The Committee, noting that the gentleman in question might come within the ambit of operative paragraph 5 of resolution 253 (1968), requested the Secretary-General to seek from the Government of the Federal Republic of Germany any comments it might wish to make on the matter.

78. At its 48th meeting, the Committee received a copy of a note dated 5 April 1971 from the Permanent Observer of the Federal Republic of Germany addressed to the Secretary-General for communication to all United Nations bodies dealing with the question of Southern Rhodesia and to all Member States. The note stated, inter alia, that the International Olympic Committee, which was the only body competent to decide who should be invited to take part in the Games, had recognized the "National Olympic Committee of Rhodesia" and had recommended that it should be invited by the Organizing Committee. Consequently the note, while confirming the commitment of the Federal Republic of Germany to apply the Security Council resolutions on the subject, suggested that any protest against the invitation to Southern Rhodesia to participate in the Olympic Games should be addressed neither to the Government of the Federal Republic of Germany nor to the Organizing Committee at Munich, which acted on the instructions of IOC.

79. Considering that if a Southern Rhodesian team were allowed to enter the territory of the Federal Republic of Germany for the purpose of participating in the Olympic Games various violations of the sanctions might occur, the Committee requested the Secretary-General to draw the attention of the Federal Republic of Germany to this aspect of the problem.

Chapter IV

AIRLINES OPERATING TO AND FROM SOUTHERN RHODESIA

80. In its previous reports, the Committee reviewed its inquiries concerning airlines which operate to or from Southern Rhodesia or link up with airlines or aircraft registered in Southern Rhodesia, and airlines which maintain agencies in the Territory. It then noted that airlines of Malawi, Portugal and South Africa continued to operate to and from Southern Rhodesia.
81. The Committee recalled that in its previous reports it had also noted information that airlines of Belgium, the Federal Republic of Germany, Italy, the United Kingdom and the United States were maintaining agencies in Salisbury, Southern Rhodesia. The representative of the United Kingdom informed the Committee that the representatives of the United Kingdom airlines in Southern Rhodesia did not pursue any activity contrary to the provisions of operative paragraph 6 of Security Council resolution 253 (1968), since they did not sell tickets for Air Rhodesia and did not transfer funds to Southern Rhodesia. The representative of the United States stated that no United States airline flew to or from Southern Rhodesia, and that no funds were transferred in connexion with the existence of any airline office. The Government of Belgium acknowledged the receipt of the Secretary-General's note. No reply was received from the Federal Republic of Germany. 1/
82. Since then Italy informed the Committee by a note verbale dated 8 January 1971 that all direct air communications between Italy and Southern Rhodesia had been broken off and that no civil aviation facilities were granted by Italy to Air Rhodesia. Belgium also informed the Committee at its 50th meeting, and later confirmed in writing, that, in compliance with operative paragraph 6 of Security Council resolution 253 (1968), the Belgian airline SABENA was not operating to and from Southern Rhodesia and was not linking up with any airline company constituted or aircraft registered in Southern Rhodesia.
83. It appears otherwise from the time-table distributed by Air Rhodesia: effective 1 April 1971 Air Rhodesia has direct flights to the following cities: Johannesburg, Durban, South Africa; Lourenço Marques, Vilanoulos, Beira (Mozambique); Blantyre (Malawi). According to the same time-table connecting services exist between Salisbury and Luanda (Angola).
84. The Committee noted also information according to which Air Rhodesia had booking offices in Beira (Mozambique), Blantyre (Malawi), Cape Town, Durban and Johannesburg (South Africa), Lourenço Marques and Vilanoulos (Mozambique) and an office in New York (USA).
85. At its 50th meeting held in April 1971 the Committee decided to ask the Secretary-General to request further information on the matter from the Governments concerned.

S/9844, para. 49.

Chapter V

IMMIGRATION AND TOURISM

A. Immigration

86. According to the census of 1969 as reported in the Southern Rhodesian press,^{1/} Rhodesia's population was as follows:

Whites	-	228,296
Asians	-	8,965
Coloured	-	15,153
Africans	-	<u>5,099,340</u>
Total		<u>5,351,754</u>

87. In its third report, the Committee summarized available information concerning European migration to and from Southern Rhodesia. For the period 1965-1969, the Southern Rhodesia régime reported an inflow of 15,940 European immigrants whereas during the period 1961-1964 there was an emigration from the Territory of 23,510.^{2/}

88. During 1970, according to the same official source of information, the number of new immigrants into Rhodesia was 12,345 and the number of emigrants 6,018, i.e., a net gain of 6,327.

89. It may be noted however that increasing criticisms have been expressed in Southern Rhodesia concerning the immigration policy followed by the régime. In October 1970, the Joint Consultative Committee of the Salisbury Chamber of Commerce and Industry stated that 30 per cent of the new immigrants were leaving the country and that apparently the main cause of this "serious state of affairs" was a lack of housing and transport facilities.

90. Replying to this statement on 12 October 1970, the Minister of Information, Immigration and Tourism rejected that claim. Speaking to a meeting of the Salisbury Chamber of Industry, the Minister attacked criticisms of immigrant reception as damaging to the country's over-all immigration drive. He indicated, however, that while in the five years the Ministry of Immigration had been in existence 58,153 immigrants had arrived, 38,130 had departed. The Minister further conceded that 20 per cent of immigrants leave the country within six years of their arrival.^{3/}

91. In an effort to quell these criticisms, the appointment of a National Immigration Board was announced on 17 March 1971 to operate from 1 July 1971.

1/ The Star, weekly edition, Johannesburg, 23 January 1971.

2/ S/9844, para. 51.

3/ BBC Summary of World Broadcasts, part 4, ME/3505/B2 - 12 October 1970.

That board is to investigate and advise on all aspects of immigration and emigration, with the exception of immigration control.

B. Tourism

92. According to figures published by the régime, 320,260 tourists visited Southern Rhodesia in 1970. In addition, during the same period, 43,801 persons were reported to have come in transit, i.e. for a period of less than twenty-four hours.

93. A comparison with the final figures published by the régime for 1969 (299,697) shows an increase of about 20,000 tourists for 1970.

94. As indicated in the third report, 4/ the régime has pursued an investment programme for 1970-1973 under which it continued to develop airfields, national parks, game reserves and roads, as well as to encourage the development of hotel industry in order to attract more tourists to Southern Rhodesia. Literature freely distributed by the offices which the Rhodesia National Tourist Board maintains abroad points out that a full range of accommodation is now available in the cities while at the principal tourist resorts there are hotels of good standard. 5/

95. Special efforts to boost tourist tours from foreign countries have been announced by the Minister of Information, Immigration and Tourism who on 24 March 1971 stated that, for various reasons external to the territory, "the present rate of increase, i.e. tourists visiting Rhodesia, cannot be expected to continue". 6/

96. Information has also been provided to the effect that the Southern Rhodesia régime has taken measures to promote tourism which is playing an increasing role in the economy of the territory. The information shows that the Portuguese airline, TAP, is providing air service for tourism to Southern Rhodesia and is active in its endeavours to develop it through personal contacts notably in Northern America.

97. The Committee also took note of information according to which the "Rhodesian National Tourist Board" claims to have offices in Salisbury, Johannesburg, Durban, Cape Town, Lourenço Marques, Basle and New York. At its 48th meeting held on 16 April 1971 the Committee decided to request the Secretary-General to seek further information on this matter from the Governments concerned.

4/ S/9844, chapter VII, para. 56.

5/ "Rhodesia in brief, 1970".

6/ BBC Summary of Broadcasts, 2nd series, ME/3644, 26 March 1971.

Chapter VI

OBSERVATIONS AND RECOMMENDATIONS

98. The Committee regrets that it has been unable to reach agreement on a concluding chapter corresponding to chapter X of the third report: "Observations and recommendations".

99. The original views and proposals of different members of the Committee on the basis of which the Committee attempted to reach a compromise are contained in the last three summary records which are appended to the present report,

100. The delegations of Argentina and Nicaragua suggested appropriate means of seeking to reconcile the different positions adopted. To that end, the Committee established a working group which sought to harmonize the various views.

101. Since the desired consensus was not reached, the aforementioned delegations preferred not to express a view on the proposals which appear in the summary records of the meetings.

Appendix I

SUMMARY RECORD OF THE FIFTY-NINTH MEETING

(PARTS 4, 5 and 6) (CLOSED)

SUMMARY RECORD OF THE FOURTH PART (CLOSED)

Held on Friday, 11 June 1971, at 11 a.m.

PREPARATION OF THE COMMITTEE'S REPORT (continued)

The CHAIRMAN invited the Committee to resume its consideration of paragraph 15 of chapter VI, for which three versions had been proposed.

Mr. JAMIESON (United Kingdom) reiterated that his delegation was unable to accept the inclusion in the paragraph of the words "action by the Security Council or by Governments", unless they were qualified by the addition of the words "on the lines suggested in paragraphs 9 and 10".

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) said that the reference to paragraphs 9 and 10 proposed by the United Kingdom would make paragraph 15 even more restrictive. In any event, the Committee had no right whatsoever to restrict the action of the Security Council.

Mr. JAMIESON (United Kingdom) agreed that the phrase would be restrictive. In the light of the Soviet representative's remarks he withdrew his proposal. He urged the Committee to adopt the wording he had proposed in part 3 of the meeting (S/AC.15/SR.59/Add.2, p. 6).

Mr. ABDULLEH (Somalia) thought that it was important to avoid generalities and ambiguities. In his view, the French proposal stood a better chance of bringing the Committee to a consensus and was closer to the original meaning of the paragraph. The United Kingdom proposal, on the other hand, was quite unacceptable to his delegation.

Mr. JAMIESON (United Kingdom) agreed with the representative of Somalia on the merits of clarity, but considered that precision in the present case was impossible, because paragraph 15 had to cover up a radical divergence between two schools of thought.

The CHAIRMAN suggested that the Committee might be able to reach a consensus if the qualifying phrase proposed by the United Kingdom were amended to read: "particularly in the light of paragraphs 9 and 10 above".

Mr. JAMIESON (United Kingdom) said that such an amendment was quite unacceptable to his delegation.

The CHAIRMAN, speaking as the representative of Burundi, said that in his view all members of the Committee were representatives of the Security Council and of their own Governments; they had a specific responsibility to each. Consequently, he supported the French proposal to include a reference to the Council and to Governments. He urged delegations to review their proposals and to state their intentions.

Mr. EL-FATTAL (Syria) said that, but for the word "or", the French amendment was acceptable to his delegation. He felt that with regard to the action to be taken by Governments, the United Kingdom text was considerably less clear than the original version.

The CHAIRMAN expressed the view that the paragraph should be drafted in plain language. He asked the Committee which organ was empowered to take action in connexion with the imposition of sanctions.

Mr. JAMIESON (United Kingdom) said that that was an academic question. The real issue concerned the terms of reference of the Committee.

Mr. STRULAK (Poland) said that the Chairman's question had touched upon a fundamental issue in the debate. Under the United Nations system, whatever the organ, organization, agency or Member State to take action against the illegal régime in Southern Rhodesia, such action, to be mandatory, had to be based on a decision by the Security Council. Accordingly, any recommendations by the Committee in this respect, to be given effect, required an action by the Security Council. The United Kingdom's reluctance was therefore difficult to understand.

The CHAIRMAN said that the Polish representative, had in effect, answered his question; if any delegation thought that any agency other than the Council was empowered, for example, to impose sanctions, perhaps it would name that agency.

Mr. BLANC (France) said that, at the current stage in the debate, there were two courses open. The first would be for the Committee to note that it had been unable to find common ground on the question of measures to be taken - that would be the first time it had reached an impasse in its work - and the second would be for it to agree on a very general text stating that it had as yet been unable to assume all of its obligations under paragraph 20 of Security Council resolution 253 (1968) and paragraph 21 (c) of resolution 277 (1970) but wished to assume them all as a matter of urgency.

Mr. ABDULLEH (Somalia) said that it might be tactically wise for the Committee to review the parts of chapter VI that had yet to be adopted and then return to paragraph 15. Failing that, he proposed that the specific reference to paragraphs 9 and 10 in the Chairman's amendment should be removed so that the text would read: "particularly in the light of the relevant paragraphs of this chapter".

Mr. CASTALDO (Italy) said that the alternatives mentioned by the French representative were extremely interesting. The suggestion by the representative of Somalia regarding the Chairman's amendment also deserved careful study.

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) reiterated that his delegation could not agree to the adoption of the first fourteen paragraphs unless chapter VI was adopted as a whole.

Mr. JAMIESON (United Kingdom) said that his delegation could go no further than the neutral wording which it had proposed. If other delegations could not accept that wording, the Committee could either record the divergence of views, or, as suggested by the French representative, note factually that it had not yet been able to discharge all its obligations under paragraph 21 (c) of Security Council resolution 277 (1970) and that it felt that it should continue to pursue the issue as a matter of urgency.

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) said that the United Kingdom representative's statement had raised issues alien to the current discussion of paragraph 15 of the Committee's report.

The CHAIRMAN said that while paragraph 15 could not be left as it stood it was clearly most difficult to continue the discussion of it. Unless all delegations agreed that it was for the Security Council to take action in the context of paragraph 15 progress was obviously impossible. The Committee had a mandate from the Security Council, to which it was subordinate. If the Council's authority in that context was not recognized, the position of the Chair would become extremely difficult.

Mr. CASTALDO (Italy) said that his delegation sympathized with the Chairman in his difficult task. A solution to the impasse might lie in the proposal made by the representative of Somalia.

Mr. PRAT GAY (Argentina) said that the debate had become laborious and repetitive and threatened to be unsuccessful. He stressed the considerable importance which his Government attached to the Committee and its current terms of reference. The Committee had adopted its third report without undue difficulty. Its membership had since been enlarged to include all members of the Security Council and there was therefore a danger that the current situation might eventually be used to demonstrate that the expansion of the Committee had actually impeded its work. Thus it was important that the Committee's fourth report should show results even better than those reflected in its third report. There were grounds for substantial misgivings in that connexion. A constructive solution might be to introduce chapter VI with a statement that the consensus on the fourteen paragraphs already agreed upon by the Committee had been reached on the basis of two proposals, one by Poland, Sierra Leone, Somalia, Syria and the Soviet Union, and one by the United Kingdom and France. The texts of those proposals could be attached to the report as annexes.

Mr. JAMIESON (United Kingdom) said that he had the greatest sympathy for the Chairman in the situation facing the Committee. Obviously the Committee was an organ of the Security Council but the real issue in dispute was the scope of the Committee's terms of reference. It appeared that the Committee could not reach agreement on a text which would paper over the divergence of views in that connexion. The Argentine proposal was constructive but raised the difficulty that the fourteen paragraphs agreed upon represented rather more than a limited consensus text. All delegations had made compromises to achieve the highest common factor of agreement. His own delegation, for example, had special reservations with regard to the final sentence of paragraph 6. Precisely because the Committee had advanced so far towards agreement in those fourteen paragraphs, the idea of the Committee's reversion to the two original texts on which those paragraphs were based was open to opposition. His delegation therefore proposed the rewording of paragraph 15 as follows:

"The Committee feels that it should continue as a matter of urgency to study and make recommendations to the Security Council in conformity with paragraph 21 (c) of resolution 277 (1970) on the ways and means by which Member States could carry out more effectively the decisions of the Security Council regarding sanctions. The delegations of Poland, Sierra Leone, Somalia, Syria and the Union of Soviet Socialist Republics consider that such recommendations should include a recommendation that the Security Council should extend sanctions to South Africa and Portugal. Other delegations did not agree that such a recommendation would lie within the terms of reference of the Committee."

(Mr. Jamieson, United Kingdom)

That text would enable paragraph 16 to be deleted and render it unnecessary to attach the original text of proposals as suggested by the Argentine delegation. It would also enable his own delegation to withdraw its reservations with regard to the final sentence of paragraph 6.

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) observed that while the United Kingdom delegation expressed in words a willingness to co-operate with the Committee, it was in fact rejecting all proposals from every quarter. His delegation could not accept the truncated formula which the United Kingdom proposed for paragraph 15; it incompletely and somewhat inaccurately represented the position of other delegations and failed to reflect the views of his own.

The Argentine proposal was businesslike and deserved consideration. In effect, however, it would mean placing paragraph 16 at the beginning of chapter VI, whereas his delegation believed its proper place to be at the end of the chapter, after paragraph 15. He pointed out that the wording of paragraph 16 had already appeared in the Committee's third report and had met with no rigid opposition at the time of its adoption.

The CHAIRMAN asked whether the Argentine representative would object if paragraph 16 were placed at the end of chapter VI rather than at the beginning. He himself, speaking as representative of Burundi, felt that it would be best to start with the paragraphs on which agreement had been reached, and therefore supported the Soviet proposal.

Mr. PRAT GAY (Argentina) said that anyone reading the report should be able to see how the Committee had reached its consensus; for that reason the two documents on the basis of which the first fourteen paragraphs of chapter VI had been formulated should be included in it. At the beginning of the chapter there should be an introductory paragraph drawing attention to the documents and to the purpose they had served.

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) said he had not meant to suggest that paragraph 16 should not be followed by whatever annexes might be considered necessary. He simply felt that the documents in question, with a paragraph introducing them, should come at the end of the chapter rather than at the beginning.

Mr. BLANC (France) said that there were two different proposals before the Committee. The first, put forward by Argentina, was that the report should have appended to it the raw materials from which it had been prepared. If that suggestion, which emphasized the background of the Committee's work, was accepted, it would be necessary to reproduce all the views that had been expressed and all the proposals that had been made, which would involve a great deal of work and expense.

The Soviet Union had proposed that differences of opinion on points where no agreement had been possible should be reproduced, perhaps in the form of an annex. That suggestion could be acceptable only if the differing views were presented in connexion with the Committee's decisions, that is, if the positions of each delegation were shown only on points on which there had been insurmountable disagreement. That would mean that the questions dealt with in paragraphs 1 to 14 of the draft, on which a consensus had been reached, would clearly not be included

among the points of difference. It would also mean that documents used as raw materials in preparing chapter VI, which had been discussed, negotiated, reworked and, with the agreement of their sponsors, partially incorporated into the paragraphs adopted so far, would not be attached to the report in the form of an annex.

In the draft submitted by five delegations, all the paragraphs, except for three sub-paragraphs had been examined and then accepted as they were, changed, or abandoned with the agreement of their sponsors. For example, the preamble to the draft had become paragraph 1 of chapter VI, paragraph 1 had become paragraph 4, paragraph 2 had become paragraph 6, and so forth.

There had been actual disagreement only on paragraphs 3 (a), (b) and (c) of the second part of the five-Power draft, concerning the extension of sanctions and the use of force to end the rebellion.

It should be possible to indicate in paragraph 15 of chapter VI that there had been differences of opinion on those specific points and to mention the positions that had been taken on them.

Since one delegation had stated that the five-Power draft should be annexed under any circumstances, citing the third report as a precedent, he wished to recall that he had participated in the drafting of that report and that the Committee had not spent twenty meetings in 1970, as it had done in 1971, seeking to adopt a common draft article by article; for that reason it had felt obliged, at the end of a brief meeting, to attach an entire draft to the report. In the present instance, the summary records would show that all the drafts, except the three subparagraphs he had just mentioned, had been examined, discussed and reworked to make them a part of the first fourteen paragraphs, which, as the records would also show, had all been adopted.

His delegation, which continued to favour any constructive solutions, was prepared to consider the text of a draft paragraph 15 which reflected all positions on the one remaining point of contention.

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) recalled that, when the working group had been meeting, his delegation had said that paragraph 16 was an inseparable part of chapter VI. The working group had broken off its meetings and had met again only after the United Kingdom delegation, which had originally objected to including paragraph 16 in the chapter, had agreed to its inclusion. The United Kingdom representative had personally informed the Soviet representative of his agreement on that point. Although it was not hard to see why it was now being suggested that the Committee should profess to have reached full agreement on the first fourteen paragraphs, that statement could not alter the fact that chapter VI consisted of sixteen paragraphs, not fourteen, and that attempts to remove paragraph 16 were aimed at jeopardizing the adoption of the whole chapter by the Committee. It was much too late to re-examine the origins of the first fourteen paragraphs and consider the extent to which the views of all members were reflected in each. That would be tantamount to starting the whole debate again from the beginning.

Mr. CASTALDO (Italy) said that he could not agree with the Soviet representative's account of what had taken place in the working group. The Soviet delegation had said at the 2nd meeting that agreement must be reached on paragraph 16 if progress was to be made on the report as a whole. Other members had disagreed on the grounds that no precondition of such a nature should be imposed before the negotiation took place. The question of paragraph 16 had accordingly been set aside and had not been taken up again. The Soviet delegation had agreed to go on with the discussions, and had thus evidently abandoned its precondition. In any case the present paragraph 16 was not the same as that proposed by the Soviet delegation at the 2nd meeting. He supported the suggestion made by the French representative.

Mr. BEREZOVSKIY (Union of Soviet Socialist Republics) remarked that the Italian representative was apparently claiming to be better acquainted with the Soviet delegation's position than the Soviet delegation itself was. Further comment was unnecessary.

Mr. BLANC (France) reiterated that if the Committee's rules were adhered to, the difficulty mentioned in connexion with the drafting of paragraph 15 was not insuperable. The disagreements on the point of contention could be recorded, with mention of the different positions that delegations had taken on it.

The CHAIRMAN appealed to members to confine their attention to the three proposals now before them. The representative of Argentina wished to see the working documents and a summary of the debate appended to the report, it also wished a paragraph mentioning differences of opinion to be inserted at the beginning of chapter VI. The Soviet delegation wished the points on which members had disagreed to be recorded at the end of the report. The French proposal to record the views of various delegations individually in an annex to the report was compatible with the Soviet proposal.

Mr. PETRIE (United Kingdom), supported by Mr. CASTALDO (Italy), suggested that, since the Committee would not be able to solve the problems before it in the course of that meeting, it should adjourn and ask the three delegations that had tried to put forward compromise solutions to hold consultations and prepare a draft for consideration by the Committee at its next meeting.

The CHAIRMAN suggested that the delegations of Argentina, the Soviet Union and France should follow the United Kingdom representative's suggestion.

It was so agreed.

The meeting was suspended at 1.10 p.m.

SUMMARY RECORD OF THE FIFTH PART (CLOSED)

Held on Tuesday, 15 June 1971, at 3.30 p.m.

PREPARATION OF THE COMMITTEE'S REPORT (continued)

The CHAIRMAN said he hardly needed to draw attention to the unusual length of the Committee's debate on chapter VI of its current report. In his desire to assist in the completion of the report he had agreed, at the unanimous request of the members of the Committee, to continue as Chairman beyond the normal period, but now he had to admit that absolutely no progress had been made in the discussion of the item during the past four meetings and he feared that the Committee would be unable to agree on its report in time. If so, it would have failed to fulfil its mandate and done a disservice to the Security Council. He therefore stressed the vital importance of the present meeting and urged delegations to make a special effort to arrive at an agreement, in view of the Committee's responsibilities.

Mr. BLANC (France) informed the Committee that his delegation had prepared a text, which it had intended to put forward for consideration at its informal meeting with the delegations of Argentina and the Soviet Union. That meeting had not taken place owing to the Soviet delegation's failure to appear; he would therefore circulate his draft among the members of the Committee as a whole. The text he had prepared would come after the first fourteen paragraphs of chapter VI and replace paragraphs 15 and 16. The purpose of his draft had not been to reflect the position of his delegation but rather to describe as objectively as possible the position in which the Committee now found itself and to summarize all the views that had been expressed concerning the only point on which there was disagreement. He hoped the Committee would adopt the logical and reasonable solution which he had proposed.

Mr. TARASSOV (Union of Soviet Socialist Republics) said that his delegation had always approached the work of the Committee in the most constructive manner. The report was now almost finished and the Committee had run into difficulties only with chapter VI. That was, of course, the most difficult section of the report since it would contain an explanation of why the sanctions had not led to the desired result and also suggestions on ways and means of improving the application of the sanctions. It was indeed difficult for the members of the Committee to agree on a common denominator in their attitude towards Southern Rhodesia. As he saw it, there were two possible solutions to the problem. If the Committee retained paragraph 16 of the text prepared by the working group and annexed to its report the full text of the proposals made by Poland, Sierra Leone, Somalia, Syria and the Union of Soviet Socialist Republics, it could consider the first fourteen paragraphs as agreed upon and retain them. Otherwise, the Committee would have to report to the Security Council that it had been unable to reach agreement on its conclusions and recommendations and would merely annex to its report the five-Power draft and the draft submitted by the delegations of France and the United Kingdom.

Although he was grateful to the representative of France for trying to help the Committee to find a compromise solution, he would have difficulty in accepting the text that that representative had circulated. The French draft was too summary and did not reflect many proposals to which the five Powers attached great importance.

Mr. CASTALDO (Italy) said he did not find the two suggestions made by the Soviet representative to be constructive. According to the first course he proposed, the first fourteen paragraphs of chapter VI could only be considered an agreed text if a text upon which there had been no agreement was annexed to them. Alternatively, the Committee would say it had reached no agreement and append two contradictory texts to its report. He did not see very much difference in the two suggestions.

Mr. JAMIESON (United Kingdom) said he was surprised that the Soviet representative had so narrowly limited the Committee's options. Both he and the French representative had already explained why they did not consider it appropriate to annex an original, partisan text to the fourteen paragraphs on which the Committee had reached agreement. He agreed with the representative of Italy that the two courses suggested by the Soviet representative were virtually identical. The Committee could also, as a third option, have no chapter VI at all in its report and no original text annexed to it; it would merely say that it was unable to reach agreement on a concluding chapter. However, the text circulated by the representative of France might solve the problem since it reflected all the divergent views which had been expressed in the Committee on matters not covered by the fourteen paragraphs.

Mr. BLANC (France) said he felt sure that, if the Soviet representative examined the draft submitted by the French delegation, he would find that it reflected very accurately the proposals of the five Powers concerning the only point on which there was disagreement, and would therefore be able to agree with it in principle.

Mr. ABDULLEH (Somalia) said that the Committee should not speak of the first fourteen paragraphs as an agreed text. Some delegations had agreed to them only on condition that paragraph 16 would also be included in chapter VI. That being the case, he would support either of the solutions suggested by the Soviet representative.

Mr. BASSETTE (Belgium) said that the proposal of the representative of France had the great advantage of preserving the fourteen paragraphs that had already been discussed and adopted. The French draft also identified the differences of opinion within the Committee. The text of the second paragraph repeated subparagraphs (a), (b) and (c) of operative paragraph 3 of the five-Power draft.

Mr. TARASSOV (Union of Soviet Socialist Republics) agreed with the representative of Somalia that the fourteen paragraphs could not be regarded as adopted by all. Some members of the Committee might find them acceptable if paragraphs 15 and 16 were also adopted by common agreement. The French text took up only three of the points in operative paragraph 3 of the five-Power draft. He wondered why it was necessary to paraphrase a text which had already been submitted to the Committee, rather than submit it in its entirety, as quoting a document out of context often resulted in voluntary or involuntary distortion of the ideas in it. The French draft also omitted to mention paragraph 5 of the five-Power draft, which dealt with violations of Security Council resolutions by foreign companies.

The representative of the United Kingdom had said that there need be no chapter VI, but he himself felt it would mislead the Security Council to omit the chapter altogether, as all kinds of documents had been submitted for it. The

original draft paragraphs 15 and 16 should be included with the full text submitted by the five Powers; or there could be a short chapter VI indicating that the Committee had been unable to reach agreement and reproducing the drafts suggested by the five Powers and by the United Kingdom and France.

Mr. BLANC (France) said that the draft he had submitted contained only three subparagraphs from operative paragraph 3 of the five-Power draft because they were the only subparagraphs which had not been accepted by the Committee. The remainder of the text of the draft had already been either used or incorporated in the report or voluntarily withdrawn. Sometimes a text was agreed upon with reservations which were mentioned in the summary record. To assert that extracts from the five-Power draft on that point should be included was tantamount to saying that a member could give his agreement to a text and then withdraw it, negotiate a compromise with his colleagues and then revert to his original draft, and agree to a consensus and then decline to adhere to it. There could be no grounds for concern that the text of draft paragraph 15 did not accurately reflect the five-Power draft, since references to the latter consisted simply and solely of extracts from the five-Power text.

Mr. ADBULLEH (Somalia) felt that the text submitted by the representative of France made it quite clear that no agreement had been reached on very important issues. He suggested that the Committee should report that it had been unable to come to an agreement and should annex the two documents to its report.

Mr. TARASSOV (Union of Soviet Socialist Republics) said that many of the points mentioned in the document submitted by the five Powers were not reflected in the French draft. The French proposal stated that the matters mentioned in the third paragraph of that draft were not within the competence of the Committee. His delegation, like a number of others, could not agree with that arbitrary interpretation of the Committee's competence. There were certain proposals which the Committee wished to submit to the Security Council, which in turn would take the necessary steps to put an end to the arbitrary measures taken by the Southern Rhodesian Government. He felt that the Security Council should itself decide whether it was competent to take such measures. He agreed with the representative of Somalia that both texts should be reproduced in their entirety or else paragraphs 15 and 16 should be included in the report together with the draft submitted by the five Powers.

Mr. JAMIESON (United Kingdom) stated that his delegation could not accept the suggestion that the report should include the original paragraph 16 as well as the text of the five-Power proposal. The five Powers seemed to be trying to ensure that an extreme document was presented to the Security Council against the wishes of the Committee. His delegation had compromised on almost every paragraph and had accepted some of the wording in the fourteen paragraphs only on condition that paragraph 16 was not adopted. It would not be acceptable to his delegation to append the two original draft texts to the report in place of an agreed chapter VI. If there were no chapter VI there would be nothing. The two draft texts were in no way comparable and should not be appended to the report, since one was drafted as a compromise text while the other represented the views of the five Powers only. The paragraph 15 which had been submitted by the representative of France covered all the points that had not been fully discussed and on which compromise was impossible. It reflected the views of the five Powers.

Mr. BLANC (France) recalled that paragraph 5 of the five-Power draft had been discussed at length and that after much deliberation a new wording had been worked out - the wording contained in paragraph 8 of the text prepared by the working group.

Mr. ABDULLEH (Somalia) said that everyone had participated in the effort to compromise. The United Kingdom representative had spoken of "delegations imposing their will". The Committee was a subsidiary body of the Security Council and all delegations were entitled to press for their views.

Mr. CASTALDO (Italy) recalled that the working group had discussed at length the question of the competency of the Committee. His delegation could not agree that the terms of reference of the Committee should be redefined, as the consequences would be incalculable.

The French draft had pointed out that the five-Power proposal had raised matters outside the competence of the Committee. His delegation could not agree with the interpretation of paragraph 21 (c) of Security Council resolution 277 (1970) which had been suggested by the representative of Poland earlier in the meeting, as it would mean that the Committee would replace the Security Council. To insist on proposals that went beyond the competence of the Committee would be to impede the work of the Committee. He appealed to all delegations to consider the text proposed by the representative of France.

Mr. STRULAK (Poland) said that his delegation regretted the remarks made by some delegations that seemed to indicate a threat of not agreeing to have conclusions and recommendations at all. Elaboration of recommendations was the duty of the Committee, given to it by the Security Council.

His delegation had all the time extended all possible co-operation with a view to achieving positive results in the work of the Committee, including chapter VI. The extent of that co-operation had been determined, and therefore also limited, by the position of principle held by Poland with regard to the question of Southern Rhodesia.

The Committee had agreed that there was a difference of positions. First, there was difference as to the scope of the agreement that had been reached. In this connexion he could not accept the statement that the first fourteen paragraphs had been adopted. Since the beginning of discussion of the text prepared by the working group, essential reservations had been made by several delegations, both from among the sponsors of the first (French-United Kingdom) draft and of the five-Power draft, regarding links existing between the acceptance of various paragraphs of the text. His delegation had understood that the inclusion of paragraph 16 of the working group draft was essential for the adoption of the agreed text.

Secondly, there was a question of how to reflect the existing differences of position. He considered that this could best be done in the natural way - by stating the positions of various delegations as they themselves had stated them in their original drafts. That was much simpler than letting one delegation present the position of the others as the French delegation had done in its draft paragraph 15.

He agreed with those delegations that considered that the French draft did not reflect many of the points in the draft of the five Powers, including several essential ones. Some of them had been only partly reflected in the fourteen paragraphs which, in any case, had not been definitely adopted. To be adopted, the French draft would have to be extensively and substantially amended by the five delegations, which was not practicable. It therefore could not be accepted.

He stressed the right of other delegations freely to state their views, as inherent in the methods of work of the Committee and confirmed by the third report

of the Committee. Nobody could dispute that right. One delegation could not impose its position on another, or on a group of other delegations, nor could it deny them the right to be heard.

Referring to the United Kingdom delegate's criticism of the draft submitted by the five Powers as being extreme, he pointed out that the language of that draft was consonant with the relevant resolution adopted by the overwhelming majority of United Nations Members, which was not the case for the French-United Kingdom draft.

Mr. TARASSOV (Union of Soviet Socialist Republics) agreed with the representative of Poland concerning the right of every delegation to state its views.

He suggested that at the end of the original draft paragraph 16 there should be an additional sentence stating that some proposals, among others those contained in subparagraphs (a), (b) and (c) of paragraph 3 of the five-Power draft, had met with objections on the part of other delegations, which considered that the proposals went beyond the competence of the Committee and that therefore the Committee had been unable to agree on those proposals. Then, the proposals presented by the five Powers on which no agreement had been reached, would be annexed to the report. The views of other delegations that considered that the Committee was exceeding its competence would also be reflected. Such phrasing would fulfil the right of members of the Committee to have their views reflected in the report.

Mr. BLANC (France) observed that, while he had sought to be as careful and as objective as possible in drafting his proposed text for paragraph 15, it was of course his own personal composition; any member was entitled to express his views on that text and to propose an amendment, which would either be adopted or rejected. There was one point, however, which was quite plain: when a delegation freely agreed to amend its text, it could not go back on its word and insist on the text appearing twice in the report, once in its amended form and once in its entirety in the annex. Reference had been made in the Committee to democracy. In fact, the procedure which he proposed was in accordance with democratic principles and with United Nations practice. It also had common sense to commend it. Once a delegation had freely given its agreement to a particular text, it had only itself to blame if its views were not reflected in it; it could not subsequently rescind its agreement. The fourteen paragraphs in question represented a compromise which had been thoroughly discussed and negotiated. One merely had to refer to the records of the Committee's proceedings to establish that those paragraphs had in fact been adopted freely by all its fifteen members; there had therefore been no question of a majority or a minority or of anyone imposing his views. In that connexion, it was to be regretted that the same was not always true in other United Nations bodies, where it sometimes happened that groups imposed their will without making some attempt to take into account the views of others.

In any event, international morality, to which reference had been made, required that once a delegation had agreed to a text which was the product of a compromise between several drafts, it should not then attempt to impose its own draft.

The CHAIRMAN said that the fourteen paragraphs were indeed a compromise - as was the text proposed by the French representative for paragraph 15 - and, as

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such, could not be perfect. Nor could the fourteen paragraphs be renegotiated. As a compromise, he suggested the addition, at the end of the third paragraph of the French text, of the words: "The five-Power text is attached to this report."

Mr. BLANC (France) said that, for reasons which he had already mentioned, the Chairman's proposal would be tantamount to reproducing the five-Power text twice - once in the text of the fourteen paragraphs and once as an appendix to the report.

Mr. TARASSOV (Union of Soviet Socialist Republics) said that his delegation's views on the matter were known; it had already proposed a solution. However, since the Committee would have no further chance to reach agreement, his delegation was ready to accept the French text, as amended by the Chairman, as a final compromise.

Mr. BASSETTE (Belgium) said that the French text reproduced subparagraphs (a), (b) and (c) of paragraph 3 of the five-Power draft as residual matters on which agreement had not been reached; it was not a paraphrase of those paragraphs but the paragraphs themselves. Consequently, the amendment proposed by the Chairman was not helpful.

Mr. EL-FATTAL (Syria) said that his delegation could accept the French text with the constructive amendment suggested by the Chairman.

Mr. CASTALDO (Italy) said that apparently the alternatives which the Committee had been discussing had now become merged. The solution to the Committee's difficulties would be either for delegations to read out a statement of their views for inclusion in the summary record of the current meeting, to be read in conjunction with the report, or to submit the first five chapters of the report to the Security Council and defer solution of the problem relating to chapter VI.

Mr. GRIGG (United States of America) said that his delegation could support the French text of paragraph 15 but could not support the Chairman's amendment to it. Possibly the only solution would be for delegations to have their reservations reflected in the summary records.

Mr. TARASSOV (Union of Soviet Socialist Republics), referring to comments concerning customary United Nations practice, said that, in the report of any United Nations body, draft resolutions submitted by delegations were usually included in the report eventually adopted. There would be nothing abnormal, therefore, in including proposals by Member States in the Committee's report; it would be in accordance with normal practice and consonant with the traditions of the United Nations. Indeed, the views of various delegations had been stated in the Committee's third report. He appealed to delegations to accept the Chairman's compromise proposal. The Committee could not defer a solution of the problem; it must submit a report to the Security Council and that report must reflect all the work undertaken by the Committee. Chapter VI had been considered and, if the Committee was not able to reach agreement on it, that fact must be mentioned in the report, which should include the two proposals which had been discussed. If, for political reasons, an attempt was made to deny his delegation the right to express its views it could be compelled to circulate the proposal as a document of the Security Council, indicating which delegations had objected to it and the reasons for their objections.

Mr. ABDULLEH (Somalia) regretted that the Committee was no nearer a solution to the problem of chapter VI than it had been two months earlier - at which time it would have been appropriate to state that no agreement was possible and to append the two main proposals to the report. He suggested that the Committee should accept the French text of paragraph 15 and append the two main proposals as appropriate.

Mr. BLANC (France) said that the solution suggested by the representative of Somalia was not a compromise. The Committee was not engaged in drafting a chronological account of its discussion of chapter VI; if it were, it would be necessary to indicate how and when his own delegation's proposal concerning paragraph 8 had been adopted. It was true that two proposals had been appended to the Committee's third report but the circumstances had been quite different. Instead of discussing the proposals for some two months, the Committee had merely taken note of the divergence of views. If that practice were followed in the current instance, it would appear that the Committee had merely made a pretence of negotiating for the previous two months. In the circumstances, the solution was probably to accept the Italian suggestion that the views of delegations should be reflected in the summary records, even though that was not a very satisfactory solution.

Mr. JAMIESON (United Kingdom) said that the reference to the reproduction of draft resolutions, whether subsequently accepted or not, in the reports of United Nations bodies was not relevant. He had never heard of a case where a delegation had agreed with the report of a rapporteur and had then proceeded to append a dissentient report. The Committee's third report had not set a precedent because no effort had been made to reach a compromise, whereas at the present session the Committee had worked hard to prepare its fourth report. He agreed with the representative of Somalia that the Committee must state that it had been unable to reach agreement but he did not agree that the two original proposals should be appended. The Committee should declare its inability to reach agreement or, as suggested by the Italian representative, defer its attempt to reach agreement on chapter VI. His delegation could accept the French proposal or, with reluctance, could agree that delegations should state their reservations for the record - a procedure which would involve the exercise of the right of reply.

Mr. TARASSOV (Union of Soviet Socialist Republics) said that his delegation categorically rejected the Italian proposal that the views of delegations should be reflected solely in the summary records of the debate. As to allegations that his delegation was not abiding by an agreement on the fourteen paragraphs, he wished to inform the Committee that, because of difficulties in the working group, his delegation and that of the United Kingdom had held consultations in the course of which the United Kingdom representative had stated that the Committee's report must contain a paragraph similar to paragraph 107 of the Committee's third report, in other words, a paragraph accurately reflecting paragraph 16 of the draft which the Committee had had before it. That understanding had been the basis for his delegation's continued participation in the discussions in the working group. The United Kingdom delegation was now endeavouring to show that his delegation had gone back on that understanding. The groundlessness of that claim was obvious, for his delegation, as before, continued to insist on the need to include such a paragraph in the Committee's report. It was the United Kingdom which had gone back on an understanding.

Taking the latest proposal by the French representative, as amended by the Chairman, as a basis for compromise and following existing practice, the Committee could begin chapter VI by stating that it had endeavoured to work out agreement on the basis of the texts before it, which would then be reproduced in full, and that agreement had been reached on the fourteen paragraphs, which would then follow. The chapter could conclude by stating that other proposals had not been agreed upon.

As a last possible compromise, his delegation could agree that the chapter should begin by stating that the United Kingdom and France had introduced a proposal, which would be set forth in full in the text or in an annex, and that the delegations of Poland, Sierra Leone, Somalia, Syria and the USSR had introduced another proposal, which would also be set forth in full in the report or in an annex. The chapter could then state that, having considered the proposals, the Committee had agreed on the fourteen paragraphs, which would be set out in full, and would conclude by stating that there were other proposals on which agreement had not been reached in the Committee.

Such would be the normal, democratic procedure. It would enable the reader to compare the two original proposals and see exactly what had happened. However, that was precisely what the delegations opposed to the inclusion of the texts wished to avoid. That was a matter between them and their consciences.

Mr. STRULAK (Poland) said that, in a spirit of compromise, his delegation was prepared to accept the Chairman's amendment to the French proposal. It would agree to the inclusion of its own proposal in a somewhat condensed and incomplete form in the proposed paragraph 15, on the understanding that it would also have the possibility of expressing it fully in the original proposal of the five delegations to be attached to the report. It could not support the Italian proposal which constituted an attempt to change the Committee's accepted methods of work. It could not agree that it was possible to differentiate between the Committee's third and fourth reports. Individual views expressed by delegations, covering the same subjects as those contained in the agreed text and sometimes using identical phrases, had indeed been included in the body of the third report. It was therefore difficult to see why the Committee should not accept the same format for its fourth report. In any event, his delegation categorically opposed any attempt to deprive it of the right to state its opinion.

The CHAIRMAN, recalling that the Committee had reached agreement on fourteen paragraphs, noted that there was a difference of opinion on paragraph 15. The French delegation had endeavoured to reflect in a single paragraph the views which had been expressed on paragraph 15. However, some delegations felt that such a text did not accurately reflect their views. Other delegations had supported the French text. There was, however, no single unanimously agreed text. The Argentine delegation had proposed a text to the effect that the Committee had reached agreement on fourteen paragraphs and that opinions were divided on the rest of chapter VI. However, each delegation could claim the right to explain its views and append them to the report, together with the two principal working papers embodying the opposing views on paragraph 15. The Argentine delegation had correctly pointed out that agreement on fourteen paragraphs represented a practical achievement. The only solution was accurately to reflect the truth, namely, that

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differences of opinion still existed in the Committee. Each group of countries could decide on an appropriate text reflecting its views. That suggestion was not an original one since annexes reflecting the views of individual delegations had been annexed to the third report.

He suggested that the meeting might be suspended in order to enable delegations to consider his suggestion.

Mr. TARASSOV (Union of Soviet Socialist Republics) agreed that the only feasible solution would be to give the Security Council an accurate account of what had actually occurred in the Committee. No one could deny that various groups of countries had expressed different views on what recommendations could be made to the Security Council. The simplest course would be to reproduce the various proposals which had been made in an annex to the report. The Committee might say that serious attempts had been made to agree on mutually acceptable recommendations; some recommendations were included in chapter VI of the report, but no agreement had been reached on other proposals. If the Committee agreed that the report should reflect the actual situation in the Committee, there should be no difficulty in adopting an appropriate text.

Mr. SAVAGE (Sierra Leone) said that differences of opinion certainly existed and the Committee should not adopt a report which attempted to disguise them in one all-embracing statement. His delegation opposed the proposal made by the Italian delegation because it tended to obfuscate the fact that the report should be submitted to the Security Council at a specific time. The Committee simply had to submit a report and could not evade its responsibilities.

The proposal that the report should contain a chronological record of what had actually occurred might enable the Committee to overcome its difficulties: it should reflect the two main proposals on which no agreement had been reached and should include the fourteen paragraphs on which there was agreement, together with a statement to the effect that the Committee had been unable to agree on any other question. That would be an honest account of what had actually occurred.

Mr. BLANC (France) said that the only disagreement among the members of the Committee was over paragraph 15, which was a draft text. The proposal made by the Italian delegation should be acceptable to all members, especially since the Committee had decided to follow the course outlined in that proposal when it had formulated its third report.

Mr. ABDULLEH (Somalia) said that the proposals now before the Committee were so divergent that it was impossible to reach agreement on them at the present stage. His delegation agreed that the report should contain an accurate account of events in the Committee as they had occurred without necessarily referring to the summary records. The Committee should not simply tell the Security Council that it had been unable to reach agreement on the proposals contained in the two basic documents. It had, in fact, agreed in principle on the first fourteen paragraphs of chapter VI, which constituted a sound basis for further constructive action.

Mr. EL-FATTAL (Syria) said that his delegation strongly opposed any attempt to prevent the inclusion in chapter VI of the proposals which it had sponsored. In a spirit of compromise, it had agreed to the French proposal on the understanding that the amendment suggested by the Chairman would be incorporated in it. Unfortunately, other delegations had not responded to that proposal in a similar spirit. He agreed that the report should reflect what had actually occurred. The Committee had agreed on fourteen paragraphs of chapter IV but it had failed to reach agreement on paragraph 15 - a fact which was reflected in the French proposal. The Committee's most recent deliberations had been based on two main working papers, which should also be reflected in the report, not only to show that the Committee had indeed made an effort to reach an agreement, but also to register the fact that no agreement had been reached on a position of principle. It was as important to inform the Security Council of matters on which the Committee had failed to agree as it was to inform the Council of matters on which agreement had been reached.

Mr. JAMIESON (United Kingdom) agreed that the report should reflect the facts. However, there was much misunderstanding concerning the facts. The important point was that the Committee had endeavoured to agree on a compromise text. The first fourteen paragraphs of chapter VI represented a compromise text, which had been agreed on the understanding that the original proposals relating to the points dealt with in that text had been withdrawn.

The meeting was suspended at 6.20 p.m. and resumed at 6.40 p.m.

The CHAIRMAN said that members of the Committee recognized that it had been impossible to reach agreement on the question at issue. The Committee's failure to reach agreement would have to be reflected in a chapter of the report entitled "Chapter VI" or "Final chapter". The text might be formulated on the following lines: "The Committee was unable to come to an agreement on the observations and recommendations to be submitted to the Security Council. The two texts prepared by delegations which did not lend themselves to a compromise are appended in annexes I and II respectively". The final chapter would consequently consist of nothing more than that statement. Each group of delegations should submit a text reflecting its views.

Mr. BLANC (France) said that he could reluctantly accept the Chairman's suggestion. However, more than two proposals had been made. The Committee might point out that the numerous proposals that had been made in the course of the Committee's work were reflected in the summary records. The Committee would have to reissue its summary records if it wished to avoid giving a false picture of its proceedings.

Mr. TARASSOV (Union of Soviet Socialist Republics) noted with regret that the Chairman's suggestion appeared to be the only possible solution. Every delegation which had made proposals could therefore submit them to the Chairman and they would be annexed to the report. Such a course would guarantee the right of every delegation to submit such proposals as it deemed appropriate. His own delegation was prepared to submit the proposals which it had sponsored.

Mr. JAMIESON (United Kingdom) said that the inclusion of only two proposals in the report would give a false impression. However, that did not mean that all the views expressed in the Committee should be included in the report.

He therefore proposed the following text: "The Committee regrets that it was unable to come to an agreement on the observations and recommendations to be addressed to the Security Council. The two original drafts on the basis of which the Committee attempted to reach a compromise can be consulted in the Secretariat and should be read in conjunction with the summary records, from which it will be seen that many further proposals were made during the course of discussion".

