



**REPORT  
OF THE  
SECURITY COUNCIL**

---

**16 June 1976 – 15 June 1977**

**GENERAL ASSEMBLY**

**OFFICIAL RECORDS: THIRTY-SECOND SESSION**

**SUPPLEMENT No. 2 (A/32/2)**

**UNITED NATIONS**





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## NOTE

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The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

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## INTRODUCTION

1. The present report<sup>1</sup> is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

2. As in previous years, the report is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations, but as a guide to the activities of the Security Council during the period covered. It should be noted, in this connexion, that once again the present report has been prepared in accordance with the Council's decision in December 1974 to make its report shorter and more concise, without changing its basic structure.

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<sup>1</sup>This is the thirty-second annual report of the Security Council to the General Assembly. These reports are circulated as Supplement No. 2 to the *Official Records* of each regular session of the General Assembly.

3. With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at the 40th plenary meeting of its thirty-first session on 21 October 1976, elected Canada, the Federal Republic of Germany, India, Mauritius and Venezuela as non-permanent members of the Security Council to fill the vacancies resulting from the expiration, on 31 December 1976, of the terms of office of Guyana, Italy, Japan, Sweden and the United Republic of Tanzania.

4. The period covered in the present report is from 16 June 1976 to 15 June 1977. The Council held 85 meetings during that period.

5. One member of the Council is not in a position to agree to the Russian language version of this report for the reasons referred to in the first paragraph of chapter 23 (para. 495) of this report.

## Part I

# QUESTIONS CONSIDERED BY THE SECURITY COUNCIL UNDER ITS RESPONSIBILITY FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

## Chapter I

### QUESTIONS CONCERNING THE MIDDLE EAST

#### A. The situation in the Middle East

##### 1. THE UNITED NATIONS EMERGENCY FORCE (UNEF)

(a) *Extension of the mandate of UNEF until 24 October 1977*

(i) *Report of the Secretary-General dated 18 October 1976*

6. As the mandate of the United Nations Emergency Force (UNEF) was due to expire on 24 October 1976, the Secretary-General submitted a report on 18 October (S/12212) on the activities of the Force for the period from 17 October 1975 to 18 October 1976.

7. In that report, the Secretary-General stated that throughout the period under review the situation in the UNEF area of operations had remained stable and the Force had continued efficiently to discharge its mandate. He noted that since the submission of his last report on 17 October 1975 (S/11849), UNEF had assumed new functions and responsibilities under the terms of the Agreement between Egypt and Israel of 4 September 1975 and the Protocol thereto of 22 September 1975 (S/11818 and Add.1-5) that were far more extensive and complex than those it had assumed previously. Moreover, it was now deployed in an area more than four times the size of the former area of disengagement.

8. The Secretary-General also stated that with regard to the implementation of Security Council resolution 338 (1973), efforts had been made at several levels to promote an early resumption of the negotiations aimed at establishing a just and durable peace in the Middle East, as called for in that resolution, and as described in detail in his report of 18 October to the General Assembly and the Security Council (S/12210).

9. The Secretary-General observed that if there were a continuing lack of progress in efforts to implement Security Council resolution 338 (1973), the situation in the Middle East would inevitably remain unstable in spite of peace-keeping and other arrangements. In conclusion, the Secretary-General, taking into account the relevant factors involved and considering the continued presence of UNEF in the area to be essential, recommended the extension of the mandate for one year.

(ii) *Consideration at the 1964th meeting (22 October 1976)*

10. At its 1964th meeting on 22 October, the Security Council included the following item in its agenda without objection:

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Emergency Force (S/12212)."

11. The President drew attention to a draft resolution (S/12219) which had been drawn up during consultations among the members of the Council, who had agreed that statements on it should be made after the vote. Additionally, the President made the following complementary statement (S/PV.1964) on behalf of the Council regarding the draft resolution: "Under the provisions of operative paragraph 1, subparagraph (c), of this draft resolution, the Security Council would request the Secretary-General to submit at the end of the period—that is, by 24 October 1977—a report on the developments in the situation and the steps taken to implement Security Council resolution 338 (1973). Members of the Security Council have asked me to make it clear that, should developments occur which would lead the Secretary-General to consider it appropriate to report to the Council at an earlier date, they would of course expect him to do so and that he will continue his efforts to assist the early resumption of the negotiations for a comprehensive settlement in the Middle East." The President added that he had been asked by the delegations of China and the Libyan Arab Jamahiriya to say that they would not participate in the vote on the draft resolution and that, as a result, they did not subscribe to the agreed statement which he had just read.

**Decision:** *At the 1964th meeting on 22 October 1976, the draft resolution (S/12219) was adopted by 13 votes to none as resolution 396 (1976). Two members (China and the Libyan Arab Jamahiriya) did not participate in the vote.*

12. Resolution 396 (1976) read as follows:

"The Security Council,

"Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974, 368 (1975) of 17 April, 371 (1975) of 24 July and 378 (1975) of 23 October 1975,

"Having considered the report of the Secretary-General on the United Nations Emergency Force (S/12212),

"Having noted the developments in the situation in the Middle East (S/12210),

"Recalling the Secretary-General's view that any relaxation of the search for a comprehensive settlement covering all aspects of the Middle East problem



could be dangerous and his hope that urgent efforts will be undertaken by all concerned to tackle the Middle East problem in all its aspects, with a view both to maintaining quiet in the region and to arriving at the comprehensive settlement called for by the Security Council in its resolution 338 (1973),

"Noting that the Secretary-General recommends the extension of the mandate of the Force for one year,

"1. *Decides:*

"(a) To call upon all the parties concerned to implement immediately Security Council resolution 338 (1973);

"(b) To renew the mandate of the United Nations Emergency Force for a period of one year, that is, until 24 October 1977;

"(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973);

"2. *Expresses its confidence* that the Force will be maintained with maximum efficiency and economy."

13. Following the vote, the Council heard statements by the representatives of Romania, China, the Union of Soviet Socialist Republics, France, Italy, the United States of America, the Libyan Arab Jamahiriya, Sweden, Guyana, the United Kingdom of Great Britain and Northern Ireland, Japan and Panama.

14. The President, with the consent of the Council, then invited the representative of Saudi Arabia, at his request, to address the Council. The representative of Saudi Arabia made a statement, after which the President, speaking in his capacity as the representative of Pakistan, made a statement.

(b) *Further communications received between 23 October 1976 and 15 June 1977*

15. In a note dated 12 January 1977 (S/12274), the President of the Security Council stated that on 7 January, the Secretary-General had informed him of his intention, if the Security Council so consented, to appoint Major-General Rais Abin Commander of UNEF and that, after consultations with the members of the Council, the President had informed the Secretary-General on 11 January that the Council consented to the proposed appointment and that China and the Libyan Arab Jamahiriya dissociated themselves from the matter.

## 2. THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE (UNDOF)

(a) *Communications received from the parties in July and August 1976*

16. In a letter dated 22 July (S/12151), the representative of the Syrian Arab Republic charged that on 21 June Israeli military forces had twice opened fire at civilians conducting their work in the field. On 28 July, the representative of Israel replied (S/12156) that the charge was untrue.

17. By a note verbale dated 29 July (S/12159), the representative of the Syrian Arab Republic transmitted a letter dated 10 July in which his Government had informed the Commander of the United Nations

Disengagement Observer Force (UNDOF) that on 2 July an Israeli military vehicle had entered the area of separation and opened fire on the Syrian civil police at a check point in the area, injuring one Syrian policeman. In a letter dated 10 August (S/12169), the representative of Israel denied the accusation.

(b) *Extension of the mandate of UNDOF until 31 May 1977*

(i) *Report of the Secretary-General dated 22 November 1976*

18. As the mandate of UNDOF was due to expire on 30 November, the Secretary-General submitted a report on 22 November (S/12235), giving an account of the activities of the Force during the period from 25 May to 22 November 1976. The Secretary-General stated that UNDOF had continued to perform its functions effectively, with the co-operation of the two parties. He further noted that during the period under review the situation in the area had remained quiet and that there had been no incidents of a serious nature.

19. Concerning the implementation of Security Council resolution 338 (1973), the Secretary-General directed the Council's attention to his detailed report of 18 October on the subject (S/12210).

20. The Secretary-General observed that despite existing quiet in the Israel-Syria sector, the situation in the Middle East would remain unstable and potentially dangerous unless real progress were made towards a just and lasting settlement of the problem in all its aspects. The disengagement agreement, he stressed, was not a peace agreement but only a step towards a just and durable peace on the basis of Security Council resolution 338 (1973). It was important, he believed, that renewed efforts be made to resume the negotiating process. Taking into account the factors involved and considering that the continued presence of UNDOF in the area was essential, the Secretary-General recommended that the mandate of UNDOF be extended for a further period of six months until 31 May 1977. He further indicated that the Governments of the Syrian Arab Republic and Israel had expressed their agreement to the proposed extension.

21. In notes verbales dated 22 November (S/12237) and 23 November (S/12238), respectively, the representatives of the Syrian Arab Republic and Israel confirmed the agreement of their Governments to a six-month extension of the mandate of UNDOF.

(ii) *Consideration at the 1975th meeting (30 November 1976)*

22. At its 1975th meeting on 30 November, the Security Council included the following item in its agenda without objection:

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/12235)."

23. The President drew attention to a draft resolution (S/12246) which had been prepared during consultations among the members of the Council.

**Decision:** *At the 1975th meeting on 30 November 1976, the draft resolution (S/12246) was adopted by 12 votes to none as resolution 398 (1976). Three members*

(Benin, China and Libyan Arab Jamahiriya) did not participate in the vote.

24. Resolution 398 (1976) read as follows:

*"The Security Council,*

*"Having considered* the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12235),

*"Having noted* the efforts made to establish a durable and just peace in the Middle East area and the urgent need to continue and intensify such efforts,

*"Expressing concern* over the prevailing state of tension in the area,

*"Decides:*

*"(a) To call upon* the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

*"(b) To renew* the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1977;

*"(c) To request* the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973)."

25. In accordance with the agreement reached in consultations, the President read the following complementary statement (S/12247) regarding the resolution just adopted:

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12235) states in paragraph 32 that 'despite the present quiet in the Israel-Syria sector, there can be no question that the situation in the Middle East will remain unstable and potentially dangerous unless real progress can be made towards a just and lasting settlement of the problem in all its aspects'. This statement of the Secretary-General reflects the view of the Security Council."

26. The President further noted that he had been asked by the delegations of Benin, China and the Libyan Arab Jamahiriya to state that, as they had not participated in the vote on the resolution, they took the same position with regard to the statement read on behalf of the members of the Council.

27. Thereafter, statements were made by the representatives of China, the USSR, the United Kingdom, the United Republic of Tanzania, Guyana, Sweden, Romania, Japan, Italy, France, the Libyan Arab Jamahiriya, Pakistan, the United States and Benin, and by the President, speaking in his capacity as the representative of Panama.

(c) *Extension of the mandate of UNDOF until 30 November 1977*

(i) *Report of the Secretary-General dated 23 May 1977*

28. As the mandate of UNDOF was due to expire on 31 May, the Secretary-General submitted a report on 23 May (S/12333), giving an account of the activities of the Force during the period from 23 November 1976 to 23 May 1977. The Secretary-General observed that UNDOF had continued to perform its functions effectively, with the co-operation of the two parties. He further indicated that during the period under

review the situation in the area had remained quiet and that there had been no incidents of a serious nature.

29. The Secretary-General also stated that renewed efforts aimed at establishing a just and durable peace in the Middle East as called for in Security Council resolution 338 (1973) had been undertaken since the adoption of resolution 398 (1976). At its thirty-first session, the General Assembly had adopted resolution 31/62 of 9 December 1976, calling for the early convening of the Peace Conference on the Middle East. Early in 1977, he had undertaken a visit to the Middle East in that connexion. The results of his contacts with the parties to the conflict and with the Co-Chairmen of the Peace Conference on the Middle East were described in the report that he had submitted to the Security Council on 28 February (S/12290 and Corr.1).

30. The Secretary-General observed that the prevailing quiet in the Israel-Syria sector should not obscure the fact that the main elements of the Middle East problem remained unresolved and that the situation in the area would continue to be unstable and dangerous unless real progress could soon be made towards a just and durable settlement of the problem in all its aspects. He reiterated his belief that unless the opportunity was seized to resume negotiations in a meaningful way as soon as possible, there would be a growing and serious danger that the situation would deteriorate again. Taking into account all the factors involved and considering that the continued presence of UNDOF in the area was essential, the Secretary-General recommended that the Security Council extend the mandate of the Force for a further period of six months until 30 November 1977.

(ii) *Consideration at the 2010th meeting (26 May 1977)*

31. At its 2010th meeting on 26 May, the Security Council included the following item in its agenda without objection:

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/12333)."

32. The Secretary-General made a statement and informed the Council that since the circulation of his report he had been informed by the Government of the Syrian Arab Republic and the Government of Israel of their assent to the extension of the mandate of UNDOF for a further period of six months.

33. The President drew attention to a draft resolution (S/12337) before the Council.

**Decision:** *At the 2010th meeting on 26 May 1977, the draft resolution (S/12337) was adopted by 12 votes to none as resolution 408 (1977). Three members (Benin, China and Libyan Arab Jamahiriya) did not participate in the vote.*

34. The resolution read as follows:

*"The Security Council,*

*"Having considered* the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12333),

*"Having noted* the efforts made to establish a durable and just peace in the Middle East area and the urgent need to continue and intensify such efforts,

"Expressing concern over the prevailing state of tension in the area,

"Decides:

"(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

"(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1977;

"(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973)."

35. The President made the following complementary statement (S/12338) on behalf of the Council regarding resolution 408 (1977):

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12333) stated in paragraph 31 that 'the present quiet in the Israel-Syria sector should not obscure the fact that the main elements of the Middle East problem remain unresolved and that the situation in the area will continue to be unstable and dangerous unless real progress can soon be made towards a just and durable settlement of the problem in all its aspects'. This statement of the Secretary-General reflects the view of the Security Council."

36. The President added that he had been asked by the delegations of Benin, China and the Libyan Arab Jamahiriya to state that, as they had not participated in the vote on the resolution, they took the same position with regard to the statement read on behalf of the members of the Council.

37. Thereafter, statements were made by the representatives of China, Romania, the Libyan Arab Jamahiriya, the United States, Canada, the USSR, Pakistan, India, the Federal Republic of Germany, France, the United Kingdom, Mauritius, Panama and Venezuela, and by the President, speaking in his capacity as the representative of Benin.

### 3. REPORTS OF THE UNITED NATIONS TRUCE SUPERVISION ORGANIZATION ON THE SITUATION IN THE ISRAEL-LEBANON SECTOR

38. During the period under review, the situation in the Israel-Lebanon sector continued to be the subject of periodic reports on the status of the cease-fire in the sector submitted by the Chief of Staff of UNTSO and transmitted to the Security Council by the Secretary-General. From 16 June 1976 to 15 June 1977, the Chief of Staff issued monthly reports, assessing the frequency of incidents in the sector, the number of incidents of firing across or of crossings of the armistice demarcation line as reported by UNTSO observation posts, the frequency of jet flights over Lebanese territory, the complaints submitted by the parties and the results of UNTSO investigations. Those reports were issued as addenda 28 to 39 to document S/11663.

39. The Chief of Staff reported that Israeli forces personnel had continued to occupy daily, during daylight hours, five positions on the Lebanese side of the armistice demarcation line in June and July 1976 and six positions in the period between August 1976 and June 1977.

40. In the months of June and July 1976, according to the reports (S/11663/Add.28 and 29), ground

activity had remained at a low level, with 16 cases of firing across the armistice demarcation line, 3 crossing violations and 39 reported overflights by Israeli jets in June (S/11663/Add.28). During July, there had been few cases of firing across the armistice demarcation line, and air activity had decreased to 23 overflights. In June and July, Lebanon had submitted seven complaints of these aerial and ground violations by Israel, which had been the subject of UNTSO inquiries. During the months of August and September, the reports (S/11663/Add.30 and 31) indicated that activity had remained at a low level, with 11 cases of firing across the armistice demarcation line and 7 crossing violations. There had been also 22 overflights in August and 23 overflights in September.

