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Thirty-first session  
Agenda item 86

QUESTION OF SOUTHERN RHODESIA

Report of the Fourth Committee

Rapporteur: Mr. A. Majid MANGAL (Afghanistan)

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-first 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",

and to allocate it to the Fourth Committee.

2. The Fourth Committee considered the item at its 40th to 43rd and 46th to 49th meetings, between 6 and 14 December.

3. At the 40th meeting, on 6 December, 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 chapters VII and VIII of the report of that Committee (A/31/23/Add.1 and 2), relating to the item.

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 8 March 1976 from Mozambique (A/31/61-S/12005);
- (b) Letter dated 8 March 1976 from Nigeria (A/31/62-S/12008);
- (c) Letter dated 17 March 1976 from Rwanda (A/31/66-S/12021);
- (d) Letter dated 25 March 1976 from Algeria (A/31/71-S/12025);

- (e) Letter dated 5 April 1976 from Luxembourg (A/31/77-S/12039);
- (f) Letter dated 20 July 1976 from the Federal Republic of Germany (A/31/155);
- (g) Letter dated 1 September 1976 from Sri Lanka (A/31/197);
- (h) Letter dated 30 September 1976 from Turkey (A/31/237);
- (i) Note verbale dated 4 October 1976 from Ghana (A/31/258);
- (j) Letter dated 19 October 1976 from the Netherlands (A/31/274-S/12217).

5. At its 10th meeting, on 26 October, the Fourth Committee granted a request for hearing relating, inter alia, to the item, submitted by Mr. Romesh Chandra, Secretary-General of the World Peace Council (WPC) (A/C.4/31/6). No representatives of WPC appeared before the Committee.

6. The general debate on the item took place at the 41st to 43rd and 46th to 49th meetings, between 7 and 14 December.

7. At its 41st meeting, on 7 December, on the proposal of the representative of the United Republic of Tanzania and following a statement by the Chairman concerning the related administrative and financial implications, the Fourth Committee decided that the statement made during the meeting by the representative of the United Kingdom of Great Britain and Northern Ireland, in its capacity as administering Power, should be reproduced in extenso in the record of the meeting.

8. At the 46th meeting, on 13 December, the representative of Benin introduced two draft resolutions on the item (A/C.4/31/L.45 and A/C.4/31/L.46), which were finally sponsored by the following Member States:

(a) A/C.4/31/L.45:

Algeria, Benin, Burundi, Chad, Comoros, Congo, Cyprus, Democratic Yemen, Egypt, Ethiopia, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mexico, Mozambique, Niger, Nigeria, Pakistan, Papua New Guinea, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.

(b) A/C.4/31/L.46:

Algeria, Benin, Bulgaria, Burundi, Chad, Comoros, Congo, Cuba, Czechoslovakia, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mongolia, Mozambique, Niger, Nigeria, Pakistan, Papua New Guinea, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.

9. At its 49th meeting, on 14 December, the Fourth Committee adopted draft resolution A/C.4/31/L.45 without objection (see para. 11 below, draft resolution A).

10. At the same meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.46 by a recorded vote of 121 to 1, with 6 abstentions (see para. 11 below, draft resolution B). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Surinam, 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, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Belgium, France, Germany, Federal Republic of, Israel, Malawi, United Kingdom of Great Britain and Northern Ireland.

#### RECOMMENDATIONS OF THE FOURTH COMMITTEE

11. 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),

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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 statement of the representative of the administering Power, 2/

Taking into account the report of the Ad Hoc Group established by the Special Committee at its 1029th meeting, on 1 April 1976, 3/

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and the programme of action for the full implementation of the Declaration, contained in its resolution 2621 (XXV) of 12 October 1970, 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,

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 attempt 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),

Taking note of the declared position of the administering Power that there shall be no independence before majority rule in Zimbabwe, 4/

Reaffirming also its endorsement of the relevant provisions of the Dar es Salaam Declaration on Southern Africa, adopted by the Council of Ministers of the Organization of African Unity at its ninth extraordinary session, held from 7 to 10 April 1975, 5/

Endorsing the relevant provisions of the Political Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976, relating to southern Africa, 6/

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1/ A/31/23 (Parts I-V), chaps. I, II and IV-VI; A/31/23/Add.1, chap. VII; and A/31/23/Add.2, chap. VIII.

2/ A/C.4/31/SR.41, paras. 9-37.

3/ A/31/23/Add.1, chap. VII, annex I.

4/ See A/31/23/Add.2, chap. VIII, annex, para. 44.

5/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 23 (A/10023/Rev.1), chap. IX, annex, para. 99.

6/ A/31/197, annex.