Mr. TARASSOV (Union of Soviet Socialist Republics) agreed that reference should be made to the summary records, which had accurately reflected the various proposals put forward. However, it was difficult to see why persons reading the report should be referred to the Secretariat in order to obtain essential documents, when it would be more practical to annex those documents to the report. The simplest course would be to annex the two main working papers to the report and to note that in addition, various delegations had made proposals which were reflected in the summary records. If any delegation wished to resubmit proposals which it had made in the course of the Committee's deliberations, those proposals could also be annexed to the report. If it did not resubmit them, the proposals were in any case reflected in the summary records.

The CHAIRMAN said that, in view of the differences of opinion in the Committee, the solution might be to entitle chapter VI "Final chapter" and indicate that there had been disagreement in the Committee.

Mr. BLANC (France) asked whether the summary records of all meetings at which chapter VI had been discussed could be appended to the report.

Mr. NOEL (Secretary of the Committee) said that the French proposal would involve reproduction of some 100 pages of summary records which, at \$100 per page, would cost approximately \$10,000.

Mr. TARASSOV (Union of Soviet Socialist Republics) asked how much the reproduction of the five-Power draft and the other main proposal would cost.

Mr. NOEL (Secretary of the Committee) said that some five pages of text would be involved at a cost, therefore, of approximately \$500.

Mr. BLANC (France) noted that the cost of a foot-note in the report stating that the information regarding the proposals was available in the summary records would be negligible.

Mr. TARASSOV (Union of Soviet Socialist Republics) pointed out that the text of, for example, the five-Power proposal was not reproduced in full in the summary records and a reference to the summary records in a foot-note would therefore be pointless.

Mr. BLANC (France) observed that there had been a proposal that delegations should read out those of their proposals on which no agreement had been reached so that they could be included in the summary record.

Mr. STRULAK (Poland) said that his delegation still hoped for a more constructive solution. In this connexion he referred to the proposal made by the Argentine delegation at an earlier part of the meeting and noted that several elements of that proposal had been resumed in the course of the present meeting, particularly in the intervention of the USSR delegation. He suggested that the Committee might resume discussion of that proposal and include in its chapter VI the portion on which it had agreed, as well as taking note of its disagreement. Concerning the latter, his delegation would be fully satisfied by inclusion in extenso of the five-Power draft as expressing its own opinion. Referring to the serious financial implications of the publication of all summary records concerning chapter VI, he supported the idea that delegations not satisfied with the inclusion of the two original drafts might submit papers containing their views to the Chair for their inclusion, as well, in the report.

Mr. JAMIESON (United Kingdom) said his delegation was still opposed in principle to the suggestion that the text of the two original proposals should be appended to the report; on grounds of economy, he was opposed to appending those summary records in which the discussion of chapter VI was reported. He agreed with the suggestion made by the representative of France, that the Secretariat should recirculate those summary records of the meetings at which the two proposals had first been formally put forward. The two proposals could be annexed to the summary records.

The second introductory sentence of his proposal might read: "The various proposals submitted for discussion on the item are mentioned in SR.- to SR.-", and the relevant summary records would not be appended.

Mr. TARASSOV (Union of Soviet Socialist Republics) said he was also opposed in principle to the summary records being taken as expressing the views of delegations in their entirety. The reports of the Secretary-General contained annexes with the views of delegations and agencies, including non-governmental organizations. It was completely unprecedented for the views of delegations not to be made known in a Committee's report.

Mr. STRULAK (Poland) said that as proposals had not been reproduced in full in the summary records his delegation would insist on the publication of the complete text of them.

The CHAIRMAN suggested that the Committee might adjourn and hold a brief meeting the following day.

The meeting was suspended at 7.50 p.m.

SUMMARY RECORD OF THE SIXTH PART (CLOSED)

Held on Wednesday, 16 June 1971, at 11.40 a.m.

PREPARATION OF THE COMMITTEE'S REPORT (continued)

Chapter VI (continued)

The CHAIRMAN emphasized the importance of reaching agreement on chapter VI, and the need for members of the Committee to try to understand the opposing positions.

Mr. JAMIESON (United Kingdom), at the request of the Chairman, reread his delegation's proposed wording for chapter VI:

"The Committee regrets that it has been unable to agree on a concluding chapter, corresponding to chapter X of the third report, 'Observations and recommendations'. The two original drafts on the basis of which the Committee attempted to reach a compromise can be consulted in the Secretariat and should be read in conjunction with the summary records, from which it will be seen that many further proposals were made during the course of discussion".

He was also willing to replace the second sentence of that proposal by the following:

"Various proposals were submitted. These and the discussion on them are shown in SR. _____ to SR. _____".

He made a further procedural proposal that the summary records of the meetings at which the proposal sponsored by the delegations of France and the United Kingdom and the five-Power draft proposal had been introduced should be reissued with those two texts attached.

Mr. TARASSOV (Union of Soviet Socialist Republics) recalled that both the proposals made by the Chairman at the previous meeting, either to annex to the Committee's report the texts of the various draft proposals or to indicate that there had been disagreement in the Committee on the final chapter of the report, had been acceptable to his delegation. He had also suggested that, as a compromise, the original draft proposals should be annexed to the report rather than included in it. None of those proposals had been acceptable to the Western Powers, which apparently did not want the original documents, which had formed the basis of discussion in the Committee, included in the report or annexed to it. Preventing members of the Committee from expressing their views in an annex was undemocratic and had no precedent in United Nations procedure; indeed, the third report of the Committee contained annexes giving the various views of the members.

His delegation was ready to make a last concession by suggesting that the texts of the original draft proposals should be included in the summary record (S/AC.15/SR.59/Add.5) which would then be included as an annex to the report.

He then proposed the following wording for chapter VI:

"The Committee regrets that it has been unable to reach agreement on conclusions and recommendations for submission to the Security Council. The original views and proposals of various members of the Committee, on the

basis of which the Committee attempted to reach a compromise, are contained in SR. _____ which is annexed to this report".

Mr. EL-FATTAL (Syria) supported the USSR proposal. He considered that anyone reading the report was entitled to read the five-Power draft in conjunction with it.

Mr. BLANC (France) suggested that the USSR proposal might end at the words "summary record SR/AC.15/SR.59/Add.6", thus drawing attention to that record. Hence there would be no need to annex it to the report.

Mr. JAMIESON (United Kingdom) said that if the two original drafts were annexed to the report they would acquire a special status. He was, however, prepared to agree to their being annexed to the summary record of the current meeting. Furthermore, the Secretariat could be asked to circulate that summary record simultaneously with the report.

Mr. EL-FATTAL (Syria), supported by the USSR representative, said that the United Kingdom representative was making no concession. Delegations were entitled to circulate any text they wished simultaneously with any document distributed by the Secretariat.

Mr. JAMIESON (United Kingdom) replied that the French and the United Kingdom delegations were indeed making a major concession, since attention would be drawn specifically to the two drafts.

Mr. ABDULLEH (Somalia) said he failed to see the objection to the proposal to annex the summary record and the two original drafts to the report. Why should the members of the Security Council be inconvenienced by having themselves to locate those documents? In any case, the two drafts had very definite validity, since they were the only major papers on which debates had taken place and on which the Committee had disagreed.

Mr. BLANC (France) pointed out that the members of the Security Council would automatically receive the Committee's summary records, since the membership of the two bodies was identical.

Mr. JAMIESON (United Kingdom) said that the annexing of the original drafts to the report would present only a partial picture of the Committee's discussions. In order to obtain a correct picture of the disagreements and the various efforts to reach a compromise, the members of the Council must read the summary record of every meeting at which chapter VI had been discussed.

Mr. TARASSOV (Union of Soviet Socialist Republics) supported the view of the Somali representative. If, however, those who opposed the annexing of the two original drafts to the report felt that any other important proposals had been put forward, the texts of such proposals might also be annexed to the summary record of part 6 of the current meeting.

Mr. JAMIESON (United Kingdom) took the view that the two original drafts had validity only as historical documents. In that connexion, however, the various proposals and concessions on individual paragraphs were just as historically valid and should not be given less prominence.

Mr. ABDULLEH (Somalia) noted with regret that certain delegations were systematically obstructing the conclusion of the Committee's work. There was now a near deadlock over a very small point. Without a final chapter, however, the report would be extremely weak, and must not be transmitted to the Security Council. The Committee should report that it had failed to fulfil its mandate, thus leaving the Council to reconsider the whole position of sanctions and the Committee's mandate.

The CHAIRMAN suggested that the summary records of the last two or three parts of the current meeting might be annexed to the report together with the two original drafts.

Mr. YOSHIDA (Japan) proposed that, in the USSR formulation, the words "annexed to this report" should be amended to read "circulated simultaneously with this report".

Mr. TARASSOV (Union of Soviet Socialist Republics) felt that the Chairman's suggestion might provide a way out of the impasse by being more acceptable to the opponents of his own proposal. However, he saw no merit in the Japanese proposal: it was in essence the same as that of the United Kingdom. Whereas the summary records were restricted to participants, and other Member States would accordingly not receive them, the Committee's report, including the annexes, would have general circulation. It was therefore important that the original drafts and the summary records in question should be annexed to the report.

Mr. JAMIESON (United Kingdom) said he would therefore suggest as a further compromise that the distribution of the summary record of the current meeting should not be restricted to participants.

Mr. STRULAK (Poland) said that his delegation took exception to the attempts of some delegations to present themselves as interested in a compromise and other delegations, including his own, as opposed to it. He reaffirmed his delegation's continued attitude of co-operation and compromise and said that the proposal submitted at the meeting by the USSR delegation was an intensive effort again demonstrating that attitude of the sponsors of the five-Power draft.

The meeting was suspended at 1 p.m. and resumed at 1.30 p.m.

The CHAIRMAN said it appeared from the informal consultations held during the suspension that the Committee could now agree to adopt the Soviet proposal, except that chapter VI would also state that the summary records of the last three parts of the Committee's current meeting together with the French-United Kingdom and five-Power proposals would be annexed to the report. He pointed out that the Committee also still had to agree on a title for chapter VI.

Mr. JAMIESON (United Kingdom) proposed that the first sentence of the Soviet proposal should be amended to read: "The Committee regrets that it has been unable to reach agreement on a concluding chapter corresponding to chapter X of the third report". Those words might possibly be followed by the explanatory phrase "containing observations and recommendations to the Security Council". If that amendment was adopted, he would agree to accept the wording suggested by the Chairman, although he would do so with a heavy heart and with an awareness that there had been a great deal of compromise.

(Mr. Jamieson, United Kingdom)

He suggested that the title should be "Final chapter", although he was also prepared to accept "Concluding chapter" or "Observations and recommendations".

Mr. ABDULLEH (Somalia) said he had no difficulty in accepting the United Kingdom proposal. He preferred the title "Observations and recommendations".

Mr. BLANC (France) supported the United Kingdom proposal. The title "Observations and recommendations" was acceptable to him also.

Mr. TARASSOV (Union of Soviet Socialist Republics) suggested that the wording proposed by the United Kingdom would be clearer if the reference to chapter X of the third report were followed by the title of that chapter.

Mr. JAMIESON (United Kingdom) accepted that suggestion.

Mr. PRAT GAY (Argentina) said he again wished to express his deep regret that the Committee's lengthy discussions had been so unsuccessful in leading to a consensus. On behalf of his delegation and that of Nicaragua, he proposed that the following paragraph should be added to the proposed text of chapter VI, although he would also be satisfied if it were annexed to the summary records of the present meeting:

"Some delegations" - and he stressed that he would have no objection to the names of those delegations being indicated there - "suggested appropriate means of seeking to reconcile the different positions stated. To that end, the Committee established a working group which sought to harmonize the various views. Since the desired consensus was not reached, the aforementioned delegations preferred not to express a view on the proposals which appear in the last three summary records."

Mr. ROMAN (Nicaragua) thanked the representative of Argentina for making that proposal on behalf of his delegation. Both countries, as representatives of Latin America, had tried to bring about a conciliation in the Committee.

Mr. TARASSOV (Union of Soviet Socialist Republics) said he appreciated the important contribution of the Latin American delegations to the Committee's work, and fully understood their wish to see their role reflected in the report. However, since so much time had been spent agreeing on the final wording of the chapter, it would probably be very difficult to change that wording again. The Argentine and Nicaraguan delegations might be content to have their views reflected in the summary record of part 6 of the current meeting.

Mr. PRAT GAY (Argentina) said that the Latin American delegations had remained silent during the debate only in order to avoid complicating matters. Since they had been so patient, he felt they could at least be allowed a few lines in the report to express a view that they considered very important.

Mr. JAMIESON (United Kingdom) said that Argentina and Nicaragua had made an important contribution to the Commission's work, and his delegation would be content to see their positions reflected in the final paragraph of the chapter.

Mr. TARASSOV (Union of Soviet Socialist Republics) said that he had no objection to the Latin American proposal in principle, and would not oppose it. He had feared only that a discussion of it would consume more time.

Mr. EL-FATTAL (Syria) said he welcomed the inclusion of the Latin American proposal.

Mr. BASSETTE (Belgium) said that Argentina and Nicaragua had played a useful role in maintaining their neutrality during the discussions, and he had no objection to the inclusion of their statement.

The CHAIRMAN said that if there was no objection, he would take it that the Committee had adopted chapter VI, as amended, with the inclusion of the Latin American statement at the end.

It was so decided.

Mr. JAMIESON (United Kingdom) reiterated that although his delegation had agreed for procedural reasons to sponsor the French-United Kingdom draft, which was based on a draft previously prepared by a number of delegations, it had done so not because the draft represented its own views but because it was a compromise which, in its opinion, could be acceptable to all members of the Committee with appropriate adaptations.

He also wished to repeat that his delegation had co-operated for months in working out a compromise text, and had been prepared to append to it a statement of the views of the sponsors of the five-Power draft on matters on which it had not been possible to achieve a compromise. It was not, however, willing to accept a compromise draft and at the same time append the full text of the original five-Power draft including passages covering matters which had been the subject of compromise.

Because the five-Power draft was to be attached so closely to the report, he wished to renew the principal reasons why that draft had been unacceptable to his delegation.

First, the draft attempted to reinterpret the terms of reference of the Committee as set out in paragraph 20 of Security Council resolution 253 (1968) and paragraph 21 of resolution 277 (1970), and to reinterpret the Security Council's purpose in imposing sanctions on Southern Rhodesia, as stated in the opening words of paragraph 3 of resolution 253 and of paragraph 9 of resolution 277. While he did not wish at that point to discuss the substance of certain paragraphs in the five-Power draft, his delegation considered that the recommendations in paragraphs 3 (a), (b), (c), and (e) of the second part of the draft exceeded the Committee's terms of reference, and that the recommendation in paragraph 3 (d), in so far as it concerned visits by private individuals to Southern Rhodesia, went beyond the sanctions imposed by the Security Council.

With regard to paragraph 4 of the first part of the draft and paragraph 2 of the second part, his delegation considered that it was the Committee's duty to report the facts to the Security Council, but not to attempt to determine whether or not violations of sanctions had been committed.

Paragraphs 3 and 5 of the first part of the draft contained unsubstantiated accusations, which were reflected in paragraphs 1 and 4 of the second part, against certain Member States and companies domiciled in their territories. Those accusations, particularly the ones in paragraph 3, concerned matters which were not covered by existing Security Council decisions regarding sanctions against Southern Rhodesia. Moreover, they had not been discussed in the Committee and should therefore not appear in the Committee's report.

Finally, paragraph 8 of the first part, and, to some extent, paragraph 5 of the second part, contained totally unjustified insinuations against the Secretariat. No evidence had been advanced that the Secretariat had not made available to the Committee relevant information at its disposal.

Mr. ABDULLEH (Somalia) said his delegation felt that the contents of the Committee's report, as finally adopted, would be weak and would not compel anyone to strengthen the sanctions against Southern Rhodesia. The principal reasons for the ineffectiveness of the sanctions were the following: first, South Africa and Portugal were obstructing them; secondly, the United Kingdom had failed to take sufficient action, not excluding the use of force, to crush the illegal régime in Southern Rhodesia; thirdly, a number of western countries were involved in arms trade with South Africa, which meant that arms found their way to Southern Rhodesia and thereby strengthened the régime there; furthermore, the Western Powers were preventing any action from being taken by the Security Council on the Southern Rhodesian question.

The Western Powers must reconsider their attitude and adopt a more sympathetic position if the Southern Rhodesian régime was to be defeated. So far, the Committee had been working only on the basis of reported violations which Governments had chosen to admit, but there was still a great deal of information that had not been made available to the Committee. The Secretariat should review its position and make available any relevant studies to the Committee for its future work.

Mr. CASTALDO (Italy) recalled that the Committee had been working since January last and that in April at the end of a very long session the President had circulated a working paper to be used for the discussions on the final chapter of the report. In May, at an advanced stage of the discussions, when amendments had already been proposed to the working paper, five delegations announced that they intended to present a draft of their own. The Committee had to impose a date line for the presentation of that draft.

Italy was at that time a member of the working group set up by the Committee to work out a compromise text from the two drafts before it. He wished to recall the two main difficulties that the five-Power draft raised for his delegation: first, the draft took a position on matters, such as the expansion of sanctions, the application of sanctions to other Member States and the use of force, which had never been discussed in the Committee and had not even been mentioned by the sponsors of the draft in the previous months. Logically the final chapter of the report should reflect the Committee's work and be based on the preceding chapters. Second, most of the draft went beyond the Committee's terms of reference and even beyond the substantive provisions of Security Council resolutions 253 (1968) and 477 (1970). The Italian delegation could not accept proposals which in practice would have had the effect of substituting the Committee for the Council.

The working group, however, worked in a very constructive fashion and, by eliminating the above difficulties was able to reach agreement, ad referendum, on fourteen out of fifteen paragraphs. It had to overcome a further difficulty raised at an early stage by the sponsors of the five-Power draft which had asked, as a precondition to the negotiations, the inclusion in the text of a clause which would accord them the privilege of stating their disagreement even after agreement had been reached by appending to the consensus text their own original draft. It was pointed out that such a clause would be inadmissible: (1) because it was not contained in the two drafts from which the Committee had to extract a common text; (2) because insisting on such a precondition from the start of the negotiations would mean that there was no will to negotiate. The precondition was not insisted upon and the working group was able to proceed with its work. But the clause had been proposed again in the Committee and the insistence upon it was the main cause of the failure to reach a consensus on the final chapter.

As far as this last point was concerned the position of the Italian delegation was that when an agreement had been reached on a common text then there was no reason for adding to it, and in contradiction to it, drafts which were the object of the negotiations. Delegations have the right to agree on a text or to disagree; they do not have the contradictory right to agree and at the same time to mark their disagreement. Of course those members which had reservations would then be free, in accordance with normal United Nations practice, to explain their positions and to have them reported in the summary records.

The Italian delegation regretted that certain delegations had presented very late a draft containing proposals which had never been discussed by the Committee and that went beyond its competence. In so doing they had raised very delicate constitutional problems without any real justification, since such proposals could be discussed by the Security Council without the necessity of having them recommended by the Committee. This position, and the insistence on an unacceptable precondition, had in fact obstructed the Committee's work without contributing in any way to advancing a solution of the Southern Rhodesia problem.

Mr. TARASSOV (Union of Soviet Socialist Republics), replying to the representative of Italy, said that the difficulties involved, of which the Italian representative had complained, were of a highly political nature. The problem of Southern Rhodesia was one of the major problems facing the world and required serious action on the part of the Security Council. The overwhelming majority of States in the world were in favour of taking decisive and effective measures against the Southern Rhodesian régime. That was evidenced by the decisions of the Conference of Non-Aligned Countries. It was further evidenced by the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly at its twenty-fifth session. That was why his delegation, together with the delegations of Somalia, Syria, Sierra Leone and Poland, had recommended to the Security Council that it should take really effective measures to bring an end to the Southern Rhodesian illegal régime, which depended on support, not only from South Africa and Portugal, but from other external sources - certain Western Powers which were trying to prevent the Security Council from taking such measures.

Mr. BLANC (France) said that the Committee had no reason to be proud. It had adopted, not without difficulty, fourteen paragraphs of the draft concluding chapter; it could very well have adopted draft paragraph 15, which took very full account of all the positions that had been taken. If it had done so, two months' work would not have been wasted, and recipients of the report would have been informed of the fourteen observations or recommendations on which the Committee had reached agreement, and of the few points on which there had been differences of opinion. But for reasons which were not very clear, it seemed to be the wish of certain delegations that there should be no concluding chapter, that the Council should not be informed of the Committee's observations and recommendations and that no consensus should be reached.

Summing up the discussion, he recalled that the Committee had had two texts before it; the first, submitted at the end of April as an anonymous draft and then, for procedural reasons, sponsored by the United Kingdom and France, was well balanced, reasonable and relevant to the work of the Committee; the second text, submitted by the five Powers, represented only the views of its authors. It also contained a gratuitously insulting paragraph which bore no relation to the Committee's work.

Other paragraphs were based on press cuttings, which were presented as incontrovertible documentary evidence. However, the authors of those paragraphs had overlooked the fact that there were other press cuttings which could be used to show that they had been guilty of sanction violations: in that connexion, they would do well to recall certain newspaper articles which had been brought to the Committee's attention.

Lastly, although the concluding chapter should have followed on naturally from the preceding chapters, the five-Power draft departed from the preceding text in several instances and dealt with points which had never been discussed or even brought to the Committee's attention.

While it had supported the first draft, the French delegation had found certain flaws in it, and would not itself have produced a draft worded in that manner. However, it had believed that in the Committee, as in other United Nations bodies, a text could be improved or at any rate changed in a spirit of conciliation.

In fact, as had been said, the Committee had been very close to adopting a concluding chapter which was acceptable to all. It had been on the verge of achieving that goal when it had been deliberately prevented from doing so.

His delegation, which to the very last meeting had done all it could to enable the Committee to accomplish its task, was extremely sorry to note that fact. It deeply regretted what had happened, but would continue to co-operate whole-heartedly in the work of the Committee.

Mr. EL-FATTAL (Syria) said that throughout the debate his delegation had been willing to compromise, but it could go no further since it was now asked to compromise on positions of principle. His delegation believed that implementation of sanctions was deteriorating and that should not be permitted. States which had developing relations with South Africa and Portugal should be

considered responsible and the intention of some States to maintain relations with Southern Rhodesia should be mentioned in the report to the Security Council. As long as South Africa and Portugal continued to violate Security Council resolutions regarding Southern Rhodesia, sanctions were not likely to be effective; to be fully effective they should be extended to South Africa and Portugal. In view of the ineffectiveness of the sanctions adopted against Southern Rhodesia since 1968, the Security Council should recommend that the United Kingdom, as the administering Power, should take action, if necessary by using armed force, to put an end to the rule of the racist régime in Southern Rhodesia. Member States should be requested to take measures to prevent their citizens from emigrating to Southern Rhodesia; and colonial settlers in Southern Rhodesia should be encouraged to return to their country of origin.

He noted that no information had been received concerning supplies of arms and war matériels to Southern Rhodesia concerning the manufacturing of armaments in Southern Rhodesia itself.

Mr. YOSHIDA (Japan) expressed regret that the Committee had been unable to reach agreement on the observations and recommendations to be included in the report to the Security Council, although agreement had been reached on fourteen paragraphs of the report. His delegation considered that the Committee should work within the framework of its mandate. With regard to paragraph 3 of the first part of the five-Power draft, he pointed out that the statement that Japan and several other countries were sabotaging the implementation of the Security Council decisions on sanctions against Southern Rhodesia was clearly not in accordance with the facts. As had been repeatedly stated by his delegation, the Government of Japan had taken all necessary measures to implement the sanctions and had faithfully observed the sanctions since their inception.

Mr. GRIGG (United States of America) also expressed regret that no agreement had been reached on the final chapter. He extended appreciation for the work done by the working group under the wise chairmanship of the representative of Argentina. While his delegation had been unable to accept the five-Power draft as a working paper, it had repeatedly shown its willingness to achieve a compromise text in order to achieve the highest common denominator of agreement. He shared many of the views expressed by the representatives of the United Kingdom and Japan with respect to the five-Power draft.

Mr. STRULAK (Poland) shared the general regret that no agreement had been reached on a chapter containing conclusions and recommendations. The failure to reach agreement was due to the fact that some delegations had wanted to isolate the agreement the Committee had reached on the first fourteen paragraphs and take it out of context of the wider agreement on procedure; moreover, during much of the discussion, the price of agreement was assumed to be the renunciation by certain delegations of the right to state their position as they desired, and that had been completely unacceptable to his delegation. He rejected charges and qualifications made by some delegations in respect of the five-Power draft and the attitude and intentions of its authors, including his own delegation. The draft was clear, spoke for itself and did not require such elaboration.

Mr. PRAT GAY (Argentina) expressed his deep regret that no agreement had been reached on a consensus report which had been the real aim of his delegation.

Mr. ROMAN (Nicaragua) also regretted that no agreement had been reached. He had attempted to be as conciliatory and neutral as possible; his country had no political or commercial ties with Southern Rhodesia.

Mr. SAVAGE (Sierra Leone) shared the general regret at the failure to reach agreement. The attitude of his delegation throughout the debate had been one of compromise in an effort to find a basis for agreement. He considered, however, that the work of the Committee had been frustrated by some delegations which seemed to have feelings of sympathy, affinity and even kinship with the illegal régime of Southern Rhodesia. His delegation, no doubt like other African delegations, felt it was unable to compromise its undertaking to the Organization of African Unity to do all it could to put an end to the illegal régime in Southern Rhodesia. He hoped that those delegations that were frustrating the will of the Security Council, as expressed in resolutions 253 (1968) and 277 (1970), that sanctions should be made operative in order to put an end to the illegal régime in Southern Rhodesia, would in the future act in accordance with the instructions of the Security Council instead of paying lip service to the United Nations.

The CHAIRMAN thanked all the members of the Committee and, particularly those which, like the delegation of Argentina, had been most active in the attempt to adopt a consensus report. He also thanked the representative of Belgium, under whose chairmanship the discussion on chapter VI had been initiated. He expressed appreciation to the Secretariat for its co-operation.

Speaking as the representative of Burundi, he said he shared the pessimism expressed by some delegations about the future of the Committee. He appreciated the difficulties encountered by the Committee and the attempts of members to solve those problems. He feared, however, that the Committee might give the impression that its members did not all have the same aim, and that it was wavering in its commitment to enforce the sanctions.

The meeting rose at 2.35 p.m.

Appendix II

ANONYMOUS WORKING DRAFT CIRCULATED AT THE 50TH MEETING OF THE COMMITTEE AND WHICH, IN THE LIGHT OF THE DISCUSSIONS AT THE 54TH MEETING, WAS SUBSEQUENTLY SPONSORED BY THE UNITED KINGDOM AND FRANCE

OBSERVATIONS AND RECOMMENDATIONS

1. Owing to various reasons, the Committee was not able to hold regular meetings before January 1971. Besides, at the time of finishing its report it had not yet received commercial statistics for the whole year 1970.
2. Nevertheless the Committee, as it can be seen from the previous chapters, was able to: examine seventy-five cases of alleged violations of the sanctions including some where it was established that transactions with Southern Rhodesia had taken place and undertake studies of specific commodities and of means which would render more effective the vigilance of Member States on suspected violations of the sanctions.
3. The Committee notes with regret that the sanctions have not yet led to the desired result. However, the illegal régime in Southern Rhodesia has been compelled to resort to complicated and costly procedures to evade sanctions and continuing difficulty is being experienced over attracting and retaining as many immigrants as are wanted. Despite the lack of reliable and up-to-date information on Rhodesian trade, it would appear to the Committee that this is still at a high level, and it is probable that some sectors of industry and tourism are developing. Tobacco production and exports continue to be significantly affected by sanctions, but output and export of other crops are more dependent on climatic conditions: in 1970 for example, they were undoubtedly affected by drought. To a considerable extent the loss stemming from lower tobacco production has been made good by new exports, particularly of minerals. Nevertheless, Rhodesia's foreign exchange difficulties have remained acute and probably worsened during 1970. This has added to the problem of obtaining replacements for worn-out infrastructure, particularly the railways (which may not be able to cope with 1971's higher agricultural output). Difficulty of access to international capital market has also probably restricted the potential rate of development.
4. The Committee is convinced that the Republic of South Africa and Portugal continue to ignore resolutions 253 (1968) and 277 (1970) in spite of repeated appeals by the Security Council not only by maintaining their trade with Southern Rhodesia but also, as shown in chapter II, failing to control within their territories the issuance of misleading documents about the origin of merchandise, which assist the illegal authorities in Southern Rhodesia and their agents abroad in their efforts to evade sanctions.
5. The Committee considers that the Security Council should again draw firmly the attention of South Africa and Portugal to the obligations of Member States under the Charter.

6. The Committee wishes to bring to the attention of the Security Council three cases of transactions with Southern Rhodesia which were carried out with the consent of the reporting Governments. It appreciates however the co-operation of the States involved in giving frank and full information. The Committee takes note of the statements made by some of the States involved in the above cases to the effect that they will endeavour in future to prevent such transactions.

7. The Committee suggests that the Security Council should draw the attention of Member States to the need for particular vigilance with regard to commercial, industrial, financial and tourist transactions which are alleged to be with countries neighbouring Southern Rhodesia, particularly with those whose Governments and authorities have failed to co-operate with the work of the Committee, as these might in reality cover transactions with Southern Rhodesia itself. In this context, the Committee wishes to call the attention of the Security Council to the supporting role played especially in territories neighbouring Southern Rhodesia by intermediaries, in the manoeuvres of the illegal régime, to make sanctions ineffective. The Committee welcomes the attitude of Governments of countries neighbouring Southern Rhodesia which co-operate with it and would appreciate any help from them which could contribute to the accomplishment of the Committee's task.

8. According to the estimate given in the Committee's last report, over one third of Rhodesian exports in 1968 and 1969 reached countries outside southern Africa whose Governments are applying sanctions and it is unlikely that the amount for 1970 will be any lower. The Committee feels that every effort should, as a matter of priority, be made to stop this, which if successful, would have a marked effect on the economy of Southern Rhodesia. Therefore, an additional co-ordinated effort by all Governments concerned to detect and frustrate this considerable volume of illegal trade is necessary and to this end the Committee feels that it should concentrate its efforts in the field of trade on the lines suggested in Chapter II towards helping Governments to increase the effectiveness of their own sanction enforcement procedures. In this connexion the Committee wishes to draw attention to the observation on the trade in ammonia contained in Annex V.

9. The Committee feels that Governments should take all feasible measures aimed at discouraging emigration and tourism to Southern Rhodesia.

10. The Committee has appreciated that the Secretariat, taking into account the recommendations contained in the third report, has endeavoured to provide information relevant to its work. Information from more Member States would also be useful to the Committee. Only a very few Governments have reported up to now on cases of suspected violations. The Committee considers it desirable that more Members of the United Nations should endeavour to bring cases of suspected sanctions evasions (where they have reliable evidence) to the notice of the Committee.

Appendix III

12 May 1971

DRAFT CONCLUSIONS AND RECOMMENDATIONS SUBMITTED BY
POLAND, SIERRA LEONE, SOMALIA, SYRIA AND USSR

As a result of adoption of the Security Council resolution 277 (1970) the Committee was entrusted with the responsibility of "studying ways and means by which Member States could carry out more effectively the decisions of the Security Council regarding sanctions against the illegal régime of Southern Rhodesia and making recommendations to the Council".

On the basis of examination of the material available to the Committee, and of the analysis of the situation in Southern Rhodesia, as well as paying special attention to the factors which enable the illegal régime of Southern Rhodesia to remain in power, the Committee notes that:

1. The situation in Southern Rhodesia despite the measures provided for in the Security Council resolutions 253 (1968) and 277 (1970) continues to deteriorate. The main purpose - that of assisting the people of Zimbabwe to exercise their right to self-determination and independence in accordance with the United Nations Charter and in conformity with the objectives of the General Assembly resolution 1514 (XV) - is yet to be achieved. The tyrannic and racist régime continues not only to exist but consolidates the power it usurped and steps up its repressions against the people of Zimbabwe, mainly as a result of the support it receives from outside.

2. Despite the repeated Security Council resolutions, which provide for sanctions against Southern Rhodesia, and in violation of these resolutions, South Africa and Portugal continue actively to support Southern Rhodesia. They not only continue to maintain military, trade and other relations with Southern Rhodesia, but, as established by the Committee, also encourage the issuance on their respective territories of the misleading documents of origin of the goods, thus assisting the illegal authorities of Southern Rhodesia and other countries in evading the sanctions. The Committee feels in this regard that ensuring the implementation by South Africa and Portugal of the sanctions adopted by the Security Council against Southern Rhodesia remains the most urgent and pressing objective.

3. The Security Council decisions on sanctions against Southern Rhodesia were also undermined by the fact that the United Kingdom, the United States, the Federal Republic of Germany, France, Japan and several other countries sabotage the implementation of these decisions not merely by continuing but also by developing all-round economic, trade and other relations, including shipping, air, railway and road communication with South Africa and Portugal, and thus through these countries they provide support to Southern Rhodesia. To give an example, the following data are to be mentioned. British exports to South Africa in 1970 only was estimated at £333 million exceeding the 1969 level by 14%, while the United States exports to South Africa increased to \$514 million.

4. During its deliberations the Committee ascertained that there were three cases of flagrant violation of and evasion from the sanctions adopted in accordance with the Security Council resolutions 253 (1968) and 277 (1970), namely by Australian shipments of wheat to Southern Rhodesia, by the Federal Republic of Germany - imports of graphite and by Switzerland imports of meat from Southern Rhodesia. The Committee is concerned with the fact that these trade transactions, violating the Security Council resolutions, are being concluded with the knowledge of the Governments of Australia, the Federal Republic of Germany and Switzerland, and as is evident from the notes received from the Governments concerned, these countries intend to maintain trade relations with Southern Rhodesia.

5. The sanctions adopted by the Security Council are also violated by big foreign companies operating directly within Southern Rhodesia. They expand their activities, carry out geological exploration of new deposits of rare metals and build new mines. In 1969 alone the régime of Southern Rhodesia granted 69 preferential licences for geological survey over the territory of 5,000 sq. miles. The Committee deplores that the Governments of certain Western Powers do not take measures against their national companies which operate in Southern Rhodesia and are a major obstacle to the implementation of sanctions.

6. Facilities accorded to Southern Rhodesia information, tourism, transport and other agencies on the territory of some Member States, as well as the issuance by Governments of these States of entrance permits to persons connected with the Southern Rhodesia régime contravenes Security Council resolutions. Furthermore the Committee is concerned about the fact that despite the Security Council resolutions large numbers of foreign tourists continue to visit Southern Rhodesia, this being an important source of revenue in foreign currency for the illegal régime.

7. The Committee notes with regret that up to the present moment it is unable to carry out the decision contained in its Third Report to the Security Council and in particular paragraph 95 which stipulates that the Committee should report to the Security Council more frequently, issue communiqués concerning matters which might be of immediate general interest, such as the successful detection and prevention of sanctions evasions, distribute summaries of its work to all members of the Council.

8. The Committee takes note that it has not received all the necessary information pertaining to Southern Rhodesia and available to the Secretariat, especially in regard to the supplies of arms, and traffic in war material to the illegal régime, nor has there been any information on the manufacturing of armaments in Southern Rhodesia itself.

To promote the effectiveness of sanctions against Southern Rhodesia the Committee recommends to the Security Council:

1. To request the States which still maintain trade, economic, transport and other relations with Southern Rhodesia to sever them immediately. It is advisable that the Council should once again draw the attention of these States to the fact that the failure to comply with its resolutions 253 (1968), 277 (1970) and 288 (1970) is contrary to their obligations according to articles 25, 48 and 49 of the Charter.

2. To call upon the Government of Australia as well as upon the Governments of the Federal Republic of Germany and Switzerland which still maintain illegal trade with Southern Rhodesia to comply with sanctions imposed by the Security Council resolutions and in this connexion to recall the provision of paragraph 6, article 2, of the Charter.

3. To enlarge the scope of the sanctions:

(a) to apply all measures provided for in article 41 of the Charter against the illegal régime of Southern Rhodesia;

(b) to consider sanctions against South Africa and Portugal in view of their refusal to implement the relevant resolutions of the Security Council;

(c) to request the Government of the United Kingdom as the administering Power to use military force in order to secure the right of self-determination and independence to the people of Southern Rhodesia;

(d) to call upon all States to take further measures in order to stop immigration of their citizens as well as visits of their citizens to Southern Rhodesia;

(e) to call upon non-governmental organizations to comply with the sanctions imposed by resolutions 253 (1968) and 277 (1970) against Southern Rhodesia.

4. To recommend once again to the States to prevent their national companies and subsidiaries registered on their territories to continue all operations and to take measures to terminate all investments and to withdraw the capital already invested in Southern Rhodesia. To request States to inform the Security Council about actions taken by Governments or courts against companies maintaining trade and other relations with Southern Rhodesia.

5. The Committee suggests that more efforts are made by the Secretariat to provide it with adequate information pertaining to Southern Rhodesia which is available to the Secretariat.

ANNEXES

ANNEX I

Cases carried over from previous reports and new cases

Explanatory note

The first,^{1/} second^{2/} and third^{3/} reports of the Committee to the Security Council contained texts of reports and substantive parts of correspondence with Governments on seventy-three specific cases of violations of sanctions against Southern Rhodesia.

This annex to the fourth report contains additional information received by the Committee on thirty-six of the cases previously reported, together with texts of reports and substantive parts of correspondence with Governments and specialized agencies received up to and including 1 March 1971, concerning forty new cases brought to the Committee's attention since submission of its third report.

The Committee considered it useful to arrange the cases in the annex according to the commodities involved. Thus, in addition to the case number which follows the chronological order of the date of its receipt by the Committee, the cases have also been serially numbered for easy reference.

^{1/} S/8954, para. 9.

^{2/} S/9252/Add.1, annex XI.

^{3/} S/9844/Add.2, annex VII.

List of specific cases of suspected violations

A. MINERALS

Ferrochrome and chrome ores

<u>Serial No.</u>	<u>Case No.</u>	
(1)	1.	Chrome sand - "Tjibodas": United Kingdom note dated 20 December 1968
(2)	3.	Chrome sand - "Tjipondok": United Kingdom note dated 22 January 1969
(3)	5.	Trade in chrome ore and ferrochrome: United Kingdom note dated 6 February 1969
(4)	6.	Ferrochrome - "Blue Sky": United Kingdom note dated 12 February 1969
(5)	23.	Ferrochrome - "Massimoemee" and "Archon": United Kingdom note dated 8 July 1969
(6)	45.	Ferrochrome - "Tai Sun" and "Kyotai Maru": United Kingdom note dated 20 September 1969
(7)	7.	Ferrochrome - "Catharina Oldendorff": United Kingdom note dated 22 February 1969
(8)	11.	Ferrochrome - "Al Mubarakiah" and "Al Sabahiah": United Kingdom note dated 24 April 1969
(9)	17.	Ferrochrome - "Gasikara": United Kingdom note dated 19 June 1969
(10)	25.	Ferrochrome - "Batu": United Kingdom note dated 14 July 1969
(11)	31.	Chrome ore and ferrochrome - "Ville de Nantes": United Kingdom note dated 4 August 1969
(12)	36.	Ferrochrome - "Ioannis": United Kingdom note dated 26 August 1969
(13)	37.	Ferrochrome - "Halleren": United Kingdom note dated 27 August 1969
(14)	40.	Ferrochrome - "Ville de Reims": United Kingdom note dated 29 August 1969
(15)	55.	Ferrochrome - "Gunvor": United Kingdom note dated 10 November 1969
(16)	57.	Chrome ore - "Myrtidiotissa": United Kingdom note dated 17 November 1969

<u>Serial No.</u>	<u>Case No.</u>	
(17)	59.	Shipments of ferrochrome to various countries: United Kingdom note dated 4 December 1969
(18)	64.	Chrome ore and ferrochrome - "Birte Oldendorff": United Kingdom note dated 24 December 1969
(19)	71.	Ferrochrome - "Disa": United Kingdom note dated 2 April 1970
(20)	73.	Chrome ores - "Selene": United Kingdom note dated 13 April 1970
(21)	74.	Chrome ores and concentrates - "Castasegna": United Kingdom note dated 17 April 1970
(22)	76.	Ferrochrome - "Hodakasan Maru": United Kingdom note dated 13 May 1970
(23)	77.	Ferrochrome - "S.A. Statesman": United Kingdom note dated 28 May 1970
(24)	79.	Chrome ore - "Schutting": United Kingdom note dated 3 June 1970
(25)	80.	Chrome ore - "Klostertor": United Kingdom note dated 10 June 1970
(26)	81.	Ferrochrome - "Merrian": United Kingdom note dated 17 June 1970
(27)	84.	Chrome ores and concentrates - "Joha Stove": United Kingdom note dated 23 July 1970
(28)	87.	Ferrochrome - "Margaret Cord": United Kingdom note dated 5 August 1970
(29)	89.	Chrome ore - "Ville du Havre": United Kingdom note dated 18 August 1970
(30)	95.	Ferrochrome and ferrosilicon chrome - "Trautenfels": United Kingdom note dated 11 September 1970
(31)	100.	Chrome - "Cuxhaven": United Kingdom note dated 16 October 1970
(32)	103.	Chrome ore - "Anna Presthus": United Kingdom note dated 30 October 1970
(33)	108.	Chrome ores - "Schonfels": United Kingdom note dated 26 November 1970
(34)	110.	Chrome ores - "Kybfels": United Kingdom note dated 13 January 1971

<u>Serial No.</u>	<u>Case No.</u>	
<u>Tungsten ore</u>		
(35)	78.	Tungsten ore - "Tenko Maru" and "Suruga Maru": United Kingdom note dated 28 May 1970
<u>Copper</u>		
(36)	12.	Copper concentrates - "Tjipondok": United Kingdom note dated 12 May 1969
(37)	15.	Copper concentrates - "Eizan Maru": United Kingdom note dated 4 June 1969
(38)	34.	Copper exports: United Kingdom note dated 13 August 1969
(39)	51.	Copper concentrates - "Straat Futami": United Kingdom note dated 8 October 1969
(40)	99.	Copper - various ships: United Kingdom note dated 9 October 1970
<u>Nickel</u>		
(41)	102.	Nickel - "Randfontein": United Kingdom note dated 28 October 1970
(42)	109.	Nickel - "Sloterkerk": United Kingdom note dated 11 January 1971
<u>Lithium ores</u>		
(43)	20.	Petalite - "Sado Maru": United Kingdom note dated 30 June 1969
(44)	21.	Lithium ores: United Kingdom notes dated 3 July and 27 August 1969
(45)	24.	Petalite - "Abbekerk": United Kingdom note dated 12 July 1969
(46)	30.	Petalite - "Simonskerk": United Kingdom note dated 4 August 1969
(47)	32.	Petalite - "Yang Tse": United Kingdom note dated 6 August 1969
(48)	46.	Petalite - "Kyotai Maru": United Kingdom note dated 24 September 1969
(49)	54.	Lepidolite - "Ango": United Kingdom note dated 24 October 1969

<u>Serial No.</u>	<u>Case No.</u>	
(50)	86.	Petalite ore - "Krugerland": United Kingdom note dated 4 August 1970
(51)	107.	Tantalite - "Table Bay": United Kingdom note dated 26 November 1970

Pig-iron and steel billets

(52)	29.	Pig-iron - "Mare Piceno": United Kingdom note dated 23 July 1969
(53)	70.	Steel billets: United Kingdom note dated 16 February 1970
(54)	85.	Steel billets - "Despinan" and "Birooni": United Kingdom note dated 30 July 1970
(55)	114.	Steel products - "Gemini Exporter": United Kingdom note dated 3 February 1971

Graphite

(56)	38.	Graphite - "Kaapland": United Kingdom note dated 27 August 1969
(57)	43.	Graphite - "Tanga": United Kingdom note dated 18 September 1969
(58)	62.	Graphite - "Transvaal", "Kaapland", "Stellenbosch and "Swellendam": United Kingdom note dated 22 December 1969

B. TRADE IN TOBACCO

(59)	4.	"Mokaria": United Kingdom note dated 24 January 1969
(60)	10.	"Mohasi": United Kingdom note dated 29 March 1969
(61)	19.	"Goodwill": United Kingdom note dated 25 June 1969
(62)	26.	Transactions in Southern Rhodesian tobacco: United Kingdom note dated 14 July 1969
(63)	35.	"Montaigle": United Kingdom note dated 13 August 1969
(64)	82.	"Elias L.": United Kingdom note dated 3 July 1970
(65)	92.	Cigarettes believed to be manufactured in Rhodesia: United Kingdom note dated 21 August 1970
(66)	98.	"Hellenic Beach": United Kingdom note dated 7 October 1970
(67)	104.	"Agios Nicolaos": United Kingdom note dated 2 November 1970

Serial No. Case No.

(68) 105. "Montalto": United Kingdom note dated
2 November 1970

C. TRADE IN MAIZE AND COTTON SEED

(69) 18. Trade in maize:
United Kingdom note dated 20 June 1969

(70) 39. Maize - "Fraternity":
United Kingdom note dated 27 August 1969

(71) 44. Maize - "Galini":
United Kingdom note dated 18 September 1969

(72) 47. Maize - "Santa Alexandra":
United Kingdom note dated 24 September 1969

(73) 49. Maize - "Zeno":
United Kingdom note dated 26 September 1969

(74) 53. Cotton seed - "Holly Trader":
United Kingdom note dated 23 October 1969

(75) 56. Maize - "Julia L.":
United Kingdom note dated 13 November 1969

(76) 63. Maize - "Polyxene C.":
United Kingdom note dated 24 December 1969

(77) 90. Maize - "Virgy":
United Kingdom note dated 19 August 1970

(78) 91. Maize - "Master Daskalos":
United Kingdom note dated 19 August 1970

(79) 96. Cotton - "S.A. Statesman":
United Kingdom note dated 14 September 1970

(80) 97. Maize - "Lambros M. Fatsis":
United Kingdom note dated 30 September 1970

(81) 106. Maize - "Corviglia":
United Kingdom note dated 26 November 1970

D. TRADE IN WHEAT

(82) 75. Supply of wheat to Southern Rhodesia

E. TRADE IN MEAT

(83) 8. Meat - "Kaapland":
United Kingdom note dated 10 March 1969

(84) 13. Meat - "Zuiderkerk":
United Kingdom note dated 13 May 1969

<u>Serial No.</u>	<u>Case No.</u>	
(85)	14.	Beef - "Tabora": United Kingdom note dated 3 June 1969
(86)	16.	Beef - "Tugelaland": United Kingdom note dated 16 June 1969
(87)	22.	Beef - "Swellendam": United Kingdom note dated 3 July 1969
(88)	33.	Meat - "Taveta": United Kingdom note dated 8 August 1969
(89)	42.	Meat - "Polana": United Kingdom note dated 17 September 1969
(90)	61.	Chilled meat: United Kingdom note dated 8 December 1969
(91)	68.	Pork - "Alcor": United Kingdom note dated 13 February 1970

F. TRADE IN SUGAR

(92)	28.	"Byzantine Monarch": United Kingdom note dated 21 July 1969
(93)	60.	"Filotis": United Kingdom note dated 4 December 1969
(94)	65.	"Eleni": United Kingdom note dated 5 January 1970
(95)	72.	"Lavrentios": United Kingdom note dated 8 April 1970
(96)	83.	"Angelina": United Kingdom note dated 8 July 1970
(97)	94.	"Philomila": United Kingdom note dated 28 August 1970
(98)	112.	"Evangelos M.": United Kingdom note dated 22 January 1971

G. TRADE IN FERTILIZERS AND AMMONIA

(99)	2.	Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969
(100)	48.	Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969
(101)	52.	Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969
(102)	66.	Ammonia - "Cérons": United Kingdom note dated 7 January 1970
(103)	69.	Ammonia - "Mariotte": United Kingdom note dated 13 February 1970

<u>Serial No.</u>	<u>Case No.</u>	
(104)	101.	Anhydrous ammonia: United Kingdom note dated 12 October 1970
(105)	113.	Anhydrous ammonia - "Cypress" and "Isfonn": United Kingdom note dated 29 January 1971
H. MOTOR VEHICLES		
(106)	9.	Motor vehicles: United States note dated 28 March 1969
I. CYCLE ACCESSORIES		
(107)	88.	Cycle accessories: United Kingdom note dated 13 August 1970
J. TRACTOR KITS		
(108)	50.	Tractor kits: United Kingdom note dated 2 October 1969
K. AIRCRAFT		
(109)	41.	Aircraft spares: United Kingdom note dated 5 September 1969
(110)	67.	Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970
L. DIESEL ELECTRIC LOCOMOTIVES		
(111)	111.	Traction equipment for diesel electric locomotives: United Kingdom note dated 15 January 1971
M. BOOK-KEEPING AND ACCOUNTING MACHINES		
(112)	58.	Book-keeping and accounting machines: Italian note dated 6 November 1969
N. SHIRTS		
(113)	93.	Shirts manufactured in Southern Rhodesia: United Kingdom note dated 21 August 1970

Specific cases of suspected violation

A. MINERALS

Ferrochrome, chrome sand and chrome ore

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

There is no new information concerning this case in addition to that contained in the second report (S/9252/Add.1, annex XI, pages 1-10).