41. In reports covering the months of October and November (S/11663/Add.32 and 33), the Chief of Staff indicated that activity in the sector had increased generally. There had been 34 cases of firing across the armistice demarcation line, 9 crossing violations and 60 reported overflights by Israeli aircraft and unidentified planes.

42. Reports on developments in December, January, February and March (S/11663/Add.34-37) indicated that ground and air activity had initially decreased and remained essentially at the same level. During that four-month period, the incidents had involved only a few cases of firing across the armistice demarcation line and fewer crossing violations and overflights. However, significant ground activity had occurred on 16 January in the vicinity of the village of Bent Jbail (S/11663/Add.35).

43. In the report dated 2 May (S/11663/Add.38), it was indicated that in April ground activity had increased significantly in the north-eastern part of the sector but air activity had decreased. The Chief of Staff reported 31 cases of firing across the armistice demarcation line, 2 crossing violations and 5 overflights by Israeli jet aircraft.

44. According to the report submitted on 1 June 1977 (S/11663/Add.39), ground and air activity in May had been at a low level, with 3 cases of firing across the armistice demarcation line, 3 crossing violations and 3 reported overflights.

### 4. REPORT OF THE SECRETARY-GENERAL SUBMITTED PURSUANT TO GENERAL ASSEMBLY RESOLUTION 31/62 CONCERNING THE PEACE CONFERENCE ON THE MIDDLE EAST

#### (a) Report of the Secretary-General

45. By a letter dated 7 January 1977 (S/12272), the Secretary-General transmitted to the Security Council the text of resolution 31/62, entitled "Peace Conference on the Middle East", adopted by the General Assembly on 9 December 1976, in which the Council was requested to convene in order to consider the situation in the area in the light of a report which the Secretary-General was requested to submit to it under that resolution.

46. In pursuance of General Assembly resolution 31/62, the Secretary-General submitted a report (S/12290 and Corr.1) to the Security Council on 28 February on the results of his contacts with all the parties to the conflict and the Co-Chairmen of the Peace Conference on the Middle East. After consultations in New York in December and January with all the parties concerned, the Secretary-General had

visited Egypt, the Syrian Arab Republic, Saudi Arabia, Lebanon, Jordan, and Israel between 31 January and 12 February, where he had met with leaders involved in the Middle East problem. He had also met in Damascus with the Chairman of the Palestine Liberation Organization (PLO). All the parties had expressed their desire for an early resumption of the negotiating process through the convening of the Peace Conference, but the problem was to find agreement on the conditions under which the Conference could be convened. The Secretary-General observed that it would be necessary, first, to make a determined effort to overcome the lack of confidence and the mutual distrust and fears of all the parties as to the consequences of making compromises and concessions. Diplomatic efforts were under way which might contribute to such changes, and it was vital that the prevailing spirit of moderation and realism be caught before it evaporated and that the parties be assisted to channel that spirit into the arduous process of negotiation.

47. By a letter dated 23 March (S/12306), the representative of Egypt requested that a meeting of the Council be held to discuss the situation in the Middle East in the light of the report of the Secretary-General.

(b) *Consideration at the 1993rd, 1995th and 1997th meetings (25, 28 and 29 March 1977)*

48. At the 1993rd meeting on 25 March, the Security Council included the following item in its agenda without objection:

"The situation in the Middle East:

"Report of the Secretary-General submitted under General Assembly resolution 31/62 concerning the Peace Conference on the Middle East (S/12290 and Corr.1)."

49. The President, with the consent of the Council, invited the representatives of Egypt, Israel, Jordan and the Syrian Arab Republic, at their request, to participate in the discussion without the right to vote.

50. The President informed the Council that he had received a letter from the representative of Egypt requesting the participation of PLO in the debate, in accordance with the previous decisions of the Council in that regard. He understood that the proposal had not been put forward under rule 37 or rule 39 of the provisional rules of procedure of the Security Council, but that if approved by the Council, the invitation would confer on PLO the same rights as were conferred when a Member State was invited to participate under rule 37.

51. The President, speaking as the representative of the United States, made a statement regarding that proposal, which he then put to a vote.

**Decision:** *At its 1993rd meeting on 25 March 1977, the Security Council adopted the proposal by 10 votes to 1 (United States of America), with 4 abstentions (Canada, France, Germany, Federal Republic of, and United Kingdom of Great Britain and Northern Ireland).*

52. Accordingly, the President invited the representative of PLO to participate in the discussion.

53. The Secretary-General introduced his report to the Council. The Council began its discussion of the item with statements by the representatives of Egypt and Jordan.

54. At the 1995th meeting, on 28 March, the President, with the consent of the Council, invited the repre-

sentative of Yemen, at his request, to participate in the discussion.

55. The Council heard statements by the representatives of Israel, the Syrian Arab Republic, Romania, Canada and the USSR, as well as by the representative of PLO. Further statements in exercise of the right of reply were made by the representatives of Egypt and Jordan.

56. At the 1997th meeting on 29 March, the President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the discussion.

57. The Council continued its discussion with statements by the representatives of Pakistan, India, France, the Federal Republic of Germany, the United Kingdom, Yemen and Saudi Arabia, and by the President, speaking in his capacity as the representative of the United States. The representative of Israel, the Syrian Arab Republic and Saudi Arabia, as well as the representative of PLO, spoke in exercise of the right of reply. A statement was then made by the representative of the Libyan Arab Jamahiriya.

(c) *Other communications relating to the situation in the Middle East*

58. By a note dated 21 July 1976 (S/12146), the Secretary-General transmitted to the Security Council the text of resolution 2 (XXXII), entitled "Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East", which had been adopted on 13 February by the Commission on Human Rights.

59. In a letter dated 23 August (S/12186), the representative of Israel charged that a criminal attack had been carried out on 11 August against passengers of an El Al Israel Airlines plane in the Istanbul international airport. Four passengers had been killed and 21 injured. The organization called the Popular Front for the Liberation of Palestine had claimed credit for that act, but, the representative of Israel charged, the guiding force behind the attack was Libya, which according to news reports had armed and financed the two terrorists.

60. In a letter dated 31 August (S/12191), the representative of the Libyan Arab Jamahiriya rejected the above charges and recalled that his Government had declared that it did not approve of hijacking and denounced it as an act that jeopardized innocent human lives. The attempt to slander his country was designed to create a climate of anarchy and cover up the terrorism exercised by Zionism against the Arab people of Palestine.

61. By a letter dated 7 October (S/12208), the representative of the USSR transmitted the text of a proposal by his Government concerning a settlement in the Middle East and the Geneva Peace Conference. The Soviet Union again appealed to all the parties directly involved in the Middle East conflict and to all the participants in the Geneva Peace Conference to resume the work of the Conference, and indicated its readiness to take part in the work of the Conference in October-November 1976. It set out a proposal for a four-point agenda of the Conference, which, in its opinion, covered all the key aspects of a settlement. It also reiterated the view that the Conference should be conducted in two phases, with PLO participating from the beginning with equal status.

62. On 18 October, the Secretary-General submitted a report (S/12210) in conformity with the General Assembly's request in resolution 3414 (XXX) of 5 December 1975 on the situation in the Middle East that he report to the Security Council on the implementation of that resolution. After setting out the action that he had taken in December 1975 following the adoption of the resolution, the consideration by the Security Council of relevant issues between January and June 1976, the views expressed by the Co-Chairmen of the Peace Conference on the Middle East, the exploratory mission to the Middle East of his Personal Representative in February and March, followed by meetings with senior Soviet officials in Moscow on 10 March and senior American officials in Washington on 26 March, and the replies by all parties concerned to identical aide-mémoires handed to them on 1 April, the Secretary-General stated that it seemed clear from those replies that, while there generally was agreement on the necessity of resuming negotiations for a just and lasting settlement of the Middle East problem, there were still important differences of view among the parties concerned. The Secretary-General stated that he would continue his efforts towards the resumption of the negotiating process.

63. In a letter dated 18 October (S/12213), the representative of Kuwait, as Chairman of the Arab Group for October, charged that there had been an escalation of Israeli acts of piracy against Arab civilians on the high seas. Numerous such acts had been reported in the mass media. He cited a recent incident involving the passenger ship *Niyazi*, en route from Lebanon to Cyprus, which had been hijacked to the port of Haifa and detained for 30 hours, while some of its passengers had been maltreated.

64. By a letter dated 7 January 1977 (S/12271), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 31/61 of 9 December 1976, entitled "The situation in the Middle East", and drew attention in particular to paragraph 6, in which the General Assembly had requested the Security Council to take effective measures, within an appropriate time-table, for the implementation of all relevant resolutions of the Council and the Assembly on the Middle East and Palestine.

## **B. The question of the exercise by the Palestinian people of its inalienable rights**

### **1. CONSIDERATION AT THE 1928TH AND 1933RD TO 1938TH MEETINGS (18 AND 24-29 JUNE 1976)**

65. At its 1928th meeting on 18 June, the Security Council continued its consideration of the agenda item entitled:

"The question of the exercise by the Palestinian people of its inalienable rights:

"Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)."<sup>2</sup>

66. The President, with the consent of the Council, invited the representatives of the German Democratic Republic, Hungary, India, Saudi Arabia and Yugoslavia, at their request, to participate in the discussion without the right to vote.

<sup>2</sup> See the report of the Security Council, 16 June 1975-15 June 1976, *Official Records of the General Assembly, Thirty-first Session, Supplement No. 2 (A/31/2)*, chap. 1, sect. C.

67. The Council continued its debate with statements by the representatives of the United Arab Emirates, Egypt, Yugoslavia, the German Democratic Republic, India and Saudi Arabia.

68. At the 1933rd meeting on 24 June, the President, with the consent of the Council, invited the representatives of Afghanistan, Bahrain, Democratic Yemen, the Lao People's Democratic Republic, Mauritania and Morocco, at their request, to participate in the discussion. The Council continued its debate with statements by the representatives of Jordan, Turkey, Bahrain, Hungary and Afghanistan. Also, the President drew attention to a letter dated 24 June (S/12113) from the representative of the Libyan Arab Jamahiriya, requesting that Mr. Amin Hilmy, Permanent Observer of the League of Arab States, be invited to participate in the discussion. The Council decided without objection, to extend an invitation to Mr. Hilmy under rule 39 of the provisional rules of procedure.

69. At the 1934th meeting on 25 June, the President, with the consent of the Council, invited the representatives of Algeria, Indonesia, Oman and Tunisia, at their request, to participate in the discussion. Statements were made by the representatives of the United Kingdom, Pakistan, France, Tunisia, Indonesia and the USSR. The Council also heard a statement by Mr. Hilmy, in conformity with the decision taken at the 1933rd meeting. The representative of the United Kingdom and the USSR spoke in exercise of the right of reply.

70. At the 1935th meeting on 28 June, the President, with the consent of the Council, invited the representatives of Bulgaria, Guinea and Somalia, at their request, to participate in the discussion. The Council heard statements by the representatives of Benin, the USSR, Guinea, Italy, the Lao People's Republic, Sweden and Bulgaria.

71. At the 1936th meeting, also on 28 June, the President, with the consent of the Council, invited the representatives of Cyprus, Iraq and Poland, at their request, to participate in the discussion. The Council continued its discussion with statements by the representatives of Panama, Mauritania, China, Japan, Algeria, Oman and Poland.

72. At the 1937th meeting on 29 June, the President with the consent of the Council, invited the representative of Czechoslovakia, at his request, to participate in the discussion. The Council continued its debate with statements by the representatives of Romania, the Syrian Arab Republic, Democratic Yemen, Somalia, Iraq and Czechoslovakia.

73. At the 1938th meeting on 29 June, the President, with the consent of the Council, invited the representative of Qatar, at his request, to participate in the discussion. The Council heard a statement by the representative of the Libyan Arab Jamahiriya. At the same meeting, the representative of the United Republic of Tanzania introduced a draft resolution (S/12119) sponsored by Guyana, Pakistan, Panama and the United Republic of Tanzania which read as follows:

*"The Security Council,*

*"Having considered the item entitled 'The question of the exercise by the Palestinian people of its inalienable rights', in accordance with the request contained in paragraph 8 of General Assembly resolution 3376 (XXX) of 10 November 1975,*

"Having heard the representatives of the parties concerned, including the Palestine Liberation Organization, representative of the Palestinian people,

"Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/12090), transmitted to the Security Council in accordance with the provisions of paragraph 7 of General Assembly resolution 3376 (XXX),

"Deeply concerned that no just solution to the problem of Palestine has been achieved and that this problem therefore continues to aggravate the Arab-Israeli conflict, of which it is the core, and to endanger international peace and security,

"Recognizing that a just and lasting peace in the Middle East cannot be established without the achievement, *inter alia*, of a just solution of the problem of Palestine on the basis of the recognition of the inalienable rights of the Palestinian people,

"1. Takes note of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;

"2. Affirms the inalienable rights of the Palestinian people to self-determination, including the right of return and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations."

Thereafter, statements were made by the representatives of Qatar, Cyprus, the United States, by the President, speaking as the representative of Guyana, and by the representatives of the USSR and Japan, as well as by the representative of PLO.

**Decision:** *At the 1938th meeting on 29 June 1976, the four-Power draft resolution (S/12119) received 10 votes in favour and 1 against (United States of America), with 4 abstentions (France, Italy, Sweden and United Kingdom of Great Britain and Northern Ireland) and was not adopted, owing to the negative vote of a permanent member of the Council.*

74. Following the vote, statements were made by the representatives of the United Kingdom, France, Italy, China, the USSR, Sweden, the Libyan Arab Jamahiriya and Saudi Arabia. The President made concluding remarks.

## 2. SUBSEQUENT COMMUNICATIONS TO THE COUNCIL

75. In a letter dated 2 July (S/12127), the representative of Chile complained that, in a statement made at the 1938th meeting of the Security Council on 29 June, the representative of the USSR had misrepresented the policy of the Government of Chile.

76. In a letter dated 7 July (S/12130), the representative of the USSR rejected the charges made by the representative of Chile.

77. By a letter dated 21 December (S/12259), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 31/20 of 24 November 1976, entitled "Question of Palestine", and drew attention in particular to paragraph 4, in which the Assembly had urged the Council to consider once again as soon as possible the recommendations contained in the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, so as to achieve early progress towards a solution of the

problem of Palestine and the establishment of a just and lasting peace in the Middle East.

78. In a letter dated 8 June 1977 (S/12345) addressed to the President of the Security Council, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People referred to paragraph 4 of General Assembly resolution 31/20 and expressed the Committee's strong belief that delay in action by the Council would be prejudicial to progress then being made and that the Council should endeavour urgently to promote a positive approach which would lead tangibly towards the solution of the problem.

## C. The situation in the occupied Arab territories

### 1. COMMUNICATIONS TO THE COUNCIL REQUESTING A MEETING

79. In a letter dated 20 October 1976 (S/12218), the representative of Egypt requested a meeting of the Council to consider the dangerous and explosive situation in the occupied Arab territories resulting from continuing repressive measures by Israel against the inhabitants of those territories. He charged that curfews were still imposed by the Israeli authorities on several Palestinian towns in the West Bank, that many people in the West Bank and Gaza had been arbitrarily arrested or severely beaten and that the Israeli authorities had condoned acts of desecration to the Holy Places in Al-Khalil by extremist Israeli elements.

80. In a further letter dated 20 October (S/12220), the representative of Egypt requested the participation of PLO in the debate.

### 2. CONSIDERATION AT THE 1966TH TO 1969TH MEETINGS (1, 4, 9 AND 11 NOVEMBER 1976)

81. At its 1966th meeting on 1 November, the Security Council included the following item in its agenda without objection:

"The situation in the occupied Arab territories:

"Letter dated 20 October 1976 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/12218)."

82. The President, with the consent of the Council, invited the representatives of Egypt, Israel, Jordan and the Syrian Arab Republic, at their request, to participate in the discussion without the right to vote.