Taking note of the convening of the conference on Zimbabwe at Geneva,

Condemning the illegal racist minority régime for its intensified oppression of the people of Zimbabwe, the arbitrary imprisonment and detention of political leaders and others, the illegal execution of freedom fighters and the continued denial of fundamental human rights, including in particular the wanton beating, torture and murder of innocent villagers, 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 their national liberation movement, to achieve freedom and independence,

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 the 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 people of Zimbabwe and in accordance with their true aspirations;
3. Strongly condemns the illegal racist minority régime for its continued brutal and repressive measures perpetrated against the people of Zimbabwe and in particular the wanton killings of Africans carried out by the régime within and outside Zimbabwe;
4. Further strongly condemns the illegal racist minority régime for its systematic acts of aggression against neighbouring African States;
5. 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 Zimbabwe to accede to independence in accordance with the aspirations of the majority of the population and not under any circumstances to accord to the illegal régime any of the powers or attributes of sovereignty;
6. Commends to the administering Power for appropriate action the relevant sections of the report of the Ad Hoc Group established by 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 1029th meeting, on 1 April 1976; 7/
7. Firmly supports the people of Zimbabwe in their struggle to achieve majority rule;

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7/ A/31/23/Add.1, chap. VII, annex I.

8. Demands:

(a) The termination forthwith of the executions of freedom fighters being carried out by the illegal Smith régime;

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

(c) The discontinuance forthwith of all repressive measures, in particular the brutality committed in the "operational area", the arbitrary closure of African areas, the eviction, transfer and resettlement of Africans and the creation of so-called protected villages and the persecution of Christian missionaries supporting the cause of the liberation of Zimbabwe;

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

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

10. Requests all States, directly and through their action 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, to extend, in consultation and co-operation with the Organization of African Unity, to the people of Zimbabwe and their national liberation movement all the moral, material, political and humanitarian assistance necessary in their struggle for the restoration of their inalienable rights;

11. Invites all Governments, the specialized agencies and other organizations within the United Nations system, the United Nations bodies concerned and non-governmental organizations having a special interest in the field of decolonization, as well as 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;

12. Expresses the hope that the conference on Zimbabwe at Geneva will succeed in establishing the conditions for early independence on the basis of majority rule, in accordance with the relevant resolutions adopted by the United Nations;

13. Requests the Government of the United Kingdom, in keeping with its express readiness to do so, to co-operate with the Special Committee 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-second session;

14. 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-second session.

B

The General Assembly,

Having adopted resolution ... of ... December 1976 on the question of Southern Rhodesia (Zimbabwe),

Strongly deploring the increasing collaboration, in violation of 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 so far against the illegal régime,

Seriously concerned at the continued importation of chrome and nickel into the United States of America from Southern Rhodesia, in violation of the relevant decisions of the Security Council and in disregard of the related resolutions of the General Assembly,

Deeply disturbed at recent reports of 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 and the resultant influx of foreign tourists into the Territory,

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

Reaffirming its conviction that the sanctions will not put an end to the illegal racist minority régime unless they are comprehensive, mandatory and effectively supervised, enforced and complied with, particularly by South Africa,

Noting with appreciation the decision of the Government of Mozambique to close its borders with Southern Rhodesia and to impose sanctions against the illegal racist minority régime in compliance with the relevant decisions of the Security Council, 8/

1. Strongly condemns those Governments, particularly the racist régime of South Africa, for their policies 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 calls upon those Governments to cease forthwith all such collaboration;

2. Condemns all violations of the mandatory sanctions imposed by the Security Council, as well as the continued failure of certain Member States to enforce those sanctions strictly, as being contrary to the obligations assumed by them under Article 2, paragraph 5, and Article 25 of the Charter;

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8/ See S/12004.

3. Condemns the continued importation of chrome and nickel from Southern Rhodesia (Zimbabwe) into the United States of America, and calls upon the Government of the United States to repeal speedily all legislation permitting such importation;

4. Calls upon all Governments which so 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 steps to prevent or discourage the emigration to Southern Rhodesia (Zimbabwe) of any individuals or groups of individuals under their jurisdiction;

(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;

5. Highly commends the action taken by the Government of Mozambique in closing its borders with Southern Rhodesia and imposing total sanctions against the Smith régime, and considers that that action constitutes an important contribution in support of the liberation struggle in Zimbabwe and towards the maximum isolation of the illegal régime;

6. Requests all States, directly and through their action in the specialized agencies and other organizations within the United Nations system of which they are members, and the various programmes within the United Nations system to extend to the Government of Mozambique all forms of financial, technical and material assistance in order to enable it to overcome any economic difficulties in connexion with its application of economic sanctions against the illegal régime;

7. Further requests the Security Council to undertake a periodic review of the question of economic assistance to the Government of Mozambique as well as to the Government of Zambia;

8. Reiterates its conviction that the scope of the sanctions against the illegal régime must be widened to include all the measures envisaged under Article 41 of the Charter and requests the Security Council to consider taking the necessary measures in that regard as a matter of urgency;

9. 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.