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

There is no new information concerning this case in addition to that contained in the second report (S/9252/Add.1, annex XI, pages 10-13).

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

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, page 7).

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

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 8-9).

- (5) Case No. 23 Ferrochrome - "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 third report (S/9844/Add.2, annex VII, page 9).

- (6) Case No. 45 Ferrochrome - "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 (S/9844/Add.2, annex VII, pages 9-11).

- (7) Case No. 7 Ferrochrome - "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 (S/9844/Add.2, annex VII, pages 11-12).

- (8) Case No. 11 Ferrochrome - "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 (S/9844/Add.2, annex VII, pages 12-13).

- (9) Case No. 17 Ferrochrome - "Gasikara": United Kingdom note dated 19 June 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 13-16).
2. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to his previous note verbale dated 5 May 1970 (see annex VII, page 16, para. 12), transmitting, for the information of the Netherlands, a copy of the reply dated 18 June 1970 received from the Federal Republic of Germany to the Secretary-General's note verbale dated 14 May 1970 in connexion with a shipment of ferrochrome on the vessel "Gunvor"^{1/} and inquiring as to whether the information requested in the Secretary-General's note verbale dated 5 May 1970 could be forwarded either directly to the Government of the Federal Republic of Germany, with a copy to the Secretary-General, or to the Secretary-General for transmittal to the Government of the Federal Republic of Germany.

- (10) Case No. 25 Ferrochrome - "Batu": United Kingdom note dated 14 July 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 17-19).
2. Additional information received since the submission of the third report is given below.
3. Replies have been received from Italy and the Netherlands to the Secretary-General's note verbale dated 3 December 1969, the substantive parts of which read as follows:

- (1) Note verbale dated 11 January 1971 from Italy

"The Deputy Permanent Representative of Italy... has the honour, further to the note of 5 December 1969 [see S/9844/Add.2, annex VII, page 18, para. 3 (d)] to inform him of the following:

^{1/} See (15), Case No. 55, page 16, para. 2.

"The vessel 'Batu' arrived in Genoa July 31st 1969 and unloaded there two consignments of kg. 39.798 and kg. 60.204 of ferrochrome. As a result of investigations promoted by the Italian authorities, it was established that the two consignments were of South African origin and that the certificates accompanying them, issued respectively by the Chamber of Commerce of Johannesburg and the 'Associao Comercial' of Lourenço Marques, were authentic."

(2) Note verbale dated 22 May 1970 from the Netherlands

"... the Netherlands authorities contacted the owner of the 'Batu', who supplied information to the effect that the vessel had indeed carried ferrochrome during the course of its voyage from Lourenço Marques to Europe.

"Two consignments, 60.240 and 39.789 kg. respectively, had the destination of Genoa, while a third shipment was marked for Barcelona.

"In view of the identity of the shippers and of available data, there was no basis for assuming that the cargo originated in Southern Rhodesia. The owner of the vessel, furthermore, informed the Netherlands authorities that the consignments were unloaded in Genoa and Barcelona in the absence of any objections on the part of the customs authorities. As far as this information applies to Genoa, it has been confirmed by the Italian authorities.

"In conclusion, the Permanent Representative wishes to draw the Secretary-General's attention to the fact that the 'Batu' berthed at the port of Antwerp before sailing directly to Rotterdam."

4. A reply dated 18 June 1970 has been received from Belgium to the Secretary-General's notes verbale dated 31 December 1969 and 29 April 1970, the substantive part of which reads as follows:

"As my predecessor has explained in his reply of 2 December last [see S/9844/Add.2, annex VII, page 18, para. 3 (a)] to the Secretary-General's note of 22 July 1969, the competent Belgian authorities have made a very thorough investigation of this shipment. This investigation revealed no irregularities."

5. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Spain, referring to his previous notes verbale dated 22 July (see annex VII, page 18, para. 2) and 3 December 1969 (see annex VII, page 18, para. 5), forwarding a copy of the note verbale dated 22 May 1970 from the Netherlands [see para. 3 (2) above] for information and asking whether any investigation of this consignment was carried out and, if so, whether copies of the relevant documentation could be forwarded to the Secretary-General for the information of the Committee.

6. An acknowledgement dated 8 February 1971 has been received from Spain, stating that the Secretary-General's note verbale has been transmitted to the competent Spanish authorities for information and any action that may be necessary.

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 19-22).

2. Additional information received since the submission of the third report is given below.

3. Replies have been received from the Federal Republic of Germany, the Netherlands and Norway to the Secretary-General's note verbale dated 29 April 1970 (annex VII, page 21, para. 6), the substantive parts of which read as follows:

(1) Note verbale dated 13 January 1971 from the Federal Republic of Germany

"1,327 tons of ferrochrome from the m.v. 'Ville de Nantes' were carried on the Rhine River barges 'Muskatet' and 'Pontet Canet' to Duisburg (FRG). Certificates of origin, issued by the Chamber of Commerce of Johannesburg and presented by the importer, together with the customs declaration, attested to the South African origin of the cargo. Since the customs authorities had no reason to suspect the origin to be different from that stated in the certificate, the ferrochrome was cleared for free use in the territory of the Federal Republic of Germany.

"The following quantities from the m.v. 'Ville de Nantes' were shipped in transit through the territory of the Federal Republic of Germany:

"(a) On barge 'Kurier', 127,510 kg. chrome ore and 525,866 kg. ferrochrome to Austria and Czechoslovakia;

"(b) On barge 'Maingau 4', 769,337 kg. chrome ore and 165,278 kg. ferrochrome to Austria and Czechoslovakia;

"(c) On barge 'Alan', 59,246 kg. chrome ore to Czechoslovakia;

"(d) On barge 'Dora', 676,337 kg. chrome ore to Czechoslovakia;

"(e) On barge 'Maingau 5', 920,080 kg. chrome ore to Czechoslovakia."

(2) Note verbale dated 23 June 1970 from the Netherlands

"The Netherlands Government is aware of the fact that the information which is divulged by the Committee established in pursuance of Security Council resolution 253 (1968) is not accusatory but is intended to facilitate the investigation of possible evasions of sanctions. In view of the great

importance the Netherlands Government attaches to a correct application of the sanctions, it has submitted the information regarding the investigation of the shipment on board the French vessel 'Ville de Nantes', although no evidence was found that the cargo originated in Southern Rhodesia.

"However, in the past it has been found that the simple fact of publicly mentioning the name of a shipping company or one of her ships in relation to the transport of cargo suspected of being of Rhodesian origin, although it was proved later that this suspicion was unfounded, has done evident harm to the company in question. Therefore, the Netherlands Government has to insist on its request formulated in the note of 2 April 1970. 1/

"In case the Committee would consider asking the country of destination to make a further investigation, the Netherlands Government might suggest that the Committee could forward to the Government in question the data regarding the dates and ways of transit through the Netherlands in the same way as the Netherlands Government sent them to the Committee. If desired, the Netherlands Government is willing to forward in future, upon request from the Committee, data as mentioned above directly to Governments of countries to which cargo in transit through the Netherlands has been shipped, instead of sending these data to the Committee."

(3) Note verbale dated 15 June 1970 from Norway

"On instructions from his Government, the Permanent Representative of Norway has the honour to inform the Secretary-General that Norwegian authorities have undertaken a thorough investigation of the shipment of chrome ore which was off-loaded at Trondheim from the Greek vessel 'Bergum' after having been trans-shipped from the French vessel 'Ville de Nantes'. All available information indicates that the shipment originated in South Africa, and no evidence was disclosed to corroborate the suspicion that the shipment was of Southern Rhodesian origin. Norwegian authorities have thus concluded that no evasion of the sanctions established under Security Council resolution 253 (1968) has taken place."

4. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to its reply dated 23 June 1970 (para. 3 (2) above) and, in respect of the third paragraph thereof, accepting the kind offer of the Netherlands Government to forward data regarding the dates and ways of transit through the Netherlands directly to the Governments of countries to which cargo is shipped in transit through the Netherlands, with a request that a copy of such data be sent to the Secretary-General at the same time for the information of the Committee.

1/ S/9844/Add.2, annex VII, page 21, para. 5.

(12) Case No. 36 Ferrochrome - "Ioannis": United Kingdom note dated 26 August 1969

There is no new information concerning this case in addition to that contained in S/9844/Add.2, annex VII, page 22).

(13) Case No. 37 Ferrochrome - "Halleren": United Kingdom note dated 27 August 1969

There is no new information concerning this case in addition to that contained in S/9844/Add.2, annex VII, pages 23-24).

(14) Case No. 40 Ferrochrome - "Ville de Reims": United Kingdom note dated 29 August 1969

1. Previous information concerning this case is contained in S/9844/Add.2, annex VII, pages 24-26).
2. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to his previous note verbale dated 5 May 1970 (annex VII, page 26, para. 7), transmitting for the information of the Netherlands a copy of the reply dated 18 June 1970 received from the Federal Republic of Germany to the Secretary-General's note verbale dated 14 May 1970 in connexion with a shipment of ferrochrome on the vessel "Gunvor"^{1/} and inquiring as to whether the information requested in the Secretary-General's note verbale dated 5 May 1970 could be forwarded either directly to the Government of the Federal Republic of Germany, with a copy to the Secretary-General, or to the Secretary-General for transmittal to the Government of the Federal Republic of Germany.

(15) Case No. 55 Ferrochrome - "Gunvor": United Kingdom note dated 10 November 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 26-28).
2. At the request of the Committee at its 29th meeting, the Secretary-General sent a note verbale dated 14 May 1970 to the Federal Republic of Germany, referring to its reply of 22 April 1970 [see annex VII, page 27, para. 3 (b)] and requesting additional information concerning this shipment.

^{1/} See (15), Case No. 55, para. 2 below.

3. A reply dated 18 June 1970 has been received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The 3,000 tons were sub-chartered by 'Otavi-Minen and Eisenbahngesellschaft' to a Swiss company for transportation of 2,000 tons of ferrochrome and 1,000 tons of silicon-chrome.

"By certificate of origin, issued by the Portuguese Chamber of Commerce in Lourenço Marques, the ferrochrome was declared as South African merchandise. For silicon-chrome, a certificate of origin is not required. The entire freight was unloaded from the 'Gunvor' at Rotterdam. The final destination of the freight could not be ascertained."

4. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to his note verbale dated 5 May 1970 (see annex VII, page 28, para. 6), transmitting, for the information of the Netherlands, a copy of the above note verbale dated 18 June 1970 from the Federal Republic of Germany and inquiring as to whether the information requested in the Secretary-General's note dated 5 May 1970 could be forwarded either directly to the Government of the Federal Republic of Germany, with a copy to the Secretary-General, or to the Secretary-General for transmittal to the Government of the Federal Republic of Germany.

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 28-31).

2. Additional information received since submission of the third report is given below.

3. A reply dated 3 August 1970 has been received from Greece to the Secretary-General's note verbale dated 26 November 1969 (see S/9844/Add.2, annex VII, page 29, para. 2), the substantive part of which reads as follows:

"The Permanent Mission of Greece has the honour to forward attached herewith photostat copies of certificate of origin showing that the cargo loaded last October at Lourenço Marques aboard the vessel 'Myrtidiotissa' was not of Southern Rhodesian origin.

"The Greek authorities would very much appreciate it if the inquiries carried out by the country of destination were notified to them."

4. Replies have been received from Austria, Czechoslovakia and Italy to the Secretary-General's note verbale dated 20 April 1970 (see annex VII, page 31, para. 11), the substantive parts of which read as follows:

(1) Note verbale dated 6 July 1970 from Austria

"The Austrian Mission to the United Nations has the honour to transmit enclosed testified copies of the certificates of origin which demonstrate without any doubt that the chrome ore in question was not of Southern Rhodesian origin."

(2) Note verbale dated 2 July 1970 from Czechoslovakia

"The results of the investigation undertaken by the competent Czechoslovak authorities in order to clarify the subject of the information submitted on 2 January 1970 by the Government of the United Kingdom to the Committee established in pursuance of Security Council resolution 253 (1968) confirmed that no Czechoslovak commercial organization had violated provisions of resolution 253 (1968).

"At the same time, it became evident that in 1969 the Swiss firm RIF Trading Co., mentioned in the United Kingdom note, arranged for only one delivery of chrome ore which was of Iranian origin. The certificate of the ore proves beyond doubt that its quality corresponds to a typical Iranian chrome ore which the above-mentioned firm has for several years delivered to the Czechoslovak Socialist Republic. Simultaneously, the investigation showed that the respective payment for the ore was made to Iran within the framework of the Czechoslovak-Iranian clearing.

"The Czechoslovak Socialist Republic does not recognize the illegitimate régime in Southern Rhodesia and does not maintain diplomatic, commercial or any other relations with it."

(3) Note verbale dated 27 November 1970 from Italy

"The Permanent Representative of Italy has the honour to inform him /the Secretary-General/ that further inquiries promoted through the Italian Consular Authorities in Lourenço Marques have confirmed that the documents concerning the merchandise aboard the said vessel were authentic."

5. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Greece and Panama, referring to his note verbale dated 26 November 1969 (see annex VII, page 29, para. 2) and inquiring whether those Governments could throw any light on the following apparent discrepancies revealed in the information received by the Committee. According to the certificates of origin received from the Greek Government with its note

verbale dated 3 August 1970 (see para. 3 above) issued by the Chamber of Commerce, Lourenço Marques, more than 56 million pounds of ore were loaded on the vessel on 27 October 1969. According to information received from the Italian Government in a note verbale dated 5 January 1970 [see S/9844/Add.2, annex VII, page 30, para. 7 (b)]⁷, when the vessel arrived in Trieste on 24 November 1969, its cargo consisted of only 13,576,987 pounds and was consigned to Austrian firms. According to certificates of origin received from the Austrian Government with its note verbale dated 6 July 1970 [see para. 4 (1) above]⁷ issued by the Chamber of Commerce, Johannesburg, the cargo totalled 15,543,600 pounds, an excess of about 2 million pounds on the figure mentioned in the Italian note of 5 January 1970.

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 32-41).
2. Additional information received since the submission of the third report is given below.
3. A reply dated 13 July 1970 has been received from Belgium to the Secretary-General's note verbale dated 22 January 1970 (see annex VII, page 40, para. 14), the substantive part of which reads as follows:

"I have the honour to refer to your note dated 22 January 1970... concerning a cargo of ferrochrome, suspected to be of Southern Rhodesian origin, on board the Netherlands vessel 'Nijkerk' (3rd para. of UK note of 15 January).

"At the request of my Government, I have the honour to inform you that the Belgian administration of customs and excise has carried out a thorough investigation of the cargo of this vessel at Anvers. This investigation has not revealed any irregularities."

4. A reply dated 30 September 1970 has been received from Brazil to the Secretary-General's note verbale dated 29 April 1970 (see annex VII, page 40, para. 17), the substantive part of which reads as follows:

"The Permanent Representative of Brazil... has the honour to refer to the notes transmitting, at the request of the Committee established in accordance with resolution 253 (1968)..., communications from the United Kingdom Mission concerning the importation into Brazil of merchandise of suspected Rhodesian origin.

"In this connexion and in order to avoid the possibility of the entry into Brazil of any goods originating in Rhodesia, the Brazilian Government has decided to adopt the exceptional measure of re-establishing the requirement of a certificate of origin for all goods imported from South Africa, Angola and Mozambique.

"Said certificate of origin will be considered valid only if issued by a governmental authority of the country of origin. To that effect Brazilian Consulates in all those areas through which goods might be shipped from Rhodesia have already received appropriate instructions from the Brazilian Government."

5. By a note dated 10 July 1970, the United Kingdom Government reported the following further information:

"In their note of 4 December 1969, the Government of the United Kingdom brought to the attention of the Committee established in pursuance of Security Council resolution 253 (1968) the activities of the firm of Hochmetals (Africa) (Pty) Ltd. of Johannesburg in the sale of ferrochrome from Rhodesian Alloys, Gwelo, Southern Rhodesia, to purchasers in various parts of the world. The Government of the United Kingdom have received reliable information that the trade in ferrochrome previously carried on by Hochmetals (Africa) (Pty) Ltd. is now being carried on by a company called Septem Trading (Pty) Ltd. Certificates of origin purporting to show that the minerals were of South African origin have been obtained in the name of Septem from a Chamber of Commerce in a third country.

"Among the certificates in ferrochrome executed by Septem Trading (Pty) Ltd. have been:

"(a) Contract No. C 1588, 50 tons for Dalmine Siderurgica, Buenos Aires and contract No. C 1547, 40 tons for Marathon, Buenos Aires, Argentina, both of which consignments were shipped on the m.v. 'Hodakasan Maru' of Japanese registry which sailed from Lourenço Marques on 12 April 1970 (United Kingdom Government note of 13 May 1970 to the Committee...).

"(b) Contract No. C 1579, 100 tons for Patricio Echeverria, Madrid, Spain, shipped on the s.s. 'S.A. Statesman' of South African registry which sailed from Lourenço Marques on 19 April 1970 (United Kingdom Government note of 28 May 1970).

"(c) Contract No. C 1456, about 140 tons for Mannesmann, Rio de Janeiro, Brazil, shipped on the m.v. 'Merian' of FRG registry which sailed from Lourenço Marques on 22 May 1970 (United Kingdom Government note of 17 June 1970).

"The Government of the United Kingdom suggest that the Committee may wish to invite the United Nations Secretary-General to bring the above information to the attention of all the Governments to whom copies of his notes of 10 December 1969 and 13 January 1970, about Hochmetals (Africa) (Pty) Ltd., were sent."

6. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 July 1970 to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note. Replies were not requested but have been received from Argentina, Canada, Democratic Republic of the Congo, Mauritania, Nauru, as follows:

(1) Note verbale dated 1 September 1970 from Argentina

"I have the honour to refer to your notes dated 13 January, 26 May and 23 July transmitting notes dated 4 December 1969, 13 May 1970 and 10 July 1970 from the United Kingdom Mission... which drew attention to possible violations of the sanctions against Rhodesia consisting in the shipment and sale of ferrochrome from Rhodesia to purchasers in various parts of the world, including Buenos Aires.

"The facts presented to us in these notes have been thoroughly investigated by the Government of the Argentine Republic which, as you will remember, severed economic relations with Rhodesia by Decree 1196/66, which was transmitted to you by our note NU 33/405 of 15 March 1966.

"As a result of this investigation, my Government is in a position to state that a consignment of the above-mentioned mineral entered Argentina under cover of documents from a South African export and production firm stating that the said consignment was of South African origin.

"The competent authorities of the Argentine Republic could not be aware that the firm in question was acting as an intermediary, since the note from the United Kingdom drawing attention to that fact (10 July 1970) was written a considerable time after the mineral had entered the country.

"With a view to avoiding any repetition of this occurrence, the Government of the Argentine Republic has instructed its consulate having jurisdiction in South Africa that, in addition to requiring certificates of origin for any suspicious cargoes, it should tighten precautions so as to prevent transactions which might, even indirectly, undermine Security Council resolutions."

(2) Note verbale dated 24 July 1970 from Canada

"The Secretary-General's note, together with its attachment, is being brought to the attention of the appropriate Canadian authorities."

(3) Note verbale dated 25 August 1970 from the Democratic Republic of the Congo

"The Permanent Representative of the Democratic Republic of the Congo... has the honour to acknowledge receipt of the Secretary-General's note of 23 July 1970, the contents of which have received his attention.

"The said note, together with the attached document, has been transmitted today to the Congolese Government for information."

(4) Note verbale dated 24 July 1970 from Mauritania

"The Permanent Mission of Mauritania wishes to inform the Secretary-General that the contents of his note have been transmitted to the Government of Mauritania."

(5) Note verbale dated 6 August 1970 from the Republic of Nauru

"The Acting Secretary for External Affairs has the honour to inform the Secretary-General that the Republic of Nauru is not an importer of ferrochrome and has the honour to confirm that the Republic has not available to it any information regarding trade of the nature referred to in the Secretary-General's communication."

7. A reply dated 18 February 1971 has been received from the Netherlands to the Secretary-General's note verbale of 20 January 1970 (see S/9844/Add.2, annex VII, page 39, para. 14), the substantive part of which reads as follows:

"A careful inquiry conducted by the Netherlands authorities has shown that the Netherlands vessel 'Nykerk' has indeed carried a consignment of copper materials and gun-metal as stated in the annex of the note from the United Kingdom dated 15 January 1970 which was attached to the aforesaid note of the Secretary-General.

"The Netherlands authorities, however, have concluded that having regard to the contents of the documents pertaining to the consignment, there was no basis whatsoever for the shipping company in question to doubt the non-Southern Rhodesian origin of the cargo.

"The shipment was unloaded after its arrival in Antwerp, in the absence of any objections on the part of the Belgian customs authorities.

"In conclusion, the Permanent Representative wishes to inform the Secretary-General that, owing to an administrative misunderstanding, a reply to the latter's note has not been sent at an earlier date."

8. Subsequent to the statement concerning this case made by the Representative of Belgium at the Committee's 42nd meeting on 24 February 1971, further information has been received from Belgium in a note dated 26 February 1971, the substantive part of which reads as follows:

"With regard to Case No. 59 (Shipments of ferrochrome to various countries), the Belgium-Luxembourg Economic Union imported none of this ore from Rhodesia over the period 1960-1965. In 1966 a very small import of 395 tons of Rhodesian ferrochrome was recorded. Since the adoption of resolution 232 (1966) by the Security Council, the BLEU has imported no more ferrochrome of Rhodesian origin."

(18) Case No. 64 Chrome ore and ferrochrome - "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 (S/9844/Add.2, annex VII, pages 41-42).

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 42-43).
2. Additional information received since the submission of the third report is given below.
3. Replies have been received from the Federal Republic of Germany and Sweden to the Secretary-General's note verbale dated 8 April 1970 (see annex VII, page 43, para. 2), the substantive parts of which read as follows:

(1) Note verbale dated 27 August 1970 from the Federal Republic of Germany

"According to information received from the customs authorities of the Federal Republic of Germany, no ferrochrome was unloaded from the vessel during her calls at the FRG ports of Hamburg and Bremen. Neither are there indications that any such products if shipped on board the 'Disa' have come into the FRG by other means."

(2) Note verbale dated 5 June 1970 from Sweden

"The Permanent Representative... has the honour to inform the Secretary-General that the matter is now being investigated by the competent Swedish authorities. Further information was to be transmitted to the Secretary-General upon completion of that investigation."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent notes verbale dated 29 January 1971 to the Netherlands and Sweden, in the case of the Netherlands referring to his note verbale dated 8 April 1970 (see annex VII, page 43, para. 2) and requesting a reply thereto as soon as possible; in the case of Sweden, referring to its reply dated 5 June 1970 (see para. 3 (2) above) to the Secretary-General's note verbale of 8 April 1970 and inquiring as to whether the Swedish Government had completed its investigation of this consignment and, if so, whether the further information mentioned in its reply could be forwarded to the Secretary-General for the information of the Committee.

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 43-44).
2. Additional information received since the submission of the third report is given below.
3. A further reply has been received from Italy and a reply has been received from Yugoslavia to the Secretary-General's notes verbale dated 20 April 1970 (annex VII, page 44, para. 2), the substantive parts of which read as follows:

(1) Note verbale dated 16 June 1970 from Italy

"On the basis of an inquiry made by the proper authorities in Italy, it has been ascertained that the chrome transported by the ship 'Selene' was of South African origin as it was proved by the documentation presented by the shipping company, 'Billits'. The ship has been allowed, therefore, to unload the chrome in Trieste."

(2) Note verbale dated 11 May 1970 from Yugoslavia

"... the Yugoslav authorities have been informed of the shipment of chrome ores and chrome concentrates, suspected to be of Southern Rhodesian origin, and all the necessary measures were undertaken to prevent the unloading of the cargo aboard the m.v. 'Selene' at Yugoslav ports, at the appropriate time."

4. By a letter dated 18 June 1970, the United Kingdom Government reported that it had received information indicating that the m.v. 'Selene' had discharged her cargo of chrome ore and concentrates at Trieste for transit to Austria.
5. At the request of the Committee at an informal meeting on 19 June 1970, the Secretary-General sent a note verbale dated 19 June 1970 to Austria, transmitting

the previous United Kingdom note of 13 April (see S/9844/Add.2, annex VII, page 43, para. 1), together with the information contained in the letter of 18 June 1970 and requesting comments thereon.

6. A reply dated 26 October 1970 has been received from Austria, the substantive part of which reads as follows:

"The Acting Permanent Representative of Austria to the United Nations has the honour to inform the Secretary-General of the United Nations that the above-mentioned cargo was addressed to the following Austrian firms: 'Radenthein', 'Oesterreichische Magnesit-Werke AG' and 'Veitscher Magnesit AG', Vienna. Copies of the bills of lading and certificates of origin, which show the chrome ores and chrome concentrates in question to be of South African origin are attached, as well as copies of relevant certificates of the Chamber of Commerce, Johannesburg."

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, page 45).

2. Additional information received since the submission of the third report is given below.

3. Replies have been received from Spain and Switzerland to the Secretary-General's note verbale dated 29 April 1970, the substantive parts of which read as follows:

(1) Note verbale dated 21 May 1970 from Spain

"The Permanent Mission of Spain... has the honour to inform him /the Secretary-General/ that, between 11 and 22 April, four consignments of chrome ore carried on board the said vessel were cleared by the customs at Santander and that the documents covering these consignments showed their origin to be the Republic of South Africa. The said documents meet the requirements of Spanish law regarding authenticity."

(2) Note verbale dated 15 June 1970 from Switzerland

"The investigation in this connexion ordered by the competent Federal authorities has revealed that in March 1970 the m.v. 'Castasegna', owned by the shipping company, Suisse atlantique of Lausanne, did in fact take on a cargo of 12,020 tons of chrome ore bound for Santander for account of Ferroaleaciones Espanoles S.A. at Madrid. However, the charter party concluded by the Swiss company with the Spanish charterers contains in article 36 the following provision:

'Cargo to be of non-Rhodesian origin.'

"There is no indication in the bill of lading that the merchandise in question might be of Rhodesian origin. In view of the above-mentioned safeguard clause in the charter party, Suisse atlantique denies any responsibility in the event that the Spanish charterers have failed to comply with it."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Spain, referring to its reply dated 21 May 1970 [see para. 3 (1) above] to the Secretary-General's note verbale of 17 April 1970 and inquiring as to whether copies of the documents mentioned in the above reply could be forwarded for the information of the Committee.
5. A reply dated 3 February 1971 has been received from Spain, the substantive part of which reads as follows:

"The Permanent Mission of Spain to the United Nations... has the honour to enclose photocopies of the documents referred to in the [Spanish] Mission's note of 21 May 1970, which attest to the South African origin of the consignments of chrome unloaded at Santander from m.v. 'Castasegna' between 11 and 22 April 1970."

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

1. By a note dated 13 May 1970, the United Kingdom Government reported information concerning a shipment of ferrochrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, from commercial sources, about a shipment of Rhodesian ferrochrome which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that consignments of Rhodesian ferrochrome in drums were recently loaded at Lourenço Marques aboard the m.v. 'Hodakasan Maru'.

"The m.v. 'Hodakasan Maru', which is owned by Mitsui O.S.K. Lines Ltd. of Tokyo and is of Japanese registry sailed from Lourenço Marques on 12 April for ports in the Republics of Argentina, Uruguay and Brazil.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of Argentina, Uruguay and Brazil with a view to assisting them in their investigations into the origin of any ferrochrome unloaded from the m.v. 'Hodakasan Maru' at ports in their territories during her present voyage, either for use in their territories or trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the despatch of the consignments to Lourenço Marques.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of Japan so as to enable them to make inquiries into the carriage aboard a Japanese-owned and registered vessel of ferrochrome which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, at its 30th meeting, the Secretary-General sent notes verbale dated 26 May 1970 to Argentina, Brazil, Japan and Uruguay, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Argentina dated 1 September 1970 [see (17) Case No. 59, para. 6 (1)], Brazil dated 30 September 1970 [see (17) Case No. 59, para. 4] and Japan dated 16 February 1971, 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 that the investigation made by the Government of Japan produced the following results:

"The vessel 'Hodakasan Maru' sailed from Lourenço Marques on 12 April 1970 and entered the ports of Buenos Aires (Argentina), Montevideo (Uruguay) and Santos (Brazil) on 26 April, 6 May and 8 May respectively.

"Ninety-seven drums (101,026 pounds) of ferrochrome, 760 bags (84,534 pounds) of ferrochrome and 90 drums (100,288 pounds) of high carbon ferrochrome were unloaded from the vessel at the port of Buenos Aires and 170 drums (136,340 pounds) of ferrochrome at the port of Santos. (No consignment of ferrochrome was unloaded at the port of Montevideo.)

"As a result of its investigations, the Government of Japan was assured that special attention is paid by Mitsui O.S.K. Lines, Ltd. to the origin of consignments prior to the time of loading, so as to preclude any possibility of transporting goods of Southern Rhodesian origin and that consignments are allowed to be loaded only when they are judged to be not originating in Southern Rhodesia after careful examination of certificates of origin. The Government of Japan was further assured that the consignments in question, after such examination, were judged to be of South African origin and accordingly were transported to their respective destinations."

(23) Case No. 77 Ferrochrome - "S.A. Statesman": United Kingdom note dated 28 May 1970

1. By a note dated 28 May 1970, the United Kingdom Government reported information about a consignment of ferrochrome on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of Rhodesian ferrochrome which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of Rhodesian ferrochrome in drums was recently loaded at Lourenço Marques aboard s.s. 'S.A. Statesman', which is owned by the South African Marine Corporation Ltd. of Cape Town and is of South American registry, sailed from Lourenço Marques on 19 April for ports in Spain, France and Italy.

"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 notice of the Governments of Spain, France and Italy, with a view to assisting them in their investigation into the origin of any ferrochrome unloaded from the s.s. 'S.A. Statesman' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee at its 31st meeting, the Secretary-General sent notes verbale dated 4 June 1970 to Italy and Spain, transmitting the United Kingdom note and requesting comments thereon. The representative of France in the Committee also took note of the contents of the United Kingdom note.

3. Replies have been received from Italy and Spain as follows:

(1) Note verbale dated 14 July 1970 from Italy

"The South African ship 'S.A. Statesman' arrived in Venice from Marseilles on 30 May, with a cargo of 110 pounds of chrome samples. On the basis of an inquiry made by the proper authorities in Italy, it has been ascertained that the chrome was of South African origin as it was

proved by the documents provided by the Chamber of Commerce of Johannesburg (South Africa) signed by Giselle Kaethe Anna Krystal, on 1 May 1970. The ship has therefore been allowed to unload the chrome in Venice."

(2) Note verbale dated 29 July 1970 from Spain

"... the vessel 'S.A. Statesman' entered the port of Barcelona on 28 June 1970 carrying merchandise in transit, without unloading any cargo destined for the said port."

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

1. By a note dated 3 June 1970, the United Kingdom Government reported information about shipments of chrome ore, ferrochrome and ferro-silicon-chrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of consignments of chrome ore, ferrochrome and ferrosiliconchrome, suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that about six thousand tons of chrome ore and various consignments of ferrochrome and ferrosiliconchrome were recently loaded at Lourenço Marques aboard the m.v. 'Schutting'.

"The m.v. 'Schutting', which is owned by Fisser and Van Doornum of Hamburg and is of FRG registry, sailed from Lourenço Marques on 5 May for Rotterdam and Hamburg.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above-mentioned consignments has been supervised and co-ordinated by the firm of Handelsgesellschaft in Zurich, A.G., whose activities in connexion with suspected breaches of sanctions have previously been drawn to the attention of the Committee established in pursuance of Security Council resolution 253 (1968), in particular in the United Kingdom Government's note of 6 February 1969. 1/

"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 to bring the above information to the notice of the Governments of the FRG and the Netherlands with a view to assisting them in their investigations into the origin of any minerals

1/ See S/9252/Add.1, annex XI, page 13, (3).

unloaded from the m.v. 'Schutting' at ports in their territories during her present voyage: either for use in their territories or for trans-shipment to other countries.

"If the importers of the minerals in question should claim that the minerals are not of Rhodesian origin, the Governments of the FRG and the Netherlands may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee at its 32nd meeting, the Secretary-General sent notes verbale dated 12 June 1970 to the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 20 August 1970 from the FRG

"According to information received from the customs authorities of the Federal Republic of Germany, no ferrochrome, chrome ore and ferro silicon chrome was unloaded from the vessel during her call at the FRG port of Hamburg."

(2) Note verbale dated 24 November 1970 from the Netherlands

"A careful investigation by the Netherlands authorities did not yield any indication whatsoever of the evasion of the measures decided upon in resolution 253 (1968) of the Security Council.

"Accordingly, no objections were raised to its transit to the Federal Republic of Germany."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands referring to its reply dated 24 November 1970 to the Secretary-General's note verbale of 12 June 1970 and inquiring as to whether the Netherlands Government could forward information about the onward destination of the consignments in question, in particular details or copies of the documents which were produced to the Netherlands authorities which satisfied them that they were not of Rhodesian origin.

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

1. By a note dated 10 June 1970, the United Kingdom Government reported information about the shipment of chrome ore on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of consignments of chrome ore and ferrosiliconchrome, suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that various consignments of chrome ore and ferrosiliconchrome were recently loaded at Lourenço Marques aboard the m.v. 'Klostertor'.

"The m.v. 'Klostertor', which is owned by Fisser and Van Doornum of Hamburg and is of FRG registry, sailed from Lourenço Marques on 9 May for Rotterdam and Hamburg.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above-mentioned consignments has been supervised and co-ordinated by the firm of Handelsgesellschaft in Zurich A.G., whose activities in connexion with suspected breaches of sanctions have been previously called to the attention of the Committee established in pursuance of Security Council resolution 253 (1968), particularly in the United Kingdom's notes of 6 February 1969 1/ and of 3 June 1970. 2/

"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 to bring the above information to the notice of the Governments of the Federal Republic of Germany and the Netherlands with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. 'Klostertor' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries.

"If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

1/ See S/9252/Add.1, annex XI, page 13, (3).

2/ See (24) Case No. 79 ('Schutting').

2. At the request of the Committee at its 34th meeting, the Secretary-General sent notes verbale dated 18 June 1970 to the Governments of the Federal Republic of Germany and the Netherlands.

3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 20 August 1970 from the FRG

"According to information received from the customs authorities of the Federal Republic of Germany, no chrome ore and ferro-silicon-chrome was unloaded from the vessel during her call at the FRG port of Hamburg."

(2) Note verbale dated 30 November 1970 from the Netherlands

"A careful investigation by the Netherlands authorities did not yield any indication whatsoever of any evasion of the measures decided upon in resolution 253 (1968) of the Security Council.

"Accordingly, no objections were raised to its transit to the FRG."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands, referring to its above reply dated 30 November 1970 to the Secretary-General's note verbale of 18 June 1970 and inquiring as to whether the Netherlands Government could forward information about the onward and final destination of the consignments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(26) Case No. 81 Ferrochrome - "Merian": United Kingdom note dated 17 June 1970

1. By a note dated 17 June 1970, the United Kingdom Government reported information concerning shipment of a consignment of ferrochrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of a consignment of ferrochrome suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of about 140 tons of ferrochrome was recently loaded at Lourenço Marques aboard the m.v. 'Merian'.

"The m.v. 'Merian', which is owned by E. Komrowski Reed of Hamburg, and is of FRG registry, sailed from Lourenço Marques on 22 May for ports in Brazil.

"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 to bring the above information to the notice of the Government of Brazil with a view to assisting them in their investigation into the origin of any ferrochrome unloaded from the m.v. 'Merian' at ports in their territory or during her present voyage, either for use in their territory or trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, the Government of Brazil may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques.

"It is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of the FRG so as to enable them to make inquiries into the carriage aboard an FRG-owned and registered vessel of ferrochrome which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 19 June 1970 to Brazil and the Federal Republic of Germany.
3. A reply dated 26 June 1970 has been received from the FRG, stating that the contents of the Secretary-General's note have been transmitted to the Government of the FRG.
4. At the request of the Committee at its 40th meeting, the Secretary-General sent notes verbale dated 29 January 1971 to Brazil and the Federal Republic of Germany, in the case of Brazil, referring to his previous note verbale dated 19 June 1970 (see para. 2 above) and requesting a reply thereto as soon as possible; in the case of the FRG, referring to its acknowledgement dated 26 June 1970 of the Secretary-General's note verbale of 19 June 1970 and inquiring as to whether the FRG Government was now in a position to forward its comments on this matter for the information of the Committee.
5. An acknowledgement dated 5 February 1970 has been received from the Federal Republic of Germany, stating that the Secretary-General's note verbale of 29 January 1971 has been brought to the attention of the FRG Government.

(27) Case No. 84 Chrome ores and concentrates - "Johs Stove": United Kingdom note dated 23 July 1970

1. By a note dated 23 July 1970, the United Kingdom Government reported information about shipments of chrome ores and concentrates on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about some shipments of chrome ores and concentrates suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that approximately ten thousand tons of chrome ores and concentrates were recently loaded at Lourenço Marques aboard the m.v. 'Johs Stove'.

"The m.v. 'Johs Stove' which is owned by Lorentzens Rederi Co. of Oslo and is of Norwegian registry, sailed from Lourenço Marques on 30 June for Trieste.

"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 notice of the Government of Italy with a view to assisting them in their investigations into the origins of any chrome ores or concentrates unloaded from the m.v. 'Johs Stove' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment to other countries.

"If the importers of the chrome ores and concentrates in question should claim that the minerals are not of Rhodesian origin, and particularly if they should support this claim with certificates of origin issued by an authority in one country claiming that the minerals were produced in a second country, the Government of Italy may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the despatch of the consignments to Lourenço Marques.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the Government of Norway so as to enable them to make enquiries into the carriage aboard a Norwegian owned and registered vessel of minerals which, according to the information above, are suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 29 July 1970 to the Governments of Italy and Norway.

3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 17 September 1970 from Italy

"... the Norwegian ship 'Johs Stove' called at Trieste at the end of July with a cargo of 15,555 tons of chrome destined to Austria.

"On the presentation by the shipping Company Billitz of documentation establishing that the chrome was not of Rhodesian origin, the authorities of the port of Trieste have authorized its shipment to Austria."

(2) Note verbale dated 4 August 1970 from Norway

"The Acting Permanent Representative has been instructed to state the following:

"The m/v 'Johs Stove', owners Lorentzens Rederi Co. of Oslo, has been chartered to the Swiss firm RIF Trading Co., whose agents in Trieste are Messrs. Pilamar. The charter party covering the consignments in question contain a clause stipulating that 'cargo to be of non-Rhodesian origin'.

"It is the understanding of the Norwegian authorities that the Norwegian parties concerned have complied with the requirements of Security Council resolution 253 (1968), the integral text of which has been reproduced as part of Norwegian legislative measures to implement that resolution."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Austria, transmitting a copy of the United Kingdom note of 23 July 1970 (see para. 1 above), together with the substantive part of the reply from Italy dated 17 November 1970 (see para. 3 (1) above) to the Secretary-General's note verbale of 29 July 1970 and asking whether the Austrian Government could produce any further information, such as a chemical analysis (as referred to in the Secretary-General's note verbale and enclosures of 4 August 1969^{1/}) of the ores in question, together with copies of the relevant documentation as outlined in the fifth paragraph of the United Kingdom note.

1/ See S/9252/Add.1, annex XI, page 10.

(28) Case No. 87 Ferrochrome - "Margaret Cord": United Kingdom note dated 5 August 1970

1. By a note dated 5 August 1970, the United Kingdom Government reported information concerning a consignment of ferrochrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of a consignment of ferrochrome suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that a consignment of some 90 tons in drums of this mineral was recently loaded at Lourenço Marques aboard the m.v. 'Margaret Cord'.

"The m.v. 'Margaret Cord', which is owned by Messrs. Jorgen Ditlev Lauritzen of Hellerupvej 14, Hellerup, and is of Danish registry, sailed from Lourenço Marques on 9 July for Rio de Janeiro.

"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 with a view to assisting them in their investigations into the origin of any ferrochrome unloaded from the m.v. 'Margaret Cord' at ports in their territory during her present voyage, either for use in their territory or trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, the Government of Brazil may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969 and require the importers to produce certificates from the mining company supplying the ferrochrome as well as rail notes covering the despatch of the consignment to Lourenço Marques.

"It is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of Denmark so as to enable them to make enquiries into the carriage aboard a Danish owned and registered vessel of ferrochrome which, according to the information above, is suspected to be of Rhodesian origin."

2. Following informal consultations, at the request of the Committee, the Secretary-General sent notes verbale dated 17 August 1970 to the Governments of Brazil and Denmark, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from both those Governments as follows:

(1) Note verbale dated 30 September 1970 from Brazil

[see (17) Case No. 59, para. 2]

(2) Note verbale dated 25 September 1970 from Denmark

"In his note, the Secretary-General... invited the comments of the Danish Government on the note dated 5 August 1970 from the Permanent Mission of the United Kingdom concerning a consignment of ferrochrome, suspected to be of Southern Rhodesian origin, shipped from Lourenço Marques to Brazil aboard the m.v. 'Margaret Cord'.

"Acting upon instructions, the Permanent Representative of Denmark has the honour to inform the Secretary-General as follows:

"The owners of the vessel m.v. 'Margaret Cord' have informed the Danish authorities that they are without any knowledge that the vessel has been engaged in transports from Lourenço Marques to Brazil of ferrochrome suspected to be of Southern Rhodesian origin.

"By virtue of a time charter party of 4 September 1969, the vessel m.v. 'Margaret Cord' is time chartered by the shipping company Lloyd Brasileiro, Rio de Janeiro.

"The captain of the vessel m.v. 'Margaret Cord' has no possibility of determining the nature of the cargo because bills of lading and manifests are drawn up by the agents ashore often after the vessel's departure from the port in question. Consequently, the officers of the vessel are not able to ascertain whether a consignment originates from Rhodesia.

"Considering the information thus available, the Danish authorities have taken no further steps in the matter."

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

1. By a note dated 18 August 1970, the United Kingdom Government reported information concerning shipments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about further shipments of minerals suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is that consignments of minerals believed to be of Rhodesian origin (including some nine thousand tons of chrome ores, ferrosilicon chrome and ferrochrome) were recently loaded at Lourenço Marques aboard the m.v. 'Ville de Havre' for carriage to Rotterdam. The sale in Europe of the consignments of the specified minerals has been supervised and co-ordinated by Handelsgesellschaft in Zurich A.G. whose activities in

connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee... in the United Kingdom Government's notes of 6 February 1969 1/ and 30 May 1960.

"The m.v. 'Ville du Havre' which is owned by the Compagnie Havraise et Nantaise Peninsulaire, 59 Boulevard Haussman, Paris, and is of French registry, sailed from Lourenço Marques on 17 July for Rotterdam.

"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 Netherlands with a view to assisting them in their investigations into the origin of all minerals unloaded from this vessel during her present voyage at Rotterdam or other ports in the Netherlands either for use in the Netherlands or trans-shipment to other countries. If the importers or transit agents handling the cargo in Netherlands ports should claim the minerals are not of Rhodesian origin, the authorities in those ports may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the French Government so as to enable them to make enquiries into the carriage aboard a French owned and registered vessel of minerals which, according to the information above, are suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 21 August 1970 to the Government of the Netherlands, transmitting the United Kingdom note and requesting comments thereon.
3. The following information has been received from France in a note verbale dated 20 October 1970:

"The Permanent Mission of France... has the honour to inform the Secretary-General that since the vessel 'Ville du Havre' did not call at any French port before Rotterdam, it has not been possible for the French maritime and customs authorities to verify the origin of her cargo.

"In the light of information which may be communicated to them by the country of destination, the French authorities, should the occasion arise, will not fail to make an enquiry into the responsibility of the transporter."

1/ See S/9252/Add.1, annex XI, page 13, para. (3).

4. A reply dated 5 January 1971 has been received from the Netherlands, the substantive part of which reads as follows:

"The 'Ville du Havre' berthed at Rotterdam on 5 August 1970 carrying amongst others consignments of ferrochrome ore, ferrochrome, siliconchrome ore and chromeore 'grade 3'. The Netherlands authorities conducted the customary thorough investigation into the origin of the aforesaid cargo. The enquiry yielded no evidence whatsoever of any infringement of the sanctions decided upon in Security Council Resolution 253/1968. Accordingly no objection was made to its transit to the Federal Republic of Germany.

"The Permanent Representative of the Kingdom of the Netherlands avails himself of this opportunity to renew to the Secretary-General the assurances of his highest consideration."

5. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands, referring to its reply dated 5 January 1971 to the Secretary-General's note verbale of 21 August 1970 and enquiring as to whether the Netherlands Government could forward information about the onward and final destination of the consignments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(30) Case No. 95 Ferrochrome and Ferrosilicon chrome - "Trautenfels": United Kingdom note dated 11 September 1970

1. By a note dated 11 September 1970, the United Kingdom Government reported information concerning shipments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about further shipments of minerals suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 4,500 tons of ferrochrome and ferrosilicon chrome believed to be of Rhodesian origin were recently loaded at Lourenço Marques aboard the m.v. 'Trautenfels'.

"The m.v. 'Trautenfels', which is owned by Hansa, Deutsche Dampfschiffahrts - Gesellschaft of Bremen and is of FRG registry, sailed from Lourenço Marques on 14 August for Rotterdam, Emden and Hamburg.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above minerals has been supervised and co-ordinated by Handelsgesellschaft in Zurich A.G., whose activities in connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee..., particularly in the United Kingdom Government's notes of 6 February 1969, 1/ 3 June, 2/ 10 June 3/ and 19 August 1970.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany and the Netherlands with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. 'Trautenfels' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries; and in the case of the Government of the Federal German Republic into the carriage on an FRG-owned and registered ship of minerals suspected of being of Rhodesian origin.

"If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 29 December 1970 from the FRG

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

"The ship's owners, Deutsche Dampfschiffahrts-Gesellschaft Hansa of Bremen, have stated that they are not aware of any cargo of Southern Rhodesian origin having been carried on m.v. 'Trautenfels'. Under section 38 of the charter contract they concluded on 18 June 1970 with

1/ See S/9252/Add.1, annex XI, page 13, (3).

2/ See (24) Case 79.

3/ See (25) Case 80.

Spedimex Speditionsgesellschaft m.b.H. Dusseldorf, they believe to be justified in their assumption that the cargo originated in South Africa. It was unloaded in Rotterdam on 9 September 1970."