83. The President also drew attention to the request of the representative of Egypt that PLO be invited to participate in the debate on the item. He added that the invitation was not being proposed under rule 37 or rule 39 of the provisional rules of procedure, but, if approved by the Council, it would confer on PLO the same rights of participation as were conferred on a Member State when it was invited to participate in the debate under rule 37.

84. The representative of the United States made a statement concerning the proposal.

**Decision:** *At its 1966th meeting on 1 November 1976, the Security Council adopted the proposal by 11 votes to 1 (United States of America), with 3 abstentions (France, Italy and the United Kingdom of Great Britain and Northern Ireland).*

85. Following the vote, statements were made by the representatives of Sweden and the USSR.

86. In accordance with the Council's decision, the representative of PLO was invited to participate in the debate.

87. The Council then began its consideration of the item and heard statements by the representatives of Egypt, Jordan and the Syrian Arab Republic, as well as by the representative of PLO.

88. At the 1967th meeting on 4 November, the President, with the consent of the Council, invited the representatives of Bangladesh, Mauritania and Saudi Arabia, at their request, to participate in the debate without the right to vote.

89. The Council continued its discussion of the item and heard statements by the representatives of Israel, the USSR, Mauritania, Bangladesh, the United Republic of Tanzania, Egypt and Saudi Arabia. The representatives of Jordan and the Syrian Arab Republic and the representative of PLO spoke in exercise of the right of reply.

90. At the 1968th meeting on 9 November, the President, with the consent of the Council, invited the representatives of Indonesia, Morocco and Nigeria, at their request, to participate in the discussion without the right to vote.

91. Discussion was continued with statements by the representatives of the USSR, Morocco, Indonesia and Nigeria.

92. At the 1969th meeting on 11 November, the Council concluded its debate on the item with statements by the representatives of China, Pakistan, Romania and Guyana.

93. At the same meeting, the President stated that as a result of consultations he had held with all members of the Council, he had been authorized to make the following statement on behalf of the Council:

"Following the request submitted by Egypt on 20 October 1976, the Security Council held four meetings between 1 and 11 November 1976 to consider the situation in the occupied Arab territories, with the participation of the representative of the Palestine Liberation Organization. After consulting all the members, the President of the Council states that the Council has agreed on the following:

"1. To express its grave anxiety and concern over the present serious situation in the occupied Arab territories as a result of continued Israeli occupation;

"2. To reaffirm its call upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the territories and to facilitate the return to those inhabitants who have fled the areas since the outbreak of hostilities;

"3. To reaffirm that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. Therefore, the occupying Power is called upon once again to comply strictly with the provisions of that Convention and to refrain from any measure that violates them. In this regard, the measures taken by Israel in the occupied Arab territories that alter their demographic composition or geographical nature and particularly the establish-

ment of settlements are accordingly strongly deplored. Such measures which have no legal validity and cannot prejudice the outcome of the search for the establishment of peace constitute an obstacle to peace;

"4. To consider once more that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon and the transfer of populations which tend to change the legal status of Jerusalem, are invalid and cannot change that status, and urgently to call upon Israel once more to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem. In this connexion the Council deplores the failure of Israel to show any regard for Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971 and General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967;

"5. To recognize that any act of profanation of the Holy Places, religious buildings and sites or any encouragement of, or connivance at, any such act may seriously endanger international peace and security.

"The Council decides to keep the situation under constant attention with a view to meeting again should circumstances require."

94. Following the statement by the President, statements were made by the representatives of the United States, Japan, Egypt, Israel and Jordan. The representative of the USSR spoke in exercise of the right of reply.

### 3. SUBSEQUENT COMMUNICATIONS TO THE COUNCIL

95. In letters dated 1 and 3 November (S/12223 and S/12224), the representative of Israel referred to information that had been submitted by the Islamic Conference and circulated as annex II of a report to the General Assembly by the Secretary-General. He stated that in so far as it related to the situation at the Ibrahimi Mosque in Hebron, the information totally disregarded almost 4,000 years of Jewish connexions with the city of Hebron and its policy of guaranteeing access to the Holy Places by members of all faiths. He further stated that the plot of land containing the tomb of the Patriarchs and held holy by Jews throughout the ages as the Cave of Machpelah had been purchased by the Hebrew patriarch Abraham almost 4,000 years ago, as had been recorded in the Bible (Genesis 23:2-20).

96. By a letter dated 20 December (S/12261), the representative of Democratic Yemen, in his capacity as Chairman of the Arab Group for the month of December, requested the circulation of a letter from the Permanent Observer of PLO. In his letter, the representative of PLO stated that, since 6 December, Palestinian civilians under occupation had been subjected to barbarous treatment by the occupation troops, especially in Jerusalem, Ramallah, Jericho, Kalandya and Nablus, where curfew had been imposed.

97. By a letter dated 17 February (S/12287), the representative of Egypt transmitted a statement issued on 16 February by the Deputy Prime Minister and Minister for Foreign Affairs of Egypt. The statement charged that in spite of the Council's decision of 11 November 1976, a belt of settlements was being established by Israel in the north-eastern part of the Sinai,

as a result of which 1,500 Arab families had been evicted from their homes.

98. In a letter dated 28 March (S/12308), the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestine People informed the President of the Security Council that at an informal meeting held by the Committee, the representative of PLO had set forth the position taken by the Palestine National Council at its recent meeting concerning the recommendations contained in the report submitted by the Committee to the thirty-first session of the General Assembly (A/31/35).<sup>3</sup>

<sup>3</sup> Official Records of the General Assembly, Thirty-first Session, Supplement No. 35.

99. By a letter dated 23 May (S/12332), the representative of the Libyan Arab Jamahiriya transmitted a letter dated 19 May from the Permanent Observer of PLO, in which he charged that on 3 May Israeli military occupation forces on the West Bank had opened fire on Palestinians, killing a 55-year-old woman and a 15-year-old boy, who had been denied religious burial by the Israeli forces. Israeli authorities had declared extensive territory in the areas of Jenin and Qabatya to be "closed", and farmers had been prevented from tilling their lands. There had been widespread reaction in the Palestinian towns of Nablus, Ramallah and Jenin, a general strike had been declared in protest of the practices of the occupying force and approximately 70 Palestinians had been detained.

## Chapter 2

### QUESTIONS RELATING TO SOUTHERN AFRICA

#### A. Situation in South Africa: killings and violence by the *apartheid* régime in South Africa in Soweto and other areas

##### 1. COMMUNICATIONS TO THE SECURITY COUNCIL AND REQUESTS FOR A MEETING

100. In a letter dated 18 June 1976 (S/12100) addressed to the President of the Security Council on behalf of the African Group, the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania requested an emergency meeting of the Security Council to consider the measures of repression, including wanton killings, perpetrated by the *apartheid* régime in South Africa against the African people in Soweto and other areas in South Africa.

101. In a telegram dated 18 June (S/12101) addressed to the Secretary-General, the President of Madagascar stated that the outburst of violence in Soweto and several other places in South Africa was the logical and inevitable consequence of the legal violence inflicted for decades by the white minority on the black majority of that country. He urged that the Security Council be convened as a matter of urgency and that the Council call upon all nations, particularly the developed countries, to implement the relevant resolutions of the General Assembly and the Security Council.

##### 2. CONSIDERATION AT THE 1929TH AND 1930TH MEETINGS (18-19 JUNE 1976)

102. At its 1929th meeting on 18 June 1976, the Security Council adopted the following agenda without objection:

"Situation in South Africa: killings and violence by the *apartheid* régime in South Africa in Soweto and other areas:

"(a) Letter dated 18 June 1976 from the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania addressed to the President of the Security Council (S/12100);

"(b) Telegram dated 18 June 1976 from the President of the Democratic Republic of

Madagascar addressed to the Secretary-General (A/12101)."

103. The Council considered the item at two meetings, held on 18 and 19 June 1976.

104. In the course of the discussion at the 1929th meeting, the President, with the consent of the Council, invited the representatives of Algeria, Cuba, India, Liberia, Madagascar, South Africa, the United Republic of Cameroon, Yugoslavia and Zambia, at their request, to participate in the discussion without the right to vote.

105. The President informed the Council of a letter dated 18 June (S/12102) from the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania requesting that invitations, under rule 39 of the provisional rules of procedure, be extended to Mr. Thami Mhlambiso of the African Congress of South Africa and Mr. David Sibeko of the Pan Africanist Congress of Azania. In the absence of objection, the Council decided to extend invitations under rule 39 to Mr. Mhlambiso and Mr. Sibeko.

106. The Council then heard statements by the representatives of Liberia (on behalf of the African Group), Algeria, the United Republic of Tanzania, Benin, China and the Union of Soviet Socialist Republics. The Council also heard statements by Mr. Mhlambiso and Mr. Sibeko, in accordance with its earlier decision.

107. At the same meeting, the President informed the Council of a request dated 18 June from the Rapporteur of the Special Committee against *Apartheid* to address the Council on the item. In accordance with previous practice, the President proposed that the Council extend an invitation, under rule 39 of the provisional rules of procedure, to the Rapporteur of the Special Committee against *Apartheid*. In the absence of objection, it was so decided.

108. The Rapporteur of the Special Committee against *Apartheid* then made a statement.

109. The Security Council continued its consideration of the item at its 1930th meeting on 19 June, hearing statements by the representatives of Madagascar, Cuba, Yugoslavia, Pakistan, Romania, Sweden, Zambia, India, Panama, the United States of America, the Libyan Arab Jamahiriya, the United Republic of



Cameroon, the United Republic of Tanzania and South Africa.

110. In the course of his statement, the representative of the United Republic of Tanzania introduced a draft resolution (S/12103) sponsored by Benin, Guyana, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania, Sweden and the United Republic of Tanzania.

111. Further statements were then made by the representatives of the United Republic of Tanzania, Benin and Liberia, as well as by Mr. Sibeko and Mr. Mhlambiso.

112. The discussion was concluded with a statement by the President of the Council, speaking in his capacity as the representative of Guyana.

113. The representative of Italy moved that the Council adopt the eight-Power draft resolution (S/12103) by consensus. The representative of Benin concurred.

114. The President announced that inasmuch as the draft resolution contained in document S/12103 had unanimous support in the Council, there appeared to be no need to vote upon it formally.

**Decision:** *At the 1930th meeting, on 19 June 1976, the eight-Power draft resolution (S/12103) was adopted unanimously, by consensus, as resolution 392 (1976).*

115. Resolution 392 (1976) read as follows:

*"The Security Council,*

*"Having considered the letter of the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania, on behalf of the African Group at the United Nations, concerning the measures of repression, including wanton killings, perpetrated by the apartheid régime in South Africa against the African people in Soweto and other areas in South Africa (S/12100),*

*"Having considered also the telegram from the President of the Democratic Republic of Madagascar to the Secretary-General (S/12101),*

*"Deeply shocked over large-scale killings and wounding of Africans in South Africa, following the callous shooting of African people including schoolchildren and students demonstrating against racial discrimination on 16 June 1976,*

*"Convinced that this situation has been brought about by the continued imposition by the South African Government of apartheid and racial discrimination, in defiance of the resolutions of the Security Council and the General Assembly,*

*"1. Strongly condemns the South African Government for its resort to massive violence against and killings of the African people including schoolchildren and students and others opposing racial discrimination;*

*"2. Expresses its profound sympathy to the victims of this violence;*

*"3. Reaffirms that the policy of apartheid is a crime against the conscience and dignity of mankind and seriously disturbs international peace and security;*

*"4. Recognizes the legitimacy of the struggle of the South African people for the elimination of apartheid and racial discrimination;*

*"5. Calls upon the South African Government urgently to end violence against the African people and to take urgent steps to eliminate apartheid and racial discrimination;*

*"6. Decides to remain seized of the matter."*

116. Following adoption of the resolution, statements were made by the representatives of the United States, the United Kingdom of Great Britain and Northern Ireland, Japan, Italy and France.

117. The President of the Council made a statement.

### 3. SUBSEQUENT COMMUNICATIONS TO THE SECURITY COUNCIL

118. By a letter dated 24 June (S/12117), the representative of the USSR transmitted to the Secretary-General a TASS statement dated 23 June concerning mob attacks on the African population by the South African racists. In that statement it was pointed out that the Soviet Union had decisively and consistently condemned the criminal policy of apartheid and called for effective measures aimed at isolation and boycott of the South African régime and for the implementation of the decisions adopted by the United Nations, OAU and other international organizations calling for the liquidation of apartheid and any form of racial discrimination and for giving the African majority the right to live in peace and freedom.

119. By a letter dated 29 June (S/12120), the representative of China transmitted to the Secretary-General a statement issued by the spokesman of the Ministry of Foreign Affairs of his Government on 28 June, strongly condemning the reactionary South African authorities for their crime of bloody suppression of the people of Azania and stating that the naked neo-fascist atrocity on the part of the reactionary Vorster authorities had completely laid bare their counter-revolutionary dual tactics. The Chinese Government and people, who had always firmly supported the Azanian and other southern African peoples in their just struggle against the white racist régimes, expressed their utmost indignation at and strongly condemned the new crime committed by the reactionary South African authorities against the Azanian people.

120. In a letter dated 25 June (S/12121), the representative of Brazil informed the Secretary-General of his Government's firm endorsement of Security Council resolution 392 (1976) and stated that the Brazilian conscience had been deeply shocked by the incidents in South Africa in which so many victims of apartheid had lost their lives.

121. The Special Committee against Apartheid adopted a special report on 3 August (S/12150/Add.1) entitled "The Soweto massacre and its aftermath". According to the report, the uprising in South Africa against apartheid and racial discrimination that began on 16 June and the brutal massacres perpetrated by the South African régime against African schoolchildren and others represented a new stage in the struggle of the South African people for freedom and an inescapable challenge to the international community. Those events had clearly shown that there could be no solution to the grave situation in South Africa without the replacement of the minority racist régime by a Government based on the principle of equality and the exercise of the right of self-determination by all the

people of South Africa. The Special Committee recommended that the Security Council again consider the situation in South Africa in the light of the defiance by the South African racist régime of the relevant resolutions of the Council, in particular resolution 392 (1976), and its continued aggravation of the situation by massive repression. The Special Committee further recommended that the Security Council declare that the rapidly worsening situation in South Africa resulting from the policies of *apartheid* of the Pretoria régime was a grave threat to international peace and security, and that the Council take early action under Chapter VII of the Charter of the United Nations.

122. In a letter dated 9 August (S/12165), the representative of Madagascar called attention to the alarming situation prevailing in South Africa following the serious incidents which had taken place on 4 August and the succeeding days at Soweto, where the police of the racist South African régime had opposed by force the peaceful marches organized by unarmed African students to protest in front of police headquarters in Johannesburg against the continued detention of their comrades arrested during the events of June 1976. During the latest incidents, at least 8 demonstrators had been killed and 41 injured. With his letter, the representative of Madagascar transmitted two communications dated 4 August, one from Mr. David Sibeko of the Pan Africanist Congress expressing grave fear of further massacres of innocent Africans and other peaceful demonstrators by the South African police, and the second a telegram containing initial news reports from Soweto on the recent incidents.

#### **B. Reports and communications concerning the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of South Africa**

123. By a note dated 25 October 1976 (S/12150), the Secretary-General informed the Security Council that the Chairman of the Special Committee against *Apartheid* had addressed a letter to him on 7 October, transmitting the annual report adopted unanimously by the Special Committee on 5 October, which was submitted to the General Assembly and the Security Council in accordance with the relevant provisions of General Assembly resolutions 2671 (XXV) of 8 December 1970 and 3411 A to G (XXX) of 28 November and 10 December 1975 (the report was circulated as *Official Records of the General Assembly, Thirty-first Session, Supplement No. 22 (A/31/22)*).

124. Three special reports were also adopted by the Special Committee against *Apartheid* and submitted to the Security Council and the General Assembly. The first, adopted on 3 August, was entitled "The Soweto massacre and its aftermath" (see sect. A above) and was circulated as document S/12150/Add.1. The second special report, adopted on 8 September, was entitled "Relations between Israel and South Africa" and was circulated as document S/12150/Add.2. The third special report, adopted on 5 October, was entitled "Information activity against *apartheid* by the United Nations and the specialized agencies" and was circulated as document S/12150/Add.3. (The three reports may be found in *Official Records of the General Assembly, Thirty-first Session, Supplement No. 22A (A/31/22/Add.1-3)*.)

