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QUESTION OF SOUTHERN RHODESIA

Report of the Fourth Committee

Rapporteur: Mr. Daniel DE LA PEDRAJA (Mexico)

1. At its 4th plenary meeting, on 22 September 1978, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-third session an item entitled:

"Question of Southern Rhodesia: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples".

At its 5th plenary meeting, on the same day, the Assembly decided to allocate the item to the Fourth Committee for consideration and report.

2. The Fourth Committee considered the item at its 10th, 12th to 19th and 21st to 23rd meetings, between 30 October and 22 November 1978.

3. At the 10th meeting, on 30 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter VII of the report of that Committee (A/33/23/Add.1) relating to Southern Rhodesia.

4. In connexion with its consideration of the item, the Fourth Committee had before it the following communications addressed to the Secretary-General:

(a) Letter dated 6 March 1978 from Algeria (A/33/61-S/12583);

(b) Letters dated 10 March, 2 October and 2 November 1978 from Sri Lanka (A/33/63-S/12595, A/33/279-S/12875, A/33/355-S/12914);

(c) Note verbale dated 2 June 1978 from Cuba (A/33/118);

- (d) Letter dated 14 June 1978 from Senegal (A/33/151);
- (e) Letter dated 6 September 1978 from Yugoslavia (A/33/206);
- (f) Letter dated 18 September 1978 from Mozambique (A/C.4/33/2);
- (g) Letter dated 6 October 1978 from Burundi (A/33/291-S/12886).

5. During the Fourth Committee's consideration of the item, Mr. Edgar Tekere and Mr. Callistus D. Ndlovu, representatives of the Patriotic Front, the national liberation movement of the Territory, participated in an observer capacity in the proceedings of the Committee, in accordance with the provisions of the relevant General Assembly resolutions.

6. Mr. Tekere and Mr. Ndlovu made statements at the 12th meeting, on 31 October. Mr. Tekere made a further statement at the 23rd meeting, on 22 November.

7. In connexion with its consideration of the item, the Fourth Committee, at its 8th meeting, on 23 October, granted a request for a hearing to the Reverend G. Michael Scott, of The International League for Human Rights (A/C.4/33/6). The Reverend Scott made a statement at the 10th meeting, on 30 October.

8. The general debate on the item took place at the 10th and 12th to 19th meetings, between 30 October and 8 November.

9. At its 10th meeting, on 30 October, on the proposal of the representatives of Kuwait and Barbados and following a statement by the Committee Secretary concerning the related administrative and financial implications, the Fourth Committee decided without objection that the statement made during the meeting by the Reverend Scott (see para. 7 above) should be reproduced as a Committee document (A/C.4/33/L.2).

10. At its 12th meeting, on 31 October, on the proposal of the representatives of Guinea and Benin and following a statement by the Chairman concerning the related administrative and financial implications, the Fourth Committee decided without objection that the statements made at that meeting by Mr. Tekere and Mr. Ndlovu (see paras. 5 and 6 above) should be reproduced as Committee documents (A/C.4/33/L.3 and L.4).

11. At the 21st meeting, on 20 November, the Chairman drew the attention of members to draft resolutions A and B on the item (A/C.4/33/L.5).

12. At the 22nd meeting, on 21 November, the representative of Sri Lanka introduced draft resolutions A and B referred to above, which were finally sponsored by the following Member States: Afghanistan, Algeria, Angola, Barbados, Benin, Bulgaria, Burundi, Cape Verde, Congo, Cuba, Cyprus, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritania, Mongolia, Morocco, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia and Zambia.

13. At the same meeting, the Fourth Committee took decisions on draft resolutions A and B (A/C.4/33/L.5) as follows:

(a) Draft resolution A was adopted by a recorded vote of 124 to none, with 10 abstentions (see para. 14 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: None.

Abstaining: Belgium, Canada, Dominican Republic, France, Germany, Federal Republic of, Luxembourg, New Zealand, Nicaragua, United Kingdom of Great Britain and Northern Ireland, United States of America.

(b) Draft resolution B was adopted by a recorded vote of 120 to none, with 13 abstentions (see para. 14 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq,

Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: None.

Abstaining: Belgium, Canada, Dominican Republic, France, Germany, Federal Republic of, Israel, Italy, Luxembourg, Netherlands, New Zealand, Nicaragua, United Kingdom of Great Britain and Northern Ireland, United States of America.