(2) Note verbale dated 7 January 1971 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... has the honour to state the following:

"The 'Trautenfels' arrived at the port of Rotterdam on 9 September 1970. Part of its cargo consisted of ferrochrome ore and ferrosiliconchrome ore. The consignment was declared for transit to the Federal Republic of Germany and Sweden after a close examination by the Netherlands authorities had not in any way led to the assumption that an evasion of the sanctions, established by Security Council resolution 253 (1968), had been committed."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands, referring to its above reply dated 7 January 1971 to the Secretary-General's note of 22 December 1970 and inquiring as to whether the Netherlands Government could forward information about the ultimate destination and consignees of the shipments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

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

1. By a note dated 16 October 1970, the United Kingdom Government reported information concerning shipments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about further shipments of minerals suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 5,000 tons of minerals, about half of which was chrome, one-third ferrochrome and the rest made up of about 1,000 tons of ferrosilicon chrome and some 50 tons of other minerals packed in drums all believed to be of Rhodesian origin, were recently loaded at Lourenço Marques aboard the m.v. 'Cuxhaven'.

"The m.v. 'Cuxhaven', which is owned by Bugsier, Reederei und Bergungs A.G. of Hamburg and is of FRG registry, sailed from Lourenço Marques on 15 September for Antwerp, Rotterdam, Bremen and Hamburg.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above minerals has been supervised and co-ordinated by Handelsgesellschaft in Zurich A.G., whose activities in connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee... in the United Kingdom's notes of 6 February 1969, 1/ 3 June 1970, 2/ 10 June 1970, 3/ 18 August 1970 4/ and 11 September 1970. 5/

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany, the Netherlands and Belgium with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. 'Cuxhaven' at ports in their territories during her present voyage either for use in their territories or for trans-shipment to other countries and, in the case of the Government of the Federal Republic of Germany, into the carriage in an FRG-owned and registered ship of minerals suspected of being of Rhodesian origin.

"If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 16 October 1970 to Belgium, the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from Belgium and the Federal Republic of Germany, the substantive parts of which read as follows:

(1) Note verbale dated 12 January 1971 from Belgium

"On the instructions of my Government, I have the honour to inform you that, after inquiry, the competent Belgian authorities are in a position to state that the cargo of this vessel was not discharged at Antwerp when it made a call at this port on 18 October."

1/ See S/9252/Add.1, annex XI, page 13, (3).

2/ See (24) Case 79.

3/ See (25) Case 80.

4/ See (29) Case 89.

5/ See (30) Case 95.

(2) Note verbale dated 17 December 1970 from the FRG

"The Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note of 23 November 1970 concerning certain consignments of minerals believed to be of Rhodesian origin, aboard the m.v. 'Cuxhaven'.

"The contents of the note have been brought to the attention of the Government of the Federal Republic of Germany."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent notes verbale dated 29 January 1971 to the Federal Republic of Germany and the Netherlands, in the case of the FRG referring to its acknowledgement dated 17 December 1970 of the Secretary-General's note verbale of 16 October 1970 and inquiring as to whether that Government was now in a position to forward information on the consignments in question, together with copies of the relevant documentation, for the information of the Committee; in the case of the Netherlands, referring to his previous note verbale dated 16 October 1970 and inquiring as to whether the Netherlands Government was now in a position to forward information concerning the consignments in question, together with copies of the relevant documentation, for the information of the Committee.

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

1. By a note dated 30 October 1970, the United Kingdom Government reported information concerning a shipment of chrome ore on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about a shipment of chrome ore suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 15,000 tons of chrome ore believed to be of Rhodesian origin were recently loaded at Lourenço Marques aboard the m.v. 'Anna Presthus'.

"The m.v. 'Anna Presthus', which is owned by Johs Presthus of Bergen and is of Norwegian registry, sailed from Lourenço Marques on 10 October for Trieste.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above chrome ore has been supervised and co-ordinated by a Swiss firm, RIF Trading Company Ltd., of Zurich, whose activities in connexion with exports from Southern Rhodesia were previously drawn to the attention of the Committee established in pursuance of Security Council resolution 253 (1968) in the United Kingdom Government's letter of 2 January 1970 1/ which offered further information about a shipment of chrome ore aboard the m.v. 'Myrtidiotissa'. As in the case of the chrome ore aboard the 'Myrtidiotissa', it could be that in the present case part or all of the ore has been sold to purchasers in Austria and Czechoslovakia.

"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 to bring the above information to the notice of the Government of Italy with a view to assisting them in their investigations into the origin of any chrome ore which may be unloaded from the m.v. 'Anna Presthus' at ports in their territories during the course of its present voyage. The Committee may also wish to suggest that this information should be brought to the notice of the Governments of Austria and Czechoslovakia with a view to assisting them in their investigations into the origin of chrome ore on the 'Anna Presthus' which may be consigned to organizations situated within their territories.

"If the importers should claim that the chrome ore is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignment to Lourenço Marques.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the Government of Norway so as to enable them to make inquiries into the carriage aboard a Norwegian-owned and registered vessel of chrome ore which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 9 December 1970 to Austria, Czechoslovakia, Italy, Norway and Switzerland, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from Italy, Norway, and Switzerland, the substantive parts of which read as follows:

1/ See S/9844/Add.2, annex VII, page 30, para. 8.

(1) Note verbale dated 22 February 1971 from Italy

"The Permanent Representative of Italy to the United Nations... has the honour to inform him [the Secretary-General] of the following:

"1. The vessel 'Anna Presthus' arrived at Trieste with a consignment of 15,000 tons of chrome.

"2. The chrome was destined to Austria and to Kotoriba at the Hungarian border with Yugoslavia.

"3. The shipment in transit to Austria and Kotoriba was authorized as the authorities investigating it were satisfied that the chrome was of South African origin as it was proved by the certificate of origin bearing a visa of the Italian Consul General in Johannesburg, by the bill of lading, by a certificate of the Chamber of Commerce of Johannesburg, by a copy authenticated of the sale contract, by a copy of the freight contract and by the consignment note concerning the shipment of the chrome from South Africa to Lourenço Marques."

(2) Note verbale dated 4 February 1971 from Norway

"On instructions from his Government, the Permanent Representative has the honour to inform the Secretary-General that the Norwegian authorities have undertaken a thorough investigation into the matter. It is confirmed that the motor vessel 'Anna Presthus' was cleared out of Lourenço Marques on 10 October 1970, carrying a cargo of 15,000 tons of chrome ore. The charter party covering the consignment in question contained a clause stipulating that 'cargo could not be of Rhodesian origin'."

(3) Note verbale dated 20 January 1971 from Switzerland

"According to information which has reached the Government of the United Kingdom, it would appear that the sale of this chrome ore in Europe was supervised and co-ordinated by a Swiss firm, the RIF Trading Company Ltd. of Zurich. The Permanent Observer of Switzerland has already had occasion, by note of 17 April 1970, 1/ to provide the Secretary-General of the United Nations with various data on the activities of this firm, whose business is conducted, it seems, outside Swiss territory. In this connexion, therefore, the Federal authorities can only repeat that they have no legal or practical means of intervening outside the territory of the Confederation. Under public international law, each State is entitled to apply legal rules only in its own territory; the Swiss authorities cannot therefore take steps which would contravene positive international law."

1/ See S/9844/Add.2, annex VII, page 31, para. 10 (b).

4. At the request of the Committee at its 43rd meeting on 18 March 1971, the Secretary-General sent notes verbale dated 22 March 1971 to Austria and Yugoslavia requesting further information on the case. The Secretary-General also sent an automatic reminder to Czechoslovakia on the same day, in accordance with the procedural practice decided upon by the Committee at its 38th meeting.

(33) Case No. 108 Chrome ores - "Schonfels": United Kingdom note dated 26 November 1970

1. By a note dated 26 November 1970, the United Kingdom Government reported information concerning consignments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that further large consignments of minerals, mainly chromium ores and concentrates, suspected to be of Rhodesian origin, were recently loaded at Lourenço Marques for shipment to Europe aboard the m.v. 'Schonfels'.

"The m.v. 'Schonfels', which is owned by Deutsche Dampfschiffahrtsgesellschaft Hansa, of Bremen, and is of FRG registry, sailed from Lourenço Marques on 9 November for Bremen via intermediate ports.

"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 to bring the above report to the attention of the Government of the Federal Republic of Germany with a view to assisting them in their investigations into the carriage aboard an FRG-owned and registered vessel of minerals suspected to be of Rhodesian origin which may be destined for FRG firms or for trans-shipment to other countries. The Secretary-General may wish to ask the FRG Government whether it would be possible to obtain from the shipping company details of all minerals loaded on the vessel at Lourenço Marques during her present voyage so that, in the event of these minerals being discharged prior to the arrival of the vessel in Bremen, investigation (in accordance with the suggestions contained in his note of 18 September 1969) into their origin can be made at the ports where they are scheduled for unloading."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 15 December 1970 to the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

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

1. By a note dated 13 January 1971, the United Kingdom Government reported information concerning consignments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation, concerning the supply of further large consignments of minerals suspected to have been mined in Southern Rhodesia.

"The information is to the effect that several thousands of tons of various grades of chrome ores and concentrates were loaded at Lourenço Marques aboard the Deutsche Damfschiffahrts-Gesellschaft Hansa m.v. 'Kybfels' for carriage to Rotterdam. This vessel, which is registered in the Federal Republic of Germany, cleared Lourenço Marques on 24 December and should arrive in Rotterdam about 10 January.

"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 to bring the above information to the attention of the Netherlands and the Federal Republic of Germany so as to enable them to investigate the origin and final destination of these minerals suspected to be of Southern Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 22 January 1971 to the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. An acknowledgement dated 9 February 1971 has been received from the Federal Republic of Germany, stating that the contents of the above note of the Secretary-General dated 22 January 1971 have been brought to the attention of the FRG Government.

Tungsten ore

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

1. By a note dated 28 May 1970, the United Kingdom Government reported information concerning consignments of tungsten ore on the above vessels. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information about the shipment of Rhodesian tungsten ores which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of Rhodesian tungsten ore was loaded at Lourenco Marques aboard the m.v. 'Tenko Maru'. The m.v. 'Tenko Maru' sailed from Lourenco Marques on 24 December 1969 for Kobe.

"A further consignment of tungsten ore was loaded at Lourenco Marques aboard the m.v. 'Suruga Maru'. The m.v. 'Suruga Maru' sailed from Lourenco Marques on 11 March 1970, also for Kobe. The m.v. 'Tenko Maru' is owned by Kambara Kisen K.K. of Tokyo and is of Japanese registry: the m.v. 'Suruga Maru' is owned by Nippon Yusen Kaisha of Tokyo and is of Japanese registry. 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 notice of the Government of Japan with a view to assisting them in their investigations into the origin of tungsten ores unloaded from the m.v.s. 'Tenko Maru' and 'Suruga Maru' at ports in their territory during the voyage mentioned above, either for use in their territory or trans-shipment to other countries.

"It is possible that the above consignments will be accompanied by some form of certificates of origin purporting to show the ores as originating in countries in southern Africa. In this connection it should be noted that, from published figures, South African production of tungsten ores and concentrates amounted to only 23 tons in 1967 and in the preceding five years only once exceeded 10 tons. South West African production of scheelite amounts to less than one ton per annum and, although its production of tin-wolfram concentrates is very high, it would be very unlikely, for geographical reasons, that South West African production would be shipped from Lourenco Marques. The Japanese Government may therefore wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note PO 230 SORH (1-2-1) of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the despatch of the consignments to Lourenco Marques."

2. At the request of the Committee at its 31st meeting, the Secretary-General sent a note verbale dated 4 June 1970 to Japan, transmitting the United Kingdom note and requesting comments thereon.

Copper

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

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 28-29) and in the third report (S/9844/Add.2, annex VII, pages 46-47).

2. Additional information received by the Committee since the submission of the third report is given below.

3. A reply dated 15 July 1970 has been received from Japan to the Secretary-General's note verbale of 3 December 1969, which reads as follows:

"As previously reported, the Government of Japan made a careful examination of the relevant import documents, including the rail notes concerning the copper concentrates aboard the vessel 'Tjipondok' after the vessel entered the port of Kobe on 26 May 1969.

"The Government further continued to investigate the matter in view of reported indications that copper was not produced in Mozambique, so that Southern Rhodesian copper should not be imported as being of Mozambique origin.

"On the basis of the importer's statement to the effect that the consignment in question was produced in the Edmundian copper mine, the Government undertook an on-the-spot investigation of the mine between late July and early August 1969 and collected information on the production, shipment and export of copper products from the competent Mozambique authorities, as well as from persons associated with the said mine.

"As a result of the investigation, it became clear that the mine had not been abandoned but that it had been producing copper though on a small scale, and had accumulated a stock of copper products. Accordingly, the consignment in question was allowed to be imported on 25 August 1969. It was thus after the procedure of customs clearance was completed that the Government received the note verbale of the Secretary-General dated 17 September 1969 concerning the Edmundian mine.

"In view of the results of the investigation referred to above, the Government did not seek to obtain the producer's certificate concerning the copper concentrates in question."

37) 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 (S/9844/Add.2, annex VII, pages 47-49).

38) 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 (S/9844/Add.2, annex VII, pages 49-50).

(39) 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 (S/9844/Add.2, annex VII, pages 50-52).

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

1. By a note dated 9 October 1970, the United Kingdom Government reported information concerning shipments of copper on various vessels. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received reliable information from commercial sources about shipments of copper suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that several consignments of copper believed to be of Rhodesian origin were shipped earlier this year to Japan from both Walvis Bay and Lourenço Marques. Approximately 500 tons were shipped in each of the vessels m.v. 'Straat Frazer', m.v. 'Straat Fremantle' and m.v. 'Wakasa Maru'. Smaller amounts were dispatched in the m.v. 'Hokkai Maru' and in two other vessels.

"The m.v. 'Wakasa Maru', which is owned by Nippon Yusen Kaisha Tokyo and is of Japanese registry, sailed from Lourenço Marques on 5 January 1970; the m.v. 'Straat Frazer', which is owned by Koninklijke Paketvaart Maatschappij, N.V. of Amsterdam and is of Dutch registry, sailed from Walvis Bay on 25 January 1970; the m.v. 'Straat Fremantle', which is owned by Koninklijke Java-China-Paketvaart Lijnen N.V. of Amsterdam and is of Dutch registry sailed from Walvis Bay on 2 March 1970; the m.v. 'Hokkai Maru', which is owned by Mitsui O.S.K. Lines Ltd. of Tokyo and is of Japanese registry, sailed from Lourenço Marques on 14 April; all the above ships eventually discharged at Japanese ports.

"Further information available to the Government of the United Kingdom indicates that the sales to which the above shipments relate were originally arranged on behalf of the Rhodesian producers by Hochmetals Africa (Pty) Ltd. of Johannesburg, whose activities in connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee...

particularly in the United Kingdom Government's notes of 4 December 1969, 1/ 24 December 1969, 2/ 8 January 1970, 3/ 15 January 1970 4/ and 10 July 1970. 5/

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Government of Japan with a view to assisting them in their investigations into the origin of any copper unloaded from the above-mentioned vessels at ports in their territory during their recent voyages, either for use in their own territory or for trans-shipment to other countries. If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the dispatch of the consignments to Lourenço Marques or Walvis Bay. The above information may also assist the Government of Japan in any inquiries which they may make into the carriage aboard Japanese-owned and registered vessels of consignments of copper suspected to have been of Rhodesian origin.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the Government of the Netherlands so as to enable them to make inquiries into the carriage aboard Dutch-owned and registered vessels of consignments of copper which, according to the information above, are suspected to have been of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to Japan and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from the Netherlands and Japan, the substantive parts of which read as follows:

(1) Note verbale dated 5 January 1971 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... with reference to the Secretary-General's note of 23 November 1970 concerning several consignments of copper believed to

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- 1/ See S/9844/Add.2, annex VII, page 32, para. 1.
 - 2/ See S/9844/Add.2, annex VII, page 35, para. 7.
 - 3/ See S/9844/Add.2, annex VII, page 37, para. 10.
 - 4/ See S/9844/Add.2, annex VII, page 38, para. 13.
 - 5/ See (17) Case 59.

be of Rhodesian origin aboard the m.v. 'Straat Frazer' and the m.v. 'Straat Fremantle', has the honour to state the following:

"Inquiries conducted by the Netherlands authorities produced evidence that the above-mentioned vessels have indeed carried several consignments of copper (bars blister copper) from Walvis Bay to Japan on the data mentioned in the note from the United Kingdom dated 9 October 1970 which was attached to the aforesaid note of the Secretary-General.

"Permit for transport, however, was granted after it had been established to the satisfaction of the ship-owners that there were no indications whatsoever of the shipments originating in Southern Rhodesia.

"The Netherlands Government would appreciate being informed in the event of the investigation of the Government of Japan brings to light any doubt about the origin of the cargoes in question."

(2) Note verbale dated 26 February 1971 from Japan

"The ships referred to above ('Straat Frazer', 'Straat Fremantle', 'Wakasa Maru', 'Hokkai Maru') visited Japanese ports during the following dates:

'Wakasa Maru'	1-5 February 1970
'Straat Frazer'	27 February-11 March 1970
'Straat Fremantle'	31 March-6 April 1970
'Hokkai Maru'	14-26 May 1970

"Three Japanese importers applied for customs clearance with regard to the following goods:

- "(a) 2,057 metric tons of blister copper of South African origin;
- "(b) 1,428 metric tons of blister copper of Namibian origin;
- "(c) 762 metric tons of copper concentrate of South African origin;
- "(d) 2,486 metric tons of copper concentrate of Namibian origin.

"As to the blister copper, after the examination of contracts and invoices, it was confirmed to be the products of manufacturers respectively of South Africa and Namibia and to have been imported through the sales agents of these manufacturers. The Government of Japan confirmed the existence of these manufacturers by referring to statistics issued by the American Bureau of Metal Statistics (1969).

"As to the copper concentrate, certificates of origin issued by the Chambers of Commerce respectively of Johannesburg and Walvis Bay were submitted.

"In accordance with the above the Government of Japan concluded that these consignments were respectively of South African and Namibian origin and allowed them to be imported."

Nickel

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

1. By a note dated 28 October 1970, the United Kingdom Government reported information concerning a shipment of nickel on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about a shipment of nickel suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 50 tons of nickel believed to be of Rhodesian origin were recently loaded at Lourenco Marques aboard the m.v. 'Randfontein'.

"The m.v. 'Randfontein', which is owned by Koninklijke Nedlloyd N.V. of Rijswijk and is of Dutch registry, sailed from Lourenco Marques on 19 September for Southampton, Antwerp, Rotterdam, Amsterdam, Bremen and Hamburg.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany, the Netherlands and Belgium with a view to assisting them in their investigations into the origin of any nickel unloaded from the m.v. 'Randfontein' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries and, in the case of the Government of the Netherlands, into the carriage in a Dutch-owned and registered vessel of nickel suspected to be of Rhodesian origin. The United Kingdom Commissioners of Customs and Excise have verified that none of the nickel was unloaded at British ports.

"If the importers should claim that the nickel is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the dispatch of the consignment to Lourenco Marques.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 9 December 1970 to Belgium, the Federal

Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Belgium and the Federal Republic of Germany, the substantive parts of which read as follows:

(1) Note verbale dated 4 February 1971 from Belgium

"On the instructions of my authorities, I have the honour to inform you that this vessel called at Antwerp on 18 October 1970 and left that port on 22 October for Rotterdam. The customary inspection was made by the Belgian Customs service and no irregularities were found.

(2) Note verbale dated 23 December 1970 from the FRG

"The Acting Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note of 9 December 1970 concerning a cargo of some 50 tons of nickel, suspected to be of Southern Rhodesian origin, aboard the m.v. 'Randfontein'.

"The contents of the note have been brought to the attention of the Government of the Federal Republic of Germany."

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

1. By a note dated 11 January 1971, the United Kingdom Government reported information concerning a shipment of nickel on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation, about the shipment of a further consignment of nickel suspected to be of Rhodesian origin. The information is to the effect that a consignment of this mineral was loaded at Lourenço Marques aboard the m.v. 'Sloterkerk' for carriage to Rotterdam pending sale to various customers in Western Europe. The m.v. 'Sloterkerk' of Netherlands registration was scheduled to arrive at Rotterdam in early January.

"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 information to the attention of the Government of the Netherlands with a view to assisting them in their investigations into the origin of any nickel unloaded from this vessel at Rotterdam and into the circumstances in which this consignment, suspected to be of Rhodesian origin, was accepted for carriage on a vessel of Dutch registration."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 22 January 1971 to the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

Lithium ores

(43) 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 (S/9844/Add.2, annex VII, pages 53-55).

(44) Case No. 21 Lithium ores: United Kingdom notes dated 3 July and 27 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 54-58).

2. Additional information received since the submission of the third report is given below.

3. A further note dated 27 July 1970 was received from the United Kingdom Mission concerning this subject. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their notes of 3 July and 27 August 1969, concerning the production and export of certain lithium ores in southern Africa, wish to inform the Committee that a means of determining the precise origin of petalite from southern Africa has been devised by the Institute of Geological Sciences of London.

"The Institute considers that it is possible to distinguish in the laboratory between pegmatites (i.e. lithium-bearing material) obtained from Karibib, South West Africa: from Letaba, Transvaal, Republic of South Africa and from Bikita, Southern Rhodesia. Details of the criteria which should be employed for this purpose are set out in the annex to this note. It will be seen from the annex that it is possible clearly to distinguish lithium ores produced from Rhodesian pegmatites from those of South West African origin by reference to geological age, and from any lithium ores that may still be being produced at Letaba by reference to their mineralogical composition. As indicated in the United Kingdom note of 3 July 1969, there is no evidence to suggest that petalite has ever been produced from Letaba pegmatite.

"The Government of the United Kingdom suggest that the Committee might wish to ask the Secretary-General of the United Nations to bring the above information and the annexes to the attention of all the

Governments to whom copies of his notes of 29 July and 18 September 1969, about lithium ores, were sent. Governments which have comments on the scientific and technical aspects of the analysis process might be invited to send them to the Committee for consideration.

"ANNEX

"1. The age of Rhodesian pegmatites, in particular those of the Bikita area, are =2,500 m.y. old, whereas those of South West Africa are =600 m.y. old. Care should be taken in the case of the Letaba pegmatites of the Transvaal which are probably the same age as those of Bikita, but at present the latter are not known to contain substantial amounts of petalite or spodumene. (The other commercial lithium-bearing mineral, lepidolite, is a mica which contains fluorine and is not, therefore, sought by glass manufacturers.)

"2. The mineral Bikitaitite (LIALS1206. H₂O) is only known from the Bikita pegmatites, hence if this mineral occurs in association with other lithium minerals the material almost certainly originates from Rhodesia. Again the Letaba pegmatites should be considered, as they are in the same province as the Rhodesian pegmatites and could contain bikitaitite, though the mineral is not as yet known to occur in the Transvaal.

"3. Bikita lithium concentrates invariably contain the mineral eucryptite (LIALS104) and when this is found in association with Bikitaitite, petalite and spodumene the provenance of the material, on present knowledge, is certainly the Bikita pegmatites.

"4. If it is ever shown that bikitaitite occurs in the Letaba pegmatites, together with eucryptite, the criteria set out above will require revision. At present, the onus is on the shipper to show that the mineral assemblage described in paragraph 3 occurs elsewhere than in Rhodesia.

"5. Further details of the analysis process can, if required, be obtained from the Institute of Geological Sciences, Geochemical Division, 64-78 Gray's Inn Road, London, W.C.1. The Institute of Geological Sciences is one of the component bodies of the Natural Environment Research Council which was established by Royal Charter in 1965 to encourage, plan and conduct research in those sciences that relate to man's natural environment."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 14 September 1970 to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.

3. The following replies have been received:

Burma	Italy
Cambodia	Mauritania
Canada	Singapore
Cyprus	Switzerland
Democratic Republic of the Congo	Zambia

4. Of the above replies, those from Burma (dated 26 November 1970), Cambodia (dated 29 September 1970) and Cyprus (dated 10 November 1970) stated that they were not importers of the ores in question and therefore had no comments to offer on this subject; the replies from the Democratic Republic of the Congo (dated 21 September 1970), Italy (dated 17 September 1970) and Mauritania (dated 4 November 1970) stated that the Secretary-General's note and its annexes had been transmitted to their respective Governments. A summary of the remaining replies is given below:

(a) In a note verbale dated 7 October 1970, Singapore stated that while it was unable to comment on the analysis process as described in the annex to the United Kingdom note, the Singapore Government had taken due note of its contents.

(b) In a note verbale dated 27 October 1970, Switzerland stated that it had no record of any imports of lithium ores from either Rhodesia or southern Africa in 1969 and 1970 and that, since the Swiss authorities were not in a position, from the practical standpoint, to determine the origin of lithium ores which entered into the composition of alloys, they were unable to make any comments on possible scientific and technical analyses in respect of such ores.

(c) The substantive part of the reply received on 18 December from Zambia reads as follows:

"The Permanent Representative of the Republic of Zambia to the United Nations... and has the honour to transmit views from the Zambia Government to the Secretary-General's note in connexion with the recognition of Southern African Lithium Mineral concentrates (Lithium Ores in Southern Rhodesia).

"1. The criteria suggested for recognizing the provenance of Southern African lithium mineral concentrates are valid although the Zambia Government points out that there can never be an absolute certainty in determining an accurate age for rocks by any techniques known at present.

Ages obtained by methods are usually expressed as n plus or minus anything up to several hundred million years. It would therefore be necessary for the age determinations to be carried out by at least two laboratories to obtain a legally acceptable degree of confidence in the results. In this connection, it is relevant to point out that there are only a few laboratories capable of carrying out this kind of work.

"2. As far as the mineralogical criteria are concerned it must be emphasized that one cannot rule out entirely the possibility of bikitaite being found in the Transvaal lithium-bearing pegmatites."

5. At the request of the Committee at its 39th meeting, the Secretary-General sent notes verbale dated 3 February 1971 to all Member States of the United Nations or members of the specialized agencies, transmitting the above reply received on 18 December 1970 from Zambia to the Secretary-General's note of 14 September 1970, for purposes of information.

6. Acknowledgements have been received from Canada, Colombia, El Salvador the Federal Republic of Germany and the United Kingdom.

(45) 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 (S/9844/Add.2, Annex VII, pages 58-60).

(46) 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 (S/9844/Add.2, Annex VII, pages 60-63).

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 63-65).

2. At the request of the Committee at its 29th meeting, the Secretary-General sent a note verbale dated 14 May 1970 to Belgium, transmitting the contents of the French reply dated 28 April 1970 [see Annex VII, page 64, para. 3 (c)] and stating that no further reply was expected from Belgium.

(48) Case No. 46 Petalite - "Kyotai Maru": United Kingdom note dated 24 September 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 65-66).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 26 February 1971 has been received from Japan (see S/9844 Add.2, Annex VII, page 66, para. 5), the substantive part of which reads as follows:

"After the departure of the vessel "Kyotai Maru" from the port of Lourenço Marques, the South African exporter proposed to the Japanese importer cancellation of the export contract concerning the goods in question for the reason that, as a result of examination by a surveyor, these goods proved to have been of very poor quality, contents of lithium (petalite) being far from meeting contract conditions, and the latter consented to the cancellation.

"Therefore, the ownership of these consignments belongs to the South African exporter and the Japanese importer has not received any import documents, nor has it applied for import permission and the consignments have been kept in a bonded shed ever since their unloading in October 1969.

"The Japanese importer has repeatedly requested the South African exporter to remove those consignments from the Japanese port, but no reply has been received from the latter.

"It is not possible for the Government of Japan to judge whether the consignments in question are of Southern Rhodesian origin or not, as the related import documents have never reached the Japanese importer, but the Government has requested the Japanese importer to get the consent of the owner of those consignments either for sending them back to South Africa or for abandoning them."

4. At its 43rd meeting on 18 March 1971, the Committee decided to request Japanese authorities, if possible under Japanese law, to conduct a composition test on the consignments which belonged to the exporter. If the test proved the goods to be of Southern Rhodesian origin, the Committee would be able to bring that fact to the attention of other countries to which the consignments might subsequently be shipped. The representative of Japan in Committee took note of the Committee's decision.

(49) Case No. 54 Lepidolite - "Ango": United Kingdom note dated 24 October 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, pages 67-68).

(50) Case No. 86 Petalite ore - "Krugerland": United Kingdom note dated 4 August 1970

1. By a note dated 4 August 1970, the United Kingdom Government reported information about a consignment of petalite ore on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received reliable information about the shipment of a consignment of petalite ore which is suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of about 250 tons of Rhodesian petalite ore was recently loaded at Walvis Bay aboard the M.V. 'Krugerland'. The petalite was shipped to Walvis Bay from Rhodesia by a very circuitous route in order to disguise its origin. For the same reason, the consignment underwent changes of description at various stages of the journey, and only reverted to its original and correct description of petalite ore for its final shipment. It is probable that shipment was made through Walvis Bay in order to facilitate claiming South West African origin for the ore.

"The m.v. 'Krugerland', which is owned by South African Lines Ltd. of Capetown and is of South African registry, sailed from Walvis Bay on 3 April and arrived at Rotterdam on 17 April, London on 21 April, Bremen on 28 April, and Hamburg on 3 May.

"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 notice of the Governments of the Netherlands and the Federal Republic of Germany with a view to assisting them in their investigations into the origin of any petalite ore unloaded from the m.v. 'Krugerland' at ports in their territories during her recent voyage, either for use in their territories or for trans-shipment to other countries. It has been confirmed by H.M. Customs and Excise that no petalite was discharged when the m.v. 'Krugerland' called at London.

"If the importers should claim that the petalite is not of Rhodesian origin, the Governments of the Netherlands and the Federal Republic of Germany may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's

note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the despatch of the consignments to Walvis Bay."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 17 August 1970 to the Governments of the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from both those Governments, the substantive parts of which read as follows:

(1) Note verbale dated 9 December 1970 from the Federal Republic of Germany

"The Permanent Observer of the Federal Republic of Germany to the United Nations has the honour to communicate that no petalite ore was unloaded from the vessel during her calls at the ports of Bremen and Hamburg."

(2) Note verbale dated 30 November 1970 from the Netherlands

"The 'Krugerland' berthed at the port of Rotterdam on 17 April 1970 carrying among others a consignment of 240149 kg petalite ore.

"The Netherlands customs officers proceeded to a careful inquiry into that consignment, taking into account the suggestions contained in the Secretary-General's note of 18 September 1969 concerning documentation which could serve the purpose of establishing the origin of goods.

"As a result of the above enquiry, it was established that the cargo in question did not originate in Southern Rhodesia."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a further note verbale dated 29 January 1971 to the Netherlands, referring to its above reply dated 30 November 1970 and inquiring as to whether the Netherlands Government could forward information about the onward and final destination of the consignments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(51) Case No. 107 Tantalite - "Table Bay": United Kingdom note dated 26 November 1970

1. By a note dated 26 November 1970, the United Kingdom Government reported information concerning a consignment of Rhodesian tantalite on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received reliable information about a sale of minerals supplied by the firm Metex (Pvt) Ltd. of Salisbury, Rhodesia.

"The information is to the effect that a consignment of Rhodesian tantalite was recently railed to Lourenço Marques by the above firm for shipment on the m.v. 'Table Bay', a vessel of FRG registration, for shipment to Bremen.

"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 to bring the above information to the attention of the Federal Republic of Germany to enable them to make enquiries into the origin of any tantalite unloaded from the above-named vessel during her present voyage to Europe."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 15 December 1970 to the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

Pig-iron and steel billets

(52) 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 (S/9844/Add.2, Annex VII, pages 68-69).

(53) Case No. 70 Steel billets: United Kingdom note dated 16 February 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 70-71).
2. The following further information has been received from France (see Annex VII, page 70, para. 3) in a note verbale dated 25 May 1970:

"...although the Permanent Mission is aware of the difficulties which certain companies may encounter in their relations with firms established in Southern Rhodesia and only partly owned by them, it suggests, in view of the fact that RISCO was originally financed by the United Kingdom company Lancashire Steel and the South African firm Anglo-American Corporation, that the Committee... should request the Permanent Mission of the United Kingdom to collect any information which Lancashire Steel may have on the activities of the Rhodesian Iron and Steel Company."

3. In the consideration of this case at the 40th meeting, the representative of the United Kingdom stated that the British firms involved would not be likely to be able to provide any additional information.

4. At the request of the Committee, at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Iran, referring to his previous note verbale dated 18 February 1970 (see S/9844/Add.2, annex VII, page 70, para. 2) and requesting the comments of Iran on this matter as soon as possible.

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

1. By a note dated 30 July 1970, the United Kingdom Mission reported information concerning the shipment to Iran of steel products suspected to be of Rhodesian origin. The text of the note is reproduced below:

"The Government of the United Kingdom wish to bring to the attention of the Committee the following information which they consider to be sufficiently reliable to warrant investigation concerning the shipment to Iran of steel products suspected to be of Rhodesian origin.

"The information is to the effect that some 9,000 metric tons of steel billets manufactured by the Rhodesian Iron and Steel Company Ltd. (RISCO) were recently shipped from Lourenço Marques on the s.s. 'Despinan' and the m.v. 'Birooni'. The s.s. 'Despinan', which is owned by the Trans-Argo Compania Maritima S.A. of Panama and is of Liberian registry, sailed from Lourenço Marques on 24 May for Abadan. The m.v. 'Birooni', which is owned by the Ivory Shipping Company Ltd. of Monrovia, is also of Liberian registry and sailed from Lourenço Marques on 25 May, also for Abadan. It is possible that these shipments may be connected with the contract referred to in paragraph 2 of the United Kingdom note of 16 February 1970. 1/

"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 notice of the Government of Iran, with a view to assisting them in their investigations into the import of any steel billets which were off-loaded from the above vessels at Abadan. If it is claimed that steel billets imported from southern Africa are not of Rhodesian origin, the Iranian Government will doubtless bear in mind the suggestions contained in the Secretary-General's note of 18 September 1969 relating to documentary proof of origin.

"The Committee may also wish to bring the above information to the notice of the Governments of Panama and Liberia with a view to assisting them in their investigations into the carriage aboard a Panamanian owned vessel and two Liberian registered vessels of steel products which, according to the above information are suspected to be of Rhodesian origin."

1/ See S/9844/Add.2, Annex VII, para.1, page 70.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 4 August 1970 to Iran, Liberia and Panama, transmitting the United Kingdom note and requesting comments thereon.
3. At the Committee's request at its 38th meeting, the Secretary-General sent notes verbale dated 21 January 1971 to those three Governments referring to his previous notes verbale dated 4 August 1970 and seeking comments thereon as soon as possible.

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

1. By a note dated 3 February 1971, the United Kingdom Government reported information concerning a further consignment of steel products on the vessel "Gemini Exporter". The text of the note is reproduced below:

"In continuation of their note of 30 July 1970^{1/} about the shipment of steel products to Iran, the Government of the United Kingdom now wish to bring to the attention of the Committee the following information received from commercial sources which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a further consignment of several thousand tons of steel products manufactured by the Rhodesian Iron and Steel Co. Ltd. (RISCO) were recently shipped from Lourenço Marques aboard the ss. 'Gemini Exporter'. The vessel which is owned by Haliato Oceanica Nav. S.A. of Panama and is of Greek registration sailed from Lourenço Marques mid-January for Abadan.

"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 notice of the Government of Iran, in order to assist them in their investigations into the origin of any steel products unloaded from the 'Gemini Exporter' during the present voyage either for use in Iran or trans-shipment. If the importers should claim that the consignment is not of Rhodesian origin, the Government may wish, bearing in mind the advice relating to the reliability of certain forms of documentation indicated in the Secretary-General's note of 18 September 1969, to call for the production of full documentary evidence, including producers' certificates and rail notes covering the despatch of all the consignment to the port of shipment.

^{1/} See (54) Case 85.

"At the same time, the Committee may wish to ask the Secretary-General to advise the Governments of Panama and Greece of this shipment so that they may investigate the circumstances in which the goods believed to be of Southern Rhodesian origin were accepted for carriage on this Panamanian-owned Greek-registered vessel."

2. Following informal consultations, at the request of the Committee, the Secretary-General sent notes verbale dated 9 February 1971 to Greece, Iran and Panama, transmitting the United Kingdom note and requesting comments thereon as soon as possible.

Graphite

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

See Annex III.

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

See Annex III.

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

See Annex III.

B. TRADE IN TOBACCO

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

There is no new information concerning this case in addition to that contained in the second report (S/9252/Add.1, annex XI, pages 38-41).

(60) Case No. 10 "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 (S/9844/Add.2, annex VII, page 75).

(61) Case No. 19 "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 (S/9844/Add.2, annex VII, pages 75-79).

(62) Case No. 26 Transactions in Southern Rhodesian 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 (S/9844/Add.2, annex VII, pages 79-80).

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

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 80-83).

2. Additional information received since the submission of the third report is given below.

3. A reply dated 28 May 1970 has been received from the Netherlands to the Secretary-General's note verbale dated 29 April 1970 (see annex VII, page 82, para. 6), the substantive part of which reads as follows:

"The Permanent Representative of the Netherlands... wishes to point out that information contained in his previous notes concerning this question are related only to results of inquiries into the cargo carried by the 'Montaigle' during its stay in Rotterdam.

"Given, however, that the vessel is of Belgian nationality, the Netherlands Government is not in a position to provide further information about its movements or its cargo during the period prior to its entry into the port of Rotterdam."

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

1. By a note dated 3 July 1970, the United Kingdom Government reported information to the effect that, under arrangements made between the Tobacco Producers' Floor, Salisbury, and the firm of Mercator A.G., Zurich, a consignment of tobacco, believed to be of Rhodesian origin, was loaded aboard the vessel "Elias L.". The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant further investigation. The information is to the effect that, under arrangements made between the Tobacco Producers' Floor, Salisbury, and the firm of Mercator A.G., Zurich, a large consignment of tobacco, believed to be of Rhodesian origin, was recently loaded at Lourenço Marques aboard the m.v. 'Elias L.'

"The m.v. 'Elias L.', which is owned by Kaldelian Shipping Company Ltd., Famagusta, Cyprus, and is of Cypriot registry, sailed from Lourenço Marques on 28 April 1970 and, it has now been learned, arrived at Riga in the USSR on or about 1 June 1970, after making a brief call at Lisbon on 19-20 May 1970.

"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 notice of the Governments of Portugal and the USSR in order to assist them in their investigations into the origin of any tobacco which may be or have been unloaded from the m.v. 'Elias L.' at ports in their territory during her present voyage, either for use in the territory or for trans-shipment to another country.

"If the importers of the tobacco in question should claim that it is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Cyprus so as to enable them to investigate the carriage in a Cypriot owned and registered vessel of tobacco which, according to the information referred to above, is believed to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 7 July 1970 to Cyprus and Portugal, transmitting the United Kingdom note and requesting comments thereon. The representative of the USSR in the Committee was also informed of the contents of the United Kingdom note.

3. A reply dated 23 July 1970 has been received from the USSR, the substantive part of which reads as follows:

"The competent organizations of the USSR have investigated the matter referred to in the note and have established that no cargo of any kind was unloaded from the vessel 'Elias L.' in the port of Riga.

"The 'Elias L.' was chartered by the Deufracht shipping organization of the German Democratic Republic to carry cargoes f.o.b. Riga to the port of Rostock (German Democratic Republic). The vessel arrived in Riga on 1 June 1970 in ballast. It did not carry out any unloading operations. On 22 June 1970, the 'Elias L.' left Riga for Rostock with 4,402 tons of cement on board.

"I should like to take this opportunity to emphasize once again that the Soviet Union does not maintain relations of any kind with the racist régime of Southern Rhodesia and, needless to say, does not maintain trade relations of any kind with that régime - either directly or through other countries."

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

1. By a note dated 21 August 1970, the United Kingdom Government reported information concerning cigarettes believed to be manufactured in Rhodesia. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, through commercial sources, concerning a possible evasion of sanctions against Southern Rhodesia, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that supplies of cigarettes, bearing the brand name Benson and Hedges, are now being openly offered for sale at cut prices by Messrs. Karellakis Georges and Freres of Lubumbashi (who are not agents for the proprietors of this trade mark) and advertisements about these sales have appeared in the local press at Lubumbashi. As these cigarettes have not been imported through the normal trade channels or obtained with the consent of the proprietors of the trade mark in the Democratic Republic of the Congo, it is believed that these cigarettes have been manufactured by a company in Rhodesia. It is believed further that cigarettes described by other internationally known brand names but derived from the same source can also be obtained from the same importer.

"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 Congo with a view to assisting them with their enquiries into the origin of these cigarettes."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 25 August 1970 to the Government of the Democratic Republic of the Congo, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 28 August 1970 has been received from the Democratic Republic of the Congo, the substantive part of which reads as follows:

"At this stage, the Permanent Representative would like to draw the following to the attention of the Secretary-General:

"1. If the Rhodesian régime is still in existence and continues to defy the United Nations, the reason is very well known to all, and to the United Kingdom in particular. It is solely because of the complacency of the colonial Administering Authority - none other than Britain - which was not willing to take the only adequate and appropriate measures when faced with rebellion.

"2. If the United Nations sanctions have not succeeded in producing the effect which the United Kingdom wished to attribute to them, the fault rests on that country and, as the British Government knows perfectly well, on the authorities of the countries neighbouring Rhodesia, particularly South Africa and Portugal which control territories bordering on Rhodesia.

"3. As concerns the specific cases of the shirts (see Case 93) and cigarettes of Rhodesian origin imported into the Congo, it is evident that such imports are made without the agreement and the knowledge of the governmental authorities.

"4. The Congolese Government, which respects the decisions of the Security Council, has already opened an enquiry concerning those cases of fraudulent imports, and its representative to the United Nations will not fail at the appropriate time to inform the Secretary-General of the results of that inquiry."

4. At the request of the Committee at its fortieth meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Democratic Republic of the Congo, referring to its above reply dated 28 August 1970, expressing gratitude therefore and inquiring as to whether any further information was available concerning the inquiry mentioned in paragraph 4 of that reply.

5. A reply dated 11 February 1971 has been received from the Democratic Republic of the Congo, the substantive part of which reads as follows:

"The Permanent Representative of the Democratic Republic of the Congo to the United Nations... has the honour to refer to the Secretary-General's note of 29 January 1971, relating to the sale in the Democratic Republic of the Congo of cigarettes and shirts (see (113) Case No. 93) believed to be of Rhodesian manufacture.

"The Permanent Representative of the Democratic Republic of the Congo wishes to inform the Secretary-General that he has just reapprised his Government of the above-mentioned cases and will not fail to keep him informed at the appropriate time of any further information which is received."

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

1. By a note dated 7 October 1970, the United Kingdom Government reported information concerning a consignment of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that a consignment of some 200 tons of tobacco suspected to be of Rhodesian origin was recently loaded at Beira aboard the s.s. 'Hellenic Beach' for shipment to Alexandria. The transaction has been arranged by the EL Nasr Export and Import Co. of Cairo and Paris and South Africa Leaf Tobacco Co.

"The s.s. 'Hellenic Beach' which is owned by Hellenic Lines Ltd. of Piraeus and is of Greek registry sailed from Beira on 24 August for certain other African and Mediterranean ports, including Piraeus and Trieste at one of which the tobacco is likely to be trans-shipped to Alexandria.

"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 Greece and Italy so as to assist them in their enquiries into the origin of any tobacco unloaded from this vessel at ports in their territory in transit to Alexandria. The Secretary-General might suggest to the Government of Greece that they might ascertain, in the course of their investigations into the carriage of goods suspected to be of Rhodesian origin on a Greek owned and registered vessel, where the tobacco is to be trans-shipped and the name of the on-carrying vessel so that further enquiries can be made at the port of trans-shipment and destination.

"Pending the receipt of further information from the Government of Greece, the Committee may wish to ask the Secretary-General to notify the Government of the United Arab Republic of this report suggesting that if and when the

tobacco is shipped to Alexandria, they bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Governments of Greece, Italy and the United Arab Republic, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 27 November 1970 has been received from Italy, informing the Secretary-General that the contents of his note have been brought to the attention of the proper authorities in Italy.

4. A reply dated 19 December 1970 has been received from Greece, the substantive part of which reads as follows:

"The Permanent Mission of Greece to the United Nations has the honour to forward attached hereto copies of Certificate of Origin and Bill of Lading showing that the consignment of tobacco loaded aboard the s.s. 'Hellenic Beach' was of Malawi and Mozambique origin."

5. The following further information has been received from Italy in a note verbale dated 22 February 1971:

"The Permanent Representative of Italy to the United Nations has the honour to inform him the Secretary-General that:

"1. The S.S. 'Helenic Beach' arrived at Trieste on 25 December 1970. It did not call at Trieste between 24 August 1970 and 24 December 1970.

"2. It had no consignment of tobacco on board at that time. It had a consignment of 203.208 tons of iron-manganese loaded at Durban.

"3. The said consignment of iron-manganese was destined to Austria and authorization was given for shipment in transit to Austria after the proper authorities in Italy had ascertained that the consignment, as proved by the certificates of origin bearing a visa of the Italian Consular authorities, was of South African origin."

6. At the request of the Committee at its 43rd meeting, the Secretary-General sent an automatic reminder on 22 March 1971 to the United Arab Republic (see para. 2 above).

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

1. By a note dated 2 November 1970, the United Kingdom Government reported information concerning consignments of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that consignments of tobacco, suspected to be of Rhodesian origin, were recently loaded at Lourenço Marques aboard the m.v. 'Agios Nicolaos'.

"The m.v. 'Agios Nicolaos', which is owned by the Cia de Nav Damka S.A. of Panama, and is of Greek registration, sailed from Lourenço Marques on 17 September for Lisbon where she made a call for bunkers on 10 October and cleared on 11 October for the Baltic Sea.

"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 in the first instance to the attention of the Government of Greece in order to ascertain through the managers of the m.v. 'Agios Nicolaos' (Messrs. Trinity Shipping Company Ltd., 6 Sotiros Dios Street, Piraeus) at which port or ports the tobacco aboard the vessel is to be unloaded.

"At the same time the Committee may wish to ask the Secretary-General also to inform the Government of Panama so that enquiries can be made into the carriage aboard a Panamanian owned vessel of tobacco believed to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 10 December 1970 to Greece and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 18 January 1971 has been received from Greece, the substantive part of which reads as follows:

"The Permanent Mission of Greece to the United Nations... has the honour to transmit, attached hereto:

"(a) Photostatic copy of the Time Charter in which it is specifically stipulated that the Charterers, Messrs. A.H. Basse Rederi A/S, Copenhagen, can use the vessel in world-wide trading within I.W.L., excluding Southern Rhodesia.

"(b) Photostatic copies of letters dated 13 November 1970 and 2 December 1970 of the Charterers addressed to the owners, confirming that they personally checked Certificates of origin from which it appears that the cargo was of Mozambique origin and emphasizing that as a Danish company they follow the same UN sanctions as Greece.

"The Greek Mission wishes to reiterate its previous requests to the effect that a more thorough scrutiny and appraisal of the information concerning transportation of consignments, suspected to be of Rhodesian origin, be envisaged in order to limit investigations to those cases for which there is actually sufficient ground to warrant such time-consuming and burdensome enquiries.

"The Greek Authorities wish to stress, once again, that they would be thankful if the results of the investigations carried out by the Authorities of the country of destination and/or the country of the Charterers were made known to them with a view to facilitating the completion of their own enquiries. All previous requests to this effect remain unheeded."

4. At the request of the Committee at its 41st meeting, the Secretary-General sent notes verbale dated 22 February 1971 to Denmark and Panama; in the case of Denmark, transmitting the United Kingdom note dated 2 November 1970 (see para. 1 above), together with the relevant part of the above reply from Greece and a copy of the documents referred to therein; in the case of Panama, reminding that Government of the Secretary-General's previous note verbale of 10 December 1970 and requesting a reply thereto as soon as possible.