125. By a letter dated 16 November (S/12232), the Secretary-General transmitted to the Security Council

the text of resolutions 31/6 A to K on the policies of *apartheid* of the Government of South Africa, adopted by the General Assembly on 26 October and 9 November. The Secretary-General drew particular attention to paragraphs 1 and 2 of resolution 31/6 D, by which the General Assembly once again requested the Security Council to take urgent action, under Chapter VII of the Charter, to ensure the complete cessation by all States of the supply of arms or military equipment to South Africa. The resolution requested the Council to call upon all Governments to take specific steps to implement fully the arms embargo against South Africa, to refrain from importing any military supplies manufactured by South Africa, to terminate any existing military arrangements and refrain from planning any such new arrangements with South Africa, and to prohibit any delivery to South Africa of any equipment, fissionable material or technology that would enable the South African régime to acquire nuclear-weapon capability. He also drew the Council's attention to the provision of resolution 31/6 K, in which the General Assembly urged the Security Council to consider steps to achieve the cessation of further foreign investments in South Africa.

#### **C. Complaint by Zambia against South Africa**

##### **1. COMMUNICATIONS TO THE SECURITY COUNCIL AND REQUEST FOR A MEETING**

126. In a letter dated 19 July 1976 (S/12147) addressed to the President of the Security Council, the representative of Zambia requested an urgent meeting of the Council to consider racist South Africa's repeated acts of aggression against Zambia, the latest of which had taken place on 11 July at Sialola village in the Western Province. As a result of that attack, 24 people had been killed and 45 seriously injured.

127. In a letter dated 27 July (S/12152), the representative of Zaire stated that the President and people of Zaire firmly supported the Zambian complaint against South Africa.

##### **2. CONSIDERATION AT THE 1944TH TO 1948TH MEETINGS (27-30 JULY 1976)**

128. At its 1944th meeting on 27 July 1976, the Security Council adopted the following agenda without objection:

"Complaint by Zambia against South Africa:

"Letter dated 19 July 1976 from the Chargé d'affaires, *a.i.*, of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council (S/12147)."

129. The Council considered the item at five meetings held between 27 and 30 July.

130. The President, with the consent of the Council, invited the representatives of Mauritania, South Africa and Zambia, at their request, to participate in the discussion without the right to vote.

131. The President informed the Council of a letter dated 26 July from the Acting President of the United Nations Council for Namibia, requesting that an invitation be extended to a delegation of the United Nations Council for Namibia composed of its Acting President and two other members of that Council. In accordance with previous practice, the President proposed that the Council extend an invitation, under rule 39 of its provi-

sional rules of procedure, to the Acting President and other members of the United Nations Council for Namibia. In the absence of objection, it was so decided.

132. The Security Council began its consideration of the item with statements by the representatives of Zambia, South Africa and Mauritania and by the Acting President of the United Nations Council for Namibia. The representative of Zambia spoke in exercise of the right of reply.

133. At the 1945th meeting on 28 July, the President, with the consent of the Council, invited the representatives of Cuba, Egypt, Ethiopia, Liberia, Madagascar, Uganda and Zaire, at their request, to participate in the discussion without the right to vote.

134. At the same meeting, the President informed the Council that he had received a request dated 28 July from the representative of Somalia to address the Council on behalf of the Special Committee against *Apartheid*. In the absence of objection, an invitation was extended to the representative of the Special Committee under rule 39 of the provisional rules of procedure.

135. The President also drew the Council's attention to a letter dated 28 July (S/12154) from the representative of Benin, requesting that an invitation under rule 39 of the provisional rules of procedure be extended to Mr. O. T. Emvula of the South West Africa People's Organization. In the absence of objection, the Council decided to extend an invitation to Mr. Emvula.

136. The Council then continued its discussion with statements by the representatives of Benin and Romania, by the representative of the Special Committee against *Apartheid* and by the representatives of Egypt, Zaire, Liberia, Cuba, Madagascar and China. Mr. Emvula also made a statement in accordance with the decision taken at the meeting.

137. At the 1946th meeting on 29 July, the President, with the consent of the Council, invited the representatives of Botswana, Mozambique, Qatar, Sierra Leone and Yugoslavia, at their request, to participate in the discussion without the right to vote.

138. The Council then continued its discussion with statements by the Acting President of the United Nations Council for Namibia and by the representatives of Qatar, Pakistan, the United Republic of Tanzania, the Libyan Arab Jamahiriya, the Union of Soviet Socialist Republics, Ethiopia, Uganda, Botswana and Yugoslavia.

139. At the Council's 1947th meeting on 30 July, the President, with the consent of the Council, invited the representative of Guinea, at his request, to participate in the discussion without the right to vote. In the course of the further discussion, statements were made by the representatives of Sierra Leone, Guyana, Mozambique and Panama. The representative of the United States spoke in exercise of the right of reply.

140. In the course of his statement, the representative of Guyana introduced a draft resolution (S/12158), sponsored by Benin, Guyana, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania and the United Republic of Tanzania, the text of which read as follows:

*"The Security Council,*

*"Taking note of the letter of the representative of the Republic of Zambia contained in document S/12147,*

*"Having considered the statement of the Minister for Foreign Affairs of the Republic of Zambia,*

*"Gravely concerned at the numerous hostile and unprovoked acts by South Africa violating the sovereignty, air space and territorial integrity of the Republic of Zambia, resulting in death and injury of innocent people as well as in the destruction of property and culminating on 11 July 1976 in an armed attack which resulted in the regrettable loss of 24 innocent lives and the injury of 45 other persons,*

*"Gravely concerned at South Africa's use of the international Territory of Namibia as a base for attacking neighbouring African countries,*

*"Reaffirming the legitimacy of the struggle of the people of Namibia to liberate their country from the illegal occupation of the racist régime of South Africa,*

*"Convinced that the continuance of the deteriorating situation in southern Africa could constitute a threat to international peace and security,*

*"Conscious of the need to take effective steps for the prevention and removal of threats to international peace and security,*

*"Recalling its resolution 300 (1971) of 12 October 1971, which, inter alia, called upon South Africa to respect fully the sovereignty and territorial integrity of Zambia,*

*"Bearing in mind that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,*

*"1. Strongly condemns the armed attack of South Africa against the Republic of Zambia, which constitutes a flagrant violation of the sovereignty and territorial integrity of Zambia;*

*"2. Demands that South Africa scrupulously respect the independence, sovereignty, air space and territorial integrity of the Republic of Zambia;*

*"3. Demands that South Africa desist forthwith from the use of the international Territory of Namibia as a base for launching armed attacks against the Republic of Zambia and other African countries;*

*"4. Commends the Republic of Zambia and other 'front-line' States for their steadfast support of the people of Namibia in their legitimate struggle for the liberation of their country from illegal occupation by the racist régime of South Africa;*

*"5. Declares that the liberation of Namibia and Zimbabwe and the elimination of apartheid in South Africa are necessary for the attainment of justice and lasting peace in the region;*

*"6. Further declares that, in the event of South Africa committing further acts of violation of the sovereignty and territorial integrity of Zambia, the Security Council will meet again to consider the adoption of effective measures, in accordance with the appropriate provisions of the Charter of the United Nations."*

141. At the 1948th meeting, also on 30 July, the President, with the consent of the Council, invited the representative of Mauritius, in his capacity as the current Chairman of the Council of Ministers of the Or-

ganization of African Unity, at his request, to participate in the discussion without the right to vote. The Security Council continued its consideration of the item with statements by the representatives of the United Kingdom, Sweden, Japan, Mauritius, Guinea, Zambia and France, and by the President, speaking in his capacity as the representative of Italy.

142. The Council then proceeded to vote on the seven-Power draft resolution before it (S/12158).

**Decision:** *At the 1948th meeting on 30 July 1976, the draft resolution (S/12158) was adopted by 14 votes to none, with 1 abstention (United States of America) as resolution 393 (1976).*

143. Following the voting, statements were then made by the representative of the United States, the USSR, the United Kingdom, the United Republic of Tanzania and Zambia.

#### **D. Complaint by Lesotho against South Africa**

##### **1. COMMUNICATIONS TO THE SECURITY COUNCIL DURING NOVEMBER AND DECEMBER 1976 AND REQUEST FOR A MEETING**

144. By a letter dated 27 October 1976 (S/12221), the representative of Lesotho transmitted a communication to the President of the Security Council from the Prime Minister of Lesotho. The Prime Minister stated that the tragic events in South Africa over the preceding four months, in which hundreds of African lives had been lost and thousands injured, were yet another indication that the situation in South Africa constituted a direct threat to the stability of southern Africa and to world peace. The Minister for Foreign Affairs of Lesotho had indicated to the General Assembly on 13 October the scope and dimensions of the problems faced by Lesotho as a result of the actions of the agents of the *apartheid* administration in Pretoria. Since then, the Prime Minister stated, new problems had arisen for his country as a result of the instability created on its borders. The inhabitants of the Transkei were moving from one so-called bantustan to another as an expression of their dissatisfaction with political arrangements of the newly styled "Republic of Transkei". He appealed for support for the African people of South Africa in their struggle for basic rights and for his country, which had become part and parcel of that struggle.

145. In a letter dated 12 November (S/12227), the representative of the Libyan Arab Jamahiriya, on behalf of the African Group, drew attention to the explosive situation created by the closure by the South African Government on 26 October of the border between South Africa and the southern border of Lesotho adjacent to the so-called independent Transkei. The letter charged that the closure was calculated to coerce Lesotho into according recognition to the bantustan Transkei. The African Group viewed South Africa's action as a flagrant breach of international law, which stipulated safe passage of transit goods to and from land-locked countries. The situation in that area not only posed a serious economic problem to Lesotho but constituted a threat to the peace and security in that region. The international community had to assume its responsibility to give every support required by Lesotho for its existence and the welfare of its people.

146. By a letter dated 16 November (S/12231), the representative of South Africa transmitted a letter addressed to the Secretary-General by the South African Minister for Foreign Affairs regarding matters raised in the above communication. The Minister stated that the Republic of Transkei had already denied that it had closed the borders between Lesotho and Transkei but merely insisted on valid travel documents for people crossing the border into Transkei. The allegation that South Africa had breached international law was completely without foundation. The South African Government had taken no action to interfere with the safe passage either of transit goods or persons crossing the borders between the Republic of South Africa and Lesotho. There had been no interference with Lesotho's normal access to the sea, which lay through the Republic of South Africa along existing road and rail routes and not through the Republic of Transkei.

147. In a letter dated 16 December (S/12257), the representative of Lesotho requested the President of the Security Council to convene a meeting of the Council to consider the grave situation affecting Lesotho following the closure of the border by the Republic of South Africa between the south-eastern part of Lesotho and that part of South Africa referred to as Transkei.

##### **2. CONSIDERATION AT THE 1981ST AND 1982ND MEETINGS (21-22 DECEMBER 1976)**

148. At its 1981st meeting on 21 December, the Security Council included the following item in its agenda without objection:

"Complaint by Lesotho against South Africa:

"Letter dated 16 December 1976 from the Permanent Representative of Lesotho to the United Nations addressed to the President of the Security Council (S/12257)."

149. The Council considered the item at two meetings, held on 21 and 22 December 1976.

150. The President, with the consent of the Council, invited the representatives of Lesotho and Madagascar, at their request, to participate in the discussion without the right to vote.

151. The Security Council began its consideration of the item at the 1981st meeting with a statement by the representative of Lesotho. Statements were also made by the representatives of Madagascar, on behalf of the African Group, the Libyan Arab Jamahiriya, Benin and China.

152. At the 1982nd meeting on 22 December, the President, with the consent of the Council, invited the representatives of Botswana and Mauritius, at their request, to participate in the discussion without the right to vote. The Council continued its consideration of the item and heard statements by the representatives of Mauritius, Panama, France, Botswana, Pakistan, Sweden, the USSR, the United Republic of Tanzania, Guyana, Japan, and Italy, and by the President, speaking in his capacity as representative of Romania.

153. In the course of his statement, the representative of the United Republic of Tanzania introduced a draft resolution (S/12260) sponsored by Benin, Guyana, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania and the United Republic of Tanzania, the text of which read as follows:

*"The Security Council,*

*"Having heard the statement of the Minister for Foreign Affairs of the Kingdom of Lesotho on 21 December 1976,*

*"Gravely concerned at the serious situation created by South Africa's closure of certain border posts between South Africa and Lesotho aimed at coercing Lesotho into according recognition to the bantustan Transkei,*

*"Recalling relevant General Assembly resolutions, in particular resolution 3411 D (XXX) of 28 November 1975, condemning the establishments of bantustans and calling on all Governments to deny recognition to the bantustans,*

*"Recalling further General Assembly resolution 31/6 A of 26 October 1976, on the so-called independent Transkei and other bantustans, which, *inter alia*, calls upon all Governments to deny any form of recognition to the so-called independent Transkei and to refrain from having any dealings with the so-called independent Transkei or other bantustans,*

*"Noting with appreciation the decision of the Government of Lesotho not to recognize the bantustan Transkei in compliance with United Nations decisions,*

*"Considering that the decision of Lesotho constitutes an important contribution to the realization of United Nations objectives in southern Africa in accordance with the principles and purposes of the Charter of the United Nations,*

*"Taking note of the urgent and special economic needs of Lesotho arising from the closure of the border posts,*

*"1. Endorses General Assembly resolution 31/6 A, which, *inter alia*, calls upon all Governments to deny any form of recognition to the so-called independent Transkei and to refrain from having any dealings with the so-called independent Transkei or other bantustans;*

*"2. Commends the Government of Lesotho for its decision not to recognize the so-called independence of the Transkei;*

*"3. Condemns any action by South Africa intended to coerce Lesotho into according recognition to the bantustan Transkei;*

*"4. Calls upon South Africa to take immediately all necessary steps to reopen the border posts;*

*"5. Appeals to all States to provide immediate financial, technical and material assistance to Lesotho so that it can carry out its economic development programmes and enhance its capacity to implement fully the United Nations resolutions on *apartheid* and bantustans;*

*"6. Requests the United Nations and the organizations and programmes concerned, in particular the United Nations Development Programme, the World Food Programme and all the United Nations specialized agencies, to assist Lesotho in the present situation and to consider periodically the question of economic assistance to Lesotho as envisaged in the present resolution;*

*"7. Requests the Secretary-General, in collaboration with the appropriate organizations of the United Nations system, to organize, with immediate effect, all forms of financial, technical and material assistance to the Kingdom of Lesotho to enable it to over-*

come the economic difficulties arising from the closure of the border posts by South Africa owing to the refusal of Lesotho to recognize the so-called independence of the Transkei;

*"8. Further requests the Secretary-General to keep the situation under constant review, to maintain close liaison with Member States, regional and other intergovernmental organizations, the specialized agencies and international financial institutions, and to report to the Security Council at its subsequent meeting on the question;*

*"9. Decides to remain seized of the question."*

154. The President stated that, if there were no objections, he would take it that the draft resolution contained in document S/12260 was adopted by consensus.

**Decision:** *At the 1982nd meeting, on 22 December 1976, the seven-Power draft resolution (S/12260) was adopted unanimously, by consensus, as resolution 402 (1976).*

155. Following adoption of the resolution, statements were made by the representatives of the United States, the United Kingdom and Lesotho.

### 3. REPORT SUBMITTED TO THE COUNCIL BY THE SECRETARY-GENERAL ON THE MISSION TO LESOTHO

156. By a note dated 30 March 1977 (S/12315), the Secretary-General transmitted to the Security Council the report of the Mission appointed by him pursuant to paragraph 7 of resolution 402 (1976), which had visited Lesotho in order to consult with its Government and obtain an assessment of the assistance it needed so that the Secretary-General could organize an international programme of financial, technical and material assistance. The report identified areas of assistance necessary to enable Lesotho to carry out its economic development programmes and enhance its capacity to implement fully the United Nations resolutions on *apartheid* and bantustans. Furthermore, it covered the assistance necessary to enable Lesotho to overcome the economic difficulties arising from the closure of certain border posts by South Africa because of Lesotho's refusal to recognize the so-called independence of Transkei.