#### RECOMMENDATIONS OF THE FOURTH COMMITTEE

14. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolutions:

##### Question of Southern Rhodesia

A

The General Assembly,

Having considered the question of Southern Rhodesia (Zimbabwe),

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

Having heard the statements of the representative of the administering Power, 2/

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1/ A/33/23 (Parts II-IV), chaps. II and IV-V, and A/33/23/Add.1, chap. VII.

2/ A/C.4/33/SR.10 and 22.

Having heard the statements of the representatives of the Patriotic Front who participated in an observer capacity in the consideration of the item, 3/

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, as well as all other resolutions relating to the question of Southern Rhodesia adopted by the General Assembly, the Security Council and the Special Committee,

Taking into account the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and Programme of Action for the Liberation of Zimbabwe and Namibia, 4/ adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, as well as the Lagos Declaration for Action against Apartheid, 5/ adopted by the World Conference for Action against Apartheid, held at Lagos from 22 to 26 August 1977,

Recalling Security Council resolution 423 (1978) of 14 March 1978 condemning the Salisbury agreement of 3 March 1978,

Bearing in mind that the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, has the primary responsibility for putting an end to the critical situation in Southern Rhodesia (Zimbabwe) which, as repeatedly affirmed by the Security Council, constitutes a threat to international peace and security,

Reaffirming that any attempts to negotiate the future of Zimbabwe with the illegal régime on the basis of independence before majority rule would be in contravention of the inalienable rights of the people of the Territory and contrary to the provisions of the Charter of the United Nations and of resolution 1514 (XV),

Condemning the deliberate sabotage by the illegal racist minority régime of the numerous, intensive efforts being made to secure a negotiated settlement of Zimbabwe on the basis of majority rule,

Condemning all attempts and manoeuvres by the illegal régime aimed at the retention of power by a racist minority and at preventing the achievement of independence by Zimbabwe,

Commending the Patriotic Front for its political maturity and its co-operation in the efforts to secure a negotiated settlement in Zimbabwe,

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3/ A/C.4/33/SR.12 and 23; see also A/C.4/33/L.3 and L.4.

4/ A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.

5/ A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2 and corrigendum), sect. X.

Bearing in mind the resolution on Zimbabwe adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its fifteenth ordinary session, held at Khartoum from 18 to 22 July 1978, 6/

Bearing in mind also the relevant provisions of the Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Belgrade from 25 to 30 July 1978, 7/

Stressing the grave responsibility of the international community to take all possible measures in support of the people of Zimbabwe in their liberation struggle under the leadership of the Patriotic Front and in putting an end to the hardship and suffering of Zimbabweans in that regard,

Indignant at the arbitrary imprisonment and detention of political leaders and others, the summary execution of freedom fighters and the continued denial of fundamental human rights, including in particular the wanton beating, torture, massacre and mass murder of Zimbabweans, arbitrary criminal measures of collective punishment and measures designed to create an apartheid State in Zimbabwe,

Commending the firm determination of the people of Zimbabwe, under the leadership of the Patriotic Front, to achieve freedom and independence, and convinced that their unity and solidarity are fundamental to the rapid attainment of that objective,

Recalling Security Council resolutions 403 (1977) of 14 January 1977 and 411 (1977) of 30 June 1977, strongly condemning the acts of aggression against Botswana, Mozambique and Zambia by the illegal régime in Southern Rhodesia,

Indignant and deeply concerned at the continuing acts of aggression referred to above against neighbouring independent African States, in particular the recent acts of aggression against Zambia which have resulted in loss of human lives and damage to property,

1. Reaffirms the inalienable right of the people of Zimbabwe to self-determination, freedom and independence and the legitimacy of their struggle to secure by all means at their disposal the enjoyment of that right as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);

2. Reaffirms the principle that there should be no independence before majority rule in Zimbabwe and that any settlement relating to the future of the Territory must be worked out with the full participation of the Patriotic Front and in accordance with the true aspirations of the people of Zimbabwe;

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6/ A/33/235 and Corr.1, annex II, resolution AHG/Res.89 (XV).

7/ A/33/206, annex I.