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

1. By a note dated 2 November 1970, the United Kingdom Government reported information concerning consignments of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that consignments of tobacco suspected to be of Rhodesian origin were recently loaded at Beira and Durban aboard the m.v. 'Montalto'. The m.v. 'Montalto', which is owned by the Compagnie Maritime Belge, S.A. of Antwerp, and is of Belgian registry, sailed from Durban on 16 September for Antwerp.

"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 Belgium with a view to assisting them with their enquiries into the origin of any tobacco which may have been unloaded from the vessel during her present voyage, either for use in Belgium or for trans-shipment to other countries, and into the carriage aboard a Belgian owned and registered ship of tobacco suspected to be of Rhodesian origin.

"If the importers of the tobacco should claim that it is not of Rhodesian origin, the Belgian authorities may wish to bear in mind the suggestion relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. If the tobacco is declared to be of South African origin, it is relevant to note that the South African Government authorize the export of South African produced leaf tobacco through two organizations only, namely, the Central Cooperative Tobacco Company of South Africa Ltd. and the Western Province Cooperative Tobacco Growers Company Ltd., who alone are empowered by the authorities to issue certificates of origin required by importing countries (South African Notice No. R.276 dated 23 February 1962 refers)."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 10 December 1970 to Belgium, transmitting the United Kingdom note and requesting comments thereon.
3. A reply dated 11 January 1971 has been received from Belgium, the substantive part of which reads as follows:

"On instructions of my Government, I have the honour to inform you that this matter has been the subject of an enquiry by the competent Belgian authorities. This enquiry has shown that the 'Montalto' put in at Anvers during the month of October, but that at this time there was no import or transit of tobacco which could be found to be irregular."

C. TRADE IN MAIZE AND COTTON SEED

(69) Case No. 18 Trade in Maize: UK note dated 20 June 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 83-87).
2. Additional information received by the Committee since the submission of the third report is given below.
3. Replies have been received from Belgium, Japan, Italy and the Food and Agriculture Organization to the Secretary-General's note verbale dated 7 May 1970 (see Annex VII, page 87, para. 5), the substantive parts of which read as follows:

(1) Note verbale dated 19 June 1970 from Belgium

"I have the honour to refer to note PO 230 SORH (1-2-1) of 7 May 1970 requesting observations of the Belgian Government on imports of maize from Mozambique during the period 1965-68.

"It is true that the Belgian-Luxembourg Economic Union has imported the following amounts of maize from Mozambique during the years 1967-68:

	Pounds (1,000 kg)	Value (1,000 f.b.)
1967	41,613.6	127.384
1968	31,540.2	93.596

"On the other hand, imports in 1966 and 1969 have been non-existent.

"This trade is quite in order as far as the origin of the maize is concerned. Indeed, as a general rule, the Belgian-Luxembourg Economic Union has never imported maize from Rhodesia. For reference, I can inform you that the statistics given for the Union for the years 1965, 1966, 1967, 1968 and 1969 indicate that no tonnage of this product has been purchased in Rhodesia.

"I hope that this information will give entire satisfaction to the members of the Committee....."

(2) Note verbale dated 21 July 1970 from Japan

"The Permanent Representative of Japan has the honour to inform the Secretary-General as follows:

"The figures for Japan's imports of maize from Mozambique included in the table attached to the note verbale of the Secretary-General dated 7 May 1970 correctly reflect the corresponding figures in the Customs Clearance Statistics of Japan.

"At the time of any importation of maize of Mozambique origin, the Government of Japan requires the importer to submit a certificate of origin issued by the Chamber of Commerce of Beira and, as necessary, a quarantine certificate issued by the Portuguese Governor's Office of Mozambique as well as other relevant import documents. Such imports are allowed only when the consignment in question is judged to be of Mozambique origin."

(3) Note verbale dated 27 July 1970 from Italy

"The Chargé d'Affaires a.i. of the Permanent Mission of Italy to the United Nations has the honour to inform His Excellency [the Secretary-General] that the proper authorities in Italy investigating this matter have not found any evidence of traffic of Rhodesian maize imported into Italy through Mozambique.

"The information contained in the Secretary-General's note has been conveyed to the customs authorities in Italy which have been requested to establish special control on all products arriving in Italy from Mozambique."

(4) Letter dated 2 September 1970 from the Director, International Agency Division, FAO

"A review of the activities of our Seed Laboratory, from 1965 to date, confirms that no maize seed have been sent to Mozambique through the services of FAO.

"Moreover, it is not believed that introduction of 'hybrid maize' constitutes a valid explanation of the figures purporting to represent increase in production in Mozambique. There is no valid technical explanation for an increase from 25,000 tons in 1967 to 122,000 tons one year later. Moreover, the hybrids could not be reproduced in the importing country, and introduction would have to be repeated annually to keep production levels at their highest potential.

"We tend to believe that the explanation of the discrepancies between Mozambique's exports of maize and its estimated production is to be found in the statement of the UK representative at the 27th meeting of the Committee; and are likely to be in the form of trans-shipments from neighbouring countries. Production figures available to us are not sufficiently reliable to be taken as proof in this respect, but such information as we possess does not point to any significant rise in production in recent years. Moreover, the third 6-year development plan foresees for 1973 a marketed production of maize of 193,000 tons and a total production of 446,000 tons, levels which are not markedly higher than FAO estimates for 1966-68 (about 160,000 tons and 400,000 tons, respectively).

"Substantial trans-shipment of goods from neighbouring countries is also suggested by the following passage from US State Department Background Notes on Mozambique: 'The imbalance of imports over exports has been largely remedied by the substantial invisible earnings of the transit shipping trade from South Africa, Southern Rhodesia, Zambia and Malawi and the remittances of African migrant labour.'

"It is regretted that we cannot give you a more conclusive answer."

4. At the request of the Committee at its 38th meeting, the Secretary-General sent notes verbale dated 26 January 1971 to all Member States of the United

Nations, with the exception of Portugal (see below) or members of the specialized agencies, referring to his previous note verbale dated 10 July 1969, to the United Kingdom Note dated 20 June 1969 attached thereto, and to the Secretary-General's note verbale dated 7 May 1970 to FAO, and transmitting a copy of FAO's reply thereto dated 2 September 1970. At the request of the Committee at the same meeting, the Secretary-General sent the same note verbale dated 26 January 1971 to Portugal, with an additional paragraph requesting the comments of the Portuguese Government on this matter.

5. The following replies have been received:

Canada

Colombia

El Salvador

Federal Republic of Germany

Mauritania

Nauru,

Netherlands

United Kingdom

6. Of the above replies, those from Colombia dated 3 February 1971, El Salvador dated 5 February 1971, the Federal Republic of Germany dated 5 February 1971, Mauritania dated 2 February 1971, Nauru dated 9 February 1971 and the United Kingdom dated 3 February 1971 are acknowledgements of the Secretary-General's note, stating that the contents thereof have been transmitted to their respective Governments. In its reply dated 4 February 1971, Canada recalled its note of 6 January 1970 (see S/9844/Add.2, annex VII, page 84, para. 3) in which it stated that Canada had not imported maize or maize products said to be of Mozambique origin during 1967 or 1968 or during the first five months of 1969 and that, although the Canadian authorities remained confident that the control procedures in operation in Canada were adequate to enforce sanctions against Southern Rhodesia, they welcomed the continuing information supplied by the Committee. The reply from Netherlands dated 25 February 1971 simply wished to confirm what had been stated earlier in its note of 10 September 1969 (see S/9844/Add.2, annex VII, page 85, para 3 (c)).

(70) 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 third report (S/9844/Add.2, annex VII, pages 87-89).

(71) 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 third report (S/9844/Add.2, annex VII, pages 89-90).

(72) 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 third report (S/9844/Add.2, annex VII, pages 90-91).

(73) Case No. 49 Maize - "Zeno": United Kingdom note dated 26 September 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 91-92).

(74) 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 third report (S/9844/Add.2, annex VII, pages 95-96).

(75) 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 third report (S/9844/Add.2, annex VII, pages 92-93).

(76) 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 third report (S/9844/Add.2, annex VII, pages 93-95).

(77) Case No. 90 Maize - "Virgy": United Kingdom noted dated 19 August 1970

1. By a note dated 19 August 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of maize, suspected to be of Rhodesian origin, was recently loaded at Beira aboard the m.v. 'Virgy'.

"The m.v. 'Virgy', which is owned by the Vasa Shipping Co. Ltd., Nicosia, Cyprus, and is of Cypriot registry, sailed from Beira on 26 July for Mexico.

"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 Mexico so as to assist them in their enquiries regarding the origin of any maize unloaded from the m.v. 'Virgy' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Mexico may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the despatch of the consignment to Beira, as well as the appropriate health and phyto-sanitary certificates. When investigating the consignment, the Government of Mexico may also wish to take into consideration the fact that at the present time Zambia, Malawi and Mozambique are having to supplement their home grown supplies with imported maize, and that therefore this consignment is unlikely to have originated in any of those countries.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Cyprus of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Cypriot owned and registered vessel of maize which, according to the information referred to above, is suspected to be of Rhodesian origin."

2. At the request of the Committee following informal consultations, the Secretary-General sent notes verbale dated 21 August 1970 to Cyprus and Mexico, transmitting the United Kingdom note and requesting comments thereon.
3. At the request of the Committee at its 38th meeting, the Secretary-General sent notes verbale dated 21 January 1971 to those two Governments, referring to his previous notes verbale dated 21 August 1970 and seeking comments thereon as soon as possible.
4. Replies have been received from Cyprus and Mexico to the Secretary-General's notes verbale dated 21 January 1971, the substantive parts of which read as follows:

(1) Note verbale dated 18 January 1971 from Cyprus

"The Permanent Representative of Cyprus to the United Nations... had the honour to advise that steps have been taken and are still being pursued by the appropriate Government authorities in Cyprus to investigate the situation referred to therein. This investigation has not as yet been concluded."

(2) Note verbale dated 27 January 1971 from Mexico

"The Permanent Representative of Mexico to the United Nations... has the honour to refer to some purchases of maize which were made by the Government of Mexico and which, according to the Government of the United Kingdom...; may have involved Rhodesian maize.

"In this connexion, the Permanent Representative reiterates the reply on the subject sent by the Mission of Mexico to the Secretary-General in its note dated 10 September 1970 1/".

5. At the request of the Committee at its 41st meeting, the Secretary-General sent a note verbale dated 22 February 1971 to Cyprus, forwarding copies of the various documents received from the Government of Mexico relating to this shipment, among them the relevant certificates of origin and charter contracts, and expressing the hope that these would be useful in the investigation being carried out by the Government of Cyprus.

(78) Case No. 91 Maize - "Master Daskalos": United Kingdom note dated 19 August 1970

1. By a note dated 19 August 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of maize, suspected to be of Rhodesian origin, was recently loaded at Beira aboard the m.v. 'Master Daskalos'.

"The m.v. 'Master Daskalos', which is owned by Motores Maritimos Cia., Lda., San Jose, Costa Rica, and is of Greek registry, sailed from Beira on 29 July for Mexico.

1/ See (78) Case 91, para. 3 (2).

"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 Mexico so as to assist them in their enquiries regarding the origin of any maize unloaded from the m.v. 'Master Daskalos' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Mexico may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the dispatch of the consignments to Beira, as well as the appropriate health and phytosanitary certificates. When investigating the consignments, the Government of Mexico may also wish to take into account the fact that at the present time Zambia, Malawi and Mozambique are having to supplement their home grown supplies with imported maize, and that therefore this consignment is unlikely to have originated in any of those countries.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Costa Rica and Greece of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Costa Rican owned, Greek registered vessel, of maize which, according to the information referred to above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 21 August 1970 to the Governments of Costa Rica, Greece and Mexico, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Mexico, the substantive parts of which read as follows:

(1) Note verbale dated 23 November 1970 from Greece

"The Permanent Mission of Greece to the United Nations... has the honour to forward attached hereto photostat copies of Certificate of Origin and Certificate of Inspection showing that the consignment of maize loaded aboard the m.v. 'Master Daskalos' was of Mozambique origin.

"On this occasion, the Greek authorities wish to reiterate their previous request to the effect that the results of the enquiries carried out by the Authorities of the country of destination be communicated to them for the completion of their own investigations."

(2) Note verbale dated 10 September 1970 from Mexico

"The Permanent Representative of Mexico... has the honour to refer to the Secretary-General's note dated 21 August 1970 concerning a

purchase of maize by the Mexican Government which, according to the Government of the United Kingdom, might possibly be concerned with Rhodesian maize.

"In this connexion, by means of this present transmission to the Committee...; the Permanent Representative sends several documents to the Secretary-General, among them the relevant certificates of origin and charter contracts according to which the maize involved in the purchase and sale was of Mozambique origin.

"The Permanent Representative wishes to emphasize that the documents entitled 'M/S MASTER DASKALOS' Rider clauses to C/P dated 26 June 1970' and 'Virgy, Rider Clauses to C/P dated 17 June 1970' state clearly in clause 48 of both documents that 'No cargo of Rhodesian origin to be loaded', which proves that the Mexican Government took all necessary precautions to comply with the Security Council's provisions concerning trade with Rhodesia."

(79) Case No. 96 Cotton - "S.A. Statesman": United Kingdom note dated 14 September 1970

1. By a note dated 14 September 1970, the United Kingdom Government reported information concerning a consignment of cotton on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation. The information is to the effect that a consignment of cotton, suspected to be of Rhodesian origin, was loaded recently at Beira aboard the m.v. 'S.A. Statesman'. The m.v. 'S.A. Statesman' sailed from Beira on 10 August, declared for Genoa and Venice.

"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 Italy with a view to assisting them with their enquiries into the origin of any cotton which may be unloaded from the 'S.A. Statesman' at ports in their territory, either for use in their territory or for trans-shipment.

"If the importers of the cotton in question should claim that it is not of Rhodesian origin, the Government of Italy may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the despatch of the consignment to Beira, as well as the appropriate health and phyto-sanitary certificates."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 23 November 1970 to Italy, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 30 November 1970 has been received from Italy, the substantive part of which reads as follows:

"The Permanent Representative of Italy to the United Nations... has the honour to inform him /the Secretary-General/ that the m.v. 'S.A. Statesman' called at Venice where it unloaded 67 tons of cotton on September 6th and at Genoa where it unloaded 60 tons of cotton on September 14th. The first results of the enquiry conducted by the proper Italian authorities have shown that the cotton unloaded at Venice and Genoa was of Mozambiquan origin. The consignments however are being further investigated."

4. Further information has been received from Italy in a note verbale dated 22 February 1971, stating that further investigations have confirmed beyond any doubt that the consignment of cotton unloaded by the vessel in question in Italy in September last was of Mozambiquan origin, as proved by the certificate of origin issued by the Commercial Association of Beira, by the bill of lading and by the invoice of the exporter.

(80) Case No. 97 Maize - "Lambros M. Fatsis": United Kingdom note dated 30 September 1970

1. By a note dated 30 September 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of maize, suspected to be of Rhodesian origin, was recently loaded at Beira aboard the m.v. 'Lambros M. Fatsis'.

"The m.v. 'Lambros M. Fatsis' which is owned by Alpha Shipping Company S.A. of Panama, and is of Greek registration, sailed from Beira on 4 September for Japan.

"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 so as to assist them in their enquiries regarding the origin of any maize unloaded from the m.v. 'Lambros M. Fatsis' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Japan may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the dispatch of the consignment to Beira as well as the appropriate health and phyto-sanitary certificates. When investigating the consignments the Government of Japan may also wish to take into account the fact that at the present time Zambia and Malawi and Mozambique are having to supplement their home grown supplies with imported maize. In connection with the documentation which the Japanese Government reported in their reply to the Secretary-General dated 22 December 1969 1/ as being produced during their investigations of shipments of 59,500 tons of maize from Mozambique ports to Japan in the year 1969, they may wish also to take into account the fact that the official Mozambique export statistics for the first eleven months of 1969 now published disclose that only 20,761.7 tons of Mozambique produced maize was exported and that all of this went to Portugal and Portuguese overseas territories. Should the present cargo documentation again purport to show Mozambique origin, it is suggested that the Government of Japan may wish to seek clarification from the Mozambique Cereals Institute about the types of maize produced in Mozambique and confirmation of the origin of the maize on board the 'Lambros M. Fatsis'.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Panama and Greece of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Panamanian-owned, Greek-registered vessel of maize which is suspected to be of Rhodesian origin.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Governments of Greece, Japan and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Japan, the substantive parts of which read as follows:

(1) Note verbale dated 21 November 1970 from Greece

"The Permanent Mission of Greece to the United Nations... has the honour to transmit, attached hereto, (a) photostat copy of the Charter Party and its annexed rider clauses, in which it is stipulated that 'no cargo of Rhodesian origin to be shipped under this Charter Party' (Clause 48), (b) Manifest of Cargo and Bills of Lading showing that the consignment of maize loaded aboard the s/s 'Lambros M. Fatsis' was of Mozambique origin."

1/ See S/9844/Add.2, annex VII, (44) Case 39, page 88, para. 3.

(2) Note verbale dated 23 December 1970 from Japan

"The Permanent Representative of Japan to the United Nations... has the honour to inform the Secretary-General of the following:

"The vessel 'Lambros M. Fatsis' entered the port of Shimizu on 30 September and the port of Osaka on 4 October. The Government of Japan made an investigation concerning the maize reported to be on board the vessel and the results are as follows:

"1. Approximately 5,000 tons of maize were unloaded from the vessel at the port of Shimizu and approximately 7,600 tons at the port of Osaka. The consignments were accompanied by import documents, including invoices and certificates of origin issued by Chamber of Commerce of Beira, as well as by quarantine certificates, certificates of fumigation and final certificates of weight issued by the Portuguese Governor's Office in Mozambique, all of which showed that the goods in question were of Mozambique origin.

"2. Mozambique is a producer of maize, and while Japan has been importing maize from Mozambique, she has never imported any from Southern Rhodesia, even before the imposition of economic sanctions.

"3. In view of the above investigations, the goods in question were judged to be of Mozambique origin and were allowed to be imported."

(81) Case No. 106 Maize - "Corviglia": United Kingdom note dated 26 November 1970

1. By a note dated 26 November 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation, to the effect that a further consignment of maize for Japan, suspected to be of Rhodesian origin, was exported from the port of Beira aboard the m.v. 'Corviglia' on 10 November.

"The vessel, which is owned by Ocean Shipping S.A. of Coire, is under the management of the Société d'Armement Maritime Suisse-Atlantique S.A. of Lausanne and is of Swiss registry.

"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 Japan, so as to assist them in their queries regarding the origin of any maize unloaded from the m.v. 'Corviglia' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Japan may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. When investigating the consignments, the Government of Japan may also wish to take into account the fact that Zambia, Malawi and Mozambique have recently had to supplement their home-grown supplies with imported maize. Furthermore, in connection with the documentation which the Japanese Government reported in their reply to the Secretary-General dated 22 December 1969 1/ as being produced during their investigation of shipments of 59,500 tons of maize from Mozambique ports to Japan in the year 1969, they may wish also to take into account the fact that the official Mozambique export statistics for the whole of 1969 now published disclose that only 25,244.3 tons of Mozambique grown maize was exported and that all of this went to Portugal and Portuguese Overseas Territories. Should the present cargo documentation again purport to show Mozambique origin, it is suggested that the Government of Japan may wish to seek confirmation from the Mozambique Cereals Institute about the origin of the maize aboard the m.v. 'Corviglia'. In the event of the documentation showing South African origin, similar confirmation could be sought from the Grain Board of South Africa.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Switzerland of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Swiss owned and registered vessel of maize which is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 15 December 1970 to Japan and Switzerland, transmitting a copy of the United Kingdom note and requesting comments thereon.

3. Replies have been received from Switzerland and Japan, the substantive part of which reads as follows:

(1) Note verbale dated 8 February 1971 from Switzerland

"The Permanent Observer of Switzerland to the United Nations... has the honour to refer to his the Secretary-General's note of 15 December 1970 concerning a consignment of maize suspected to be of Rhodesian origin, carried on board the Corviglia, a vessel of Swiss registry which sailed from the port of Beira on 10 November 1970.

"In this connexion, the competent federal authorities have made inquiries of the Swiss Office of Maritime Navigation at Basel and the owner of the vessel, the Société d'armement maritime Suisse-Atlantique S.A.,

1/ See S/9844/Add.2, annex VII, page 93, para. 3.

Lausanne. The owner produced various documents relating to the matter: a charter-party dated 2 October 1970, a bill of lading and a certificate of origin, all enclosed herewith. It will be seen not only that the charterer took every precaution by including the requirements with regard to Rhodesia in clause 48: 'cargo to be of non-Rhodesian origin', but also that the bill of lading and the certificate of origin show that the consignment was not of Rhodesian origin. It was being sent to the Nissho-Twai Co. Ltd., Tokyo, which therefore appears to have the responsibility of furnishing the documents relating to the origin of the goods and their carriage as far as the port of Beira."

(2) Note verbale dated 26 February 1971 from Japan

"The vessel 'Corviglia' entered the port of Osaka on 4 December 1970 and the port of Shimizu on 12 December 1970. The Government of Japan made an investigation concerning the maize reported to be on board the vessel and the results are as follows:

- "1. 7,251 metric tons of maize were unloaded at the port of Osaka and 5,393 metric tons of maize at the port of Shimizu.
- "2. After careful examination of the import documents presented by the importer, consisting of invoices, bills of lading, certificates of origin, issued by the Chamber of Commerce of Beira, certificates of weight and quality, certificates of fumigation and quarantine certificates issued by the Veterinary - Chief of the Overseas Regular Staff and Chief of the Veterinary Bureau of Manica and Sofala Districts, the Government of Japan concluded that the consignments in question were of Mozambique origin and decided to allow the customs clearance."

D. TRADE IN WHEAT

(82) Case No. 75 Supply of wheat to Southern Rhodesia

See annex III.

E. TRADE IN MEAT

(83) 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 (S/9844/Add.2, annex VII, page 96).

(84) 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 (S/9844/Add.2, annex VII, page 97).

(85) 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 (S/9844/Add.2, annex VII, pages 98-99).

(86) 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 (S/9844/Add.2, annex VII, pages 99-100).

(87) 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 (pages 100-101).

(88) Case No. 33 Meat - "Taveta": United Kingdom note dated 8 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 101-103).

2. Additional information received by the Committee since the submission of the third report is given below.

3. A reply dated 21 July 1970 has been received from the Federal Republic of Germany to the Secretary-General's note verbale dated 29 April 1970, the substantive part of which reads as follows:

"In reply to a further inquiry from the Foreign Office, the Federal Ministry of Finance pointed out that, according to paragraph 44 a (2) of the Rules and Regulations of Foreign Trade, no special proof that a consignment carried by an FRG vessel does not originate in Southern Rhodesia is required. Nevertheless, the investigation carried out by the Treasury Office in Hamburg has shown that the shipping company under investigation had ordered its agents not to accept any cargo originating in Southern Rhodesia, as no permit would be granted for the transport of such cargo.

"In order to help further investigation, it would be appreciated if the Secretary-General could request the Permanent Observer of Switzerland to the United Nations to transmit copies of the bills of lading presented to Swiss customs authorities, as mentioned in the Secretary-General's note of 29 April 1970."

4. At the Committee's request at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its replies of 5 December 1969 (see S/9844/Add.2, annex VII, page 102, para. 3 (a)) and 21 July 1970 (see para. 3 above) to the Secretary-General's

notes verbale of 14 August 1969 and 29 April 1970 respectively and inquiring as to whether copies of the ship's papers mentioned in the reply of 5 December 1969, together with any other relevant documentation which might be useful in assisting other Governments in preventing future attempted violations, could be forwarded. At the same time, the Committee requested the Secretary-General to inform the Federal Republic that the Government of Switzerland had been requested to forward copies of the bills of lading mentioned in the Secretary-General's note verbale of 29 April 1970 (see S/9844/Add.2, annex VII, page 103, para. 7) for transmittal to the Federal Republic of Germany and for the information of the Committee.

5. An acknowledgement dated 5 February 1971 has been received from the FRG.

6. Further to S/9844/Add.2, annex VII, page 102, para. 6, at the Committee's request at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Switzerland, referring to its reply dated 16 December 1969 to the Secretary-General's note verbale of 3 December 1969 and inquiring as to whether copies of the bills of lading mentioned in its reply, together with any other relevant documentation, could be forwarded to the Federal Republic of Germany and to the Secretary-General for the information of the Committee. It was pointed out that this documentation would also be useful in assisting other Governments in preventing future attempted violations.

(89) Case No. 42 Meat - "Polana": United Kingdom note dated 17 September 1969

See Annex III.

(90) Case No. 61 Chilled meat: United Kingdom note dated 8 December 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 104-106).

2. At the request of the Committee at its 38th meeting, the Secretary-General sent a note verbale dated 3 February 1971 to Gabon, referring to his previous note verbale dated 29 April 1970 (see annex VII, page 106, para. 6) and seeking comments thereon as soon as possible.

3. An acknowledgement dated 18 February 1971 has been received from Gabon, stating that the Secretary-General's above note verbale dated 3 February 1971 has been transmitted to the Government of Gabon whose observations thereon will be forwarded to the Secretary-General as soon as received.

(91) Case No. 68 Pork - "Alcor": United Kingdom note dated 13 February 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, page 106).
2. Additional information received by the Committee since the submission of the third report is given below.
3. Replies have been received from the Netherlands and Spain to the Secretary-General's note verbale dated 16 February 1970, the substantive parts of which read as follows:

(1) Note verbale dated 20 May 1970 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... has the honour to inform the Secretary-General that the investigation undertaken by the Netherlands authorities has shown that in January 1970 the m.v. 'Alcor' did indeed carry a shipment of frozen pork from the port of Lourenço Marques to the Canary Islands.

"The captain of the 'Alcor', as well as the representative of the Shipping company in Lourenço Marques, accepted the shipment since it could not be established, either from the documents covering the consignment or in any other way, that the shipment originated in Southern Rhodesia. The shipment was unloaded after its arrival in the Canary Island, in the absence of any objections on the part of the Spanish authorities."

(2) Note verbale dated 7 May 1970 from Spain

"The Permanent Mission of Spain to the United Nations... has the honour to inform the Secretary-General that, after a thorough investigation of its origin, the Spanish authorities have concluded that there is no evidence to support the theory that this shipment was consigned from Rhodesia.

"In this connection I have the honour to enclose photo-copies of the documentation on this shipment from the Customs Office, which includes the following:

"Document No.1 - Cover of manifest of the ship 'Alcor' and pages 2 and 3 which deal with the consignment referred to.

"Page 2 of this manifest covers the cargo shipped at Lourenço Marques (Mozambique) and lists 941 cases of frozen pork with a gross weight of 28,991 kg, consigned to the company 'Puma S.A.'.

"Page 3, of which like the above sheet a photo-copy is enclosed, covers 897 cases, also of frozen pork, with a gross weight of 25,913 kg, shipped at the port of Durban (Republic of South Africa) and consigned to the company 'Dipa S.L.'.

"Document No.2 - This consists of the shipping documents for the first of the consignments referred to, No.204/70; loose sheet No.3075/70 arising from the above and import licence for goods not free from license requirements or subject to open and general licensing No.BB 7088138, which gives Mozambique both as the country of consignment and as the country of origin.

"Document No.3 consists of the shipping documents for the second consignment, No.211/70; loose sheet No.3048/70, also arising from the above and the import licence, also for goods not free from licence requirements or subject to open and general licensing No.7088161, which gives South Africa as the country of origin and consignment of goods."

4. At the request of the Committee at its 30th meeting, the Secretary-General sent a note verbale dated 26 May 1970 to the Government of Spain, referring to its reply of 7 May requesting health and veterinary certificates, not only from cold store at port of shipment, but also from the slaughter-house where the meat originated.
5. At the request of the Committee at its 40th meeting, the Secretary-General sent a further note verbale dated 29 January 1971 to Spain, referring to its reply dated 7 May 1970 to the Secretary-General's note verbale of 16 February 1970 and to the Secretary-General's subsequent note verbale of 26 May 1970 and inquiring as to whether copies of the health and veterinary certificates in question could be forwarded for the information of the Committee.
6. An acknowledgement dated 8 February 1971 has been received from Spain, stating that the Secretary-General's above-mentioned note verbale of 29 January 1971 has been transmitted to the competent Spanish authorities for information and any action that may be necessary.

F. TRADE IN SUGAR

(92) Case No. 28 Sugar - "Byzantine Monarch": United Kingdom note dated 21 July 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 106-109).
2. In accordance with the Committee's decision at its 38th meeting, automatic reminders were sent to Iraq and Norway dated 3 February 1971, referring to the Secretary-General's previous note verbale dated 29 April 1970 (see annex VII, page 109, para. 6) and seeking comments thereon as soon as possible.

(93) Case No. 60 Sugar - "Filotis": United Kingdom note dated 4 December 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 109-111).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 4 May 1970 has been received from Malaysia to the Secretary-General's note verbale dated 29 April 1970 (see annex VII, page 110, para. 6), the substantive part of which reads as follows:

"The Chargé d'Affaires a.i. has the honour to inform the Secretary General that the custom authority of Malaysia had investigated the consignment of sugar on the vessel in question and was satisfied that the consignment was not of Southern Rhodesian origin."

4. At the request of the Committee at its 30th meeting, the Secretary-General sent a further note verbale dated 26 May 1970 to Malaysia, referring to its above reply of 4 May and requesting details of the evidence on which it based its conclusion that the shipment was not of Southern Rhodesian origin.
5. At the request of the Committee at its 40th meeting, the Secretary-General sent a further note verbale dated 29 January 1971 to Malaysia, referring to his previous note verbale dated 26 May 1970 and inquiring whether copies of the relevant documentation in this case were available and, if so, whether copies could be forwarded for the information of the Committee.

(94) Case No. 65 Sugar - "Eleni": United Kingdom note dated 5 January 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 111-112).
2. In accordance with the Committee's decision at its 38th meeting, the Secretary-General sent a reminder dated 3 February 1971 to the Republic of Viet-Nam referring to his note verbale dated 20 April 1970 (see annex VII, page 111, para. 3) and seeking comments thereon as soon as possible.

(95) Case No. 72 Sugar - "Lavrentios": United Kingdom note dated 8 April 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 112-113).
2. Additional information received by the Committee since submission of the third report is given below.
3. A reply dated 5 June 1970 has been received from Greece to the Secretary-General's note verbale dated 8 April 1970, the substantive part of which reads as follows:

"The Permanent Mission of Greece... has the honour to forward attached herewith photostat copies of the cargo manifest, bill of lading and certificate of origin, showing that the consignment in question was of Mozambique origin.

"On this occasion, the Greek Mission wishes to refer to its note of 16 February 1970 ^{1/} by which it has suggested that a more thorough scrutiny and appraisal of the information, usually of commercial source, be envisaged in order to limit investigations to those cases for which there is actually sufficient ground to warrant such time consuming and burdensome enquiries.

"The Greek Authorities would be thankful if the results of the investigations carried out by the Authorities of the country of destination were made known to them with a view to facilitating the completion of their own enquiries."

4. At the request of the Committee at its 29th meeting, the Secretary-General sent a note verbale dated 14 May 1970 to the Republic of Viet-Nam, transmitting a copy of the United Kingdom note dated 8 April 1970 (see S/9844/Add.2, annex VII, page 112, para. 1), together with a copy of the note dated 27 April 1970 received from the Permanent Representative of Singapore (annex VII, page 112, para. 3).

^{1/} See S/9844/Add.2, annex VII, Case 63, page 94, para. 3 (a).

5. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Republic of Viet-Nam, referring to his previous note verbale dated 14 May 1970 and requesting a reply thereto as soon as possible.

(96) Case No. 83 Sugar - "Angelia": United Kingdom note dated 8 July 1970

1. By a note dated 8 July 1970, the United Kingdom Government reported information about a shipment of sugar on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they believe to be sufficiently reliable to warrant further investigation, about a consignment of some of some 10,000 tons of sugar, suspected to be of Southern Rhodesian origin, which is being shipped from Lourenço Marques to the Far East. The sugar is believed to have been loaded on board the s.s. 'Angelia' which is owned by the Concord Navigation Corporation Ltd., Taipei, and managed by E-Hsiang Steamship Company Ltd., 40-42 Kuan and Chien Road, Taipei, Taiwan, and is of Taiwanese registry: the s.s. 'Angelia' sailed from Lourenço Marques on 13 June.

"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 in the first instance to the attention of the Nationalist Chinese authorities in order to ascertain from the managers or owners of the vessel the ports at which it may call so that the Governments of the countries where the cargo could be discharged may be informed of the foregoing."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 10 July 1970 to the Republic of China, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 13 July 1970 has been received from the Republic of China, the substantive part of which reads as follows:

"The Permanent Representative wishes to inform the Secretary-General that the matter has been immediately investigated by the Chinese authorities in Taipei and that the facts of the case are as follows:

"The s.s. 'Angelia' was under charter to the African Chartering Ltd. through the intermediary of Wallem and Co. Ltd., a British firm in Hong Kong. Under the charter arrangements concluded respectively on 10 April 1970 and 12 May 1970, two consignments of sugar were shipped from Lourenço Marques to

Saigon (first shipment 9,500 tons, second shipment 10,000 tons). The Concord Navigation Corporation, the owners of the vessel in question, stated that they had no knowledge of the origin of the sugar under consignment, and had no intention of evading the prohibitions in force. As a result of the present investigation, they have undertaken to pay due attention to the origin of the products for consignment from Africa in their future dealings."

4. By a further note dated 4 September 1970, the United Kingdom Government reported additional information, as follows:

"The Government of the United Kingdom, in continuation of their note of 8 July 1970, have now learned that the cargo of sugar aboard the s.s. 'Angelia', which was the subject of the above note, was unloaded at Saigon. They have also received further information, from commercial sources, relating to another consignment of sugar which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that a second consignment of some 10,000 tons of sugar, also suspected to be of Rhodesian origin, was loaded aboard the s.s. 'Angelia' at Lourenço Marques for shipment to Saigon. The vessel sailed from Lourenço Marques on 4 August. As stated in the note of 8 July, the s.s. 'Angelia' is a Taiwanese owned and registered vessel.

"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, together, if this has not already been done, with the information contained in the United Kingdom note dated 8 July 1970 to the attention of the Government of the Republic of Vietnam so as to enable them to make suitable enquiries into the origin of any sugar which may be or may have been unloaded from the s.s. 'Angelia' at ports in their territory during her last or present voyage, either for use in their territory or for trans-shipment.

"If the importers of the sugar in question should claim that the sugar is not of Rhodesian origin, the Government of the Republic of Vietnam may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the shipment of the consignments to Lourenço Marques, together with certificates from the producer or refiner of the sugar in question.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Nationalist Chinese authorities of the above report so that they can make further enquiries regarding the carriage aboard a Taiwanese owned and registered vessel of consignments of sugar which, according to the information above, are suspected to be of Rhodesian origin."

5. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Republic of China and the Republic of Viet-Nam, transmitting both United Kingdom notes and requesting comments thereon.

6. The following replies have been received from the Republic of China and the Republic of Viet-Nam:

(1) Note verbale dated 2 December 1970 from the Republic of China

"The Permanent Representative of the Republic of China to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note dated 23 November 1970.... The Permanent Representative wishes also to refer to his note dated 13 July 1970, in reply to the Secretary-General's note verbale dated 10 July, concerning a consignment of sugar aboard the same ship.

"Since the above-mentioned note of 13 July 1970 and as a result of continued enquiries, the owners of the s.s. 'Angelia' have furnished letters from the intermediary Wallem and Co. Ltd. and from the African Chartering (Pty) Ltd. stating that the two consignments of cargo on board the s.s. 'Angelia' were not of Southern Rhodesian origin.

"The Permanent Representative takes the opportunity to enclose herewith four photostat copies of the above-mentioned letters for the Secretary-General's reference and for transmittal to the Committee...."

(2) Note verbale dated 25 November 1970 from the Republic of Viet-Nam

"The Permanent Observer of the Republic of Viet-Nam... has the honour to acknowledge receipt of the Secretary-General's note of 23 November 1970, the contents of which have been forwarded to the Government of the Republic of Viet-Nam for consideration and comment."

7. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Republic of Viet-Nam, referring to its above reply dated 25 November 1970 and enquiring as to whether the Government of the Republic of Viet-Nam was now in a position to forward its comments on this matter, for the information of the Committee.

8. A reply dated 8 February 1971 has been received from the Republic of Viet-Nam, the substantive part of which reads as follows:

"The Permanent Observer of the Republic of Vietnam to the United Nations... has the honour to advise the Secretary-General of the findings of an investigation ordered by the Government of the Republic of Vietnam on two shipments of sugar suspected to be of Southern Rhodesian origin respectively on board S/S Angelia and S/S Philomila, 1/ as follows:

"The two shipments had been put in bond until the consignee, VAN PHAT HANG, Inc., which represented the exporting company, Westerland Trust, produced rail notes by Peritagens E. Conferencias Maritimas, Ltda., certifying that the two shipments had been transported by rail from refineries in Mozambique to Lourenço Marques, the port of embarkation.

"On the other hand, Cong-Ty Duong Vietnam (Vietnam Sugar Corporation) produced both certificates of origin and rail notes which proved that the shipments originated from Mozambique.

"In the meantime, the Ministry of Economic Affairs, Government of the Republic of Vietnam, on 15 September 1970, requested the Customs Services of Mozambique to supply detailed information as to the origin of the two shipments, but did not receive any answer as of 7 January 1971. In view of this refusal to co-operate, a prohibition of sugar imports from Mozambique might be considered by the Government of the Republic of Vietnam."

(97) Case No. 94 Sugar - "Philomila": United Kingdom note dated 28 August 1970

1. By a note dated 28 August 1970, the United Kingdom Government reported information concerning a consignment of sugar on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of sugar, suspected to be of Rhodesian origin, was loaded recently at Lourenço Marques aboard the m.v. 'Philomila'.

"The m.v. 'Philomila', which is owned by CIA, Commercial Transatlantica S.A., Panama, and is of Panamanian registry, sailed from Lourenço Marques on 11 July for Saigon.

"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

1/ See (97) Case No. 94.

information to the attention of the Government of the Republic of Viet-Nam with a view to assisting them with their enquiries into the origin of any sugar which may be unloaded from the m.v. 'Philomila' during this voyage at ports in their territory, either for use in their territory or for trans-shipment.

"If the importers of the sugar in question should claim that it is not of Rhodesian origin, the Government of the Republic of Viet-Nam may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the despatch of the consignment to Lourenço Marques, as well as certificates from the producers or refiners of the sugar in question.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Panama of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Panamanian-owned and registered vessel of sugar which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 3 September 1970 to Panama and the Republic of Viet-Nam, transmitting the United Kingdom note and requesting comments thereon.
3. At the Committee's request at its 38th meeting, the Secretary-General sent notes verbale dated 21 January 1971 to those two Governments referring to his previous notes verbale and seeking comments thereon as soon as possible.
4. A reply dated 8 February 1971 has been received from the Republic of Viet-Nam (see (96) Case No. 83, para. 7).

(98) Case No. 112 Sugar - "Evangelos M.": United Kingdom note dated 22 January 1971

1. By a note dated 22 January 1971, the United Kingdom Government reported information about a consignment of sugar on board the vessel "Evangelos M.". The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation concerning a sale of sugar suspected to be of Rhodesian origin.

"The information is to the effect that several thousand tons of sugar were recently loaded at Lourenço Marques aboard the m.v. 'Evangelos M.' for carriage to Kuwait. The vessel which is owned by the Natalia Shipping Co., S.A. of Panama, and under the management of the Navarino Shipping and Transport Co. Ltd. El-PA Building Akti Miaouli Piraeus and is of Greek registration is reported to have arrived in ballast at Lourenço Marques about 2 January and after uplifting the sugar to have cleared the same port on 7 January.

"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 to bring the above information to the attention of the Government of Kuwait in order to assist them in their investigations into the origin of any sugar unloaded from the 'Evangelos M.' during her present voyage, either for use in Kuwait or trans-shipment to other ports. If it should be claimed that the sugar is not of Rhodesian origin, the Government of Kuwait may wish to bear in mind the advice relating to the reliability of documentation indicated in the Secretary-General's circular of 18 September 1969.

"At the same time, the Committee may wish to ask the Secretary-General to advise the Governments of Panama and Greece of this report so that they may investigate the circumstances in which this sugar, suspected to be of Rhodesian origin, was loaded on a Panamanian-owned vessel registered in Greece."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 3 February 1971 to Greece, Kuwait and Panama, transmitting the United Kingdom note and requesting comments thereon.
3. A reply dated 23 February 1971 has been received from Kuwait, the substantive part of which reads as follows:

"The transaction for the purchase of seven thousand tons of sugar had been concluded between Messrs. Mustafa and Majed Trading Co. of Kuwait and UNIMER S.A. of 9 rue de Berne, Geneva, Switzerland. Payment for the value and shipment of the goods had been effected by a letter of credit issued by the Moscow Narodny Bank Ltd. in Beirut, Lebanon, in favour of the seller through the Banque pour le Commerce International in Basle, Switzerland.

"It appears from the letter of credit, a copy of which is attached, that this transaction for the purchase and shipment of the sugar consignment was C and F free out of Kuwait.

"It appears from the invoice issued by UNIMER S.A. on 15 January 1971 in Geneva, and certified by the Chamber of Commerce and Industry in Geneva, a copy of which is attached, that the goods are 'exclusively of Malawi origin'.

Therefore, the Permanent Representative is of the opinion that in the present case it is the responsibility of the seller to ascertain the origin of the goods to make sure that they comply with the relevant UN Resolution pertaining to the embargo imposed on Southern Rhodesia, as specified in the note of the Secretary-General, No. PO 230 SORH (1-2-1).

"The Kuwaiti Buyer accepted in good faith the invoice issued by UNIMER S.A. and certified by the Chamber of Commerce and Industry in Geneva, in which it is clearly stated that the purchased goods are of Malawi origin. Hence he assumed that such an explicit statement could not have been made and duly certified by the Chamber of Commerce and Industry in Geneva unless it were true, and that the document in which it is embodied could be accepted as fully satisfying the requirements of normal practice and the regulations applicable to foreign trade.

"In conclusion the Permanent Representative would like to state that in his opinion the Kuwaiti buyer could not be held responsible for any infraction of the rules pertaining to the embargo on goods originating in Southern Rhodesia, in case there are circumstances which may cast doubt on the origin of the goods. The more so as it is the duty of the seller to ascertain the origin of the goods and it is he who must be held accountable for the invoice he had given, which the purchaser had accepted in good faith."

4. At the request of the Committee at its 43rd meeting, the Secretary-General sent a note verbale dated 22 March 1971 to Malawi, enclosing a copy of the invoice issued by UNIMER S.A., requesting the Government of Malawi to confirm whether the cargo in question was of Malawi origin. Also at the request of the Committee, the Secretary-General, on the same day, sent a similar note verbale and a copy of the enclosure to Switzerland for purposes of information.

G. TRADE IN FERTILIZERS AND AMMONIA

(99) Case No. 2 Import of manufactured fertilizers from Europe

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 113-115).
2. At the request of the Committee at its 41st meeting, the Secretary-General sent a note verbale dated 22 February 1971 to Switzerland, referring to his previous note verbale dated 16 July 1969 [see S/9252/Add.1, annex XI, p. 34, para. 4 (2)] and requesting a reply thereto as soon as possible.

(100) Case No. 48 Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 115-117).
2. Additional information received since the submission of the third report is given below.
3. The following note verbale dated 3 June 1970 referring to (101) Case 52, (102) Case 66 and (103) Case 69, has been received from France:

"In recent months, this French gas transport company Gazocéan has, among other operations, loaded on ships owned or chartered by it bulk anhydrous ammonia of United States, Portuguese, Australian and Iranian origin.

"In every case, and in some cases after official verification, the shippers have declared that their product was not destined for Rhodesia. Although the carriage of merchandise destined for or originating in Rhodesia is - like export and import operations - prohibited under the terms of resolution 253 (1968), it is obvious that maritime carriers have inadequate possibilities - compared with those available to shippers or consignees - for verifying whether the products they are requested to carry are or are not subject to sanctions.

"Accordingly, when the Committee knows the nationality of the exporters or importers, it has better chances of obtaining accurate information by applying to them rather than to the carrier. This is precisely the case with respect to the supplies of ammonia.

"Furthermore, as the note from the United Kingdom delegation dated 11 November 1969 has given some indication of how the Que Que plant is financed, the Committee might follow this example and systematically investigate the financial links between Rhodesian firms and the foreign companies to which they are affiliated.

"In the case of Sable Chemical, the Permanent Mission of France suggests for example that the Committee established in pursuance of Security Council resolution 253 (1968) might request the Secretariat to bring the present note to the attention of the Government of the United States and the Government of the United Kingdom in order to assist them in their investigation of direct or indirect participation by Union Carbide in the financing of the Que Que plant, and also of the part played by Girdler International and British Oxygen in installing the technical equipment at this industrial complex.

"The Permanent Mission of France also suggests that the Committee might request the Secretariat to bring the present note to the attention

of the Governments of the United States, Iran, Australia and Portugal in order to assist them in their investigation of possible sales of anhydrous ammonia to Rhodesia by some of their nationals."

4. At the request of the Committee at its 39th meeting, the Secretary-General sent notes verbale dated 28 January 1971 to Australia, Iran and Portugal, transmitting a copy of the above note verbale dated 3 June 1970 from France, in accordance with the suggestion contained in the last paragraph thereof.

(101) 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 third report (S/9844/Add.2, annex VII, pages 117-122).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply has been received from Canada dated 6 July 1970 to the Secretary-General's note verbale dated 5 December 1969, stating that Canada is not an exporter of bulk anhydrous ammonia.
4. The following further replies have been received to the Secretary-General's note verbale dated 30 April 1970:

(i) Note verbale dated 15 July 1970 from Austria

"The Austrian Mission has not failed to convey the contents of the Secretary-General's note to the competent Austrian authorities for further action."

(ii) Note verbale dated 28 May 1970 from Burma

"The Permanent Representative of Burma to the United Nations... has the honour to say that the Government of the Union of Burma has no comments to offer as it has no trade relations with either Southern Rhodesia or the Union of South Africa."

(iii) Note verbale dated 7 July 1970 from Cambodia

"The Permanent Representative of Cambodia ... has the honour to inform the Secretary-General that Cambodia is not an exporter of bulk ammonia."

(iv) Note verbale dated 2 October 1970 from Cameroon

"The Permanent Representative of Cameroon to the United Nations ... has the honour to inform the Secretary-General that Cameroon has not

departed from the fundamental position which it adopted at the very outbreak of the Southern Rhodesia crisis.

"Not only has the Cameroonian Government issued decrees prohibiting all relations with the racist minority régime in Salisbury, but it has unceasingly and forcefully reaffirmed the full responsibility of the United Kingdom Government for political development in the Territory.

"Fortified by this conviction, it has been obliged, on numerous occasions, to condemn the tergiversations of the administering Power; it is quite obvious that the measures adopted by the United Nations will remain ineffective as long as the chief trading partners of South Africa and Portugal persist in their policy of overt collusion with these countries.

"Proof of this - if further proof were needed - is to be found in the note dated 9 April 1970 from the United Kingdom Mission, which makes it clearer than ever that the United Kingdom Government must among other measures consider the use of force as a means of putting an end to the resistance and arrogant defiance of the racist minority régime in Salisbury."

(v) Note verbale dated 15 June 1970 from Cyprus

"The Permanent Mission of Cyprus... has the honour to inform the Secretary-General that the Cyprus Government confirms that since the imposition of the embargo, all the necessary measures in respect of trade with Southern Rhodesia are being strictly observed by the appropriate authorities in Cyprus.