157. By a letter dated 18 April (S/12325) addressed to the Governments of all Member States and members of the specialized agencies, the Secretary-General transmitted the report of the Mission to Lesotho. The Secretary-General stated that the Mission had grouped its recommendations under two headings—a \$66-million emergency programme and a \$47-million accelerated development programme. As the Government of Lesotho recognized the need for co-ordinated action, both in seeking international assistance and in using the assistance to implement the proposed programmes, the Secretary-General had designated the Assistant Secretary-General for Special Political Questions to be responsible at Headquarters for co-ordinating action by the United Nations system and had established a special account at Headquarters for the convenience of those donors who might wish to channel their contributions to Lesotho through the United Nations. The Secretary-General expressed the hope that all Governments would respond positively to the appeal of the Security Council for immediate financial, technical and material assistance to Lesotho.

4. CONSIDERATION AT THE 2007TH AND 2009TH MEETINGS (24 AND 25 MAY 1977)

158. The Security Council resumed its consideration of the item at its 2007th meeting, held on 24 May 1977, and included the following item in its agenda without objection:

"Complaint by Lesotho against South Africa:

"Note by the Secretary-General (S/12315)."

159. The President, with the consent of the Council, invited the representatives of Lesotho and Sierra Leone, at their request, to participate in the discussions without the right to vote.

160. A statement was made by the Secretary-General, who introduced the report of the Mission to Lesotho (S/12315).

161. Discussion continued with statements by the representatives of Mauritius, Lesotho and Sierra Leone.

162. In the course of his statement, the representative of Mauritius introduced a draft resolution (S/12335), sponsored by Benin, India, Libyan Arab Jamahiriya, Mauritius, Pakistan, Panama, Romania and Venezuela.

163. At the 2009th meeting on 25 May, the Council continued its consideration of the item with statements by the representatives of India, the Federal Republic of Germany, the Libyan Arab Jamahiriya, Pakistan, Canada, China, France, the United Kingdom, Romania, the USSR, the United States, Panama and Venezuela, and by the President, speaking in his capacity as representative of Benin.

164. The President then stated that, in the absence of objection, he would take it that the draft resolution contained in document S/12335 was adopted unanimously without a vote. In the absence of any objections, it was so decided.

**Decision:** *At the 2009th meeting on 25 May 1977, the eight-Power draft resolution (S/12335) was adopted unanimously, without a vote, as resolution 407 (1977).*

165. Resolution 407 (1977) read as follows:

"The Security Council,

"Recalling its resolution 402 (1976) of 22 December 1976,

"Taking note of the letter dated 18 April 1977 (S/12325) addressed to all States by the Secretary-General in accordance with paragraph 8 of resolution 402 (1976),

"Having examined the report of the Mission to Lesotho (S/12315 and Corr.1), appointed by the Secretary-General in accordance with resolution 402 (1976),

"Having heard the statement of the Minister for Foreign Affairs of Lesotho,

"Noting with deep concern the continued acts of coercion and harassment against the people of Lesotho by South Africa in complete disregard of resolution 402 (1976),

"Reaffirming its endorsement of General Assembly resolution 31/6 A of 26 October 1976 on the so-called independent Transkei and other bantustans,

"Fully aware that the decision of the Government of Lesotho not to recognize the bantustan Transkei

has imposed a special economic burden upon Lesotho,

"Convinced that international solidarity with Lesotho, as a neighbouring State of South Africa, is essential to counteract effectively South Africa's policy to coerce Lesotho into recognizing the so-called independent Transkei,

"1. Commends the Government of Lesotho for its decision not to recognize the so-called independent Transkei;

"2. Expresses its appreciation to the Secretary-General for having arranged to send a mission to Lesotho to ascertain the assistance needed;

"3. Takes note with satisfaction of the report of the Mission to Lesotho (S/12315 and Corr.1);

"4. Fully endorses the assessment and recommendations of the Mission to Lesotho under resolution 402 (1976);

"5. Further fully endorses the appeal made by the Secretary-General in his letter of 18 April 1977 (S/12325) to all States for immediate financial, technical and material assistance to Lesotho;

"6. Welcomes the establishment by the Secretary-General of a special account at Headquarters to receive contributions to Lesotho;

"7. Requests the United Nations and the organizations and programmes concerned, including the Economic and Social Council, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the United Nations Conference on Trade and Development, the United Nations Development Programme and the World Health Organization, to assist Lesotho in the fields identified in the report of the Mission to Lesotho;

"8. Requests the Secretary-General to give the matter of assistance to Lesotho his continued attention and to keep the Security Council informed;

"9. Decides to remain seized of the question."

166. Following adoption of the resolution, statements were made by the representatives of Mauritius and Lesotho.

## E. The question of South Africa

### 1. COMMUNICATIONS TO THE SECURITY COUNCIL AND REQUEST FOR A MEETING

167. By a letter dated 9 March 1977 (S/12295), the representative of Nigeria, Chairman of the African Group for the month of March, requested the convening of a meeting of the Security Council to consider the question of South Africa, in conformity with previous relevant General Assembly and Security Council resolutions, in particular, General Assembly resolution 31/6 (see section B of the present chapter) and Security Council resolution 392 (1976) of 19 June 1976.

168. By a letter dated 21 March (S/12301), the representative of Liberia transmitted the text of a message addressed to the President of the Council by the President of Liberia on the question of South Africa.

Pointing out that the start of the Council's discussion of the question coincided with the seventeenth anniversary of the Sharpeville massacre, he stated that the Liberian Government and people appealed to the Security Council and all Member States to demonstrate through positive action that *apartheid* was indeed a crime against humanity which contravened the Charter of the United Nations, as well as the Universal Declaration of Human Rights, and was increasingly leading to a racial conflagration in southern Africa. In his view, positive action meant application against South Africa of Chapter VII of the Charter, in particular Article 41.

169. By a letter dated 18 March (S/12303), the Acting Executive Secretary of OAU to the United Nations transmitted the text of a message from the Administrative Secretary-General of OAU stating that OAU expected the Security Council to impose economic sanctions and a mandatory arms embargo against South Africa.

## 2. CONSIDERATION AT THE 1988TH TO 1992ND, 1994TH, 1996TH, 1998TH AND 1999TH MEETINGS (21-31 MARCH 1977)

170. At its 1988th meeting on 21 March, the Security Council adopted the following agenda item without objection:

"The question of South Africa: .

"Letter dated 9 March 1977 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/12295)."

171. The Council considered the question at nine meetings held between 21 and 31 March.

172. At the 1988th meeting, the President, with the consent of the Council, invited the representatives of Egypt, Indonesia, Liberia, Nigeria, Sri Lanka, the Syrian Arab Republic and Yugoslavia, at their request, to participate in the discussion without the right to vote. The President then informed the Council of a letter dated 21 March from the President of the United Nations Council for Namibia, requesting that an invitation be extended to a delegation of the United Nations Council for Namibia composed of its President (the representative of Zambia) and the representatives of Burundi, Indonesia, Mexico and Poland. In accordance with previous practice, the President proposed that the Council extend an invitation, under rule 39 of its provisional rules of procedure, to the President and other members of the United Nations Council for Namibia. In the absence of objection, it was so decided. At the same meeting, the President also drew the Council's attention to two letters dated 21 March (S/12299 and S/12300) from the representatives of Benin, the Libyan Arab Jamahiriya and Mauritius, requesting that invitations under rule 39 of the provisional rules of procedure be extended to Mr. Mfanafuthi Johnstone Makatini of the African National Congress and Mr. Potlako Leballo of the Pan Africanist Congress, as well as to Mr. Olof Palme and Mr. Abdul S. Minty. In the absence of objection, the Council decided to extend the invitations as requested.

173. The Security Council began its consideration of the item at the same meeting and heard statements by the representatives of Mauritius, Nigeria, Sri Lanka and Egypt, and by Mr. Leballo, in accordance with the decision taken at that meeting.

174. At the 1989th meeting on 22 March, the President, with the consent of the Council, invited the representatives of Bahrain, Madagascar, Sierra Leone and Zambia, at their request, to participate in the discussion without the right to vote.

175. The Council continued its discussion with statements by the representatives of Nigeria, Liberia, India and Bahrain, and by the President of the United Nations Council for Namibia in accordance with the decision taken at the 1988th meeting.

176. At the 1990th meeting on 23 March, the President, with the consent of the Council, invited the representatives of Algeria, Botswana, Guinea and Senegal, at their request, to participate in the discussion without the right to vote.

177. Statements were made by the representatives of Sierra Leone and Yugoslavia.

178. At the 1991st meeting on 24 March, the President, with the consent of the Council, invited the representatives of Ghana, Kenya, Mauritania, the United Republic of Tanzania and Zaire, at their request, to participate in the discussion without the right to vote. The President then drew the Council's attention to a letter dated 23 March (S/12304) from the representatives of Benin, the Libyan Arab Jamahiriya and Mauritius, in which it was requested that an invitation under rule 39 of its provisional rules of procedure be extended to Mr. William P. Thompson. In that connexion, the representative of the United Kingdom spoke on a point of order. In the absence of formal objection, the Council decided to extend the invitation as requested.

179. Continuing its discussion, the Council heard statements by the representatives of Benin, China, the Syrian Arab Republic, Madagascar and Botswana, and by Mr. Thompson, in accordance with the decision taken earlier at the meeting.

180. At the 1992nd meeting on 25 March, statements were made by the representatives of Guinea, Senegal and Zambia, and by Mr. Palme, Mr. Makatini and Mr. Minty, in accordance with the decisions taken by the Council at the 1988th meeting. Statements in exercise of the right of reply were made by the representatives of the United Kingdom, France and Mauritius.

181. At the 1994th meeting on 28 March, the President, with the consent of the Council, invited the representatives of Cuba, Mongolia and Togo, at their request, to participate in the discussion without the right to vote.

182. Continuing its debate, the Council heard statements by the representatives of the Libyan Arab Jamahiriya, Ghana, Kenya, Mongolia, Algeria, Zaire and Indonesia.

183. At the 1996th meeting on 29 March, the President, with the consent of the Council, invited the representatives of Burundi, the German Democratic Republic, Jamaica, Lesotho, Somalia and Sweden, at their request, to participate in the discussion without the right to vote.

184. The discussion was continued with statements by the representatives of Sweden, Lesotho, Somalia and the German Democratic Republic.

185. At the 1998th meeting on 30 March, the President, with the consent of the Council, invited the representative of Ethiopia, at his request, to participate in the discussion without the right to vote.

186. The President called attention to four draft resolutions before the Council, contained in documents S/12309, S/12310, S/12311 and S/12312, each sponsored by Benin, the Libyan Arab Jamahiriya and Mauritius.

187. Draft resolution S/12309 read as follows:

*"The Security Council,*

*"Recalling its resolution 392 (1976), adopted on 19 June 1976, strongly condemning the racist régime of South Africa for its resort to massive violence against, and wanton killings of, the African people, including schoolchildren and students and others opposing racial discrimination, and calling upon the South African racist régime urgently to end violence against the African people and take urgent steps to eliminate apartheid and racial discrimination,*

*"Noting with deep anxiety and indignation that the South African racist régime has continued violence and massive repression against the black people and all opponents of apartheid in defiance of the resolutions of the Security Council,*

*"Gravely concerned over reports of torture of political prisoners and the deaths of a number of detainees,*

*"Convinced that the violence and repression by the South African racist régime have greatly aggravated the situation in South Africa and will certainly lead to violent conflict and racial conflagration with serious international repercussions,*

*"Reaffirming its recognition of the legitimacy of the struggle of the South African people for the elimination of apartheid and racial discrimination,*

*"Affirming the exercise of the right to self-determination by all the people of South Africa as a whole, irrespective of race, colour or creed,*

*"Mindful of its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,*

*"1. Strongly condemns the South African racist régime for its resort to massive violence and repression against the black people, who constitute the great majority of the country, as well as all other opponents of apartheid;*

*"2. Expresses its support for, and solidarity with, all those struggling for the elimination of apartheid and racial discrimination and all victims of violence and repression by the South African racist régime;*

*"3. Demands that the racist régime of South Africa:*

*"(a) End violence and repression against the black people and other opponents of apartheid;*

*"(b) Release all persons imprisoned under arbitrary security laws and all those detained for their opposition to apartheid;*

*"(c) Cease forthwith its indiscriminate violence against peaceful demonstrators against apartheid, murders in detention and torture of political prisoners;*

*"(d) Abolish the "Bantu education" system and all other measures of apartheid and racial discrimination;*

*"(e) Abolish the policy of bantustanization, abandon the policy of apartheid and ensure majority rule based on justice and equality;*

*"4. Requests all Governments and organizations to take all appropriate measures to secure the implementation of paragraph 3 above;*

*"5. Further requests all Governments and organizations to contribute generously for assistance to the victims of violence and repression, including educational assistance to student refugees from South Africa;*

*"6. Requests the Secretary-General, in co-operation with the Special Committee against Apartheid, to follow the situation and report to the Security Council, as appropriate, on the implementation of the present resolution, and to submit a first report not later than 16 June 1977."*

188. Draft resolution S/12310 read as follows:

*"The Security Council,*

*"Gravely concerned over the situation in South Africa and southern Africa as a whole,*

*"Reaffirming that the imposition of apartheid in South Africa and the massive violence and repression by the racist régime of South Africa against the great majority of the population is seriously disturbing international peace and security,*

*"Noting that the South African racist régime continues illegally to occupy the Territory of Namibia in defiance of the resolutions of the Security Council and has, in particular, failed to implement resolution 385 (1976),*

*"Considering that the South African racist régime continues to occupy Namibia illegally and through its military occupation forcefully prevents the United Nations from exercising its responsibility for the Territory and people of Namibia and, hence, is in a state of war against the United Nations,*

*"Recalling resolutions 387 (1976) of 31 March 1976 and 393 (1976) of 30 July 1976, in which the Security Council has condemned the South African racist régime for aggression against the People's Republic of Angola and the Republic of Zambia, respectively,*

*"Noting that the South African racist régime has failed to implement the provisions of resolutions 387 (1976) and 393 (1976),*

*"Recognizing that the South African racist régime has continued to assist the illegal racist minority régime in Southern Rhodesia in defiance of resolutions adopted by the Security Council under Chapter VII of the Charter of the United Nations and in contravention of the provisions of Article 25 of the Charter,*

*"Considering that these acts of violence, aggression and defiance of the United Nations by the South African racist régime have resulted from its efforts to perpetuate the inhuman policy of apartheid and consolidate oppression of the black majority in South Africa,*

*"1. Declares that the South African racist régime has flagrantly and persistently violated the principles contained in the Charter of the United Nations;*

*"2. Further declares that the policies and actions of the South African racist régime have seriously*



disturbed peace in the region and constitute a grave threat to international peace and security;

"3. *Urgently calls* on the South African racist régime to take steps to comply with its obligations under the Charter and the provisions of the relevant resolutions of the Security Council;

"4. *Requests* the Secretary-General to follow the situation and report on the implementation of the present resolution not later than 31 August 1977;

"5. *Decides* that, in case of non-compliance with paragraph 3 of the present resolution, the Security Council shall consider appropriate action under all the provisions of the Charter, including Articles 39 to 46 of Chapter VII."