3. Condemns the continued war of repression and the intensified oppressive measures against the people of Zimbabwe by the illegal racist minority régime;
4. Strongly condemns the illegal racist minority régime for its repeated acts of aggression against Botswana, Mozambique and Zambia;
5. Strongly condemns the illegal racist minority régime in Southern Rhodesia for its recent acts of aggression against Zambia and its savage massacre of Zimbabwean refugees;
6. Strongly condemns South Africa and certain Western and other countries for the direct and indirect support they are continuing to give to the illegal racist minority régime in contravention of the provisions of all the relevant resolutions and decisions of the United Nations;
7. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland, in the discharge of its primary responsibility as the administering Power, to take all effective measures to enable the people of Zimbabwe to accede to independence in accordance with their deep aspirations and not under any circumstances to accord to the illegal régime any of the powers or attributes of sovereignty;
8. Firmly supports the people of Zimbabwe in their legitimate struggle to exercise their inalienable right to self-determination and independence by all means at their disposal;
9. Reaffirms the relevant provisions of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and Programme of Action for the Liberation of Zimbabwe and Namibia, in particular the provisions calling for assistance to those front-line States which are victims of repeated acts of aggression by the racist minority régime; 8/
10. Condemns and rejects the so-called internal settlement reached at Salisbury on 3 March 1978, and strongly denounces all other manoeuvres of the illegal racist minority régime aimed at the retention of power by a racist minority;
11. Declares that so-called internal settlement null and void, in conformity with Security Council resolution 423 (1978);
12. Declares as illegal any internal settlement under the auspices of the illegal régime and calls upon all States not to accord any recognition to such settlement;
13. Demands:
  - (a) The termination forthwith of all repressive measures perpetrated by the illegal racist minority régime against the people of Zimbabwe, in particular the

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8/ A/32/109/Rev.1-S/12344/Rev.1, annex V, paras. 19, 21 and 39.

killings and executions of freedom fighters by that régime, the brutality committed in the "operational area", the arbitrary closure of African areas, the eviction, transfer and resettlement of Africans and the creation of concentration camps;

(b) The unconditional and immediate release of all political prisoners and detainees, the removal of all restrictions on individuals as well as all other restrictions on political activity, the establishment of full democratic freedom and equality of political rights and the restoration to the population of fundamental human rights;

(c) The cessation of the influx of foreign immigrants into the Territory and the immediate withdrawal of all mercenaries therefrom;

(d) The immediate cessation of all acts of aggression and any preparations therefore against neighbouring States;

14. Calls upon all States to take all necessary and effective measures to prevent advertisement for, and recruitment, training and transit of, mercenaries for Southern Rhodesia;

15. Strongly condemns those States which allow or encourage in their territory the recruitment, training and transit of mercenaries for Southern Rhodesia;

16. Requests all States to give immediate and substantial material assistance to the Governments of Botswana, Mozambique and Zambia to enable those Governments to strengthen their defence capability in order to safeguard effectively their sovereignty and territorial integrity;

17. Requests all States, directly and through their actions in the specialized agencies and other organizations within the United Nations system of which they are members, as well as the non-governmental organizations concerned and the various programmes within the United Nations system, to extend, in consultation and co-operation with the Organization of African Unity, to the people of Zimbabwe and the Patriotic Front all the moral, material, political and humanitarian assistance necessary in their struggle for the restoration of their inalienable rights;

18. Invites all Governments, the specialized agencies and other organizations within the United Nations system, the United Nations bodies concerned, non-governmental organizations having a special interest in the field of decolonization and the Secretary-General to take steps, as appropriate, to give widespread and continuous publicity through all the media at their disposal to information on the situation in Zimbabwe and on the relevant decisions and actions of the United Nations, with particular reference to the application of sanctions against the illegal régime;



19. Requests the Government of the United Kingdom to continue to co-operate with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the discharge of the mandate entrusted to the latter by the General Assembly and to report thereon to the Special Committee and to the Assembly at its thirty-fourth session;

20. Requests the Special Committee to keep the situation in the Territory under review as a matter of priority and to report thereon to the General Assembly at its thirty-fourth session.

B

The General Assembly,

Having adopted resolution A above on the question of Southern Rhodesia (Zimbabwe),

Strongly deploring the increasing collaboration, in violation of Article 2, paragraph 5, and Article 25 of the Charter of the United Nations and of the relevant decisions of the United Nations, which certain States, particularly South Africa, maintain with the illegal racist minority régime, thereby seriously impeding the effective application of sanctions and other measures taken thus far against the illegal régime,

Deeply disturbed at widespread violations of United Nations sanctions, including the operation of Southern Rhodesian aircraft for international passenger and cargo traffic, as well as the continued functioning of information and airline offices of the illegal régime outside Southern Rhodesia resulting in an influx of foreign tourists into the Territory,

Noting with regret and concern the decision of the Government of the United States of America to allow the entry into the United States of Ian Smith and some members of the illegal régime in Southern Rhodesia,

Considering that the serious developments in the area call in particular for urgent, concerted, international action with a view to imposing total isolation on the illegal régime,