"The Permanent Representative further wishes to confirm that no applications for the importation and re-exportation or trans-shipment of equipment for an ammonia synthesis plant will be entertained by the Ministry of Commerce and Industry before ensuring that the final destination of any such goods is not Southern Rhodesia."

(vi) Note verbale dated 5 May 1970 from Colombia

"The Permanent Representative of Colombia acknowledges receipt of the Secretary-General's note dated 30 April 1970 and has the honour to inform him that he has transmitted the contents of the note to his Government and also wishes to report that there is no trade whatsoever between Colombia and Southern Rhodesia."

(vii) Note verbale dated 15 May 1970 from El Salvador

"The Permanent Representative of El Salvador acknowledges receipt of the Secretary-General's note of 30 April transmitting a Note from the United Kingdom concerning the supply of bulk ammonia to Southern Rhodesia.

"The Permanent Representative is grateful for the above information"

(viii) Note verbale dated 7 May 1970 from the Federal Republic of Germany

"The Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note of 30 April 1970 concerning arrangements for the supply of ammonia in bulk to Southern Rhodesia.

"The contents of the note have been brought to the attention of the Government of the Federal Republic of Germany."

(ix) Note verbale dated 1 July 1970 from Finland

"The Chargé d'Affaires a.i. of Finland... has the honour to state that the proper Finnish authorities, upon receipt of the information in question, have at once made detailed enquiries with all Finnish enterprises that are in a position to manufacture and furnish equipment of the kind referred to above, whether any offers for the supply of such equipment possibly intended for Rhodesia have been made. The Finnish firms in question have confirmed that no such requests have been made.

"The authorities have furthermore alerted these firms to the possibility that requests based partly on erroneous information might be forthcoming in the future, and advised them to exert necessary caution in this regard."

Note verbale dated 3 June 1970 from France: see (97) Case No. 48

(x) Note verbale dated 21 May 1970 from Guyana

"The Permanent Representative of Guyana to the United Nations... has the honour to inform the Secretary-General that the contents thereof /of his note dated 30 April and enclosure/ have been brought to the attention of the competent authorities for appropriate action."

(xi) Note verbale dated 21 July 1970 from Japan

"No application for license to export to South Africa any plant for the manufacture of fertilizer which could be considered to correspond to the case referred to in the Secretary-General's note has thus far been submitted to the Government.

"The Government notified the interested business circles in Japan of this matter. In turn, the Japan Machinery Exporters Association published an outline of the note verbale of the Secretary-General with enclosure in its bulletin 'The Machinery Trade News', thus bringing this matter to the attention of the interested business circles.

"The Government will continue to pay close attention to the subject of the Secretary-General's note."

(xii) Note verbale dated 4 September 1970 from Australia

"The Permanent Representative of Australia to the United Nations... has the honour to refer to the Secretary-General's note dated 30 April... The Permanent Representative of Australia has the honour to inform the Secretary-General that, as regards the capacity of Australian industry to supply equipment of the kind referred to, any fertilizer plants set up in Australia in recent years were imported in their entirety from overseas."

(xiii) Note verbale dated 24 August 1970 from Kenya

"It is the view of the Government of Kenya that the Rhodesia Sanctions Committee, established by the United Nations Security Council, should inform all countries which manufacture plants for the production of ammonia to warn the manufacturers in their countries against selling of such plants to South African companies which are known to be planning to set up similar plants in Southern Rhodesia."

(xiv) Note verbale dated 5 May 1970 from Mauritania

"The Permanent Representative of Mauritania... has the honour to acknowledge receipt of the Secretary-General's note dated 30 April 1970, the contents of which have received attention.

"The Permanent Representative of Mauritania... wishes to inform the Secretary-General that the contents of his note have been transmitted to the Government of Mauritania."

(xv) Note verbale dated 22 May 1970 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... has the honour to inform the Secretary-General that the Netherlands Government has taken due note of the contents of his note of 30 April 1970 concerning arrangements for the supply of ammonia in bulk to Southern Rhodesia."

(xvi) Note verbale dated 26 May 1970 from Singapore

"The Permanent Representative of Singapore to the United Nations has the honour to inform the Secretary-General that there are no manufacturers or exporters of plant for the manufacture of synthetic ammonia in Singapore, and that the contents of the above-mentioned

note /of 9 April 1970/ have been duly noted and brought to the attention of the appropriate authorities in Singapore."

(xvii) Note verbale dated 24 July 1970 from Sweden

"Due to the scarce information given, the Swedish authorities have not been able to establish full proof that no shipment from Sweden has taken place in this connection which might eventually relate to the plant in question. As far as the Swedish authorities have been able to establish, no such shipment has, however, taken place. The Swedish authorities have taken due notice of the Secretary-General's note and the annexed note from the United Kingdom Mission to the United Nations and will continue to give their full attention to the matter. It may be recalled that Swedish legislation prohibits any sale of goods destined for use in Southern Rhodesia, including cases where the actual purchaser resides outside that territory."

(xviii) Note verbale dated 10 July 1970 from Switzerland

"The Swiss Federal Authorities have inquired into this matter and their investigations show that no Swiss enterprise manufactures or exports the equipment needed for an ammonia synthesis plant."

(xix) Note verbale dated 4 May 1970 from the United Kingdom

"The Permanent Representative of the United Kingdom... has the honour to acknowledge receipt of the Secretary-General's note of 30 April concerning arrangements for the supply of ammonia in bulk to Southern Rhodesia."

(xx) Note verbale dated 28 May 1970 from Zambia

"The Permanent Representative of the Republic of Zambia to the United Nations is pleased to inform the Secretary-General of the United Nations that the contents of the above-mentioned note /dated 30 April 1970, and the UK note dated 9 April 1970/ have been brought to the attention of the appropriate authorities of the Government of Zambia."

(102) Case No. 66 Amonia - "Cérons": United Kingdom note dated 7 January 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, page 123).
2. For additional information received by the Committee since the submission of the third report, see (100) Case No. 48.

(103) Case No. 69 Ammonia - "Mariotte": United Kingdom note dated 13 February 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 123-124).
2. For additional information received by the Committee since the submission of the third report, see (100) Case No. 48.

(104) Case No. 101 Anhydrous ammonia: United States note dated 12 October 1970

1. By a note dated 12 October 1970, the United States Government reported the following information concerning shipments of US origin ammonia in May and July 1969:

"The United States Government wishes to call the attention of the Committee established in pursuance of Security Council resolution 523 (1968) to an action which it has recently taken with respect to a firm in Lourenço Marques, Mozambique. The firm, Armazens De Produtos Quimicos De Mocambique, Limitada, has been denied all United States export privileges for an indefinite period for having failed to account for the disposition of 20,000 tons of United States origin ammonia which was exported in two shipments in May and July of 1969. The Department of Commerce had requested information which would enable it to ascertain whether the ammonia might have been re-exported to Southern Rhodesia in violation of United States export control regulations. A copy of the Department of Commerce press release announcing the suspension is attached.

"The Committee might wish to request that the Secretary-General inform the Governments of nations which are producers or exporters of anhydrous ammonia of the United States action."

United States Department of Commerce Press Release
dated 17 September 1970

"The firm Armazens De Produtos Quimicos De Mocambique, Limitada, of Lourenço Marques, Mozambique, a warehouse and distributor of chemical products, has been denied all US export privileges for an indefinite period for failing to account for the disposition of 20,000 tons of US-origin fertilizer grade ammonia, the US Department of Commerce announced today.

"The material valued in excess of \$600,000 was exported to the firm in two shipments by a US supplier in May and July 1969.

"The Investigations Division of the Office of Export Control in the Department's Bureau of International Commerce (BIC) is conducting an investigation to ascertain the disposition of the material, particularly whether it was re-exported from Mozambique to Southern Rhodesia in violation of the US export control regulations. Since 1966 the United States, in support of a resolution of the UN Security Council, has had strict controls on the shipment of US-origin goods to Southern Rhodesia.

"Written interrogatories were submitted to the firm in Lourenco Marques enquiring as to the disposition of the material. The firm failed to furnish the information requested and the order was issued in accordance with BIC regulations. The order will remain in effect until the firm answers the interrogatories or shows good cause for such failure.

"Under the terms of the order, all validated licenses in which the firm has an interest have been cancelled and the firm, its agents and employees are prohibited from participating in any transactions involving commodities or technical data exported or to be exported from the United States.

"The United States export control regulations provide that without authorization from the Department of Commerce, no party may trade in commodities or technical data exported from the United States with a party he knows has been denied export privileges."

2. At the request of the Committee at its 37th meeting, the Secretary-General sent notes verbale dated 20 January 1971 to all States Members of the United Nations or members of the specialized agencies, stating that the Committee had considered the United States note of 12 October 1970, and transmitting a copy of that note for their information. Also, at the request of the Committee, the Secretary-General drew attention to the fact that the United States note followed an earlier note from France dated 3 June 1970^{1/} which contained information to the effect that in recent months "Gazocéan", a French gas transport company, had, among other operations, loaded on ships owned or chartered by it, bulk anhydrous ammonia of United States, Portuguese, Australian and Iranian origin.

3. Acknowledgements have been received from Canada (dated 26 January 1971), El Salvador (dated 10 February 1971) and the United Kingdom (dated 27 January 1971). In its acknowledgement, Canada recalled that, in a note of 6 July 1970^{2/} it was pointed out that Canada was not an exporter of bulk ammonia.

(105) Case No. 113 Anhydrous ammonia - "Cypress" and "Isfonn": United Kingdom note dated 29 January 1971

1. By a note dated 29 January 1971, the United Kingdom Government reported information concerning shipments of ammonia on the above vessels. The text of the note is reproduced below:

^{1/} See (100) Case No. 48.

^{2/} See (101) Case No. 52.

"In their notes of 24 September 1969,1/ 15 October 1969,2/ 10 November 1969,3/ 7 January 1970,4/ 13 February 1970,5/ 2 April 1970,6/ and 9 April 1970,7/ the Government of the United Kingdom gave information about the supply of anhydrous ammonia to Southern Rhodesia and about the companies involved. The Government of the United Kingdom have now received further information concerning two shipments of anhydrous ammonia believed to be destined for Southern Rhodesia.

"The information is to the effect that the first of the shipments was by the Norwegian motor tanker 'Cypress' which loaded approximately 10,000 tons of anhydrous ammonia at the Japanese port of Sakai from where the ship sailed on 9 November 1970, arriving at Lourenco Marques in early December. The second shipment was by the motor tanker 'Isfonn', also of Norwegian ownership, which loaded over 12,000 tons of anhydrous ammonia at Sakai from where the ship sailed on 6 December, arriving at Lourenco Marques on 26 December.

"The information makes clear that the arrangements for both shipments were made by the South African firm National Process Industries (Pty) Ltd., whose involvement with Sable Chemical Industries Ltd. of Southern Rhodesia has been explained in the United Kingdom Government's previous notes referred to above. Having regard to the information in these previous notes, it is likely that the ammonia from both ships was delivered to Armazens de Productos Quimicos de Mozambique Ida. (APROCIL) (there are no other facilities in southern Africa for bulk handling of this type of cargo) and subsequently railed to Sable Chemical Industries.

"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 this information to the notice of the Governments of Japan and Norway, with a view to assisting them to investigate the supply and carriage of anhydrous ammonia which, on the information available to the United Kingdom Government, would appear to be destined ultimately for Southern Rhodesia."

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- 1/ See S/9844/Add.2, Annex VII, Case 48, page 115, para. 1.
 - 2/ See S/9844/Add.2, Annex VII, Case 52, page 117, para. 1.
 - 3/ See S/9844/Add.2, Annex VII, Case 52, page 118.
 - 4/ See S/9844/Add.2, Annex VII, Case 66, page 123, para. 1.
 - 5/ See S/9844/Add.2, Annex VII, Case 68, page 123, para. 1.
 - 6/ See S/9844/Add.2, Annex VII, Case 48, page 116, para. 7.
 - 7/ See S/9844/Add.2, Annex VII, Case 52, page 122, para. 7.

2. At the request of the Committee at its 41st meeting, the Secretary-General sent a note verbale dated 17 February 1971 to Norway, transmitting the United Kingdom note and requesting comments thereon. The representative of Japan in the Committee took note of the contents of the United Kingdom note.

3. A reply has been received from Japan dated 24 February 1971 which states:

"In accordance with the Export Trade Control Order, a ban is imposed on export of all products destined for Southern Rhodesia, except for the items excluded from the ban by resolution 253 (1968) of the Security Council and it is evident that the shipments in question were not destined for Southern Rhodesia.

10,000 metric tons of anhydrous ammonia were sold to Societe d'Assurances Commerciales, S.A. of Switzerland with the destination for Mozambique and 12,000 metric tons of anhydrous ammonia were sold to Adab. S.A. of Switzerland with the destination for the Republic of South Africa respectively on f.o.b. basis. Therefore, the ownership of those consignments, after their departure from the Japanese port, belonged to those Swiss companies."

4. At the request of the Committee at its forty-third meeting, the Secretary-General sent a note verbale dated 22 March 1971 to Switzerland, requesting the Swiss Government to ascertain where the consignments had subsequently been shipped.

H. MOTOR VEHICLES

(106) Case No. 9. Motor vehicles: United States note dated 28 March 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 124-137).

2. Additional information received by the Committee since the submission of the third report is given below.

3. A reply dated 9 July 1970 has been received from Japan to the Secretary-General's note verbale dated 18 March 1970, the substantive part of which reads as follows:

"The Government of Japan is continuing to investigate this matter but, as an interim measure, drew the attention of Isuzu Motors Ltd. to the note of the Secretary-General and gave that firm directions:

(1) to instruct its agents in South Africa to exercise severest surveillance so as to prevent any possible supply of motor vehicles and motor vehicle kits to Southern Rhodesia from South Africa, and

(2) to pay closest attention to the export of the products of Isuzu Motors Ltd. which are suspected of being supplied to Southern Rhodesia.

"Accepting these directions, Isuzu Motors Ltd. instructed its agents in South Africa along the lines indicated above and agreed to pay utmost attention to the export of its products."

4. The following further information has been received from France (see S/9844/Add.2, Annex VII, page 137, para. 9) in a note verbale dated 11 January 1971:

"The Permanent Mission of France presents its compliments to the Secretariat of the United Nations and, with reference to the Note from the United Kingdom Mission dated 10 April 1970 [see S/9844/Add.2, Annex VII, page 136, para. 8] concerning the assembly of motor vehicles in Rhodesia, would draw attention to the text of its note of 11 December 1969 [see S/9844/Add.2, Annex VII, page 131 (c)], the content of which it confirms.

"The Permanent Mission would add that French automobile manufacturers not only require of their dealers in countries adjacent to Rhodesia an understanding not to re-export vehicles or parts thereof to that Territory, but also take the precaution of limiting sales to such countries.

"As the French Government has no official representation in Rhodesia and maintains no unofficial agent of any kind there, it is unable to have any checks made locally, much less to verify whether more complete sets of parts than are consigned to South Africa are being dispatched to Rhodesia for the Citroen assembly plant.

"The Permanent Mission would further point out that French enterprises have no branches or agencies locally.

"The French Government refuses to form any conclusion solely on the basis of newspaper cuttings since news items published in the press are unreliable in too many cases to be used as the exclusive basis for judging whether a certain industrial, commercial or tourist activity is going on in Rhodesia.

"The French Government would also observe that, having been informed - of necessity belatedly - through statements by other countries which have apparently maintained sources of information at Salisbury, it had to make some rather lengthy enquiries of French automobile manufacturers, during which time the British Motor Corporation at Umtali, among others, was able to use stocks built up previously with the help of intermediaries, not all of whom are nationals of countries adjacent to Rhodesia.

"The Permanent Mission of France notes that, in any event, Rhodesia does not appear to be experiencing any serious difficulty in satisfying

its requirements for utility vehicles, such as trucks and trailers, which are far more essential to its economy than private motor vehicles.

"The Permanent Mission of France would again inform the Secretariat that the French Government continues to follow such matters closely and to take steps to ensure that all manufacturers are aware that violations of the provisions of Decree No. 68-759 are subject to the penalties stipulated in the Customs Code."

5. The following note dated 5 October 1970 has been received from the United States Mission:

"The Government of the United States refers to its note submitted on March 28, 1969 1/ drawing the attention of the Committee established in pursuance of Security Council resolution 253 (1968) to reports that new automobiles of foreign manufacture were being assembled and sold in Southern Rhodesia.

"A recent issue (volume 4, No. 18, September 1970) of Rhodesian Commentary, a publication of the Rhodesian Information Office in Washington, states on page 7 that kits for Renault and Alfa Romeo cars have arrived in Rhodesia. It further states that since the end of 1968, French, FRG and Japanese cars have at all times been assembled in Rhodesia from kits. A copy of the page in question is attached.

"The United States Government suggests that the Committee may wish to ask the Secretary-General to request the Governments concerned to investigate these reports with a view to taking appropriate action should they be substantiated."

Extract from Rhodesian Commentary, September 1970
referred to above

"Kits for Renault and Alfa Romeo cars have arrived in Rhodesia at a time when stocks of certain other models previously assembled were believed to be running low. This latest coup by the Government will bring sighs of relief from harassed potential car buyers faced with second-hand car prices at times far above the new car price outside the country' says a press report.

"The news is generally hailed as yet another victory against sanctions. Some relief was given by tax changes in the Budget in July, but now the reasonably low-priced new cars are expected to reduce second-hand prices even further. Since the end of 1968, French, German and Japanese cars have at all times been assembled in Rhodesia from kits."

1/ S/9844/Add.2, Annex VII, page 125.

6. The following note dated 23 October 1970 has also been received from the United Kingdom Mission:

"In continuation of their notes of 8 August, 2/ 20 August 3/ and 6 October 1969 4/ and 11 March 5/ and 10 April 1970 6/ about the supply of motor car assembly kits to Rhodesia, the Government of the United Kingdom wish to bring to the attention of the Committee further information which they consider warrants investigation.

"The information is in the form of numerous detailed reports published in the press of various countries concerning the assembly in Rhodesia of Renault, Peugeot, Citroen, B.M.W. and Alfa-Romeo cars. Attached are articles which appeared in two Rhodesian newspapers, 'The Rhodesia Herald' of 21 July, which gives the changes in prices of certain models, and 'The Sunday Mail' of 23 August, which concerns the assembly of the Renault R 10 and the Alfa-Romeo 1750. Other reports appeared in such papers as 'Le Monde' of Paris (22 August), 'The Financial Times' of London (21 and 24 August) and other papers published in South Africa and Mozambique. These reports are to the effect that assembly kits have been railed secretly to Rhodesia over the past six months and that the vehicles, reported to be sufficient for a year's sales, are being assembled by Willowvale Motor Industries (Pvt) Ltd. at their factory near Salisbury. Confirmation of the assembly by this firm has come from commercial sources.

"This information is supported by a statement on 19 August in the Rhodesia House of Assembly made by the so-called Minister of Commerce and Industry, Mr. Jack Musset, when he stated that supplies of a new small family car would be available to the public by the end of August.

"It will be recalled that in their note of 10 April, the Government of the United Kingdom indicated that Citroen vehicle kits intended for assembly in Rhodesia (although ostensibly consigned to South Africa) differ from kits to be assembled in South Africa in that certain components, such as upholstery, seats, carpets, roof linings, etc. are included. Such components are manufactured locally in South Africa and are therefore not included in kits destined for assembly in the Republic of South Africa. A similar difference may be revealed by further investigation in the export of kits of the vehicles mentioned in paragraph 2.

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

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- 1/ S/9844/Add.2, annex VII, page 126.
 - 2/ S/9844/Add.2, annex VII, page 128.
 - 3/ S/9844/Add.2, annex VII, page 129.
 - 4/ S/9844/Add.2, annex VII, page 134.
 - 5/ S/9844/Add.2, annex VII, page 136, para. 8.

wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of France, Italy and the Federal Republic of Germany with a view to assisting them in their further investigations into the supply of vehicle kits now being assembled in Rhodesia."

7. The following information has been received from Italy in a note verbale dated 18 January 1971, the substantive part of which reads as follows:

"Following an appropriate enquiry, the competent authorities in Italy have ascertained that no motor vehicle kit has been supplied, directly or indirectly, by Alfa Romeo to Southern Rhodesia.

"Alfa Romeo is present in nearly all African markets with commercial agents. All the contracts between Alfa Romeo and its foreign agents contain a clause which forbids the agents to sell Alfa Romeo products, directly or indirectly, outside their own area.

"Alfa Romeo has no factory nor any commercial agent in Southern Rhodesia. No foreign agents of Alfa Romeo are authorized to sell Alfa Romeo products in Southern Rhodesia."

8. By a note dated 8 January 1971, the United Kingdom Government reported information concerning the importation into Southern Rhodesia of fully assembled Toyota Corolla motor cars. The text of the note is reproduced below:

"In their notes of 8 August 1969^{1/}, 20 August 1969, 2/ 6 October 1969^{3/}, 11 March 1970, 4/ 10 April 1970, 5/ and 23 October 1970, 6/ the Government of the United Kingdom drew the attention of the Committee to information concerning the supply of motor vehicles to Southern Rhodesia. They have now received further information on the same subject from commercial sources which they consider warrants investigation.

"The information is to the effect that up to 800 fully assembled Toyota Corolla motor cars were imported into Southern Rhodesia during the months of September and October 1970. It has also been reported that the selling price of the Toyota Corolla was 1505 Rhodesian dollars plus tax and that dealers had said the model was selling well. The Government of the United Kingdom consider that the information received is sufficiently reliable to justify the Committee set up in pursuance of Security Council resolution 253 (1968) asking the Secretary-General of the United Nations to bring this information to the attention of the

1/ See S/9844/Add.2, annex VII, page 126.

2/ See S/9844/Add.2, annex VII, page 128.

3/ See S/9844/Add.2, annex VII, page 129.

4/ See S/9844/Add.2, annex VII, page 134, para. 5.

5/ See S/9844/Add.2, annex VII, page 136, para. 8.

6/ See para. 6 above.

Japanese Government with a view to assisting them in their investigations into the reported supply to Southern Rhodesia of a large quantity of motor vehicles manufactured in Japan."

9. The following information has been received from Japan in a note dated 26 February 1971, the substantive part of which reads as follows:

"In accordance with the Export Trade Control Order, a ban is imposed on the exportation of all products destined for Southern Rhodesia, except for the items excluded from the ban by resolution 253 (1968) of the Security Council.

As a result of a searching investigation into the alleged importation into Southern Rhodesia of Japanese Motor cars, the Government of Japan has ascertained that Japanese exporters of automobiles, in accordance with the existing regulations, have not supplied any motor cars or parts or parts thereof to Southern Rhodesia, although they are engaged in such export to the neighbouring countries of the territory. The Government has further ascertained that all contracts between the Japanese automobile exporters and their overseas distributors contain a strict territorial clause forbidding the distributors to sell outside their own areas. Furthermore, the Japanese automobile exporters frequently caution their distributors regarding the prohibition against re-exporting Japanese motor cars to Southern Rhodesia. Also, the Japanese automobile exporters, through their distributors, instruct overseas dealers in Japanese cars to make every effort to ensure that the end user will not be an inhabitant of Southern Rhodesia.

It has been ascertained that the Toyota Auto Sales Co. Ltd., which engages in the exportation of Toyota cars to countries which are neighbours of Southern Rhodesia, strictly observes the practices mentioned above."

1. CYCLE ACCESSORIES

(107) Case No. 88 Cycle accessories: United Kingdom note dated 13 August 1970

1. By a note dated 13 August 1970, the United Kingdom Government reported information concerning the supply to Rhodesia of cycle accessories. The text of the note is reproduced below:

"The Government of the United Kingdom has received information from commercial sources about the supply to Rhodesia of cycle accessories which they believe to be sufficiently reliable to justify investigation.

"The information is in the form of an invoice issued by Mozambique Railways (C.F.M. - Caminhos de Ferro de Mocambique) and covering the consignment of twelve packages of cycle accessories, manufactured in Czechoslovakia, sent by rail from Beira in Mozambique to Salisbury in Southern Rhodesia. The packages were forwarded to Theo Spinarolis Lda.

of Beira (who were the subject of the Government of the United Kingdom's note dated 5 September 1969 1/) to Crown Cyclo Co., Pvt., Ltd., P.O. Box 1245, Salisbury, on or about 26 December 1969.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to invite the United Nations Secretary-General to bring this information to the attention of the Government of Czechoslovakia with a view to assisting them to investigate how a supply of cycle accessories apparently manufactured in Czechoslovakia came to be delivered to a firm in Salisbury."

2. At the request of the Committee following informal consultations the Secretary-General sent a note verbale dated 19 August 1970 to Czechoslovakia, transmitting the United Kingdom note and requesting comments thereon.
3. At the Committee's request at its 38th meeting, the Secretary-General sent a note verbale dated 21 January 1971 to Czechoslovakia referring to his previous note verbale dated 19 August 1970 and seeking comments thereon as soon as possible.

J. TRACTOR KITS

(108) Case No. 50 Tractor kits: United Kingdom note dated 2 October 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 137-139).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 26 August 1970 has been received from the Federal Republic of Germany to the Secretary-General's note verbale of 1 April 1970, the substantive part of which reads as follows:

"The Acting Permanent Observer of the Federal Republic of Germany to the United Nations ... has the honour to inform the Secretary-General that Klockner-Humboldt-Deutz A.G., Cologne, have stated that they have not supplied tractors or tractor kits to Southern Rhodesia. They have neither met a representative of Univex of which they have no knowledge, nor concluded an agreement with that firm on the supply of Deutz tractors to Southern Rhodesia. At present, Klockner-Humboldt-Deutz are delivering tractors in c.b.u. and, to some extent, in c.k.d. form to East Africa, South West Africa and Mozambique. However, Klockner-Humboldt-Deutz are not aware of the final destination of these tractor kits nor are they in a position to control possible transshipment of their products to Southern Rhodesia."

1/ See S/9844/Add.2, Annex VII, page 139, Case 41, para. 1.

4. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its reply of 26 August 1970 to the Secretary-General's note verbale dated 1 April 1970 (see S/9844/Add.2, Annex VII, page 139, para. 5) and (1) pointing out that in similar cases of tractor kits, motor vehicles, etc., most manufacturers required in their franchise arrangements with their distributors in southern African and East African territories that there should be no re-sale nor trans-shipment to Southern Rhodesia, (2) asking if the Federal Republic of Germany Government could ascertain from the firm mentioned in its reply whether their franchise arrangements with their own distributors in those territories contained similar provisions which would prohibit any re-sale or trans-shipment to Southern Rhodesia of tractor kits and, in particular, if it could give information about the firm in question's arrangements with the firm mentioned in the United Kingdom note of 26 March 1970 (see S/9844/Add.2, Annex VII, page 138, para. 4)

"Consortio de Maquinas a Electridade Lda" of Lourenço Marques.

5. An acknowledgement dated 8 February 1971 has been received from the Federal Republic of Germany stating that the contents of the above-mentioned Secretary-General's note of 28 February 1971 have been brought to the attention of the Federal Republic of Germany Government.

6. Further information has been received from the Federal Republic of Germany Government dated 27 February 1971, the substantive part of which reads as follows:

"The German Federal Government has taken note of the Secretary-General's reference to the prohibition of re-sale or trans-shipment of tractor kits, motor vehicles etc. to Southern Rhodesia arranged for by most manufacturers with their distributors in Southern and East African territories.

"Recent information obtained by the German Federal Government from Klöckner-Humboldt-Deutz AG has confirmed the company's policy which has been to make similar arrangements with their distributors in Southern and Eastern African territories, including "Consortio de Maquinas e Electricidade Lda" of Lourenço Marques? The passage contained in the Permanent Observer's note to the Secretary-General of 26 August 1970 to the effect that "Klöckner-Humboldt-Deutz are not ... in a position to control possible trans-shipment of their products to Southern Rhodesia." should therefore be merely interpreted as the company's inability to exercise factual control over re-sale or trans-shipment of their products to Southern Rhodesia."

K. AIRCRAFT

(109) 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 (S/9844/Add.2, Annex VII, pages 139-141).

(110) Case No. 67 Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

See Annex II.

L. DIESEL ELECTRIC LOCOMOTIVES

(111) Case No. 111 Traction equipment for diesel electric locomotives: United Kingdom note dated 15 January 1971

1. By a note dated 15 January 1971, the United Kingdom Government reported information about efforts to obtain traction equipment for incorporation in diesel electric locomotives to be built for Rhodesia Railways. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources about the efforts being made to obtain traction equipment for incorporation in diesel electric locomotives to be built for Rhodesia Railways.

"The information is to the effect that Rhodesia Railways are endeavouring to obtain up to sixty new diesel electric locomotives to supplement their existing stock and that they have approached the Union Carriage and Waggon Co. (Pty) Ltd. of South Africa to undertake the manufacture. The locomotives would need to incorporate diesel-electric traction equipment obtained from elsewhere since it is not produced in South Africa. There is reason to think that approaches have been made for the supply of this machinery to suppliers in other countries, particularly the United Kingdom, United States of America, the Federal Republic of Germany and France, and possibly others.

"The Government of the United Kingdom have been informed by the Government of the United States of America that they have refused United States firms permission to supply the traction equipment. Parallel action has been taken with British firms by the Government of the United Kingdom. The latter consider that the information is sufficiently reliable to warrant the Committee set up in pursuance of Security Council resolution 253 (1968) asking the Secretary-General of the United Nations to bring this information to the attention of the Governments of the countries which are believed to produce diesel-electric traction machinery, i.e. Austria, Belgium, Canada, France, Italy, Japan, Romania, Spain, Sweden, Switzerland, the USSR and the

Federal Republic of Germany, in order to assist them should any of their manufacturers or exporters of such machinery receive enquiries or orders from South Africa which might be made for the purposes referred to above. The Governments concerned might wish to bear in mind that the locomotives and their component parts are likely to be custom built to meet Rhodesia Railways' specific requirements, thus leaving manufacturers no grounds for claiming ignorance of the ultimate destination of equipment being sent to South Africa."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 25 January 1971 to Austria, Canada, the Federal Republic of Germany, Romania, Spain, Sweden and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

The representatives of Belgium, France, Italy, Japan and the USSR in the Committee took note of the contents of the United Kingdom note.

3. The following information has been received from Italy in a note verbale dated 26 January 1971:

"The Permanent Representative of Italy to the United Nations ... referring to the British memorandum of 15 January 1971 concerning attempts of the Rhodesia Railways to buy abroad diesel electric locomotives, circulated among members of the Committee ..., has the honour to assure him /The Secretary-General/ that the Italian Government has brought the above-mentioned memorandum to the attention of Italian manufacturers of locomotives and railway equipment."

4. An acknowledgement dated 4 February 1971 has been received from the Federal Republic of Germany, stating that the Secretary-General's note of 25 January 1971 has been brought to the attention of the Federal Republic of Germany Government.

5. A reply dated 23 February 1971 has been received from Romania to the Secretary-General's note dated 25 January 1971, the substantive part of which reads as follows:

"The Government of the Socialist Republic of Romania wishes to reaffirm once more its position in favour of the application in full, as a matter of urgency, of the Declaration on the Granting of Independence to Colonial Countries and Peoples and its strong condemnation of the policy of colonialism and racial discrimination practised by the authorities in Southern Rhodesia and the Republic of South Africa. It supports the legitimate struggle of the people of Zimbabwe to win their freedom and independence.

"The Government of the Socialist Republic of Romania does not recognize the illegal racist régime of Southern Rhodesia and maintains no relations of any kind - diplomatic, consular, economic, trade or other - with the authorities at Salisbury.

"The position of the Socialist Republic of Romania with regard to the question of Southern Rhodesia, manifested in non-recognition of the racist régime of Ian Smith and in full respect for the provisions of all the resolutions adopted by the United Nations General Assembly and the Security Council on this question, has been maintained consistently through the years and has repeatedly been made known to the Secretary-General of the United Nations and, through him, to Member States, notably in the notes from the Permanent Mission addressed to the Secretary-General on 7 December 1965 (S/7015, 15 December 1965), 13 February 1967 (S/7744, 15 February 1967), 27 August 1968 (S/8786/Add.1, 25 September 1968) and 22 February 1969 (S/8786/Add.7, 19 March 1969).

"In the same spirit, on the occasion of the arbitrary act committed on 2 March 1970 by the Salisbury authorities, the Romanian Government made public a statement dated 12 March 1970 distributed as an official document of the Security Council (S/9705, 16 March 1970), which included the following paragraph:

'The Socialist Republic of Romania consistently supports respect for the right of each people to decide its own destiny in accordance with its interests and aspirations, and to choose freely its path of development, with no outside intervention, and considers that any act which ignores that right can have no legal effect. For this reason, the Romanian Government declares that it does not recognize the so-called "republic of Rhodesia".'

"It would also be appropriate to recall the consistent position of the Government of the Socialist Republic of Romania with regard to the policy of colonialism and apartheid of the Government of the Republic of South Africa, which has likewise been repeatedly brought to the attention of the Secretary-General of the United Nations and Member States. The Socialist Republic of Romania, as has likewise been indicated in the past, maintains no relations of any kind, including trade relations, with the Republic of South Africa.

"Faithful to this position and to the principles of its foreign policy, the Government of the Socialist Republic of Romania has taken all the necessary steps to ensure that all Romanian institutions having relations with foreign countries should respect without fail the resolutions adopted over the years by the United Nations General Assembly and the Security Council with regard to the illegal régime of Southern Rhodesia and the colonialist and racist policy of the Republic of South Africa, including Security Council resolution 253 (1968) of 29 May 1968, in which it was decided that certain sanctions should be applied against the Southern Rhodesian régime."

M. BOOK-KEEPING AND ACCOUNTING MACHINES

(112) 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 (S/9844/Add.2, Annex VII, page 143).

N. SHIRTS

(113) Case No. 93 Shirts: United Kingdom note dated 21 August 1970

1. By a note dated 21 August 1970, the United Kingdom Government reported information concerning shirts manufactured in Southern Rhodesia. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that shirts bearing the trade marks 'Old Gold' which are manufactured by the Concorde Clothing (Pty) Ltd. of Salisbury, have been imported into the Democratic Republic of the Congo for the retail trade.

"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 Democratic Republic of the Congo in order to assist them in their investigations into this matter."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 25 August 1970 to the Government of the Democratic Republic of the Congo, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 28 August 1970 has been received from the Democratic Republic of the Congo (see (65) Case 92).

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Democratic Republic of the Congo, referring to its reply dated 28 August 1970 to the Secretary-General's notes verbale dated 25 August and 21 August 1970, concerning cigarettes and shirts respectively, expressing gratitude therefor and enquiring as to whether any further information was available concerning the enquiry mentioned in paragraph 4 of that reply.

5. A reply dated 11 February 1971 has been received from the Democratic Republic of the Congo, the substantive part of which reads as follows:

"The Permanent Representative of the Democratic Republic of the Congo has the honour to refer to the Secretary-General's note of 29 January 1971 relating to the sale in the Democratic Republic of the Congo of cigarettes and shirts believed to be of Rhodesian manufacture.

"The Permanent Representative ... wishes to inform the Secretary-General that he has just reapprised his Government of the above-mentioned cases and will not fail to keep him informed at the appropriate time of any further information which is received."

ANNEX II

Transactions conducted without the knowledge of reporting Governments

Case 67. Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

1. By a note dated 21 January 1970, the United Kingdom Government reported information to the effect that Air Rhodesia was seeking to acquire second-hand Viscount aircraft and that its activities to that end were likely to be directed particularly towards airlines owning Viscount aircraft which, as a result of re-equipment with more modern aircraft, had now become, or were likely to become, surplus to such airlines' requirements. It was likely that any transaction would be arranged through third parties, probably based in a country in southern Africa, so that any sales would appear ostensibly as legitimate transactions to non-Rhodesian organizations. In order to avoid a breach of sanctions, it was considered desirable that appropriate steps should be taken to ensure that adequate inquiries were made by any persons disposing of such aircraft in order to make sure that they would not ultimately be acquired by Air Rhodesia.
2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 9 February 1970 to Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.
3. The following replies have been received:

Canada	Hungary
Colombia	Malawi
Congo (Democratic Republic of)	Mauritania
Federal Republic of Germany	Netherlands
France	the Philippines
	Poland

Of the above replies, those from Canada, Colombia, the Democratic Republic of the Congo, the Federal Republic of Germany, Hungary and Mauritania stated that the Secretary-General's note verbale had been or was being transmitted to their respective Governments. The reply dated 31 March 1970 from the Netherlands stated that no aircraft of the Viscount type were listed in the Netherlands aircraft

registration. Poland stated that it had no trade relations of any kind with Southern Rhodesia. The reply dated 14 April from Malawi stated that it was not the intention of Air Malawi to dispose of any of their Viscounts in the immediate future. Should the planes be disposed of, the Government of Malawi had given an indication that they would not be sold to Southern Rhodesia. The Philippines stated in its reply dated 5 May 1970 that no Viscount aircraft had been registered in the Philippines in the previous five years, and that the Philippine authorities would take the note from the United Kingdom into consideration whenever any sale of such aircraft was made in the future.

4. In a note verbale dated 30 April, France stated that all sales of aircraft in France had to be authorized by the "Comité inter-ministériel d'études et d'exportations de matériel" which excluded all direct sales to Southern Rhodesia. In addition, sales were generally subject to a clause prohibiting re-exportation, a clause which was mandatory in the case of sales to southern Africa.

5. By a note dated 23 July 1970, the United Kingdom Government reported further information concerning the acquisition by Air Rhodesia of second-hand Viscount aircraft. The text of the note is reproduced below:

"The Government of the United Kingdom in continuation of their note of 21 January 1970 [see S/9844/Add.2, annex VII, page 141] and the Secretary-General's communication of 9 February based thereon, wish to bring to the attention of the Committee information about Air Rhodesia seeking to acquire second-hand Viscount aircraft, which they have received and which they believe to be sufficiently reliable to warrant investigation.

"The information is to the effect that Middle East Airlines recently disposed of a Viscount aircraft registered in the Lebanon as number OD-ADD and that this aircraft has now been registered in Southern Rhodesia by Air Rhodesia under the number VP YTE.

"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 Lebanese Government in order to assist them to investigate the alleged disposal by Middle East Airlines of an aircraft which, according to the above information, has subsequently been acquired by Air Rhodesia."

6. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 29 July 1970 to the Lebanon, transmitting the United Kingdom note and requesting comments thereon.

7. At the request of the Committee at its 38th meeting, an automatic reminder was sent to the Lebanon on 3 February 1971.

8. A reply dated 9 February 1971 has been received from the Lebanon, the substantive part of which reads as follows:

"The Permanent Representative of Lebanon to the United Nations... has the honour to bring to his the Secretary-General's attention the following:

"1. Following receipt of the Secretary-General's note verbale dated 29 July 1970, the Lebanese Government undertook an investigation concerning the possibility of a breach of sanctions in the supply of aircraft to Southern Rhodesia.

"2. The 'Middle East Airlines Air Liban SAL' informed the Lebanese Ministry for Foreign Affairs that on 14 April 1970 it contracted for the sale of a commercial plane of the type VISCOUNT, registered in the records of the Lebanese Civil Aviation under the serial number OD-ADD, to Mr. Mervyn Edward Eyett, an aircraft agent, whose headquarters are located in Lourenço Marques, Mozambique.

"3. Middle East Airlines Air Liban also informed the Ministry that the agreement signed with Mr. Eyett specified that the delivery of the plane was to take place in Nampula in Mozambique, and that it did take place in that city on 22 April 1970.

"4. Middle East Airlines Air Liban SAL stated that the first time it learned that the plane had 'subsequently been acquired by Air Rhodesia' was when it received the enquiry from the Ministry for Foreign Affairs. It also stated that it had no knowledge whatsoever of the intentions and motives of the purchaser.

"5. Middle East Airlines Air Liban SAL also stated that it contracted for the sale of the aircraft in good faith, and that it had nothing to conceal about this commercial deal. It has requested and obtained from the countries lying on the route of delivery (Saudi Arabia, South Yemen, Somalia and Kenya) the necessary permits for overflight and landing.

"6. Furthermore, Middle East Airlines Air Liban SAL stated that it has always complied with the recommendations of the League of Arab States and of the United Nations, and that had it suspected that the plane would ultimately reach Southern Rhodesia, it would have refrained from consummating the sale to Mr. Eyett.

"The Lebanese Government, by imparting this information to the Secretary-General, wishes to assure him that Lebanon reiterates its already declared position to abide by Security Council resolution 253 (1968), particularly regarding its obligation to apply economic sanctions against Southern Rhodesia. This obligation applies to both the public and private sectors without distinction."

ANNEX III

Cases of transactions conducted with the knowledge
of reporting Governments

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GRAPHITE

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Case 43 - "Tanga": United Kingdom note dated 18 September 1969.
Case 62 - "Transvaal", "Kaapland", "Stellenbosch" and "Swellendam":
United Kingdom note dated 22 December 1969.

1. By a note dated 27 August 1969, the United Kingdom Government reported information about a consignment of graphite loaded on the vessel "Kaapland". The text of the note is reproduced below:

"The Government of the United Kingdom wish to draw to the attention of the Committee the following information about a possible evasion of sanctions in the export of Rhodesian graphite which they consider to be sufficiently reliable to merit further investigation.

"The information is to the effect that a consignment of approximately 3,000 bags of graphite was recently loaded at Beira on the South African vessel 'Kaapland': that the graphite was produced in Rhodesia by a company known as Rhodesian German Graphite Ltd. and that the graphite is consigned to Graphitwerk Kropfmuehl A.G., Munich.

"The 'Kaapland', which is owned by South African Liners Ltd., sailed from Beira on 21 July and is expected to arrive in Hamburg on about 9 September.

"The United Kingdom Government suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of the Federal Republic of Germany with a view to assisting them to ensure that the origin of any graphite which may be unloaded from the 'Kaapland' at ports in their territory during the course of its present voyage is carefully investigated.

"The Committee may further wish to ask the Secretary-General to notify the Government of the Republic of South Africa of the above report to enable them to make suitable enquiries regarding the carriage aboard a South African ship of graphite which according to the information mentioned above is of Rhodesian origin."

2. At the request of the Committee at its twenty-first meeting, the Secretary-General sent notes verbale dated 8 September 1969 to the Federal Republic of Germany and South Africa, transmitting the United Kingdom note and requesting comments thereon (for reply of FRG, see para. 7 below).
3. By a note dated 18 September 1969, the United Kingdom Government reported information about a consignment of graphite loaded on the vessel "Tanga". The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note of 27 August 1969, wish to bring to the attention of the Committee the following information about a further exportation of Rhodesian graphite which they consider to be sufficiently reliable to merit further investigation.

"The information is to the effect that a consignment of 3,000 bags of graphite was recently loaded at Beira on the FRG vessel 'Tanga': that the graphite was produced in Rhodesia by a company known as Rhodesian German Graphite Ltd. and that the graphite is consigned to Graphitwerk Kropfmuehl A.G., Munich.

"The 'Tanga', which is owned by DAL Deutsche-Afrika Linien G.M.B.H. and Co., Hamburg, sailed from Beira on 10 August and is expected to arrive in Hamburg on 19 September.

"The United Kingdom Government suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of the FRG with a view to assisting them to ensure that the origin of any graphite which may be unloaded from the 'Tanga' at ports in their territory during the course of its present voyage is carefully investigated; and to enable them to make suitable enquiries regarding the carriage aboard an FRG vessel of graphite which, according to the information above, is of Rhodesian origin."

4. At the request of the Committee at its twenty-second meeting, the Secretary-General sent a note verbale dated 30 September to the FRG, transmitting the United Kingdom note and requesting comments thereon (for reply of FRG, see para. 7 below).
5. By a note dated 22 December 1969, the United Kingdom Government reported information about four consignments of graphite loaded on the vessels "Transvaal", "Kaapland", "Stellenbosch" and "Swellendam". The text of the note is reproduced below:

"The Government of the United Kingdom in continuation of their Notes of 27 August and 18 September 1969 wish to bring to the attention of the Committee the following information, which they consider to be sufficiently reliable to justify further investigation, concerning possible evasions of sanctions in the export of graphite suspected to be of Rhodesian origin.

"The information is to the effect that four consignments of graphite, probably totalling some 1,000 tons, destined for Graphitwerke Kropfmuehl, A.G., Munich, were shipped from Lourenco Marques on the m.v. 'Transvaal' on 30 October; on the m.v. 'Kaapland' on 8 November; on the m.v. 'Stellenbosch' on 23 November, and on the m.v. 'Swellendam' on 2 December.

"The only countries in southern Africa which produce and export graphite are South Africa and Rhodesia. South African exports of graphite are negligible, amounting to only 8 tons in 1968 and 20 tons in the first six months of 1969.

"The Government of the United Kingdom suggests therefore that the Committee may wish to ask the Secretary-General of the United Nations to bring this information to the notice of the Government of the Federal Republic of Germany, with a view to assisting them in their investigations into the origin of any graphite from the vessels named in paragraph 2 above which may be unloaded at ports in their territory. If it should be claimed the graphite is not of Rhodesian origin, the Government of the Federal Republic of Germany will no doubt bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's Note PO 230 SORH (1-2-1) of 18 September 1969. This could take the form of the relevant invoices and rail notes covering the despatch of the consignments to Lourenço Marques, together with certificates from the producers of the graphite in question."

6. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 5 January 1970 to the Federal Republic of Germany, transmitting the United Kingdom note of 22 December and requesting comments thereon.

7. A reply dated 16 January 1970 has been received from the Federal Republic of Germany^{1/}, the substantive part of which reads as follows:

"The Government of the Federal Republic of Germany has successfully endeavoured to implement United Nations sanctions against Southern Rhodesia and has taken all necessary legislative measures. It has scrupulously investigated all alleged violations brought to its attention by the Committee ... or by the British Government and has not failed to take the appropriate measures in cases of confirmed violations.

"Consequently trade between the Federal Republic of Germany and Southern Rhodesia has declined to less than 10% of its former volume and is now almost exclusively confined to commodities which are not included in the sanctions provisions, or are covered by so-called 'old contracts'. All but one of these contracts - this one covering the importation of Southern Rhodesian graphite - have expired. Investigations of the Government of the Federal Republic of Germany have established that the alleged shipments of Southern Rhodesian graphite to the Federal Republic of Germany on the vessels mentioned in the Secretary-General's notes are covered by this last pending contract.

^{1/} This reply also refers to Cases 38 and 43.

"In this connection, however, the Government of the Federal Republic of Germany wishes to make the following observations: The above-mentioned contract had been concluded in 1964 and provided for long-term imports of raw graphite from a Southern Rhodesian graphite mine. The importing company is the only one operating a graphite mine in Germany. This company has made increasing efforts to substitute raw graphite from the USSR, Czechoslovakia, the People's Republic of China, Madagascar and Norway, in place of graphite from Southern Rhodesia. It has not been possible, however, to eliminate Southern Rhodesian sources completely. The imported crystalline raw graphites must be similar to the graphite mined by the German company because they have to be reworked and refined structurally. The company depends on the imports mentioned above as only this Southern Rhodesian material which is not found in any other country can be mixed with the German graphite.

"The Federal Government will continue its efforts to help the importing company reduce or even discontinue imports from Southern Rhodesia. The significance of this case, however, is negligible if compared with the positive general result which efforts of the Government of the Federal Republic of Germany to implement UN sanctions have had so far."

8. At the request of the Committee at its twenty-seventh meeting, the Secretary-General sent a note verbale dated 29 April 1970 to the Government of the Federal Republic of Germany, referring to its reply dated 16 January and, in connexion with the fourth paragraph thereof, requesting confirmation that the Government of the Federal Republic intended to comply fully with the provisions of resolution 253 (1968).