189. Draft resolution S/12311 read as follows:

*The Security Council,*

*"Taking note* of resolution 31/6 D, adopted by the General Assembly on 9 November 1976,

*"Recalling* its resolutions concerning an arms embargo against South Africa,

*"Expressing its regret* that some Governments have failed to implement the arms embargo fully,

*"Recognizing* that the arms embargo must be strengthened and universally applied, without any reservations or qualifications whatsoever, in order to prevent a further aggravation of the grave situation in South Africa,

*"Acting* under Chapter VII of the Charter of the United Nations,

*"Recognizing* that the military build-up and persistent acts of aggression by the South African racist régime against the neighbouring States pose a grave threat to the security and sovereignty of independent African States and to the security of the great majority of the people of South Africa,

"1. *Decides* that all States shall cease forthwith the sale and shipment to South Africa of arms, ammunition of all types and military equipment and vehicles, and equipment and materials for the manufacture and maintenance of arms, ammunition and military equipment and vehicles;

"2. *Further decides* that all States shall:

"(a) Fully implement the provisions of paragraph 4 of resolution 282 (1970), adopted by the Security Council on 23 July 1970, for the strengthening of the arms embargo;

"(b) Refrain from any co-operation with the South African racist régime in nuclear development;

"(c) Take necessary steps to prevent corporations under their jurisdiction from providing any form of direct or indirect assistance to the South African Government in its military build-up;

"3. *Requests* all States to report to the Secretary-General not later than 31 July 1977 on measures taken to implement the present resolution;

"4. *Requests* the Secretary-General to report to the Security Council on the progress of the implementation of the present resolution, the first report to be made not later than 31 August 1977;

"5. *Decides* to maintain this item on its agenda for further action as appropriate in the light of developments."

190. Draft resolution S/12312 read as follows:

*"The Security Council,*

*"Considering* that the cessation of foreign investment in South Africa and other measures to discourage economic co-operation with South Africa would be an important step in dissuading the South African racist régime from pursuing its abhorrent policy of *apartheid*,

*"Taking note* of resolution 31/6 K adopted by the General Assembly on 9 November 1976,

"1. *Calls upon* all Governments:

"(a) To refrain from any investments in, or loans to, the South African racist régime or companies registered in South Africa;

"(b) To take all appropriate steps to ensure that companies and financial institutions within their jurisdiction cease all further investments in, or loans to, the South African racist régime or companies registered in South Africa;

"(c) To refrain from any agreements or measures to promote trade or other economic relations with South Africa;

"2. *Further calls upon* all the specialized agencies and other international institutions of the United Nations to refrain from any loans, credits or assistance to the South African racist régime or companies registered in South Africa;

"3. *Requests* all States Members of the United Nations or members of the specialized agencies to report to the Secretary-General by 31 July 1977 on measures taken to implement the present resolution;

"4. *Requests* the Secretary-General to report to the Security Council on the progress of the implementation of the present resolution, the first report to be made not later than 31 August 1977;

"5. *Decides* to maintain this item on its agenda for further action as appropriate in the light of developments."

191. Statements were made by the representatives of Canada, Jamaica, the United Republic of Tanzania, the Federal Republic of Germany, Romania and Mauritania.

192. At the 1999th meeting on 31 March, the President, with the consent of the Council, invited the representative of Guyana, at his request, to participate in the discussion without the right to vote.

193. The Council continued its debate on the item and heard statements by the representatives of Venezuela, Cuba, Panama, France, Togo and Ethiopia.

194. The four above-mentioned draft resolutions were not put to the vote.

## F. The situation in Namibia

### 1. COMMUNICATIONS TO THE SECURITY COUNCIL BETWEEN JUNE AND OCTOBER 1976

195. By a letter dated 18 June 1976 (S/12099), the Chairman 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 transmitted to the President of the Security Council the text of a consensus concerning the question of Namibia adopted by the Special Committee on

17 June 1976. The Special Committee considered that, in the event that South Africa did not comply with paragraphs 9 to 11 of Security Council resolution 385 (1976) of 30 January 1976, the Security Council should consider the adoption of appropriate measures under Chapter VII of the Charter of the United Nations in order to secure the implementation of its own decisions on the question.

196. By a letter dated 18 June (S/12105), the Secretary-General, at the request 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, transmitted to the President of the Security Council the report of the *Ad Hoc* Group established by the Special Committee, which wished the Security Council to be made aware of the latest developments in the struggle for the national liberation of the peoples of Zimbabwe and Namibia.

197. By a letter dated 18 August (S/12180), the representative of South Africa transmitted to the Secretary-General the text of a statement of the same date issued by the Constitutional Committee of the South West African Constitutional Conference. According to the statement, agreement had been reached on the most important points, in particular: (a) on the question of self-determination and independence, the Committee was in agreement that 31 December 1978 could, with reasonable certainty, be fixed as the date for independence for South West Africa; (b) on the question of territorial integrity, the Committee reaffirmed the interdependence of the various population groups and its firm desire to maintain South West Africa as a unity; (c) regarding form of government, the Committee, while considering the question premature at that stage, none the less envisaged a system of government in which, particularly in the central body, provision would be made for the adequate protection of minority groups; (d) the Committee rejected all attempts to solve the country's problems by violence.

198. By a letter dated 20 August (S/12185), the Acting President of the United Nations Council for Namibia transmitted to the Secretary-General the text of the statement of the United Nations Council for Namibia of 18 August regarding the so-called proposals of South Africa on the future of Namibia. According to the statement, the proposals of the so-called Constitutional Conference of representatives hand-picked by the illegal South African administration in Windhoek did not even approach any of the requirements laid down by the United Nations for genuine self-determination and independence, but merely sought to perpetuate the homelands (bantustans) policies and prolong South Africa's illegal occupation of Namibia.

199. By a letter dated 24 August (S/12188), the representative of Sri Lanka transmitted to the Secretary-General the text of the resolution concerning Namibia adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August. Among other things, the resolution condemned the continued illegal occupation of Namibia by South Africa and denounced the so-called constitutional talks arranged by the racist régime, declaring that any meaningful talks for the transfer of power could only be with the genuine representatives of the Namibian people, the South West

Africa People's Organization (SWAPO), under the auspices of the United Nations.

200. By a letter dated 30 August (S/12195), the representative of Guinea transmitted to the President of the Security Council a message from the President of Guinea, in which the President expressed the hope that the Security Council would take effective measures to give expression to the hopes of international public opinion to see the Namibian people accede to unconditional freedom, independence and national sovereignty over all Namibia, under the leadership of SWAPO, their sole and legitimate representative.

201. By a letter dated 14 September (S/12201), the Acting President of the United Nations Council for Namibia transmitted to the Secretary-General the texts of the joint communiqués issued in connexion with the consultations held between the Mission of the United Nations Council for Namibia and the Governments of Angola, Botswana and Zambia. All three texts denounced the continued illegal presence in Namibia of the South African régime and rejected both the statement transmitted by the Government of South Africa to the Secretary-General on the future political status of Namibia (S/12180) and the so-called constitutional conference as attempts to perpetuate South Africa's illegal presence in and administration of the Territory.

202. By a letter dated 15 September (S/12202), the representative of South Africa transmitted to the Secretary-General the text of a request by the Chief Minister of Ovambo, Pastor C. Njoba, addressed to the South African Government. In it, the Chief Minister stated that it had come to his attention that SWAPO had given orders that 42 citizens of Ovambo who had been taken captive in Zambia and were accused of being agents of the imperialists and capitalists must be shot. According to the Chief Minister, the only offence of those people, who were members of SWAPO and had been enticed abroad, was that they had started asking questions of Mr. Sam Nujoma. He asked that the South African Government request the United Nations, the International Red Cross and all responsible countries to determine through diplomatic and other channels where and under what circumstances those people were being held and to attempt to save their lives.

## 2. CONSIDERATION AT THE 1954TH AND 1956TH TO 1963RD MEETINGS (31 AUGUST AND 28 SEPTEMBER TO 19 OCTOBER 1976)

203. At its 1954th meeting on 31 August, the Security Council resumed its consideration of the item entitled "The situation in Namibia".

204. At the same meeting, the President, with the consent of the Council, invited the representative of Madagascar, at his request, to participate in the discussion without the right to vote. The President informed the Council that he had received a letter dated 30 August from the Acting President of the United Nations Council for Namibia containing a request to be invited to participate in the discussion on the item. In accordance with previous practice, the President proposed that the Council extend an invitation, under rule 39 of its provisional rules of procedure, to the Acting President and four members of the United Nations Council for Namibia. In the absence of objection, it was so decided.

205. The Security Council then began its consideration of the item, hearing a statement by the represen-

tative of Madagascar, in his capacity as current Chairman of the African Group.

206. The Security Council continued its consideration of the item at its 1956th to 1963rd meetings, held between 28 September and 19 October.

207. At the 1956th meeting, the President, with the consent of the Council, invited the representatives of Kenya, Malawi, Mauritius and Morocco, at their request, to participate in the discussion without the right to vote.

208. The President also drew attention to a letter dated 27 September (S/12205) from the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania, requesting that an invitation under rule 39 of the provisional rules of procedure be extended to Mr. Sam Nujoma, President of SWAPO. In the absence of objection, the President extended an invitation under rule 39 to Mr. Nujoma.

209. Statements were made by the President of the United Nations Council for Namibia (the representative of Zambia) and by the representatives of Mauritius, Benin and Malawi. The Council also heard a statement by Mr. Sam Nujoma, in accordance with the decision taken earlier at the meeting.

210. The representatives of the United States, the United Kingdom and Mauritius spoke in exercise of the right of reply.

211. By a letter dated 30 September (S/12206), the representative of the United States transmitted to the President of the Security Council the text of a further reply by the representative of the United States to questions posed at the 1956th meeting by the representative of Mauritius.

212. At the 1957th meeting on 30 September, the President, with the consent of the Council, invited the representatives of Algeria, Cuba, Democratic Kampuchea, Egypt, Ghana, Guinea, Mozambique, Nigeria, Saudi Arabia, Sierra Leone, Yemen and Yugoslavia, at their request, to participate in the discussion without the right to vote.

213. The Security Council continued its consideration of the question with statements by the representatives of Nigeria, Yemen, Guyana, Egypt, Algeria, Kenya, Mauritius and Saudi Arabia, and by the President, speaking in his capacity as the representative of the Libyan Arab Jamahiriya.

214. At the 1958th meeting on 1 October, the President, with the consent of the Council, invited the representative of Zambia, at his request, to participate in the discussion without the right to vote.

215. The Council continued its consideration of the question, hearing statements by the representatives of Ghana, Zambia, Sierra Leone and Democratic Kampuchea.

216. At the 1959th meeting on 5 October, the President, with the consent of the Council, invited the representatives of Ethiopia, Niger, and Somalia, at their request, to participate in the discussion without the right to vote.

217. The Security Council continued its consideration of the question, hearing statements by the representatives of Yugoslavia, Niger, Romania, Guinea, the United Republic of Tanzania, Ethiopia, Morocco, Mauritius and Cuba.

218. At the 1960th meeting on 7 October, the President, with the consent of the Council, invited the representatives of Burundi, Poland and Sri Lanka, at their request, to participate in the discussion without the right to vote. Statements were made by the representatives of Burundi, Poland, Sri Lanka, China and Panama.

219. At the 1961st meeting on 13 October, the President, with the consent of the Council, invited the representatives of Bangladesh, Botswana, the German Democratic Republic and Liberia, at their request, to participate in the discussion without the right to vote. Statements were made by the Minister for Foreign Affairs of Mauritius, in his capacity as Chairman of the Council of Ministers of OAU, and by the representatives of the German Democratic Republic, the USSR, Botswana, Bangladesh and Liberia. The representative of the United States spoke in exercise of the right of reply.

220. At the 1962nd meeting on 18 October, the Council heard a statement by the representative of Guyana, who introduced a draft resolution (S/12211) sponsored by Benin, Guyana, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania and the United Republic of Tanzania, the text of which read as follows:

*"The Security Council,*

*"Having heard the statement by the President of the United Nations Council for Namibia,*

*"Having considered the statement by Mr. Sam Nujoma, President of the South West Africa People's Organization,*

*"Recalling General Assembly resolution 2145 (XXI) of 27 October 1966, which terminated South Africa's mandate over the Territory of Namibia, and resolution 2248 (S-V) of 19 May 1967, which established a United Nations Council for Namibia, as well as all other subsequent resolutions on Namibia, in particular resolution 3295 (XXIX) of 13 December 1974 and resolution 3399 (XXX) of 26 November 1975,*

*"Recalling also Security Council resolutions 245 (1968) of 25 January and 246 (1968) of 14 March 1968, 264 (1969) of 20 March and 269 (1969) of 12 August 1969, 276 (1970) of 30 January, 282 (1970) of 23 July, 283 (1970) and 284 (1970) of 29 July 1970, 300 (1971) of 12 October and 301 (1971) of 20 October 1971, 310 (1972) of 4 February 1972, 366 (1974) of 17 December 1974 and 385 (1976) of 30 January 1976,*

*"Recalling further the advisory opinion of the International Court of Justice of 21 June 1971 that South Africa is under obligation to withdraw its presence from the Territory,*

*"Reaffirming the legal responsibility of the United Nations over Namibia,*

*"Concerned at South Africa's continued illegal occupation of Namibia and its persistent refusal to comply with the resolutions and decisions of the General Assembly and the Security Council, as well as with the advisory opinion of the International Court of Justice of 21 June 1971,*

*"Gravely concerned at South Africa's efforts to destroy the national unity and territorial integrity of Namibia, at its recent intensification of repression*

against the Namibian people and its persistent violation of their human rights,

*“Gravely concerned* by the colonial war which South Africa is waging against the Namibian people, its use of military force against civilian populations and by the widespread use of torture and intimidation by military forces against the people of Namibia,

*“Gravely concerned also* at the utilization of the Territory of Namibia by South Africa to mount aggression against independent African States,

*“1. Condemns* South Africa’s failure to comply with the terms of Security Council resolution 385 (1976);

*“2. Condemns* all attempts by South Africa calculated to evade the clear demand of the United Nations for the holding of free elections under United Nations supervision and control in Namibia;

*“3. Denounces* the so-called Turnhalle constitutional conference as a device for evading the clear responsibility to comply with the requirements of Security Council resolutions, in particular resolution 385 (1976);

*“4. Reaffirms* the legal responsibility of the United Nations over Namibia;

*“5. Reaffirms* its support for the struggle of the people of Namibia for self-determination and independence;

*“6. Reiterates its demand* that South Africa take immediately the necessary steps to effect the withdrawal, in accordance with resolutions 264 (1969), 269 (1969), 366 (1974) and 385 (1976), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations;

*“7. Also demands* that South Africa put an end forthwith to its policy of Bantustans and so-called homelands aimed at violating the national unity and the territorial integrity of Namibia;

*“8. Reaffirms its declaration* that in order that the people of Namibia be enabled to determine freely their own future, it is imperative that free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity;

*“9. Demands* that South Africa urgently comply with the foregoing provisions for the holding of free elections in Namibia under United Nations supervision and control, undertake to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia, and recognize the territorial integrity and unity of Namibia as a nation;

*“10. Demands again* that South Africa, pending the transfer of power provided for in the preceding paragraphs:

*“(a) Comply* fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights;

*“(b) Release* all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under so-called internal security laws, whether such Namibians have been charged or tried

or are held without charge and whether held in Namibia or South Africa;

*“(c) Abolish* the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and so-called homelands;

*“(d) Accord* unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment;

*“11. Acting* under Chapter VII of the United Nations Charter:

*“(a) Determines* that the illegal occupation of Namibia and the war being waged there by South Africa constitute a threat to international peace and security;

*“(b) Decides* that all States shall cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa and shall prohibit their nationals from engaging in any such consultation, co-operation or collaboration;

*“(c) Decides* that all States shall take effective measures to prevent the recruitment of mercenaries, however disguised, for service in Namibia or South Africa;

*“(d) Decides* that all States shall take steps to ensure the termination of all arms licensing agreements between themselves or their nationals and South Africa, and shall prohibit the transfer to South Africa of all information relating to arms and armaments;

*“(e) Decides* that all States shall prevent:

*“(i) Any supply* of arms and ammunition to South Africa;

*“(ii) Any supply* of aircraft, vehicles and military equipment for use of the armed forces and paramilitary or police organizations of South Africa;

*“(iii) Any supply* of spare parts for arms, vehicles and military equipment used by the armed forces and paramilitary or police organizations of South Africa;

*“(iv) Any supply* of so-called dual-use aircraft, vehicles or equipment which could be converted to military use by South Africa;

*“(v) Any activities* in their territories which promote or are calculated to promote the supply of arms, ammunition, military aircraft and military vehicles to South Africa, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;

*“12. Decides* that all States shall give effect to the decisions set out in paragraph 11 of the present resolution notwithstanding any contract entered into or licence granted before the date of the present resolution, and that they shall notify the Secretary-General of the measures they have taken to comply with the aforementioned provision;

*“13. Requests* the Secretary-General, for the purpose of the effective implementation of the present resolution, to arrange for the collection and systematic study of all available data concerning in-

ternational trade in the items which should not be supplied to South Africa under paragraph 11 above;

"14. Requests the Secretary-General to follow the implementation of the resolution and to report to the Security Council on or before \_\_\_\_\_;

"15. Decides to remain seized of the matter."