Deeply concerned that the measures approved by the Security Council have so far failed to bring an end to the illegal régime and convinced that sanctions cannot put an end to that régime unless they are comprehensive, mandatory and strictly supervised and unless measures are taken against States which violate them,

Bearing in mind the resolution on Zimbabwe adopted by the Assembly of Heads of State and Government of the Organization of African Unity, held at Khartoum from 18 to 22 July 1978, 9/

Reaffirming the relevant provisions of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and Programme of Action for the Liberation of Zimbabwe and Namibia, adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, in particular those provisions relating to sanctions against the illegal régime, 10/

Conscious of the urgent and special economic needs of Mozambique and Zambia arising from their implementation of the relevant decisions of the Security Council,

1. Strongly condemns those Governments, particularly the Government of South Africa, which, in violation of the relevant resolutions of the United Nations and in open contravention of their specific obligations under Article 2, paragraph 5, and Article 25 of the Charter of the United Nations, continue to collaborate with the illegal racist minority régime, and urges those Governments to cease forthwith all such collaboration;

2. Condemns those Governments which violate the mandatory sanctions adopted by the Security Council, as well as certain Governments which continue to fail to enforce the sanctions, in contravention of the obligations assumed by them under Article 2, paragraph 5 and Article 25 of the Charter;

3. Deplores the decision of the Government of the United States of America to allow the entry into the United States of Ian Smith and some members of the illegal régime in Southern Rhodesia, in flagrant violation of the decisions of the United Nations, in particular Security Council resolution 253 (1968) of 29 May 1968, and of the obligations under Article 25 of the Charter of the United Nations;

4. Strongly condemns the Government of South Africa for its continued support of the illegal racist minority régime in Southern Rhodesia in flagrant contravention of the resolutions of the Security Council on sanctions against that régime;

5. Calls upon all Governments which thus far have not done so:

(a) To take stringent enforcement measures to ensure strict compliance by all individuals, associations and bodies corporate under their jurisdiction with the sanctions imposed by the Security Council and to prohibit any form of collaboration by them with the illegal régime;

(b) To take effective measures to prevent or discourage the emigration to Southern Rhodesia (Zimbabwe) of any individuals or groups of individuals under their jurisdiction;

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10/ A/32/109/Rev.1-S/12344/Rev.1, annex V, paras. 16, 17 and 46-49. For the printed text, see Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.

(c) To discontinue any action which might confer a semblance of legitimacy on the illegal régime, inter alia, by forbidding the operation and activities of "Air Rhodesia", the "Rhodesia National Tourist Board" and the "Rhodesian Information Office", or any other activities which contravene the aims and purposes of the sanctions;

(d) To invalidate passports and other documents for travel to the Territory;

(e) To take all effective measures against international companies and agencies which supply petroleum and petroleum products to the illegal régime in Southern Rhodesia;

6. Strongly condemns the supply of petroleum and petroleum products to Southern Rhodesia by oil companies of the United Kingdom of Great Britain and Northern Ireland and other countries which, by that deliberate act, are circumventing United Nations sanctions and strengthening the illegal régime of Ian Smith;

7. Requests all States, directly or within the framework of the specialized agencies and other organizations within the United Nations system of which they are members, and through the various programmes within the United Nations system, to extend to the Governments of Botswana, Mozambique and Zambia all forms of financial, technical and material assistance in order to enable those Governments to overcome economic difficulties in connexion with their application of economic sanctions imposed against the illegal régime and the severe economic loss and destruction of property brought about by the acts of aggression committed by the régime, and requests the Security Council to undertake a periodic review of the question of economic assistance to the three Governments;

8. Deplores the complicity of successive United Kingdom Governments in the violation of United Nations sanctions by British oil companies, as exposed in the Bingham report on the supply of petroleum and petroleum products to the illegal régime of Ian Smith; 11/

9. Deems it imperative that the scope of sanctions against the illegal régime be widened to include all the measures envisaged under Article 41 of the Charter and reiterates its request that the Security Council consider taking the necessary measures in that regard as a matter of urgency;

10. Requests the Security Council to impose, among other things, a mandatory embargo on the supply of petroleum and petroleum products to South Africa in view of the fact that petroleum and petroleum products are transported from South Africa to Southern Rhodesia;

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11/ T. H. Bingham, Q.C. and S. M. Gray, F.C.A., Report on the Supply of Petroleum and Petroleum Products to Rhodesia (London, Foreign and Commonwealth Office, 1978).

11. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to follow the implementation of the present resolution and invites the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to continue to co-operate in the related work of the Special Committee.