9. A reply dated 16 September 1970 has been received from the Federal Republic of Germany to the Secretary-General's note verbale of 29 April 1970, the substantive part of which reads as follows:

"As already stated on a previous occasion, the FRG-Rhodesian graphite mining company 'Rho-German Graphite (Pvt) Ltd. in Salisbury was established in May 1965, that is six months before the Rhodesian declaration of independence. At the time, the participation of Kropfmuhl A.G. was welcomed by the Federal Government.

"One inseparable part of the establishing contract is a contract of sale under which Kropfmuhl are obliged to accept the total production of the new company, which is approximately 5,000 tons a year. The product mined in Rhodesia is crystalline natural graphite which is obtainable in only a few countries in quantities sufficient for purposes of large-scale industry, which means that world supplies are limited. Although Kropfmuhl are looking for other sources, their negotiations have shown that it is at present not possible, nor will it be possible for the foreseeable future, to obtain the

necessary quantities elsewhere. There are already signs of a bottleneck on the world market, so it is not without good reason that in the United States a stockpile of some 30,000 tons of natural graphite is prescribed by law on strategic grounds. A further point is that Kropfmuhl cannot mix their own product with any other kinds of graphite - insofar as they are at all available - on account of their different qualities, especially with regard to flake structure, grain size, softness and ash composition. Nor can amorphous graphite be substituted for crystalline graphite, both for technical reasons and because they are used for different purposes.

"Kropfmuhl are one of the world's largest producers of natural graphite; hence, as previously explained, any embargo on their imports of Rhodesian graphite would not only lead to the closure of the Federal Republic's only graphite mine but would also have world-wide repercussions.

"The Federal Ministry of Economics will continue to carefully watch the import of Rhodesian graphite in the light of the resolution adopted by the Security Council in 1968."

10. At the request of the Committee at its thirty-ninth meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its reply of 16 September 1970 and informing that Government that the Committee would be making a further report to the Security Council in the near future and would have to include in that report the contents of the above-mentioned reply which indicated that, for the reasons stated, import of the graphite in question had been permitted. The Committee wished the FRG Government to have the opportunity to make any comments it might wish on the matter and to send any such comments to the Secretary-General within three weeks for transmittal to the Committee.

11. A note verbale dated 8 February 1971 has been received from the Federal Republic of Germany, stating that the contents of the Secretary-General's above note dated 28 January 1971 have been brought to the attention of the FRG Government.

12. Further information concerning the matter has been received from the Federal Republic of Germany in a note dated 24 February 1971, the substantive part of which reads as follows:

"... with reference to the Secretary-General's note dated 28 January 1971, Case 62,... the Permanent Observer of the Federal Republic of Germany to the United Nations has the honour to reply as follows:

"1. Since the immediate and total discontinuation of imports of natural graphite from Southern Rhodesia would endanger the existence of Kropfmühl A.G. and result in the closing down of the Federal Republic of Germany's only graphite mine, Kropfmühl A.G. have been continuing their efforts to reduce graphite imports from Southern Rhodesia. Despite increasing difficulties to obtain natural graphite from other sources they have to a certain degree succeeded in buying such graphite from other countries. Though considerable increase in the company's production costs will result, imports from Southern Rhodesia in 1972 will most likely decrease by about 20 per cent.

2. In assessing the Government of the Federal Republic of Germany's stand on the question of graphite imports, the Committee established in pursuance of Security Council resolution 253 (1968) is again urgently requested to take into account the general results which the efforts of the Government of the Federal Republic of Germany in implementing the United Nations sanctions against Southern Rhodesia have had so far. As the following statistical data demonstrate trade between the Federal Republic of Germany and Southern Rhodesia has practically come to an end:

	Imports from Southern Rhodesia (in \$US)	Exports to Southern Rhodesia (in \$US)
1965	37.9 million	12.17 million
1966	32.96 "	12.39 "
1967	17.25 "	13.5 "
1968	14.36 "	14.22 "
1969	1.18 "	1.43 "
1970	0.6 "	1.24 "

Whereas imports shown in the statistics mainly consist of natural graphite, exports comprise commodities not covered by sanctions, such as pharmaceutical products.

3. The Government of the Federal Republic of Germany considers the significance of the Kropfmühl case, compared to the general results of German implementation of the United Nations sanctions, to be negligible. It will, however, continue its efforts to eliminate even this last remaining element of trade between the Federal Republic of Germany and Southern Rhodesia.

Case 42. Meat - "Polana"

1. By a note dated 17 September 1969, the United Kingdom Government reported information about a consignment of meat on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources that a consignment of Rhodesian meat is being carried from southern Africa to Europe aboard the vessel 'Polana'.

"The 'Polana', which is owned by DAL Deutsche Afrika-Linien G.M.B.H. and Co., Hamburg, is scheduled to call at Leghorn about 17 September and thereafter at Genoa, Marseilles, Antwerp, Rotterdam, Bremen and Hamburg.

"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 notice of the Governments of Italy, France, Belgium, the Netherlands and the Federal Republic of Germany, with a view to assisting them to ensure that the origin of any meat which may be unloaded from the 'Polana' at ports in their territories is carefully investigated: and, in the case of the FRG, so that they can make suitable enquiries about the carriage in a vessel of the FRG of meat which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbale dated 30 September 1969 to Belgium, the Federal Republic of Germany, Italy and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from the Federal Republic of Germany and the Netherlands as follows:

(a) FRG in a note dated 26 November 1969 stated that, according to investigations made by the customs authorities, no meat was unloaded from the vessel in question during its calls at Bremen and Hamburg. Furthermore, the owners of the vessel, Deutsche Afrika-Linien GmbH. and Co., Hamburg, pointed out that their agencies had strict orders not to accept any cargo originating in Southern Rhodesia;

(b) Netherlands in a note dated 18 November 1969 stated that the vessel had berthed at Rotterdam on 6 October. An inquiry by the Netherlands authorities had proved that the vessel did not carry meat on its arrival.

4. The following information was also received from France in a note verbale dated 9 March 1970: the vessel belonging to the FRG Company, DAL Deutsche Afrika-Linien G.M.B.H. (Hamburg) called at Marseilles on Saturday, 20 September 1969. It was carrying no goods destined for France. It unshipped in transit by sealed wagons to Switzerland 50 tons of frozen tongue and beef liver.

5. At the request of the Committee at its 25th meeting, the Secretary-General sent notes verbale dated 31 December 1969 to Belgium and Italy, requesting a reply to his previous note verbale dated 30 September.
6. Replies from Italy dated 5 and 12 January 1970 stated that no consignment of meat by the vessel in question had been made at either Leghorn or Genoa.
7. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 29 April 1970 to Switzerland, transmitting the information received from France (See para. 4 above) and requesting any further information which the Swiss Government might have concerning this shipment.
8. A reply dated 2 June 1970 has been received from Switzerland to the Secretary-General's note verbale of 29 April 1970, the substantive part of which reads as follows:

"The cargo in question, namely 48.6 gross tons of beef tongue and liver was in fact imported into Switzerland. It was part of the limited trade explained in the note which the Permanent Observer addressed to the Secretary-General on 13 February 1967 /see para. 9 below/. This merchandise is of Rhodesian origin according to the bills of lading submitted to the Swiss customs authorities."

9. The text of the Swiss note dated 13 February 1967, referred to above, is reproduced below /it may also be found in document S/7781, Security Council O.R. 22nd year, Suppl. for January to March 1967, pages 117-118/:

"In his notes of 17 December 1966^{1/} and 13 January 1967^{2/}, the Secretary-General invited Switzerland to conform with the selective and mandatory economic sanctions taken against Rhodesia and to supply information on the measures taken to supplement resolution 232 (1966) adopted by the Security Council on 16 December 1966, which is specifically addressed to all States. Resolution 217 (1965) of 20 November 1965, which merely recommended economic measures, is thus strengthened, since the mandatory sanctions provided for in Chapter VII of the United Nations Charter are applied for the first time.

"The Federal Council has considered the problems which this poses for our country. It has concluded that, for reasons of principle, Switzerland, as a neutral State, cannot submit to the mandatory sanctions of the United Nations. The Federal Council will, however, see to it that Rhodesian trade

^{1/} See S/7781, Security Council O.R. 22nd year, Suppl. for Jan. to Mar. 1967, section II, page 75, para.5.

^{2/} Ibid., section II, para.6, page 76.

is given no opportunity to avoid the United Nations sanctions policy through Swiss territory. It is for that reason that it decided, as early as 17 December 1965, independently and without recognizing any legal obligations to do so, to make imports from Rhodesia subject to mandatory authorization and to take the necessary measures to prevent any increase in Swiss imports from that territory.

"During the preceding years, those imports represented only 1 per cent of total Rhodesian exports, while Swiss exports amounted to only 0.7 per cent of Rhodesian imports. These figures show that as far as the United Nations sanctions policy against Rhodesia is concerned, the traditional trade relations between Switzerland and Rhodesia are of little importance, being insignificant as far as that Territory's economy is concerned.

"However, as a result of the new measures taken by the United Nations, the Federal Council has decided to restrict imports from Rhodesia even further, limiting them to a level not exceeding the average of the last three years. The import restrictions are thus strengthened. Any possibility of increasing these imports is excluded and the United Nations sanctions policy cannot be contravened.

"In addition, the ban on exports of war material imposed at the end of 1965 is being maintained. Similarly, the National Bank continues to block funds deposited with it by the Rhodesian Reserve Bank.

"Furthermore, it should be noted that with regard to the goods placed under embargo by the Security Council, Switzerland possesses no oil and consequently does not export oil or oil products to Rhodesia, either directly or indirectly. Moreover, it does not export to that Territory lorries, aircraft or spare parts for their maintenance."

10. At the Committee's request at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Switzerland, referring to its reply dated 2 June 1970 to the Secretary-General's note verbale of 29 April 1970 and enquiring as to whether copies of the bills of lading mentioned in that reply, together with any other relevant documentation, could be forwarded for transmittal to the Federal Republic of Germany and for the information of the Committee. It was pointed out that this documentation would also be useful in assisting other Governments in preventing future attempted violations. The Committee also requested the Secretary-General to inform Switzerland that it would be making a further report to the Security Council in the near future and would have to

include in that report the contents of its above-mentioned reply dated 2 June 1970. The Committee wished the Government of Switzerland to have the opportunity to make any comments it might wish on the matter, and to send any such comments to the Secretary-General within three weeks for transmittal to the Committee.

11. A reply dated 22 February 1971 has been received from Switzerland to the Secretary-General's note verbale dated 28 January 1971 (see para. 10), the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations... has the honour to refer to the communication of 28 January 1971 in which the Secretary-General reverts to the case of a shipment of meat of Rhodesian origin bound for Switzerland on board the vessel 'Polana', which was the subject of an earlier exchange of notes dated 29 April and 2 June 1970,

"In reply to the request for additional information made by the Secretary-General in his latest note, dated 28 January 1971, the Permanent Observer, while emphasizing the insignificance of the case in question, wishes to reaffirm Switzerland's position of principle as stated in the Declaration of the Federal Council, the text of which was transmitted to the Secretary-General on 13 February 1967 /see para. 9/:

'The Federal Council has concluded that, for reasons of principle, Switzerland, as a neutral State, cannot submit to the mandatory sanctions of the United Nations. The Federal Council will, however, see to it that Rhodesian trade is given no opportunity to avoid the United Nations sanctions policy through Swiss territory. It is for that reason that it decided, as early as 17 December 1965, independently and without recognizing any legal obligation to do so, to make imports from Rhodesia subject to mandatory authorization and to take the necessary measures to prevent any increase in Swiss imports from that territory.

'During the preceding years, those imports represented only 1 per cent of total Rhodesian exports, while Swiss exports amounted to only 0.7 per cent of Rhodesian imports. These figures show that as far as the United Nations sanctions policy against Rhodesia is concerned, the traditional trade relations between Switzerland and Rhodesia are of little importance, being insignificant as far as that Territory's economy is concerned.

'However, as a result of the new measures taken by the United Nations, the Federal Council has decided to restrict imports from

Rhodesia even further, limiting them to a level not exceeding the average of the last three years. The import restrictions are thus strengthened. Any possibility of increasing these imports is excluded and the United Nations sanctions policy cannot be contravened.

'In addition, the ban on exports of war material imposed at the end of 1965 is being maintained. Similarly, the National Bank continues to block funds deposited with it by the Rhodesian Reserve Bank.'

12. Subsequent to the statement concerning this case made by the representative of Belgium at the Committee's 42nd meeting on 24 February 1971, further information has been received from the Permanent Representative of Belgium to the United Nations in a note dated 26 February 1971, the substantive part of which reads as follows:

"With regard to Case No. 42 (meat - 'Polana'), which is referred to in document S/9844/Add.2, my authorities felt it unnecessary to reply to your notes verbale of 30 September and 31 December 1969, 1/ in view of the fact that in the meantime the reply of France, dated 9 March 1970, made it clear that the cargo of that vessel was discharged at Marseilles."

13. In a statement concerning this case made at the Committee's 43rd meeting on 18 March 1971 the representative of France wished it to be clearly put on record in the Committee's report that the cargo in question had been unloaded at Marseilles merely in order to be transported elsewhere.

Case No. 75 Supply of wheat by Australia

1. At the request of the Committee at its 29th meeting, the Secretary-General sent the following note verbale dated 14 May 1970 to the Permanent Representative of Australia:

1/ See S/9844/Add.2, annex VII para. 2, page 103 and para. 5, page 104.

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Australia to the United Nations and, at the request of the Committee established in pursuance of Security Council resolution 253 (1968), has the honour to refer to press reports concerning the sale of Australian wheat to Southern Rhodesia.

"At its 29th meeting held on 8 May 1970, the Committee, having regard to the provisions of Security Council resolution 253 (1968), decided to ask the Secretary-General to request His Excellency's Government for information concerning the reported supply of wheat to Southern Rhodesia, including terms of sale and quantities involved.

"The Secretary-General would appreciate receiving the comments of His Excellency's Government concerning this matter as soon as possible."

2. A reply dated 10 July 1970 has been received from Australia, the substantive part of which reads as follows:

"The Permanent Representative of Australia has the honour to inform the Secretary-General that exports of wheat from Australia to Rhodesia under the provisions of paragraphs 3 (d) of resolution 253 (1968) are set out below:

	Quantities (Long tons)	Value (Dollars '000)
1965/66	61,597	3,246
1966/67	52,782	2,990
1967/68	78,958	4,225
1968/69	76,715	4,191
1969/70	56,118	2,943

"(Note: Increase in exports in 1967/68 and 1968/69 due to drought conditions in southern Africa.)

"All the quantities listed above have been sold on normal commercial terms."

3. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Australia, referring to its above reply of 10 July 1970 and informing the Permanent Representative that the Committee would shortly be making a further report to the Security Council on this matter and would have to include in that report the above-mentioned reply. Before doing so, the Committee wished the Secretary-General to enquire as to whether the Australian Government had any further observations to make on the supply of wheat to Southern Rhodesia, particularly with respect to the applicability of paragraph 3 (d) of resolution 253 (1968).

4. At the 41st meeting of the Committee, the representative of the United Kingdom reported the following information concerning Rhodesian wheat imports:

"There are no separate figures for Southern Rhodesian imports of wheat during the years 1953-1963. However, according to what information there is available during that period, Australia and the United States regularly exported wheat to the Federation at a rate of about 80,000 to 100,000 tons a year. In each of the calendar years 1964 and 1965, imports by Southern Rhodesia from Australia amounted to about 65,000 tons, a further 10,000 tons coming from the United States. The annual rate of imports from Australia has maintained about the same average since then, as the Australian note of 10 July 1970 reveals, American supplies have ceased.

"Consumption of wheat in Rhodesia is estimated to amount to approximately 90,000 tons a year. The urban African population (700,000) according to an official survey of some 12 years ago have a per capita wheat consumption of 150 pounds per year - a total of some 50,000 tons. The 250,000 Europeans, assuming a per capita consumption of 145 pounds per head (this figure is based on consumption in the UK) would account for roughly 16,000 tons a year. The rural African population (4,250,000), consuming an estimated 10-12 pounds per head per year would absorb the remaining 24,000 tons.

"Most if not all the wheat not imported from Australia is now produced in Rhodesia and it is estimated that in five years' time, domestic production should be enough to meet Rhodesian needs."

5. A reply dated 19 February 1971 has been received from Australia to the Secretary-General's note of 29 January 1971, the substantive part of which reads as follows:

"The Permanent Representative of Australia to the United Nations... has the honour to refer to the Secretary-General's note, Case 75, of 29 January 1971, conveying an invitation from the Committee... to the Government of Australia to make further observations on the supply of wheat to Southern Rhodesia, particularly with respect to the applicability of paragraph 3 (d) of Security Council resolution 253 (1968).

"The Permanent Representative of Australia has the honour to inform the Secretary-General of the United Nations that it is the Australian Government's view that the application of sanctions was never intended to deprive the Rhodesian population - of whom the overwhelming majority are black Rhodesians - of basic foodstuffs.

"Wheat is an important part of the diet of the majority of the black population of Rhodesia and it is no part of the Australian Government's policy to inflict hardship on the indigenous population through its application of sanctions against the illegal Smith régime.

"Australia supports the application of sanctions against Rhodesia. It has permitted the export of wheat to that country on humanitarian grounds, as provided for in paragraphs 3 (d) of Security Council resolution 253 (1968)."

ANNEX IV

The automobile industry in Southern Rhodesia

I. Introduction

At its 37th meeting held on 18 January 1971, the Committee established in pursuance of Security Council resolution 253 (1968) considered among other questions the question of the local assembly of motor vehicles in Southern Rhodesia. The question, which already constituted part of the Committee's agenda, having been carried over from the Committee's third report as Case No. 9, was discussed under the agenda item dealing with replies sent by Governments since the publication of the third report, as well as two other notes on that case subsequently received from the United Kingdom and the United States, giving reports to the effect that motor vehicles were being locally assembled in Southern Rhodesia from kits imported from abroad. As a result of the discussion that followed, the Committee decided to request the Secretariat to make a study of such information as was available on the automobile industry in Southern Rhodesia, with a view to ascertaining whether, in spite of action by various Governments to prevent this, motor vehicles and their parts continued to be imported into or assembled in Southern Rhodesia from imported kits, in violation of the sanctions in force against that country.

II. Southern Rhodesia's automobile imports

(a) General remarks

Prior to UDI Southern Rhodesia obtained virtually all its motor vehicles from abroad the major exporting countries being the United Kingdom, Japan, France and the Federal Republic of Germany. In 1965, the last calendar year for which complete trade figures for this group of commodities are available for Southern Rhodesia, it was reported^{1/} that 2,287 cars and 264 trucks or buses were imported from the United Kingdom, 673 and 376 respectively from Japan, 937 and 88 from France and 1,073 and 110 from the Federal Republic of Germany. The total number

^{1/} Annual Statement of External Trade, 1965, Central Statistical Office, Salisbury, Southern Rhodesia.

of motor vehicles imported from all countries that year was given as 6,390 cars and 987 trucks or buses, amounting to 7,377 vehicles altogether.^{1/}

International trade statistics of the reporting countries show virtually no automobile exports to Southern Rhodesia since UDI. However, according to Automobile International, a publication by Johnson Publications of New York, the total number of registered and licensed motor vehicles in use in Southern Rhodesia (vehicles in use means the number of vehicles carrying current registrations for the year under consideration. Since all vehicles must by law be registered, a count of the motor vehicles in use is tantamount to a census of the motor vehicles in the country) stood at a higher level in 1969 than that reported at the end of 1965. Then, the figure was given as altogether 135,000 motor vehicles. At the end of 1968 and 1969 the figures were given as 153,200 and 160,000 motor vehicles respectively.

There appears to be a strong possibility that Southern Rhodesia may be receiving motor vehicles and their parts through neighbouring countries. This possibility is strengthened by the fact that Southern Rhodesia is maintaining its exporting pattern of this commodity group to its neighbouring countries. Malawi, for instance, reported annual imports of \$0.5 million from Southern Rhodesia of motor vehicles and their parts during 1967-1968 and \$0.3 in 1969, (compared with \$1.3 million in 1965). For this reason, an analysis was made (in terms of value^{2/})

^{1/} According to the official respective figures of the major exporters of motor vehicles to Southern Rhodesia for the year 1965, the United Kingdom exported to Southern Rhodesia a total of 10,588 cars (of which 2,271 were assembled and 8,317 were assembly kits) and 2,852 commercial vehicles; France exported 1,078 cars and 158 commercial vehicles; Japan 1,001 and 1,283 respectively, and the Federal Republic of Germany 945 and 154. It would appear that the figures for cars imported from the United Kingdom by Southern Rhodesia refer to assembled cars only and that assembly kits are included in the Southern Rhodesian figures for motor vehicle parts.

Another publication, The Motor Industry of Britain, 1966, issued annually by the Society of Motor Manufacturers and Traders Ltd., U.K., states that during the year ended 31 December 1965 the United Kingdom alone exported to Southern Rhodesia 10,608 cars (as compared to 9,289, including exports to Malawi and Zambia, in 1964) and 3,213 commercial vehicles (2,260).

^{2/} It is not possible to make a comprehensive study in terms of quantities because of the heterogeneous nature of this group of commodities. Countries use different units of quantity to express the physical volume of imports and exports.

of the exports of the reporting countries^{1/} to South Africa and also to Mozambique, Angola, Malawi and Zambia together with the corresponding imports by the above-mentioned countries from the reporting countries. The results of the analysis are shown in tables I and II below.

Table I

Trade of South Africa in motor vehicles and their parts with reporting countries which provided about 93 per cent of imports of motor vehicles and their parts by Southern Rhodesia in 1965

(in million US dollars)

	All reporting countries	U.K.	FRG	U.S.	Canada	Japan	France	Italy	Australia
Exports to									
South Africa									
1965	289	128	56	38	25	16	9	8	5
1966	288	120	60	43	23	16	10	8	6
1967	310	112	67	54	17	27	12	11	7
1968	331	96	84	50	20	30	17	11	13
1969	444	121	106	67	16	63	19	16	28
1970 Jan-June	251	68	62	27	14	29	15	11	19
Imports of									
South Africa									
1965	289	130	55	38	21	18	9	9	5
1966	273	111	56	44	21	15	10	8	5
1967	305	104	64	55	20	27	11	11	7
1968	318	93	79	51	18	29	13	12	14
1969	402	105	91	68	13	60	15	16	26
1970 Jan-June	230	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

^{1/} For list of reporting countries, see Annex III to S/9844/Add.3.

Table II

Trade of Angola, Malawi, Mozambique and Zambia in motor vehicles and their parts with the reporting countries

(in million US dollars)

	<u>Exports of reporting countries to Angola, Malawi, Mozambique and Zambia</u>	<u>Imports of Angola, Malawi, Mozambique and Zambia from reporting countries</u>
1965	48	49
1966	73	62
1967	90	84
1968	104	94
1969	95	86
1970 Jan-June	54	44 ^{a/}

a/ Estimate.

It may be noted from the tables above that in the year 1965 exports agree well with the corresponding imports. However, in the years 1966, 1967, 1968 and 1969 exports by some reporting countries to South Africa and to the four countries of Angola, Malawi, Mozambique and Zambia exceeded the corresponding imports reported by those five countries. The total discrepancies were as follows (in million US dollars):

	1966	1967	1968	1969	1970 (Jan-Jun)
South Africa	15	5	13	42	21
The four countries	11	6	10	9	10
<u>Total</u>	<u>26</u>	<u>11</u>	<u>23</u>	<u>51</u>	<u>31</u>

South Africa (not a reporting country) traditionally exported a substantial amount of motor vehicles and their parts to Southern Rhodesia (\$2.2 million was reported by Southern Rhodesia for 1965). Although South Africa has not released a meaningful analysis by country of destination for this commodity group since 1964, a study of its partner countries' data makes it possible to estimate an approximate amount that Southern Rhodesia may have received from South Africa.

Table III

South African exports of motor vehicles and their parts

(in million US dollars)

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>Jan-June</u> <u>1970</u>
Total exports ^{a/}	12.2	17.3	22.0	24.4	20.0	10.1
(of which re-exports ^{a/} to reporting countries ^{a/})	(4.7)	(7.3)	(10.5)	(16.1)	(13.4)	(7.1)
to neighbouring countries other than Southern Rhodesia ^{c/}	4.4	5.4	5.1	3.4	3.8	1.8 ^{e/}
to Southern Rhodesia	2.2 ^{d/}	6.0 ^{b/}	8.5 ^{b/}	12.0 ^{b/}	7.0 ^{b/}	4.0 ^{b/}
unknown destination ^{f/}	3.8	3.8	5.1	5.6	5.0	2.3 ^{e/}

a/ South African figures.

b/ Estimated amount believed to have been exported to Southern Rhodesia

c/ Reported by partner countries.

d/ Reported by Southern Rhodesia.

e/ Estimated.

f/ Residue.

There is evidence of a substantial discrepancy between the export figures and the import figures. This, together with the increase in recorded South African imports and the high level of estimated South African exports to Southern Rhodesia, leads to the conclusion that... 253 (1968), mainly through South Africa. Because... that motor vehicles are reaching Southern Rhodesia in breach of Security Council resolution 253 (1968), because of differences in classification

and differences by which imports into South Africa are attributed to countries of origin and consignment, it is not possible to give quantitative precision as to the values involved, although there is every indication that they are substantial.

(b) Specific cases brought to the attention of the Committee

Up to the time of the issuance of its third report, the Committee had considered a number of cases involving possible exportation of motor vehicles to Southern Rhodesia in violation of the sanctions. The factual account of those cases and the Committee's decisions concerning them are contained in the third report.^{1/} Since the issuance of the third report, a new case has been brought to the attention of the Committee.

By a note dated 8 January 1971 the United Kingdom Mission reported information to the effect that up to 800 fully assembled Toyota Corolla motor cars were imported into Southern Rhodesia during the months of September and October 1970. The United Kingdom Government suggested in its note that the attention of Japan, itself already a member of the Committee, should be drawn to this information.

In a note dated 26 February 1971, Japan informed the Committee that, as a result of a searching investigation into the alleged importation into Southern Rhodesia of Japanese motor cars, the Government of Japan had ascertained that, in accordance with the existing regulations, no Japanese automobile exporters had supplied any motor cars or their parts to Southern Rhodesia, although they engaged, in such exports to countries neighbouring that territory. In particular, it had been ascertained that the contracts between the Toyota Auto Sales Co. Ltd., and its overseas distributors contained a strict clause forbidding them to sell Toyota cars outside their own areas, and that the Company instructed its overseas dealers to make every effort to ensure that the end user would not be an inhabitant of Southern Rhodesia.

III. Local assembly of motor vehicles:

(a) General remarks

The Rhodesia Directory for 1965 lists four firms that were already assembling or manufacturing cars prior to IDI, namely: the Ford Motor Company of Rhodesia

^{1/} S/9844/Add.2, p. 124.

(Private) Ltd., located near Salisbury, the Austin Motor Company (Rhodesia) (Private) Ltd., the British Motor Corporation and the Morris Motors (Rhodesia) (Private) Ltd., all located at Umtali. All the firms were dealing in car models of British manufacture, but no official figures are available as to the number of cars assembled locally before or since IDI.^{1/} However, at the Committee's 38th meeting on 18 January 1971, the representative of the United Kingdom reminded the Committee that the British Motor Corporation in Southern Rhodesia was, despite its name, an enterprise now exclusively controlled by the Government of the illegal régime and no longer had any connexion with the British firm, and that the British firm, now called the British Leyland Motor Corporation, had, on instructions from the United Kingdom Government, ceased to have any dealings with the Umtali firm.

(b) Specific cases brought to the attention of the Committee

Since IDI information was received from the United Kingdom and the United States containing reports which indicated that as many as thirteen models of cars, and probably some commercial vehicles, were being locally assembled from kits imported into Southern Rhodesia via South Africa from the Federal Republic of Germany, France, Italy and Japan. The decisions of the Committee concerning those reports are contained in the Committee's third report.^{2/}

Since the issuance of the Committee's third report, further information concerning the local assembly of cars has been received from the United States and the United Kingdom Governments. In a note dated 5 October 1970, the United States Mission quoted a recent issue of Rhodesia Commentary,^{3/} a publication of the Rhodesia Information Office in Washington, to the effect that kits from Renault and Alfa Romeo cars had arrived in Rhodesia. The report further stated that since the end of 1968, French, German and Japanese cars had at all times been assembled in Rhodesia from kits.

^{1/} Official figures (Annual Statement of the Trade of the United Kingdom for the year 1965) indicate that the United Kingdom exported to Southern Rhodesia assembly kits for 8,317 cars. It is not known how many, if any, of the cars exported to Southern Rhodesia by the other exporting countries were assembly kits (See foot-note 1, p. 2).

^{2/} S/9844/Add.2, p. 124.

^{3/} Volume 4, No. 4, September 1970.

The note from the United Kingdom Mission dated 23 October 1970 contained information about the local assembly of cars gathered from various world press reports. The note added that the information was supported by a statement on 19 August in the Rhodesia House of Assembly made by the so-called Minister of Commerce and Industry when he stated that supplies of a new family car would be available to the public by the end of August 1970.

The note also recalled information from an earlier note from the United Kingdom to the effect that Citroen vehicle kits intended for assembly in Rhodesia (although ostensibly consigned to South Africa) differed from kits to be assembled in South Africa in that certain components such as upholstery, seats, carpets, roof lining, etc., were included; such components were already locally manufactured in South Africa and would therefore not be included in kits to be assembled in that country.

Further international information media^{1/} gave reports that towards the end of 1968 two Rhodesian car assembly plants that had closed down after IDI, owing to the refusal of Britain and Canada to supply kits were reopened and had started assembling French, Italian, German and Japanese cars. The same sources indicated that since the end of August 1970 five new models of cars, all assembled locally in defiance of the United Nations sanctions, had rolled onto the Rhodesian market and are currently available to the public. They are said to be the Peugeot 304, the Renault R4 and R10 from France, the Alfa Romeo 1750 from Italy and the Toyota Corolla from Japan. If so, the new cars would be in addition to the BLW models from the Federal Republic of Germany and the Citroen models from France, already reported available to the public before August 1970.

Two replies were received from the Governments of France and Italy concerning the reports that cars were being assembled in Southern Rhodesia from kits imported from their countries. In a reply dated 11 January 1971^{2/} the Government of France, while expressing some doubt as to the reliability of press reports in general stated, among other things, that French automobile manufacturers not only required

^{1/} The Star, Johannesburg, 30 June 1970; The Financial Times, London, 21 August 1970; UPI and AFP, various dates; The Guardian, London, 21 August 1970 and Southern Africa, 5 September and 17 October 1970.

^{2/} Already circulated in S/AC.1-/WP.1, Case 9/Add.1.

of their dealers in countries adjacent to Southern Rhodesia to give an undertaking not to re-export vehicles or their parts to that territory, but also to take the precaution of limiting sales to such countries. The note further stated that as France no longer maintained any representation in Southern Rhodesia, it was unable to make any local checks on the reports supplied to the Committee.

By a note dated 18 January 1971,^{1/} Italy stated that, after appropriate inquiries, the competent authorities in Italy had ascertained that no motor vehicle kits had been supplied to Southern Rhodesia directly or indirectly by Alfa Romeo, which had no factory nor commercial agent there, and that all contracts between Alfa Romeo and its foreign agents forbade them to sell its products, directly or indirectly, outside their own area or in Southern Rhodesia.

IV. Concluding observations

It appears that, in spite of the United Nations sanctions in force against it, and in spite of the efforts of various Governments to prevent the supply of vehicles or kits to it, Southern Rhodesia has been able to satisfy its essential requirements for motor vehicles, though probably at a high cost and great inconvenience.^{2/} From the foregoing, there are ample grounds to conclude that new motor vehicles and assembly kits are still reaching Southern Rhodesia via the neighbouring countries, particularly South Africa.

^{1/} The contents of the note were communicated to the Committee at its 38th meeting by the representative of Italy, and later circulated to all members.

^{2/} Press reports indicate that there is a booming trade in second-hand cars in Southern Rhodesia, probably caused by a scarcity of new motor vehicles in stock. Incidences have been reported where second-hand cars have sold at prices higher than those for new cars of the same model.

ANNEX V

Imports of ammonia into Southern Rhodesia
as a basic element for fertilizers

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I. Introduction

1. According to statistics transmitted to the Committee by the Government of the United Kingdom, Rhodesia, before the UDI, imported from a dozen countries fertilizers such as ammonium sulphates, urea, nitrogenous fertilizers, superphosphates, phosphatic fertilizers and potassic fertilizers in a quantity which, in the year 1965, amounted to a total of more than 5 million centals. Ammonia being used as a raw material for manufacturing fertilizers, it could be expected that the Southern Rhodesian régime would try to continue importing this commodity from whatever source available.

2. As already reported,^{1/} the attention of the Committee was drawn to this matter on several occasions. At its 39th meeting on 21 January 1971, the Committee again examined various cases of imports of anhydrous ammonia. In the course of the discussion, some members noted with concern that according to information received, ammonia had been delivered to a Southern Rhodesian enterprise through a Mozambique company. Considering that in view of the importance of fertilizers to the Southern Rhodesian economy the question deserved special attention, the Committee decided to request the Secretariat to undertake a short study of the matter, which might be used to inform Governments of that situation in order that both suppliers and carriers might make sure of the final destination of the goods before accepting any sales or transport contracts.

3. In the present note prepared in accordance with this request, special attention has been given to provide information specifically on ammonia whenever available. Southern Rhodesia, however, does not publish statistics concerning this commodity. The present note reviews briefly the various cases examined by the Committee with regard to fertilizers in general and recalls the relevant information presently available to the Secretariat.

^{1/} Second Report: S/9252/Add.1, annex XI, pp. 30-37.

Third Report: S/9844, para. 70, p. 23 and S/9844/Add.2, annex VII, pp. 109-124.

II. Cases concerning shipments of fertilizers examined by the Committee

(a) Case included in the Second Report^{2/}

Case No. 2

4. On 14 January 1969, the United Kingdom Government submitted a note drawing the attention of the Committee to the existence of a rather elaborate Southern Rhodesian plan to import manufactured fertilizers from Europe in bulk on a regular basis. According to available information, it appeared that since about 1968, the Rhodesian importers of fertilizers had been required by the régime to obtain their supplies through one channel, Univex (i.e. Universal Exports Limited), a company set up specifically to co-ordinate the evasion of trade sanctions. Accordingly, Univex would place orders with a Swiss Company, Nitrex A.G. of Zurich, which would then place orders with individual manufacturers in Europe. Deliveries appeared to be co-ordinated by a third company, Fertex of Vlaardingen in the Netherlands, which would arrange for the shipping. Shipments were made ostensibly to the order of one of the South African associates of the main importers of fertilizers in Southern Rhodesia, the cargoes being normally, but not invariably, consigned to agents in Beira (Mozambique).

5. At the request of the Committee, the United Kingdom note was transmitted to all Member States of the United Nations or members of the specialized agencies for their information and comments. Twenty-five replies were received which are reported in the Second Report of the Committee.

6. It appeared from these replies that Nitrex was a sales company in which European exporters of nitrogenous fertilizers had joined together. Most of the Governments concerned indicated in their communications that appropriate steps had been taken against possible violations of the sanctions imposed on Southern Rhodesia. Switzerland, however, stated that while the Nitrex company was registered in the commercial register of the city of Zurich, most of its capital was in foreign hands; that, moreover, the fertilizers exported to Rhodesia were not manufactured in Switzerland and did not enter the Swiss customs area even in transit; and that accordingly, the Swiss authorities had "no way in law, or even in practice, of proceeding against Nitrex A.G."

^{2/} S/9252/Add.1, annex XI, pp. 30-37.

(b) Cases included in the Third Report^{3/}

(i) Case No. 2 (continued)

7. Additional replies were subsequently received from seven Governments and were reported in the Third Report. Among them, the Netherlands Government stated that investigations into that matter had not furnished any proof that the Fertex Company, mentioned in the United Kingdom note, had forwarded fertilizers to Southern Rhodesia.

8. The Committee then requested the Legal Counsel of the United Nations to give an opinion as to the position taken by Switzerland in its reply referred to above. Following the Legal Counsel's advice that further information should be requested from Switzerland, the Committee asked the Secretary-General to secure from the Swiss Government further information (i) on the legal effect of the Nitrex Company's registration in the commercial register of the city of Zurich; (ii) on whether the company was organized under Swiss law and whether it had Swiss nationality; and (iii) on whether the Swiss Government was contemplating taking steps within the context of the "Swiss legal order" to enable it to exercise the requisite jurisdiction and control over Nitrex A.G.

9. The Secretary-General's note verbale was dated 16 July 1969. No reply had been received from Switzerland when the Third Report was submitted to the Security Council. Since then, at the request of the Committee, the Secretary-General sent another note verbale dated 22 February 1971 to Switzerland, referring to his previous communication and requesting a reply thereto as soon as possible.

(ii) Cases Nos. 48, 66 and 69

10. The Committee examined also three cases in which, according to the information provided by the Government of the United Kingdom, vessels owned by or chartered to a French company had already transported or were on their way to deliver anhydrous ammonia from Lisbon, Portugal (in two cases) or Bandar Shapur, Iran (in the other) to ports in Mozambique. These shipments, the United Kingdom notes stated, were scheduled to be subsequently railed to Sable Chemical Industries Limited at Que Que, Southern Rhodesia.

^{3/} S/9844/Add.2, annex VII, pp. 113-124.

11. The United Kingdom notes having been transmitted to the Governments concerned for their comments, a reply dated 3 June 1970 was received from the French Government. It confirmed that in recent months the French gas transport company referred to in those cases had loaded on its ships bulk anhydrous ammonia of United States, Portuguese, Australian and Iranian origin. In every case (and in some of these cases, after official verification) the shippers had declared that their product was not destined for Southern Rhodesia. The French Government then pointed out that maritime carriers have inadequate possibilities - compared with those available to shippers or consignees - for verifying whether the products they are requested to carry are or are not subject to sanctions. Accordingly, the note stated, as in these cases concerned, when the Committee knows the nationality of the exporters or importers, it would have better chances of obtaining accurate information by applying to them rather than to the carrier. The French Government also expressed the view that in those specific cases the Committee might investigate the financial links between Rhodesian firms and the foreign companies to which they are affiliated. Finally, it suggested that the French note be specifically brought to the attention of the Governments of the United States and the United Kingdom in order to assist them in their investigation of direct or indirect participation by American and British companies in the financing of the Que Que plant and in installing the technical equipment at that industrial complex, and to the attention of the Governments of the United States, Iran, Australia and Portugal in order to assist them in their investigation of possible sales of anhydrous ammonia to Southern Rhodesia by some of their nationals. In the course of its 39th meeting the Committee decided to request the Secretary-General to communicate to the Governments concerned the note of the French delegation dated 3 June 1970.

(iii) Case No. 52

12. The Committee was also informed of further arrangements for the supply of ammonia in bulk to Southern Rhodesia. In a note dated 15 October 1969, the United Kingdom stated in that regard that Sable Chemical Industries Limited of Que Que, Southern Rhodesia, which had recently established a plant to produce nitrogenous fertilizer, using ammonia as a raw material, was seeking to conclude a long-term

contract for the supply of bulk ammonia from, among others, the National Iranian Petro-Chemical Company of Teheran. The supply estimated to reach 60,000 tons per annum was scheduled to be imported into Rhodesia through Lourenço Marques where special facilities had been constructed to handle and store bulk ammonia before the goods were railed on to Que Que. It appeared, the United Kingdom note continued, that the inquiries relating to the proposed contract had been made through intermediaries and that the ultimate destination of the ammonia might not have been declared to prospective suppliers.

13. Replying to a request for comments on the contents of that note, the Government of Iran stated that although there was nothing in the contract signed in that regard by the National Iranian Petro-Chemical Company, which could be construed as a violation of the ban imposed by the Government of Iran, in compliance with Security Council resolution 253 (1968), the Iranian company had been asked to obtain, as a precautionary measure, a written assurance from the purchasing company that the latter would not re-export to Southern Rhodesia the ammonia purchased from Iran.

(c) Recent case

14. Case No. 113 - By a note dated 29 January 1971, the United Kingdom Government reported to the Committee information concerning two other shipments of anhydrous ammonia believed to be destined to Southern Rhodesia. According to the information received, those shipments were made by two Norwegian motor tankers which loaded the cargo in Japan and unloaded it in Lourenço Marques. The United Kingdom note added that the information made it clear that the arrangements for both shipments were made by the South African firm, National Process Industries (Pty) Limited, known to be closely involved with Sable Chemical Industries Limited of Southern Rhodesia. Having regard to the information already submitted to the Committee, the note continued, it was likely that the ammonia from both ships was delivered to Armazens de Productos Quimicos de Mozambique Lda, since there are no other facilities in Southern Africa for bulk handling of this type of cargo, and subsequently railed to Sable Chemical Industries.

15. Replying by a note dated 24 February 1971 to a request for comments addressed to the Governments of Japan and Norway respectively, the Governments of Japan

and Norway respectively, the Government of Japan informed the Committee that the shipments in question were not destined for Southern Rhodesia. It further indicated that "10,000 metric tons of anhydrous ammonia were sold to Societe d'Assurances Commerciales, S.A. of Switzerland with the destination for Mozambique and 12,000 metric tons of anhydrous ammonia were sold to Adab, S.A. of Switzerland with the destination for the Republic of South Africa respectively on f.o.b. basis. Therefore the ownership of those consignments, after their departure from the Japanese port, belonged to those Swiss companies".

III. Statistics and general information

(a) Statistics

16. As already indicated in the Introduction to the present note, ammonia being used in Southern Rhodesia essentially in connexion with the manufacturing of fertilizers, it has not been possible to find statistics dealing specifically with the imports of ammonia into Southern Rhodesia before or after UDI.

17. The following information may, however, be of interest in that regard.

18. By its note of 14 January 1969, the United Kingdom Government transmitted to the Committee, extracts of statistics on general imports into Rhodesia in the years 1964 and 1965 concerning fertilizers. These tables which were included in the Second Report of the Committee^{4/} are reproduced as Annex I at the end of the present note for easy reference.

19. Also, while Southern Rhodesia has not published statistics on its imports of ammonia, South Africa, in its Foreign Trade Statistics for 1964-1969, has done so with regard to its own transactions concerning this specific commodity. These tables are reproduced as Annex II hereafter.

20. According to information provided by the United Kingdom Government (UK Note of 13 February 1970) the only territories in southern Africa, apart from Southern Rhodesia, who have a requirement for bulk ammonia are South Africa and Mozambique. South Africa's production of ammonia is normally sufficient for its domestic needs, while Mozambique requires, as a maximum, some 20,000 tons of ammonia per annum.

^{4/} S/9252/Add.1, Annex XI, p.33.

21. According to further information received by the Committee, between May 1969 and April 1970 alone, 70,000 tons of bulk ammonia was delivered by sea to Mozambique, and another two consignments, totalling 22,000 tons, was reported by the United Kingdom Government (United Kingdom Note of 29 January 1971) to have arrived at Lourenço Marques in November/December 1970. According to subsequent information one of these consignments (12,000 tons) was declared for South Africa.

22. Therefore, quite apart from information received by the United Kingdom Government that these consignments were destined for Southern Rhodesia, it is clear to the Committee on statistical evidence alone that in the cases brought to the attention of the Committee, ammonia arriving in Mozambique or declared for South Africa is far in excess of both territories' requirements and can only be intended for Southern Rhodesia.

(b) General information

23. In connexion with Case No. 52, the Committee received a further note from the United Kingdom dated 10 November 1969 which provided useful details on the arrangements made by the Southern Rhodesia régime to receive and handle ammonia. Extracts from this note which, at the request of the Committee, was communicated on 5 December 1969 to Member States of the United Nations or members of the specialized agencies^{5/} are reproduced hereafter:

24. "The information is to the effect that the ammonia storage facilities at Lourenço Marques ... are located in Vila Salazar, Matola and are operated by Armezen de Productors Quimicos de Mozambique Ida, (APROCIL). From Matola imported ammonia is railed in specially constructed tank wagons direct to the Sable Chemical Industries' fertilizer plant at Que Que in Southern Rhodesia. ...

25. "According to the Mozambique Register of Companies, APROCIL is owned equally by National Process Industries (Pty) Ltd., (N.P.I.) and National Process Industries Holdings (Pty) Ltd., both of Johannesburg. According to the South African Register of Companies, National Process Industries has a 48 per cent share holding in C and I/Girdler International, Southern, Eastern and Central Africa (Fty) Ltd., (CIGI-SECA).

26. "CIGI-SECA was awarded the contract to build the Sable fertilizer plant and it is common knowledge that it still retains a financial interest in Sable Chemical Industries Ltd. According to a published statement by Mr. J.H. Hahn, Chairman

^{5/} S/9844/Add.2, Annex VII, pp. 118 and 119.

and Managing Director of CIGI-SECA, who is also a Director of N.P.I., the first phase of the Sable project (which has now been completed) involved the construction of the biggest ammonium nitrate plant in southern Africa: it is to produce 180,000 tons of ammonium nitrate annually and have an eventual capacity of 90,000 tons of nitrogen and 270,000 tons of ammonium nitrate. We understand, however, that the initial capacity of the Sable fertilizer plant is a minimum of 60,000 tons of 100 per cent nitrogen per annum to be produced as solid prilled ammonium nitrate of 34 per cent nitrogen. At present the nitric acid and ammonium nitrate units are operating on imported anhydrous ammonia. It is proposed to construct an ammonia synthesis plant in due course and when this has been completed Sable will operate on locally produced ammonia."

27. The Committee was also informed by the Government of the United States of an action which this Government had taken with regard to a firm in Mozambique (Case No. 101).

28. The firm, Armazem de Productos Quimicos de Mocambique Ida, of Lourenço Marques, Mozambique, a warehouse and distributor of chemical products, had been denied all United States export privileges for an indefinite period for failing to account for the disposition of 20,000 tons of United States-origin fertilizer grade ammonia. The material valued in excess of \$600,000 had been exported to the firm in two shipments by a United States supplier in May and July 1969.

29. The United States note further stated that the Investigations Division of the Office of Export Control in the Department's Bureau of International Commerce (BIC) was conducting an investigation to ascertain the disposition of the material, particularly whether it was re-exported from Mozambique to Southern Rhodesia in violation of the United States export control regulations.

30. Written interrogatories had been submitted to the firm in Lourenço Marques inquiring as to the disposition of the material. The firm having failed to furnish the information requested, the order was issued in accordance with BIC regulations. The order would remain in effect until the firm answers the interrogatories or shows good cause for such failure.

31. Under the terms of the order, all validated licenses in which the firm had an interest had been cancelled and the firm, its agents and employees had been prohibited from participating in any transactions involving commodities or technical data exported or to be exported from the United States.

IV. Observations

32. It is clear from this paper that manufactured fertilizers are probably continuing to reach Southern Rhodesia, and that bulk ammonia is certainly reaching there through arrangements made by National Process Industries (Pty) Limited, and by Armazen de Productos Quimicos de Mocambique Lda. (APROCIL) who handle the cargoes and facilitate their delivery to Sable Chemical Industries. In view of South Africa's and Mozambique's limited import requirements for ammonia, it is evident that a very high proportion of ammonia arriving in southern Africa is in fact destined for Sable's plant in Southern Rhodesia.

33. The Committ-e suggests that Governments should bring the information in this paper to the notice of their nationals, whether they be suppliers, shippers, or intermediaries engaged in trade in ammonia, all of whom have a responsibility to ensure that they are not involved directly or indirectly in transactions with Southern Rhodesia, contrary to the provisions of Security Council resolution 253 (1968).