221. At its 1963rd meeting on 19 October, the Council continued its consideration of the item, hearing statements by the representatives of France, Sweden, Japan, Italy and Panama, and by the President, speaking in his capacity as the representative of Pakistan.

222. Statements in explanation of vote before the vote were made by the representatives of the United States, the United Kingdom and France.

223. The representatives of Panama and the United Republic of Tanzania spoke on a point of procedure.

224. The Council then proceeded to vote on the draft resolution (S/12211) before it.

**Decision:** *At the 1963rd meeting on 19 October 1976, the seven-Power draft resolution (S/12211) received 10 votes in favour and 3 against (France, United Kingdom of Great Britain and Northern Ireland and United States of America) with 2 abstentions (Italy and Japan) and was not adopted, owing to the negative votes of three permanent members of the Security Council.*

225. Following the vote, statements were made by the representatives of Benin, the United Republic of Tanzania and the USSR, and by the President of the United Nations Council for Namibia and the representative of Saudi Arabia.

226. The President drew the Council's attention to a letter dated 19 October (S/12216) from the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania, requesting that an invitation under rule 39 of the provisional rules of procedure be extended to Mr. Theo-Ben Gurirab of SWAPO. In the absence of objection, the Council decided to extend the invitation as requested and heard a statement by Mr. Gurirab.

227. The President of the Council made a statement.

### 3. SUBSEQUENT COMMUNICATIONS TO THE SECURITY COUNCIL

228. By a letter dated 28 February 1977 (S/12292), the Secretary-General transmitted to the President of the Security Council the text of General Assembly resolution 31/146 on the situation in Namibia resulting from the illegal occupation of the Territory by South Africa adopted by the General Assembly on 20 December 1976 during its thirty-first session. The Secretary-General called attention to paragraph 25 of the resolution, whereby the Assembly urged the Council to take up again the question of Namibia, which was still on its agenda, and, in view of South Africa's failure to comply with Council resolution 385 (1976), to impose a mandatory arms embargo against South Africa.

229. By a letter dated 14 March (S/12297), the Acting Chairman 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 transmitted to the Presi-

dent of the Security Council the text of a consensus concerning the question of Namibia (A/AC.109/544) adopted by the Special Committee on 14 March 1977. He called attention to paragraphs 6 and 7 of the consensus, in which the Special Committee requested the Security Council to consider taking all appropriate measures under the Charter, including those provided for under Chapter VII, with a view to securing the speedy compliance of the Government of South Africa with the decisions of the Security Council, and recommended to the Council that it declare mandatory the arms embargo against South Africa without any qualifications whatsoever.

230. In a letter dated 29 April (S/12324), the Chargé d'Affaires a.i. of the Permanent Mission of South Africa to the United Nations charged that, on 20 April, a group of SWAPO terrorists had abducted 121 Ovambo children ranging in age from 12 to 20 years, as well as 6 staff members, from a Roman Catholic Mission School in Ovambo across the border to Angola.

231. By a letter dated 6 June (S/12344, part II), the Chairman 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 the Acting President of the United Nations Council for Namibia transmitted to the Secretary-General the text of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and Programme of Action for the Liberation of Zimbabwe and Namibia approved by the International Conference in Support of the Peoples of Zimbabwe and Namibia, which was held at Maputo from 16 to 21 May 1977 in pursuance of General Assembly resolution 31/145 of 17 December 1976, in order to express the solidarity and support of the world community with the freedom struggle of the oppressed peoples of Zimbabwe and Namibia.

## G. Question concerning the situation in Southern Rhodesia

### 1. REPORTS AND COMMUNICATIONS TO THE SECURITY COUNCIL

232. By a letter dated 17 June 1976 (S/12098), the Chairman 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 transmitted to the Security Council the text of a resolution concerning the question of Southern Rhodesia adopted by the Special Committee on 16 June. The letter referred in particular to paragraph 7 of that resolution, under the terms of which the Special Committee had endorsed a recommendation that the scope of sanctions against the illegal régime be widened to include all the measures envisaged under Article 41 of the Charter and had reiterated its request that the Security Council consider taking the necessary measures in that regard as a matter of urgency.

233. By a letter dated 18 June (S/12105), the Secretary-General transmitted 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 the request of the Special Committee, in order that the Council might be made

aware of the latest developments in the struggle for the national liberation of the peoples of Zimbabwe and Namibia, and take such further measures as it might deem necessary to enable those peoples to achieve their independence.

234. By a letter dated 23 June (S/12114), the representative of Brazil transmitted the text of a decree signed by the President of Brazil on 2 June 1976 which promulgated measures for the implementation by Brazil of Security Council resolution 388 (1976).

235. By a letter dated 19 July (S/12149), the representative of Finland transmitted the text of a decree signed by the President and the Minister for Foreign Affairs of Finland on 27 May 1976 which had amended the "Decree on the Fulfilment of Obligations arising from the resolution on Southern Rhodesia adopted by the Security Council of the United Nations on 29 May 1968" in conformity with the provisions of resolution 388 (1976).

236. By a letter dated 19 October (S/12217), the representative of the Netherlands, in his capacity as Chairman of the countries of the European Communities, transmitted a statement issued on 18 October 1976 by the Ministers for Foreign Affairs of the nine countries, in which they welcomed the British Government's speedy action in convening a conference in Geneva to discuss the formation of an interim government in Southern Rhodesia which would pave the way for majority rule within two years; appealed to all the parties concerned to seize that opportunity to achieve a just and peaceful solution to that long-standing problem by bringing about an orderly and peaceful transfer of power to the majority in Zimbabwe; and confirmed that they would, meanwhile, continue to comply strictly with their obligations relating to sanctions.

237. On 21 December 1976, the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia submitted its ninth report (S/12265) covering its work during the period from 16 December 1975 to 15 December 1976. The report contained an account of the actions taken by Governments and by the Committee to ensure implementation of sanctions, and of the actions taken by States in implementation of the relevant provisions of Security Council resolution 388 (1976). According to the report, the Committee had also considered matters relating to consular and other representation in Southern Rhodesia and representation of the illegal régime abroad; sports activities involving participants travelling to and from Southern Rhodesia; publication of lists of Governments failing to respond to the Committee's inquiries within the prescribed period of two months; the question of airlines operating to and from Southern Rhodesia; immigration and tourism; and expansion of sanctions against Southern Rhodesia, a subject concerning which, the Committee had decided, because of its particular importance, to issue a second special report (S/12296) to the Security Council. There were six annexes to the ninth report. Annex I contained the report of the Chairman on his personal contacts with the representatives of Governments in default of replies after three reminders from the Committee. Annexes II to V contained reports on cases carried over from previous reports, new cases and correspondence conducted with Governments, non-governmental organizations and individuals concerning

all the cases considered. The sixth annex reproduced a note and statistical data prepared by the Secretariat on Southern Rhodesian trade for the year 1975, and was issued as volume III of the ninth report.

238. On 31 December, the Committee submitted to the Security Council its second special report (S/12296) on the expansion of sanctions against Southern Rhodesia. During 1976 the Committee had examined proposals pertaining to the following matters: the flow of capital from Southern Rhodesia for certain purposes; the denial by Member States of landing rights in their respective territories to flights, the route schedule of which included stop-overs in Southern Rhodesia for the purpose of loading or unloading passengers and/or goods to and from Southern Rhodesia; and application of Article 41 of the Charter, with particular reference to the complete or partial interruption of rail, sea, air, postal, telegraphic, radio and other means of communication. The report stated that it had not been possible to reach agreement on all the measures proposed in the Committee. Consequently, it had been agreed that areas of agreement and disagreement on the matter of expansion of sanctions would be reflected in the second special report. The Committee, while bearing in mind the reservations expressed by some delegations as summarized in the annex to the special report, recommended to the Security Council that the flow of capital from Southern Rhodesia for certain purposes should be included within the scope of mandatory sanctions against Southern Rhodesia.

239. By a letter dated 28 February 1977 (S/12293), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 31/154 B of 20 December 1976 concerning the question of Southern Rhodesia, drawing particular attention to its paragraphs 7 and 8, by which the General Assembly requested 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; reiterated 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 requested the Security Council to consider taking the necessary measures in that regard as a matter of urgency.

240. By a letter dated 18 March 1977 (S/12303), the Acting Executive Secretary of OAU to the United Nations conveyed a message to the effect that OAU expected from the Security Council nothing short of widening economic sanctions against the illegal régime in Southern Rhodesia and the imposition of economic sanctions and a mandatory arms embargo against *apartheid* South Africa.

241. By a letter dated 22 March (S/12305), the representative of Ghana transmitted the text of a resolution which had been adopted at the 117th Executive Committee session of the World Federation of the United Nations Associations (WFUNA), held in Accra from 19 to 21 March 1977. In that resolution, the Executive Committee of WFUNA requested that the Security Council give urgent consideration to taking immediate steps to ensure that no State, multinational or other body or person be allowed to provide South Africa or Southern Rhodesia with any equipment, technology or production of nuclear weapons of any kind.

242. In a letter dated 29 March (S/12314), the representative of Italy set out the stand and the action taken by Italy regarding the implementation of measures against Southern Rhodesia. The letter stated that on 3 October 1968, pursuant to Security Council resolution 253 (1968), the Italian Parliament had adopted a bill which stipulated that any individual caught in commercial or financial transactions of any kind with Southern Rhodesia was punishable by imprisonment of up to two years and by a fine of up to four times the amount of the transaction in question. The letter further stated that Italy had been among the first to open embassies in the two newly independent "front-line" countries, Angola and Mozambique. The Italian authorities had recently decided to supply concrete aid, through OAU, to the liberation movements of Zimbabwe and were considering, in a positive light, contributing to and participating in the forthcoming Maputo Conference on Zimbabwe and Namibia.

## 2. CONSIDERATION AT THE 2011TH MEETING (27 MAY 1977)

243. At its 2011th meeting, on 27 May, the Security Council included the following item in its agenda without objection:

"Question concerning the situation in Southern Rhodesia:

"Second special report of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia on the expansion of sanctions against Southern Rhodesia (S/12296)."

244. The representative of Mauritius made a statement and introduced a draft resolution (S/12339) which, he noted, was sponsored by all 15 members of the Security Council. Statements were then made by the representatives of Pakistan, the Libyan Arab Jamahiriya, the USSR, Romania, China, Canada, the United Kingdom, the United States, the Federal Republic of Germany, Venezuela, Panama, France, India and Benin.

**Decision:** *At its 2011th meeting on 27 May 1977, the Security Council adopted the draft resolution (S/12339) unanimously, without a vote, as resolution 409 (1977).*

245. Resolution 409 (1977) read as follows:

"The Security Council,

"Reaffirming its resolutions 216 (1965) of 12 November and 217 (1965) of 20 November 1965, 221 (1966) of 9 April and 232 (1966) of 16 December 1966, 253 (1968) of 29 May 1968, 277 (1970) and 388 (1976) of 6 April 1976,

"Reaffirming that the measures provided for in those resolutions, as well as the measures initiated by Member States in pursuance thereof, shall continue in effect,

"Taking into account the recommendations made by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia in its second special report of 31 December 1976 on the expansion of sanctions against Southern Rhodesia (S/12296),

"Reaffirming that the present situation in Southern Rhodesia constitutes a threat to international peace and security,

"Acting under Chapter VII of the Charter of the United Nations,

"1. Decides that all Member States shall prohibit the use or transfer of any funds in their territories by the illegal régime in Southern Rhodesia, including any office or agent thereof, or by other persons or bodies within Southern Rhodesia, for the purposes of any office or agency of the illegal régime that is established within their territories other than an office or agency so established exclusively for pensions purposes;

"2. Urges, having regard to the principle stated in Article 2, paragraph 6 of the Charter of the United Nations, States not Members of the United Nations to act in accordance with the provisions of the present resolution;

"3. Decides to meet not later than 11 November 1977 to consider the application of further measures under Article 41 of the Charter, and meanwhile requests the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to examine, in addition to its other functions, the application of further measures under Article 41 and to report to the Council thereon as soon as possible."

246. Thereafter, a statement was made by the representative of Mauritius.

## 3. SUBSEQUENT COMMUNICATION

247. In a letter dated 2 June (S/12341), the representative of Australia set out his Government's position concerning Security Council resolution 409 (1977). As it fully supported the application of sanctions in respect of Southern Rhodesia, the Australian Government proposed to introduce legislation designed to give effect to the most recent resolution directed against the maintenance of Southern Rhodesian information offices and agencies abroad. However, since the current session of the Australian Parliament was due to end on 3 June, it would not be practicable to introduce such legislation until the following session of the Parliament in August. The letter further stated that the Secretary-General would be kept informed of the progress of the legislation.

## H. Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty

### 1. COMMUNICATIONS TO THE SECURITY COUNCIL AND REQUEST FOR A MEETING

248. By a letter dated 22 December 1976 (S/12262), the representative of Botswana submitted a complaint in connexion with the serious acts of aggression committed against Botswana by the illegal régime in the British colony of Southern Rhodesia, the most recent of which had occurred between 17 and 19 December. He transmitted an excerpt from a statement made by the Vice-President of Botswana in the House of Parliament on 17 December concerning the deteriorating situation on the border with Rhodesia, in which it was pointed out that, since 27 December 1966, 31 violations of the territorial sovereignty of Botswana by members of the Rhodesian security forces had come to the notice of the Government of Botswana

and that with its limited financial and human resources, Botswana could not hope to provide sufficient security forces to safeguard its border with Southern Rhodesia. The representative of Botswana requested an urgent meeting of the Security Council to consider the serious situation.

249. In a letter dated 11 January 1977 (S/12273), the representative of Morocco, on behalf of the African Group, stated that the African Group fully supported the request by Botswana for an urgent meeting of the Security Council and expected the Council to take the necessary measures.

250. In a letter dated 12 January (S/12275), the representative of Botswana conveyed additional information concerning his country's complaint. He charged that a Southern Rhodesian special commando force, the so-called Selous Scouts, was being trained to carry out missions of sabotage, abductions, attacks, etc. in Botswana and that the régime had declared the entire 400-mile border between Southern Rhodesia and Botswana a war zone. It described recent violations of Botswana's territorial integrity and sovereignty, set out Botswana's position vis-à-vis its granting of political asylum to those who fled from oppression in the minority-ruled States of southern Africa and outlined Botswana's response to the acts of aggression being committed against it and the type of assistance it needed.

## 2. CONSIDERATION AT THE 1983RD TO 1985TH MEETINGS (12-14 JANUARY 1977)

251. At its 1983rd meeting on 12 January, the Security Council adopted the following agenda item without objection:

"Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council (S/12262)."

252. The President, with the consent of the Council, invited the representatives of Botswana, Lesotho, Morocco, the United Republic of Tanzania and Zambia, at their request, to participate in the discussion without the right to vote.

253. The Council began its consideration of the question and heard statements by the representatives of Botswana, Mauritius, Morocco, Benin, the Libyan Arab Jamahiriya and Venezuela.

254. At the 1984th meeting on 13 January, the President, with the consent of the Council, invited the representatives of Kenya, Mozambique, Nigeria, Sierra Leone and Yugoslavia, at their request, to participate in the discussion without the right to vote.

255. Discussion was continued with statements by the representatives of Zambia, Panama, Lesotho, China, Romania, Canada, the United Republic of Tanzania, India, Yugoslavia, Sierra Leone, Kenya and the United States.

256. At the 1985th meeting on 14 January, the President, with the consent of the Council, invited the representatives of Cuba, Equatorial Guinea, the German Democratic Republic, Mali, Somalia and Togo, at their request, to participate in the discussion without the right to vote.