Annex I

Imports of fertilizers into Rhodesia
in 1964 and 1965

(Table communicated to the Committee
by the United Kingdom Government on
14 January 1969) 1/

Article and country of origin	1964		1965	
	Quantity	Value	Quantity	Value
		£		£
56110 Ammonium sulphate: centals				
United Kingdom	2,500	1,626	1	3
Republic of South Africa	1,078	743	981	937
Belgium	64,880	41,848	95,000	65,038
Federal Republic of Germany	303,212	167,961	574,105	406,357
Netherlands	778,532	420,949	767,135	514,690
Portugal	106,425	55,496	-	-
Italy	-	-	20,960	15,843
Total	1,256,627	688,623	1,458,182	1,002,867
56112 Urea: centals				
Republic of South Africa	746	900	420	759
Pakistan	12,661	15,584	-	-
Belgium	-	-	43,416	67,160
France	-	-	60,000	87,150
Federal Republic of Germany	30,000	38,475	87,100	133,915
Netherlands	265,128	344,523	439,701	664,706
Italy	84,583	109,594	88,928	138,231
Norway	135,000	186,714	116,400	189,015
Total	528,118	695,790	835,965	1,280,936
56119 Nitrogenous fertilizers, n.e.s.: centals				
Republic of South Africa	800	1,060	100	100
Belgium	111,410	79,972	409,719	403,552
Federal Republic of Germany	773,251	522,372	238,869	196,688
Netherlands	269,312	173,469	235,729	187,811
Italy	20,000	18,592	106,000	86,157
Norway	50,000	46,381	66,184	78,454
Portugal	228,852	156,841	55,544	27,452
France	-	-	30,005	21,497
United States	-	-	640,585	455,456
Other countries	18	33	-	-
Total	1,453,643	998,720	1,782,735	1,457,167

1/ Already reproduced in the Second Report of the Committee S/9252/Add.1,
p. 33.

Article and country of origin	1964		1965	
	Quantity	Value	Quantity	Value
		£		£
56120 Superphosphates: centals				
Republic of South Africa	1,110	858	53,215	60,271
Belgium	28,130	26,265	-	-
Netherlands	99,191	97,567	-	-
Other countries	40	51	80	69
Total	128,471	124,741	53,295	60,340
56129 Phosphatic fertilizers, n.e.s.: centals				
Republic of South Africa	58,108	18,004	22,560	10,529
Belgium	28,000	11,894	22,510	30,748
Federal Republic of Germany	-	-	10,000	19,216
Italy	-	-	400	474
United States	50,329	64,982	186,638	33,478
Other countries	-	-	4	100
Total	136,437	94,880	242,112	94,545
56130 Potassic fertilizers: centals				
Republic of South Africa	118	259	46	47
Belgium	63,504	34,817	-	-
France	301,625	188,433	312,033	224,488
Federal Republic of Germany	470,921	289,552	252,140	157,610
Italy	-	-	40,007	31,342
Spain	-	-	49,986	27,542
Israel	7,000	5,404	3,000	2,294
Total	843,168	518,465	657,212	443,323
56190 Fertilizers, n.e.s.: centals				
United Kingdom	266	1,952	546	2,997
Republic of South Africa	525	265	464	325
Rhodesia	4,403	6,044	2,711	4,222
Italy	11,025	11,817	-	-
Mozambique	1,767	546	23	4
United States	5,528	7,963	1,607	2,038
Other countries	33	35	1	4
Total	23,547	28,622	5,352	9,590

Annex II

Trade of South Africa in ammonia^{1/}

(Quantity in 100 lbs., value in thousands dollars)

	<u>Imports</u>		<u>Exports</u>	
	<u>Quantity</u>	<u>Value</u>	<u>Quantity</u>	<u>Value</u>
1964	79	3.4	-	-
1965	46	1.3	5,575	58.9
1966	10	0.6	8,192	76.5
1967	10	0.3	13,546	89.6
1968	17	0.9	65,663	208.7
1969	79	3.0	199,466	811.7

^{1/} Foreign trade Statistics, Republic of South Africa, Calendar Years 1964-1969.

ADDENDUM

Note dated 12 July 1971 prepared by the Secretariat on Southern Rhodesian trade for 1970 together with statistical data

Southern Rhodesian exports

1. Southern Rhodesia's merchandise exports in 1970 were estimated to amount to \$370 million (compared with \$318 million in 1969), but no official information is available as to the direction and nature of these exports. The seventy-two countries whose import statistics are set out in the annex show that Southern Rhodesian exports to them were distributed as follows (in million US dollars): Zambia 30 (estimated), Malawi 16, Switzerland 4, Federal Republic of Germany 1, other countries (shown in annex I) 4, making a total of about \$55 million (compared with \$53 million in 1969). In addition to this recorded trade, it has been estimated that South Africa received Southern Rhodesian exports amounting to about \$95 million. It would appear, therefore, that some \$220 million of Southern Rhodesian exports have not been reflected in the corresponding 1970 import figures of world trade. This amount of exports appears to have reached world markets via Southern Rhodesia's neighbouring countries and to have been reflected in world trade as imports of the reporting countries from these neighbouring countries.

2. Evidence of the existence of these indirect exports is shown by a comparison of the imports of twenty-three important reporting countries 1/ from South Africa, Mozambique, Zambia and Malawi, with the corresponding exports of these four countries for the period 1965-1970. The results are shown in Table I below:

1/ Market economy countries in Western Europe, Canada, Japan, Australia and New Zealand. The United States has not been included in this investigation because its statistical treatment of some strategic commodities, such as uranium ore, differs from that of South Africa.

Table I

Export trade of Southern Rhodesia's neighbouring
countries with twenty-three important countries
(in million US dollars)

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
<u>South Africa</u>						
South African figures	1,008	1,127	1,310	1,458	1,446	1,420 ^{b/}
23 reporting countries' figures <u>a/</u>	1,060	1,210	1,401	1,589	1,668	1,711 ^{b/}
Excess of imports over exports	52	83	91	131	222	291
<u>Mozambique</u>						
Mozambique figures	60	62	69	83	84	80 ^{b/}
23 reporting countries' figures <u>a/</u>	81	81	120	137	124	146 ^{b/}
Excess of imports over exports	21	19	51	54	40	66
<u>Zambia</u>						
Zambian figures	457	622	544	694	939	1,048 ^{b/}
23 reporting countries' figures <u>a/</u>	410	518	510	618	866	896 ^{b/}
Excess of imports over exports	- 47	-104	- 34	- 76	- 73	-152
<u>Malawi</u>						
Malawian figures	26	33	40	27	28	33 ^{b/}
23 reporting countries' figures <u>a/</u>	24	32	34	40	34	37 ^{b/}
Excess of imports over exports	- 2	- 1	- 6	13	6	4
<u>Total</u>						
Exporting countries' figures	1,551	1,844	1,963	2,262	2,497	2,581
23 reporting countries' figures <u>a/</u>	1,575	1,841	2,065	2,384	2,692	2,790
Excess of imports over exports	24	- 3	102	122	195	209

a/ Reduced by 10 per cent to cover freight, etc.

b/ Estimates based on less than twelve months' data.

3. It will be noted from the data shown above that in 1965 there was a discrepancy, of \$73 million representing imports received from South Africa and Mozambique by the twenty-three reporting countries over and above the exports that these two countries declared to have sent. These imports were generally known as shipments despatched overseas by exporters in South Africa and Mozambique, handling merchandise of the ex-Federation of Rhodesia, which were treated as goods in transit by them but were treated as imports from these two countries by the reporting countries. This explanation is substantiated in the table shown above by the excess of the declared exports in 1965 of Zambia and Malawi to the twenty-three reporting countries over the reported corresponding imports. This explanation also implies that in 1965 an amount of merchandise in this trade valued at \$24 million was of Southern Rhodesian origin. If this reasoning is accepted, it would mean that, during 1969-1970, exporters in South Africa and Mozambique were handling merchandise of Southern Rhodesia at a level of about \$200 million annually.

4. On the statistical evidence, it is possible to analyse Southern Rhodesian exports in 1965-70 as follows:

Table II

Southern Rhodesian exports 1965-70

(in million US dollars)

	<u>1965^{a/}</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
National exports (excluding gold) <u>a/</u>	399	249	247	245	308	360
to reporting countries <u>b/</u>	343	181	96	68	48	50
to South Africa <u>c/</u>	41	60	80	80	85	95
to non-reporting countries	15	-	-	-	-	-
to world markets via indirect trade	-	8	71	97	175	215
Re-exports <u>a/</u>	43	24	17	12	10	10

a/ Southern Rhodesian figures. 1970 figures are estimated.

b/ 1966-70: import data, mostly cif, less 10 per cent allowances for freight, etc.

c/ 1966-70: estimates derived from published data for South African imports from "Africa" less exports to South Africa reported by African countries.

5. In comparing Southern Rhodesian exports to world markets via indirect trade, shown in table II, with the figures shown in table I as "Excess of imports over exports", the amount of re-exports should be added to the former because the importing countries identify the sources of supply without any distinction between national exports and re-exports. The comparison is shown below:

Table III

Indirect exports of Southern Rhodesia

(in million US dollars)

	Excess of reported imports of twenty-three countries over exports of four neighbours of Southern Rhodesia	Indirect exports of Southern Rhodesia including re-exports	Difference
	(A)	(B)	(A) - (B)
1965	24	43	- 19
1966	- 3	32	- 35
1967	102	88	14
1968	122	109	13
1969	195	185	10
1970	209	225	- 16

The substantial agreement shown above especially for years 1967-1970 indicates that during the period following United Nations sanctions, some \$500-600 million of Southern Rhodesia's exports reached world markets indirectly via South Africa and Mozambique.

Southern Rhodesian imports

6. Southern Rhodesia's imports in 1970 were estimated to amount to \$320 million (compared with \$278 million in 1969). The seventy-one countries whose export statistics are set out in annex II show that imports from them by Southern Rhodesia were distributed as follows (in million US dollars): Australia 5 (estimated), Malawi 4, Switzerland 2, United Kingdom 1, Federal Republic of Germany 1, other countries also in annex II) 2, making a total of about \$15 million (compared with \$15 million in 1969). In addition to this recorded trade, it has been estimated that South Africa sent to Southern Rhodesia \$160 million worth of goods. It would appear, therefore, that some \$145 million of Southern Rhodesian imports have not been reflected in the corresponding 1970 export figures of world trade. The over-all situation of Southern Rhodesian imports for 1965-1970 is as follows:

Table IV

Southern Rhodesian Imports 1965-1970

(in million US dollars)

	<u>1965^{a/}</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Imports ^{a/}	334	236	262	290	278	320
from reporting countries <u>b/</u>	253	79	63	44	15	15
from South Africa ^{c/}	78	110	135	150	155	160
unspecified origins	3	-	-	-	-	-
unaccounted for	-	47	64	96	108	145

a/ Southern Rhodesian figures.

b/ 1966-1970: exports to Southern Rhodesia reported by reporting countries.

c/ 1966-1970: estimates derived from published data for South African exports to "Africa" less imports from South Africa reported by African countries.

7. It is not possible, at the present time, to investigate the true situation concerning the unaccounted portion of Southern Rhodesian imports for the years following the implementation of sanctions. However, in view of the fact that there has been considerable expansion of the import trade of South Africa, Mozambique and Angola (see Table V below), it requires to be determined whether part of this expansion was in the form of goods which ultimately reached Southern Rhodesia.

Table V

Imports of selected neighbours of Southern Rhodesia

(in million US dollars)

	<u>South Africa</u>	<u>Mozambique</u>	<u>Angola</u>
1965	2,461	173	195
1966	2,307	207	208
1967	2,690	199	275
1968	2,638	234	308
1969	2,983	260	323
1970	3,565	325 ^{a/}	370 ^{b/}

a/ Estimate on the basis of nine months' data.

b/ Estimate on the basis of eleven months' data.

Exports of specific commodities

Tobacco

8. The most important Southern Rhodesian export commodity was and probably still is tobacco, exports of which amounted to \$132 million in 1965. Normally, Southern Rhodesian exports of tobacco accounted for approximately 13 per cent of all world exports of unmanufactured tobacco and over 25 per cent of flue-cured tobacco. The recorded imports of the reporting countries amounting to \$1.3 million in 1970 were accounted for by Switzerland (\$1.1 million) and Belgium-Luxembourg (\$0.2 million). The corresponding imported quantity of tobacco was 1.2 thousand metric tons.

9. It will be noted from the data in the annex III to this document that the increases in tobacco imports of the reporting countries from the neighbouring countries of Southern Rhodesia during recent years over the level of the earlier periods are of magnitudes which called for investigation. For this reason, an analysis was made, in terms of quantities, of the imports of the reporting countries from the neighbours of Southern Rhodesia, namely, Mozambique, Malawi, Zambia, Angola and South Africa, compared with corresponding exports of these neighbouring countries by direction. The result of this analysis is shown in Table VI below.

Table VI

Trade in tobacco of neighbouring countries of Southern Rhodesia
with reporting countries which took more than 90 per cent of the
tobacco exports of Southern Rhodesia in 1965

(in thousand metric tons)

<u>Imports from</u>	<u>South Africa</u>	<u>Mozambique</u>	<u>Malawi and Zambia</u>	<u>Angola</u>	<u>Total</u>
1965	8.4	1.8	18.8 ^{a/}	2.0	31.1 ^{a/}
1966	7.4	2.1	16.1	2.1	27.8
1967	11.5	5.8	15.8	2.7	35.7
1968	13.5	7.0	17.1	3.4	41.0
1969	21.8	7.9	17.9	2.8	50.4
1970	24.2	9.6	14.0	2.7	50.5
<u>Exports of</u>					
1965	7.6	0.8	12.7	2.3	23.4
1966	7.5	0.7	16.6	2.9	27.7
1967	9.0	1.1	12.8	2.6	25.6
1968	10.0	1.3	13.4	3.2	27.9
1969	12.8	1.1	13.2	1.6	28.7
1970 ^{b/}	11.3	1.2	16.4	1.5	30.4

^{a/} Zambia exported in 1965 to Southern Rhodesia 9,318 tons, the bulk of which was destined for countries overseas. This fact is substantiated by the evidence that the reporting countries declared 7,950 metric tons as imports from Zambia while Zambia did not record exports of tobacco to the reporting countries. Beginning 1966 Zambia is sending most of its tobacco to Malawi for export overseas.

^{b/} Approximate estimates made on the basis of less than twelve months' information.

10. It will be noted from Table VI that the imports for 1966 agreed with the corresponding exports. For 1965, the agreement was also good when account is taken of the fact that the reporting countries received 8,000 tons of tobacco from Zambia which were not reflected in the export statistics of Zambia (see foot-note a/ of Table VI). However in 1967, 1968, 1969 and 1970, the imports of the reporting countries from the neighbours of Southern Rhodesia exceeded the corresponding exports of these neighbours by 10.1, 13.1, 21.7 and 20.1 thousand tons respectively. These amounts may represent Southern Rhodesian tobacco which was able to reach world markets through false declarations of origin.

11. By incorporating the information given above with other elements relating to Southern Rhodesian tobacco, the over-all situation may be summarized as below:

Table VII

<u>Tobacco situation in Southern Rhodesia</u>						
(in thousand metric tons)						
	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Imports of reporting countries						
(a) directly from Southern Rhodesia	85.3	36.7	8.6	4.0	2.3	1.2
(b) via neighbouring countries	-	-	10.1	13.1	21.7	20.1
Recorded South African imports believed to be of Southern Rhodesian origin	1.7	11.3	9.1	3.9	3.8	9.0
Total	87.0	48.0	27.8	21.0	27.8	30.3
Tobacco crop	111 ^{a/}	110	90	60	60	60
Southern Rhodesian exports	120.7 ^{b/}	N.A.	N.A.	N.A.	N.A.	N.A.
Tobacco estimated held in stock	-	62	62	39	32	30

a/ 9.7 thousand tons representing the short fall of the 1965 tobacco crop in meeting current export requirements were probably made good by Zambian tobacco (see foot-note a/ of Table VI).

b/ Excess of Southern Rhodesian official exports of 120.7 thousand tons over the imports of 87 thousand tons is explained by: 20.4 thousand tons as stocks held in bond by importing countries and failures in recording as Southern Rhodesian tobacco on account of multilateral trade patterns; 8 thousand tons of Zambian tobacco as part of Southern Rhodesian exports; 5.5 thousand tons as exports to non-reporting countries.

12. In examining the data given above, it becomes apparent that during the four years 1967-1970, following the initiation of sanctions, slightly more than one third (107 thousand tons) of Southern Rhodesian tobacco crops reached world markets. However, a substantial amount of tobacco could have reached world markets in various clandestine ways that cannot be detected statistically. This possibility is revealed by the United Kingdom estimate of 126 thousand tons (or \$77 million US dollars) as being stock held by Southern Rhodesia at the end of 1968. According to the data set out in Table VII, the corresponding stock figure should have been 163 thousand tons representing the tobacco accumulated during the period 1966-1968. If the United Kingdom estimate is correct, it would mean that an average of about 12 thousand tons of tobacco was being shipped out annually from Southern Rhodesia in addition to those recorded and inferred in Table VII above. If, on the other hand, the tobacco stock in Southern Rhodesia at the end of 1970, 140 thousand tons, as revealed by the press in South Africa is to be considered realistic, then an average of 17 thousand tons of tobacco, instead of 12, was being shipped out annually in various clandestine ways that can not be detected statistically.

Asbestos

13. Another important commodity is asbestos, Southern Rhodesian exports of which amounted to \$30 million in 1965. There were practically no imports from Southern Rhodesia by the reporting countries in 1969 or in 1970. In 1968, the recorded imports of the reporting countries amounted to \$1.7 million (compared with \$24 million in the year 1965 and \$3.4 million in 1967). This amount was accounted for by the Federal Republic of Germany (\$1.2 million) and the United States (\$0.5 million). The United States explained its imports as shipments before 16 December 1966, the effective date of resolution 232 (1966). Similar to the case for Southern Rhodesian tobacco, there appear to be strong possibilities that Southern Rhodesia is sending asbestos to world markets via its neighbouring countries, chiefly South Africa. In these circumstances, an analysis was made (in terms of quantities) of the imports of the reporting countries from South Africa together with the corresponding exports of South Africa for the period 1965-1970. The results of the analysis are shown in Table VIII below:

Table VIII

Trade in asbestos of South Africa with reporting countries
which took about 80 per cent of the asbestos exports of
Southern Rhodesia in 1965

(in thousand metric tons)

	<u>Imports from South Africa of:</u>			<u>Exports of South Africa to:</u>		
	<u>All reporting countries</u>	<u>Japan</u>	<u>Spain</u>	<u>All reporting countries</u>	<u>Japan</u>	<u>Spain</u>
1965	202	26.3	16.6	207	27.1	10.9
1966	234	35.0 ^{a/}	20.2	214	27.4	13.2
1967	300	67.9	25.3	215	29.4	8.0
1968	317	65.2	30.5	233	33.4	10.0
1969	345	79.8	39.4	252	43.5	11.0
1970	355	94.0	43.7	269	N.A.	N.A.

^{a/} Estimated on the basis of value data; the official quantity figure of 128.8 thousand metric tons appears to be a printing error.

14. It will be noted from Table VIII above that, while the imports for 1965 agreed, by and large, with the corresponding exports, those for 1966 and 1967 exceeded the corresponding exports by 20 and 85 thousand tons respectively. For 1968 imports of the reporting countries exceeded South African exports by 84 thousand tons, for 1969, by 93 thousand tons and for 1970 by 86 thousand tons. In view of the fact that the exports of South Africa are consistent with the amount of asbestos it produced, these excesses of imports may possibly be exports of Southern Rhodesian asbestos via South Africa. By incorporating this information with other elements relating to Southern Rhodesian exports, the over-all situation may be summarized as below:

Table IX

Asbestos situation in Southern Rhodesia
(in thousand metric tons)

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Imports of reporting countries						
(a) directly from Southern Rhodesia	114.6	53.7	14.8	6.7	-	0.2
(b) via South Africa	..	20.0	85.0	84.0	93.0	86.0
Recorded South African imports believed to be of Southern Rhodesian origin	8.6	11.2	14.0	13.1	14.7	18.0
Imports of reporting countries from Mozambique	3.0	3.7	2.7	3.9	5.1	4.0
Total exports sent to reporting countries	126.2 ^{a/}	88.6	116.5	107.7	112.8	108.2

^{a/} Corresponding exports reported by Southern Rhodesia as 131.2 thousand tons.

Chrome ore

15. The chief importer of Southern Rhodesia's chrome ore has been, traditionally, the United States, to which Southern Rhodesia sent \$5 million worth of chrome ore out of total exports of \$10.7 million in 1965. In 1967, the United States imported \$3.4 million worth of chrome ore which was explained by the authorities as goods shipped from Southern Rhodesia before 16 December 1966, and in 1968, imports of Southern Rhodesian chrome ore appear to have virtually ceased. In these circumstances, the possibility of Southern Rhodesian chrome ore being exported to the neighbouring countries was investigated. For this purpose an analysis was made (in terms of gross quantities) of the imports of the reporting countries from South Africa together with the corresponding exports of South Africa for the period 1964-1970. The results of the analysis are shown in Table X below:

Table X

Trade in chrome ore of South Africa with reporting countries
which took about 85 per cent of the chrome ore exports of
Southern Rhodesia in 1964

(in thousand metric tons gross)

	<u>All reporting</u> <u>countries</u>	<u>United</u> <u>States</u>	<u>Japan</u>	<u>Western</u> <u>Europe</u>
Imports from South Africa				
1964	630	391	40	199
1965	674	395	52	222
1966	969	655	67	245
1967	784	395	183	206
1968	829	350	179	295
1969	1,040	324	246	466
1970	1,569	332	710	520
Exports of South Africa				
1964	637	377	33	216
1965	776	396	109	264
1966	856	568	32	240
1967	656	282	111	246
1968	817	358	135	318
1969	995	369	154	379
1970	1,050 ^{a/}	N.A.	N.A.	N.A.

^{a/} Estimate based on eleven months' data.

16. It will be noted that, for 1964, total imports and exports agree well; for 1965 and 1966, the sum of the total imports and exports for the two years also agree well, but imports exceeded exports by 128 thousand tons in 1967, by 12 thousand tons in 1968, by 45 thousand tons in 1969 and in 1970 by 519 thousand tons. These differences raise the possibility that the excess tonnage is of Southern Rhodesian origin.

17. In Table XI below, production of chrome ore in South Africa is compared with its export and imports.

Table XI

Chrome ore in South Africa
(in thousand metric tons gross)

	<u>Production</u>	<u>Imports</u>	<u>Exports</u>
1964	849	49	637
1965	940	84	776
1966	1,061	98	856
1967	1,149	75	656
1968	1,153	23	817
1969	1,195	32	995
1970	1,409	25	1,050

It is known that the demand for chrome ore in South Africa has been expanding continuously in recent years. While domestic production of the ore was expanding during 1964-1967, the rate of increase of production however, did not seem to be sufficient to meet the demand for increased exports as well as for the expanding domestic requirements. It was necessary therefore to import more chrome ore from Southern Rhodesia during the period 1965-1967 than previously in order to fulfil the export commitment and domestic demand. It was against this background that South Africa, in 1967, appeared to have cut its exports to satisfy domestic needs. Despite the growing domestic requirements and the stability of production South African exports since 1967 have been substantially increased, reaching an annual rate of 995 thousand tons in 1969 - a figure which appears close to South Africa's total annual production. It is conceivable, therefore, that substantial amounts of Southern Rhodesian ore may have been taken in since 1967 to supplement the short-fall of domestic requirements. This ore taken in by South Africa however did not appear to be registered as imports in South African trade statistics. As shown in Table XI above, the amount of ore recorded as imports (implicitly from Southern Rhodesia) decreased to an insignificant amount after 1967, a statistical phenomenon that requires explanation since it is not compatible with the increasing demand in South Africa combined with the heavy exports. Although data on stocks of chrome ore in South Africa are not available, it is not likely that a sizable accumulated stock could have made recent heavy exports possible if the low level of exports in 1967 can be taken as an indication that chrome ore was in short supply in South Africa.

18. The over-all situation of Southern Rhodesian trade in chrome ore can then be summarized as below:

Table XII

Chrome ore situation in Southern Rhodesia

(in thousand metric tons gross)

	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Imports of reporting countries							
(a) directly from Southern Rhodesia	406	397	179	136	-	-	-
(b) via South Africa	-	-	-	128	12	45	519
Recorded South African imports believed to be of Southern Rhodesian origin	49	84	98	75	23	32	25
Imports of reporting countries from Mozambique	16	21	52	30	41	21	13
Total exports of Southern Rhodesia	471	502	329	369	76 ^{a/}	98 ^{a/}	557

^{a/} If the unrecorded imports of South Africa, described in paragraph 17 above, were included, the figure would probably be about 250 thousand tons in 1968 and over 300 thousand tons in 1969.

Copper

19. Southern Rhodesia's copper exports in 1965 amounted to \$18.3 million. Of this amount, \$10.6 million were exports to the Federal Republic of Germany, \$1.8 million to Poland, \$1.5 million to the United Kingdom, \$1.4 million to Italy, \$1 million to West Malaysia and \$2 million were distributed among other countries. The recorded imports of the reporting countries amounted to \$19 million in 1966, \$11 million in 1967 and \$10 million in 1968. The reporting countries show only \$4 thousand worth of copper imports from Southern Rhodesia in 1969 and \$83 thousand in 1970. Since the adoption of resolution 232 of 16 December 1966, the Federal Republic of Germany appeared to be the sole importer of Southern Rhodesian copper in 1967 and 1968.

20. In terms of quantities, the annual curtailment of Southern Rhodesian copper exports for 1966-1968 was gradual, namely from a level in 1965 of 18.4 thousand metric tons to 13.3 in 1966, 10.0 in 1967, 7.8 in 1968 and almost nil in 1969 and 1970. In view of the fact that both South Africa and Zambia are heavy exporters of copper and that both, in varying degrees, together with Southern Rhodesia use the transport facilities in Mozambique, it is very difficult to determine the true situation.

21. Other important commodities exported by Southern Rhodesia are meat and meat products, sugar, hides, skins and leather, iron ore and pig iron. Imports of these commodities into the reporting countries from Southern Rhodesia in 1970 amounted to \$3.0 million (compared with \$48 million in the year 1965 and \$2.4 million in the year 1969). Because of the small magnitude of the trade involved in each commodity it is not possible to make a comprehensive analysis for each commodity. The difficulty lies in the fact that South Africa and some of the other neighbours are much more important exporters of most of these same commodities. As in the case of copper, it is possible for Southern Rhodesia to export at least some part of these commodities under false declarations, using its neighbours as the origin of these goods. In these circumstances, the inflation of the imports recorded by importing countries in comparison with the corresponding exports of Southern Rhodesia's neighbours would probably not be marked enough to draw any meaningful conclusion. In addition to the possibility described above, South Africa is understood, based on the statistical information relating to its over-all "imports from Africa", to be taking significant amounts of these commodities as imports. These imports are estimated to be at the level of \$2 million worth of meat and meat products annually for 1967-1969, \$1 million of sugar, \$4-6 million of pig iron. Furthermore, it is conceivable that, on account of the heavy traffic of ocean transport via Mozambique and South Africa since the closure of the Suez Canal, demand on meats and other provisions in the form of ships' stores could have provided an important outlet for the produce of Southern Rhodesia. Indeed, available statistics regarding South African meat in the form of ships' stores registered important increases in recent periods. It is possible that Southern Rhodesia, whose produce is more competitive, may very well have benefited from the expansion of this market.

Maize

22. Southern Rhodesia normally produced about 850 thousand metric tons of maize mainly for domestic consumption. Its exports and imports of this commodity were insignificant. As a result, however, of the régime's attempts to encourage agricultural diversification to compensate for the reduction in tobacco exports due to sanctions, there has been a substantial increase in the acreage under maize. Based on the most recent information of an annual production of 950 thousand metric tons in 1966, it is estimated that the amounts produced in 1967, 1968 and 1969 could perhaps reach as high as 1.3, 1.1* and 1.3 million tons respectively. If the annual domestic requirement were of a magnitude of 850 thousand metric tons, these figures could mean that Southern Rhodesia could have a stock of 1,150 thousand tons from crops harvested in these three years available for export. Part of such an amount, as available evidence indicates, could have been shipped out via Mozambique. No information on 1970 crops is available.

23. Mozambique normally produced about 150 thousand tons of maize also mainly for domestic consumption. In 1965 it imported 43 thousand tons (7 thousand in 1966) to supplement the locally-produced maize for domestic consumption, estimated to be about 180 thousand tons per annum. Nothing was imported since 1966 according to

* Because of adverse seasonal factors maize production was reduced substantially in 1968 from the 1967 level.

official published sources. There had been practically no exports of maize until 1967 in which year 25 thousand tons were sent to Portugal. During the year 1968, Mozambique reported exports of 122 thousand tons to the following three countries: 99 thousand tons to Portugal, 11 thousand tons to the Netherlands and 12 thousand tons to the United Arab Republic. In 1969 total exports of Mozambique were 25 thousand tons and during the first eight months of 1970, 12 thousand tons. However, a detailed study of import data published by maize-importing countries revealed the following:

Table XIII

Imports of maize from Mozambique
(in thousand metric tons)

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Reporting countries						
Belgium-Luxembourg	Nil	Nil	42	32	-	-
France	Nil	Nil	20	11	-	-
Portugal	Nil	Nil	15	78	25	16
Germany, Federal Republic of	Nil	Nil	99	59	-	-
Italy	Nil	Nil	26	40	-	-
Netherlands	Nil	Nil	6	12	-	-
UAR	Nil	Nil	105	93	14	-
Japan	Nil	30	145	184	149	21
Total	Nil	30	458	509	188	37

24. It will be noted from the data shown above that by comparing the aggregate amount of the imports of maize supposedly of Mozambique origin received by the importing countries during the period 1967-1969 (approximately 1.1 million tons), with the amount of exports reported by Mozambique (172 thousand tons), there is a gap of about 1 million tons for the period, which may be maize exported by Southern Rhodesia via Mozambique.

25. A similar study of South Africa's trade in maize revealed substantial agreement between the exports recorded in South Africa's trade returns and the imports reported by reporting countries as shown below:

Table XIV

South Africa's production and trade in maize

(in thousand metric tons)

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Production ^{a/}	4,393	4,907	9,299	5,316	5,339	6,424
Exports: calendar year	326	46	2,001	2,949	760	1,230 ^{d/}
twelve months December-November ^{b/}	345	59	1,667	3,078	911	1,207
Derived exports ^{c/}	325	58	1,477	3,023	1,031	1,371

a/ Excluding non-commercial production in villages.

b/ Twelve months ending November of year stated. Allowance of one month for ocean transport is made in order to make export figures more comparable to the reported import figures.

c/ Imports from South Africa by reporting countries.

d/ Estimate based on eleven months' data.

26. Substantial agreement is also revealed by study of the trade in maize of Angola and Malawi.

27. Exports of the reporting countries to Southern Rhodesia of the four commodity groups specified in resolution 232 (1966), paragraph 2 (d)-(f), namely motor vehicles and their parts, petroleum products, crude petroleum, and aircraft and their parts amounted to approximately \$0.1 million in 1970 (compared with \$36 million in the year 1965, \$1.2 million in the year 1967 and \$0.1 million in the year 1969).

Imports of specific commoditiesMotor vehicles and their parts

28. Among the four commodity groups, motor vehicles and their parts is the most important group. In 1970 the reporting countries' exports of these commodities to Southern Rhodesia was almost nil (compared with \$34 million in the year 1965), \$6.1 million in the year 1966, \$1.0 million in the year 1967.

29. There appears to be a strong possibility that Southern Rhodesia may be receiving motor vehicles and their parts through neighbouring countries. This possibility is strengthened by the fact that Southern Rhodesia is maintaining its exporting pattern of this commodity group to its neighbouring countries. Malawi, for instance, reported annual imports of \$0.5 million from Southern Rhodesia of motor vehicles and their parts during 1967-1968 (compared with \$1.3 million in 1965). For this reason, an analysis was made (in terms of

value^{1/}) of the exports of the reporting countries to South Africa and also to Mozambique, Angola, Malawi and Zambia together with the corresponding imports by the above-mentioned countries from the reporting countries. The results of the analysis are shown in Tables XV and XVI below.

Table XV

Trade of South Africa in motor vehicles and their parts with reporting countries which provided about 93 per cent of imports of motor vehicles and their parts by Southern Rhodesia in 1965

(in million US dollars)

	<u>All reporting countries</u>	<u>U.K.</u>	<u>Germany Fed. Rep.</u>	<u>United States</u>	<u>Canada</u>	<u>Japan</u>	<u>France</u>	<u>Italy</u>	<u>Aust-ralia</u>
Exports to South Africa									
1965	289	128	56	38	25	16	9	8	5
1966	288	120	60	43	23	16	10	8	6
1967	310	112	67	54	17	27	12	11	7
1968	331	96	84	50	20	30	17	11	13
1969	444	121	106	67	16	63	19	16	28
1970	514	68	120	55	20	69	33	23	35 ^{a/}
Imports of South Africa									
1965	289	130	55	38	21	18	9	9	5
1966	273	111	56	44	21	15	10	8	5
1967	305	104	64	55	20	27	11	11	7
1968	318	93	79	51	18	29	13	12	14
1969	411	106	96	71	13	60	15	17	26
1970	490 ^{b/}	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

^{a/} Estimated figure.

^{b/} Estimate based on eleven months' data.

^{1/} It is not possible to make a comprehensive study in terms of quantities because of the heterogeneous nature of this group of commodities. Countries use different units of quantity to express the physical volume of imports and exports.

Table XVI

Trade of Mozambique, Angola, Malawi and Zambia in motor
vehicles and their parts with the reporting countries

(in million US dollars)

	<u>Exports of reporting countries to Mozambique, Angola, Malawi and Zambia</u>	<u>Imports of Mozambique, Angola, Malawi and Zambia from reporting countries</u>
1965	48	49
1966	73	62
1967	90	84
1968	104	94
1969	95	86
1970	121	94 ^{a/}

a/ Estimated figure.

30. It may be noted from the tables above that in the year 1965 exports agree well with the corresponding imports. However, in the years 1966, 1967, 1968, 1969 and 1970 exports by the reporting countries to South Africa and to the four countries of Angola, Malawi, Mozambique and Zambia exceeded the corresponding imports reported by those five countries as follows (in million US dollars):

	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
South Africa	15	5	13	33	24
The four countries	11	6	10	9	27
Total	26	11	23	42	51

31. South Africa (not a reporting country) traditionally exported a substantial amount of motor vehicles and their parts to Southern Rhodesia. The amount of \$2.2 million was reported by Southern Rhodesia for 1965. Although South Africa has not released a meaningful analysis by country of destination for this commodity group since 1964, a study of its partner countries' data makes it possible to estimate the approximate amount that Southern Rhodesia has received from South Africa.

Table XVII

South African exports of motor vehicles and their parts

(in million US dollars)

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Total exports ^{a/}	12.2	17.3	22.0	24.4	20.0	21.3 ^{b/}
(of which re-exports ^{a/})	(4.7)	(7.3)	(10.5)	(16.1)	(13.4)	(14.4)
to reporting countries ^{a/}	1.8	2.1	3.3	3.4	4.2	4.0 ^{b/}
to neighbouring countries other than Southern Rhodesia ^{c/}	4.4	5.4	5.1	3.4	3.8	4.0 ^{b/}
to Southern Rhodesia	2.2 ^{d/}	6.0 ^{b/})	13.6	17.6	12.0	13.3
unknown destination	3.8	3.8)				

^{a/} South African figures.^{b/} Estimated.^{c/} Reported by partner countries.^{d/} Reported by Southern Rhodesia.

32. There is evidence of a substantial discrepancy between the export figures and the import figures. This, together with the increase in recorded South African imports and the high level of estimated South African exports to Southern Rhodesia leads to the conclusion that motor vehicles are reaching Southern Rhodesia, mainly through South Africa, in breach of Security Council resolution 253 (1968), at a level possibly well above the normal level of Southern Rhodesia's imports during the periods prior to the United Nations sanctions.

33. As to petroleum supplies to Southern Rhodesia, no meaningful evaluation of the situation is possible from the data reported by the reporting countries listed in annex III. It is known that, following the closure of the only Southern Rhodesian Refinery at Umtali in January 1966, no imports of crude petroleum were required. Iran, Bahrain and Saudi Arabia were normal major suppliers of petroleum products, not only to Southern Rhodesia but also to South Africa, Mozambique and Angola. However, there is indication that major sources of supply of these commodities to Southern Rhodesia were shifted to South Africa in the period 1966-1970. Based on available statistics, it is estimated that between \$50-60 million worth of fuel was exported by South Africa to Southern Rhodesia in these five years. The remainder of Southern Rhodesia's normal requirement of about \$75-90 million was most likely supplied by South Africa, but presumably without statistical recording in the regular trade statistics as suggested in paragraph 6 above.

34. In evaluating the import pattern of Southern Rhodesian trade for the periods following the application of economic sanctions, it is not possible to give a commodity analysis as comprehensive as in the case for its export pattern for the reason that Southern Rhodesia's exports are concentrated in a few primary commodities while its imports are much more diversified. For instance, the export commodities discussed in this note accounted for 59 per cent of the total Southern Rhodesian exports in 1965 while the four imports commodities discussed in the preceding paragraphs accounted for only 16 per cent of total Southern Rhodesian imports in 1965.

ANNEXES

ANNEX I

Imports of all commodities from Southern Rhodesia*
(as reported by countries listed)

(in thousand US dollars)

<u>Importing country</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
United States	14,056 ^{1/}	9,359	6,463	1,599	68	115
Canada	3,152	1,087	4	2	1	1
Argentina	377	62	10	-	-	...
Brazil	55 ^{1/}	62	100	-	-	...
Chile	4 ^{1/}	-	-	-	-	...
Colombia	185	230	-	-	...	...
Mexico	2 ^{1/}	-	-	1 ^{1/}	-	...
Belgium-Luxembourg	2,806	3,540	1,998	829	477	112 ^{8/}
France	2,873	1,856	1,059	1,171	50	61
Germany, Federal Republic of	35,112	30,525	15,966	13,298	1,120	572
Italy	16,666	8,554	259	138	27	59
Netherlands	5,987	5,722	2,406	542	136	21
United Kingdom	83,711	12,809	405	215	163	117
Denmark	1,244	1,205	-	-	-	-
Norway	1,713	664	18	-	-	1
Sweden	1,960	182	-	-	-	-
Austria	4,436	1,673	249	95	26	-
Portugal	2,927 ^{1/}	2,148	5,635	3,582 ^{3/}	...	...
Switzerland ^{4/}	5,678	4,155	3,925 ^{5/}	3,483 ^{5/}	3,625 ^{5/}	4,296 ^{5/}
Iceland	-	-	-	-	-	-
Ireland	967	142	70	32	4	-
Greece	2,581 ^{1/}	5,644 ^{1/}	677 ^{1/6/} 4 ^{1/}	-	-	- ^{8/}
Turkey	-	-	-	-	-	- ^{2/}
Spain	3,343	2,288	156	-	-	-
Finland	845	290	3	1	-	-
Yugoslavia	677 ^{1/}	-	-	-	-	-

ANNEX I (continued)

<u>Importing country</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Jordan	-	470	201	20	11	...
Cyprus	398	260	2	2	1	... _{8/}
Libya	-	-	2	-	-	... _{8/}
Israel	82 ^{1/}	-	-	-	-	...
Iran	244 ^{1/}	156	129	...	...	...
Lebanon	...	...	-	-	-	...
UAR	1,241	189	1	12	94	...
Ethiopia	...	15	149	-	_{2/}	...
Australia	3,266	787	60	74	1	1 ^{3/}
New Zealand	1,178	999	4	1	-	-
Botswana	5,432	...	826 ^{8/}	...	...	...
Uganda	561	25	-	...	...	...
Ghana	297	3	-	-	-	...
Mauritius	242	8	-	-	_{2/}	...
Nigeria	1,017 ^{1/}	507 ^{1/}	9	-	-	...
Zambia	99,507	64,904	45, 29	31,602	30,481	16,779 ^{3/}
Malawi	20,805	17,267	14,732	12,588	12,534	15,505
Ivory Coast	-	-	-	-	-	_{2/}
Senegal	-	1	-	-	...	...
Angola	612 ^{1/}	689	1,137	374 ^{2/}	...	...
Mozambique	2,991	5,862	4,458	...	...	...
Liberia	5	9	9	-	...	...
Tunisia	236 ^{1/}	-	-	-	-	... _{3/}
Japan	26,497	13,781	1,266	822	-	-
Ceylon	87	79	2	-	...	..._{8/}
India	6,503	166	1	-	-	...
Pakistan	291 ^{1/}	-	-	-	_{10/}	-
Malaysia, West	3,569 ^{1/}	1,123	5	-	-	...
Singapore	2,109 ^{1/}	-	-	-	-	-
Sarawak	11 ^{1/}	2 ^{1/}	-	-	-	...
Brunei	-	-	-	-	-	...
Sabah	-	-	-	-	-	...

ANNEX I (continued)

<u>Importing country</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Hong Kong	2,313	2,082	22	-	-	-
China, Taiwan	-	-	-	-	-	-
Cambodia	88 ^{1/}	-	-	-	...	...
Laos	-	-	-	-	-	...
Vietnam, Republic of	-	-	-	78 ^{1/}	-	...
Indonesia	...	...	-	-	-	...
Korea, Republic of	-	-	-	-	-	8/
Philippines	124 ^{1/}	335 ^{1/}	58 ^{1/}	-	-	...
Thailand	-	-	-	-	-	...
Jamaica	566 ^{1/}	456	-	2/	...	...
Trinidad and Tobago	389	360	8	-	-	8/
Barbados	22	-	-	-	-	...
Guyana	168	127	4	-	...	...
Netherlands Antilles	-	-	-	-	-	2/
Fiji	222	125	38	-	8/	...
Western Samoa	-	-	-	-	-	...
Malta	217	88	1	2	-	3/

* Exports to the countries listed above accounted for approximately 86 per cent of the total exports of Southern Rhodesia in 1965.

1/ Refers to trade with the Federation of Rhodesia and Nyasaland.

2/ January-March.

3/ January-June.

4/ See the official declaration of the Swiss Government contained in annex II to United Nations document S/7781.

5/ "The Swiss importer is authorized to make use of his yearly quota any time of the year, e.g., in the early months of the year 1967. The quotas are compounded on the basis of the average import quantity of the commodity during the previous three years. Fluctuations are furthermore possible between the years, as the use of a yearly quota requested in December may only appear in the trade statistics of the first three months of the following year, the reason being that the import licences granted within the quota are generally valid for three months."

6/ January-February.

7/ March-December.

8/ January-September.

9/ January-May.

10/ July-December.

ANNEX II

Exports of all commodities to Southern Rhodesia*
(as reported by countries listed)

(in thousand US dollars)

<u>Exporting country</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
United States	22,982 ^{1/}	7,491	3,757	2,024	455	514
Canada	3,625	575	89	22	2	16
Argentina	1	-	-	-	-	...
Brazil	86 ^{1/}	20	24	13	4	...
Chile	2 ^{1/}	-	-	-	-	...
Colombia	2	-	-	-	...	...
Mexico	207 ^{1/}	40 ^{1/}	103 ^{1/}	58 ^{1/}	6 ^{1/}	...
Belgium-Luxembourg	6,832	3,444	1,922	1,312	139	54 ^{6/}
France	3,850	4,246	3,976	2,380	200	286
Germany, Federal Republic of	10,903	11,186	12,305	12,914	1,234	1,176
Italy	6,318	5,010	1,339	1,295	73	63
Netherlands	7,291	5,748	4,699	3,000	57	278
United Kingdom	88,808	7,648	2,877	1,946	1,958	1,206
Denmark	667	31	37	29	29	31
Norway	1,527	760	183	1	1	-
Sweden	3,413	51	1	-	2	-
Austria	800	1,256	1,252	1,082	87	-
Portugal	559 ^{1/}	1,055	1,824	878 ^{3/}	...	...
Switzerland ^{4/}	1,641	1,890	1,939	2,513	1,540	1,969
Iceland	-	-	1 ^{1/}	1 ^{1/}	-	-
Ireland	37	9	31	4	-	-
Greece	63 ^{1/}	19 ^{1/}	-	-	-	6 ^{1/}
Turkey	2 ^{1/}	-	-	2	-	2 ^{1/}
Spain	193	31	-	-	-	-
Finland	492	14	1	-	-	-
Yugoslavia	16 ^{1/}	81 ^{1/}	-	-	-	-
Jordan	-	-	-	-	-	...
Cyprus	5	3	4	1	1	...

ANNEX II (continued)

<u>Exporting country</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Libya	-	-	-	-	-	<u>6/</u>
Israel	1,482 ^{1/}	-	-	-	5	<u>6/</u>
Iran	2,821 ^{1/}	3	-	...	...	...
Lebanon	...	...	-	-	-	...
UAR	1	-	-	-	-	...
Ethiopia	...	...	-	-	<u>2/</u>	...
Australia	4,510	4,072	5,653	5,851	3,539	2,481 ^{3/}
New Zealand	237 ^{5/}	37 ^{5/}	7	12 ^{5/}	18 ^{5/}	-
Uganda	412	-	-	...	...	...
Ghana	17	-	2	-	-	...
Mauritius	6	-	-	-	<u>2/</u>	...
Nigeria	129 ^{1/}	1,823 ^{1/}	6	-	-	...
Zambia	15,317	7,018	2,850	1,332	613	391 ^{3/}
Malawi	4,359	2,951	2,735	2,872	3,804	4,181
Ivory Coast	-	-	-	-	-	<u>2/</u>
Senegal	309 ^{1/}	122	-	-	...	...
Angola	304 ^{1/}	154	214	65 ^{1/}	...	...
Mozambique	3,247	2,698	3,818	...	...	...
Liberia	-	-	-	3	...	...
Tunisia	15 ^{1/}	26 ^{1/}	-	-	-	<u>3/</u>
Japan	16,684	11,110	13,597	4,525	4	4
Ceylon	288	-	-	-	...	...
India	4,526	16	-	-	-	<u>6/</u>
Pakistan	448 ^{1/}	-	-	-	<u>8/</u>	-
Malaysia, West	618 ^{1/}	12	-	-	-	...
Singapore	1,217 ^{1/}	-	-	-	-	-
Sarawak	-	-	-	-	-	...
Brunei	-	-	-	-	-	...
Sabah	-	-	-	-	...	...
Hong Kong	1,328	318	139	2	-	-
China, Taiwan	-	-	-	-	-	-
Cambodia	-	-	-	-	...	...

ANNEX II (continued)

<u>Exporting country</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Laos	-	-	-	-	-	...
Viet-Nam Republic of	-	-	-	-	-	...
Indonesia	...	...	-	...	-	...
Korea, Republic of	-	-	-	1	-	<u>6/</u>
Philippines	<u>2^{1/}</u>	<u>26^{1/}</u>	<u>3^{1/}</u>	-	-	...
Thailand	-	-	-	-	-	...
Jamaica	<u>2^{1/}</u>	-	-	<u>2/</u>	...	...
Trinidad and Tobago	7	4	8	-	-	<u>6/</u>
Barbados	-	-	-	-	-	...
Guyana	-	-	-	-	...	...
Netherlands Antilles	-	-	1	-	-	<u>2/</u>
Fiji	-	-	-	-	<u>6/</u>	...
Western Samoa	-	-	-	-	-	...
Malta	9	5	7	3	-	<u>3/</u>

* Imports from the countries listed above accounted for approximately 75 per cent of the total imports of Southern Rhodesia in 1965.

1/ Refers to trade with the Federation of Rhodesia and Nyasaland.

2/ January-March.

3/ January-June.

4/ See the official declaration of the Swiss Government contained in Annex II to United Nations document S/7781.

5/ Domestic exports.

6/ January-September.

7/ January-May.

8/ July-December

ANNEX III

Trade in commodities

/Published separately as Special Supplement No. 2A./

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