257. The Council continued its consideration of the item with statements by the representatives of Mozambique, Mauritius, the Federal Republic of Germany, Somalia, France, Nigeria, the German Democratic Republic, Cuba, Pakistan, Equatorial Guinea and Mali, and by the President of the Council, speaking in his capacity as the representative of the USSR.

258. In the course of his statement, the representative of Mauritius introduced a draft resolution (S/12276) sponsored by Benin, India, the Libyan Arab Jamahiriya, Mauritius, Pakistan, Panama, Romania and Venezuela.

259. Statements before the vote were made by the representatives of the United Kingdom and the United States.

**Decision:** *At its 1985th meeting on 14 January 1977, the Security Council adopted the eight-Power draft resolution (S/12276) by 13 votes to none with two abstentions (United Kingdom of Great Britain and Northern Ireland and United States of America) as resolution 403 (1977).*

260. Resolution 403 (1977) read as follows:

*"The Security Council,*

*"Taking note of the letters dated 22 December 1976 (S/12262) and 12 January 1977 (S/12275) from the Permanent Representative of Botswana to the United Nations, and having heard the statement of the Minister for External Affairs of Botswana concerning hostile acts against Botswana by the illegal minority régime in Southern Rhodesia,*

*"Gravely concerned at the dangerous situation created by the provocative and hostile acts committed by the illegal régime in Southern Rhodesia against the security and well-being of Botswana,*

*"Reaffirming the inalienable right of the people of Southern Rhodesia to self-determination and independence in accordance with General Assembly resolution 1514 (XV) of 14 December 1960, and the legitimacy of their struggle to secure the enjoyment of such rights as set forth in the Charter of the United Nations,*

*"Recalling its resolutions 232 (1966) of 16 December 1966 and 253 (1968) of 29 May 1968, by which it determined and reaffirmed respectively that the situation in Southern Rhodesia constituted a threat to international peace and security,*

*"Taking note of General Assembly resolution 31/154 of 20 December 1976,*

*"Convinced that the recent provocative and hostile acts perpetrated by the illegal régime against Botswana aggravate the situation,*

*"Deeply grieved and concerned at the loss of human life and damage to property caused by the acts of the illegal régime in Southern Rhodesia against Botswana,*

*"Noting with appreciation Botswana's decision to continue to give asylum to political refugees fleeing from inhuman oppression by the illegal racist minority régime,*

*"Realizing the need for Botswana to strengthen its security in order to safeguard its sovereignty, territorial integrity and independence,*



"*Reaffirming* the legal responsibility of the Government of the United Kingdom of Great Britain and Northern Ireland over Southern Rhodesia, in accordance with the relevant resolutions of the United Nations,

"1. *Strongly condemns* all acts of provocation and harassment, including military threats and attacks, murder, arson, kidnapping and destruction of property, committed against Botswana by the illegal régime in Southern Rhodesia;

"2. *Condemns* all measures of political repression by the illegal régime that violate fundamental rights and freedoms of the people of Southern Rhodesia and contribute to instability and lack of peace in the region as a whole;

"3. *Deplores* all acts of collaboration and collusion which sustain the illegal régime in Southern Rhodesia and encourage defiance with impunity of the resolutions of the Security Council, with adverse consequences for peace and security in the region;

"4. *Demands* the immediate and total cessation of all hostile acts committed against Botswana by the illegal régime in Southern Rhodesia;

"5. *Takes cognizance* of the special economic hardship confronting Botswana as a result of the imperative need to divert funds from ongoing and planned development projects to hitherto unplanned and unbudgeted security measures necessitated by the urgent need effectively to defend itself against attacks and threats by the illegal régime in Southern Rhodesia;

"6. *Accepts* the invitation of the Government of Botswana to dispatch a mission to assess the needs of Botswana in carrying out its development projects under the present circumstances and, accordingly, requests the Secretary-General, in collaboration with appropriate organizations of the United Nations system, to organize with immediate effect financial and other forms of assistance to Botswana and to report to the Security Council not later than 31 March 1977;

"7. *Requests* the United Nations and the organizations and programmes concerned, including the Economic and Social Council, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Development Programme, the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development, to assist Botswana in carrying out the ongoing and planned development projects without interruption as stated in paragraph 5 and envisaged under paragraph 6 of the present resolution;

"8. *Appeals* to all States to respond positively in providing assistance to Botswana, in the light of the report of the Mission of the Secretary-General, in order to enable Botswana to carry out its planned development projects;

"9. *Decides* to remain seized of the matter."

261. Following adoption of the resolution, the Secretary-General made a statement. Further statements were made by the representatives of Canada, Mauritius and Botswana.

### 3. REPORT AND COMMUNICATION TO THE SECURITY COUNCIL FROM THE SECRETARY-GENERAL

262. By a note dated 28 March (S/12307), the Secretary-General transmitted the report of the Mission to Botswana that had been appointed, in the context of Security Council resolution 403 (1977), to assess the needs of Botswana in carrying out its development projects under the prevailing circumstances. The report described the deteriorating security situation of Botswana and the influx of refugees from South Africa and Southern Rhodesia which was placing a strain on Botswana's economy. It then recommended five groups of emergency projects that had not been included in the normal development plan, summarized the financial implications of those recommended programmes and estimated the diversion of resources from normal development that would be required to carry them out. In conclusion, the Mission outlined four major means by which the international community could assist Botswana to carry out its normal development projects in the new circumstances.

263. By a letter dated 18 April (S/12326), the Secretary-General transmitted to all States Members of the United Nations and members of the specialized agencies the report of the Mission to Botswana and pointed out that according to that report the total sum required by Botswana to enable it to continue with its normal development would amount to \$53.5 million over the next three years. He expressed confidence that all States would give the matter their most urgent attention and would respond positively to the appeal made by the Security Council by providing Botswana with the financial and material help which it so urgently needed.

### 4. CONSIDERATION AT THE 2006TH AND 2008TH MEETINGS (24 AND 25 MAY 1977)

264. At its 2006th meeting on 24 May, the Security Council included the following item in its agenda without objection:

"Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council:

"Note by the Secretary-General (S/12307)."

265. The President, with the consent of the Council, invited the representatives of Botswana and Sierra Leone, at their request, to participate in the discussion without the right to vote.

266. The Secretary-General made a statement introducing the report of the Mission to Botswana.

267. The Security Council continued its discussion of the question with statements by the representatives of Mauritius, Botswana, Sierra Leone and the Libyan Arab Jamahiriya.

268. In the course of his statement, the representative of Mauritius introduced a draft resolution (S/12334) sponsored by Benin, India, the Libyan Arab Jamahiriya, Mauritius, Pakistan, Panama, Romania and Venezuela.

269. At its 2008th meeting on 25 May, the Security Council concluded its discussion of the question,

hearing statements by the representatives of the United Kingdom, the Federal Republic of Germany, Pakistan, India, Canada, the United States, the USSR, France, Romania, Panama, Venezuela and China, and by the President of the Council, speaking in his capacity as the representative of Benin.

270. The Security Council then proceeded to take a decision on the eight-Power draft resolution (S/12334).

**Decision:** *At the 2008th meeting, on 25 May 1977, the draft resolution (S/12334) was adopted unanimously, without a vote, as resolution 406 (1977).*

271. Resolution 406 (1977) reads as follows:

*"The Security Council,*

*"Recalling its resolution 403 (1977) of 14 January 1977,*

*"Taking note of the letter dated 18 April 1977 (S/12326) addressed to all States by the Secretary-General in accordance with paragraph 8 of resolution 403 (1977),*

*"Recalling further its resolutions 232 (1966) of 16 December 1966 and 253 (1968) of 29 May 1968, by which it determined and reaffirmed, respectively, that the situation in Southern Rhodesia constituted a threat to international peace and security,*

*"Having examined the report (S/12307) of the Mission to Botswana established under resolution 403 (1977),*

*"Having heard the statement of the Minister for External Affairs of Botswana on the continued attacks and acts of provocation by the illegal racist régime in Southern Rhodesia against Botswana,*

*"Convinced that international solidarity with Botswana, as a neighbouring State to Southern Rhodesia, is essential for the promotion of a solution to the question of Southern Rhodesia,*

*"1. Expresses full support for the Government of Botswana in its efforts to safeguard its sovereignty, territorial integrity and independence;*

*"2. Expresses its appreciation to the Secretary-General for having arranged to send a Mission to Botswana to ascertain the assistance needed;*

*"3. Takes note with satisfaction of the report of the Mission to Botswana (S/12307);*

*"4. Fully endorses the assessment and recommendations of the Mission to Botswana under resolution 403 (1977);*

*"5. Further fully endorses the appeal made by the Secretary-General in his letter of 18 April 1977 (S/12326) to all States to give the matter of assistance to Botswana their most urgent attention and to provide Botswana with the financial and material help it urgently needs;*

*"6. Welcomes the establishment by the Secretary-General of a special account at Headquarters to receive contributions for assistance to Botswana through the United Nations;*

*"7. Requests the United Nations and the organizations and programmes concerned, including the Economic and Social Council, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the United Nations Conference on Trade and Development, the United Nations Development Programme and the World Health Organization, to assist Botswana in the fields identified in the report of the Mission to Botswana;*

*"8. Requests the Secretary-General to give the matter of assistance to Botswana his continued attention and to keep the Security Council informed;*

*"9. Decides to remain seized of the matter."*

272. Following the adoption of the resolution, the representative of Botswana made a further statement.

### Chapter 3

## THE SITUATION IN CYPRUS

### A. Developments between 16 June and 31 December 1976

#### 1. COMMUNICATIONS TO THE SECURITY COUNCIL

273. From mid-June until the end of the year, Cyprus and Turkey addressed a series of communications to the Council on the political and constitutional, social and humanitarian and other aspects of the situation in Cyprus.

274. On political and constitutional issues, the representatives of Cyprus charged, in a letter dated 24 August (S/12190), that the Minister of the Interior of Turkey had made provocative and inflammatory statements concerning the possibility of a unilateral declaration of independence for the Turkish-occupied area of Cyprus. By a letter dated 31 August (S/12192), the representative of Cyprus transmitted the text of section XIII, concerning Cyprus, 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.

275. By letters dated 2 August, 8 September, 2 October and 24 November (S/12160, S/12197, S/12209 and S/12240), the representative of Turkey transmitted communications from Mr. Nail Atalay and Mr. Rauf Denktash expressing Mr. Denktash's willingness to meet Archbishop Makarios under conditions of full equality as leaders of the two Cypriot communities; protesting the candidacy of Mr. Andreas Mavromatis, a Greek Cypriot, for membership on the Human Rights Committee on the grounds that Cyprus was a bi-national State and, consequently, membership of the Greek Cypriot administration as representing Cyprus as a whole was totally unacceptable to the Turkish Cypriot community; transmitting the views of Mr. Denktash concerning the President of the Greek Cypriot Party, EDEK, Mr. Lyssarides, who was to lead an Afro-Asian People's Solidarity Organization delegation to New York; and transmitting a resolution adopted

on 5 November by the Legislative Assembly on the foreign policy of the "Turkish Federated State of Cyprus" for the settlement of the Cyprus problem.

276. Communications from the representative of Cyprus concerning social and humanitarian matters were dated 13 and 15 July, 20 August and 26 November (S/12142, S/12145, S/12184, S/12241 and S/12243). In those letters, Cyprus charged that inhuman methods of physical violence and threats to life were being applied against the remaining Greek Cypriots in the north of Cyprus by Turkish occupation forces in order to force them to consent to being transferred to the south; gave details concerning new cases of the expulsion of Greek Cypriots from their homes in the occupied area; termed the practices followed by Turkish occupation forces the worst form of racial discrimination; transmitted a text of the resolution adopted by the Cyprus House of Representatives on 18 November appealing to the Security Council and the General Assembly to put an end to the expulsions and to the colonization of the occupied north of Cyprus by mainland Turks; and transmitted three further reports giving details of alleged torture and harassment of Greek Cypriots in the occupied areas.

277. In a letter dated 15 July (S/12144 and Corr.1), the representative of Cyprus replied to a communication from Mr. Rauf Denktash of 28 May and charged that in that letter Mr. Denktash had not even attempted to give an answer to the evidence presented by Cyprus earlier regarding violations of human rights by the invading Turkish forces.

278. The representative of Turkey transmitted letters of Mr. Nail Atalay on 3 August, 8 September and 1 December (S/12162, S/12196 and S/12250) which described the charges made by Cyprus as unfounded, false and intended to mislead.

279. In a letter dated 17 August (S/12179), the representative of Cyprus replied to the Turkish letter of 3 August (S/12162) transmitting a letter from Mr. Nail Atalay. He rejected the status claimed for Mr. Atalay, reaffirmed his earlier charges on the forcible expulsion of Greek Cypriots and accused Turkey of having violated the commitments undertaken in the intercommunal humanitarian agreement of 2 August 1975.

280. In connexion with the General Assembly's consideration of the question of Cyprus at its thirty-first session, the representative of Turkey, by a letter dated 21 September (S/12204), transmitted a communication from Mr. Vedat Celik, who stated that for a meaningful and constructive debate, the Cyprus issue should be allocated, unlike the procedure followed last year, to a forum where the two communities could and would participate fully on an equal basis.

281. By a letter dated 22 June (S/12107), the representative of the Union of Soviet Socialist Republics transmitted a TASS statement expressing serious concern at the unwarranted delay in a Cyprus settlement and at the efforts to take advantage of the difficult situation in the Republic of Cyprus in order to impose on it decisions contrary to the interests of the Cypriot people, and stating that the best chance for solving that problem lay in the convening of a representative international conference on Cyprus within the framework of the United Nations.

## 2. COMMUNICATIONS AND REPORTS FROM THE SECRETARY-GENERAL

282. In a letter dated 15 July (S/12148), addressed to Governments of Member States and members of the specialized agencies, the Secretary-General issued a further appeal for voluntary contributions for the financing of the United Nations Peace-keeping Force in Cyprus (UNFICYP). He stated that the accumulated deficit for the period through 15 June 1976 stood at \$39.7 million and that it was estimated that \$12 million would be required to maintain the Force during the current six-month period ending 15 December 1976.

### (a) *Report of the Secretary-General dated 30 October*

283. In pursuance of his mission of good offices under Security Council resolutions 367 (1975) of 12 March 1975 and 391 (1976) of 15 June 1976, the Secretary-General submitted to the Council a report dated 30 October (S/12222) concerning the implementation of those resolutions.

284. In the report, the Secretary-General described the contacts that his Special Representative, Mr. Javier Perez de Cuellar, had had with President Makarios and Mr. Rauf Denktash in Nicosia and with the Foreign Ministers of Turkey and Greece and other high officials in Ankara and Athens, as well as his own consultations with the representatives of the two communities, in New York, before the opening of the General Assembly.

285. In concluding the report, the Secretary-General stressed that despite the difficulties he had described, the intercommunal negotiations represented the best hope of achieving an agreed, just and lasting settlement of the Cyprus problem. He regretted to have to report that the difficulties in the way of resuming meaningful negotiations had yet to be overcome, and the differences between the two sides had, in practice, shown little sign of narrowing. Although the current procedural deadlock reflected the political difficulties of the interlocutors, the Secretary-General remained determined to exert his best efforts to bring about the resumption of meaningful negotiations.

### (b) *Report of the Secretary-General dated 9 December 1976*

286. Before the expiration of the mandate of UNFICYP on 15 December, the Secretary-General submitted a report to the Security Council on 9 December (S/12253) covering the period from 6 June to 6 December 1976. In the report, the Secretary-General indicated that the access of UNFICYP to the Turkish-controlled part of the island had remained restricted but that there had been a continuing reduction in the number of cease-fire violations. UNFICYP had endeavoured to facilitate normal farming activity by providing escorts to enable Greek Cypriot and Turkish Cypriot farmers to work in sensitive areas. The exodus of Greek Cypriots to the south had accelerated, and UNFICYP in most cases had not been able to establish the voluntary nature of their departure. UNFICYP had also continued to support the activities of the United Nations High Commissioner for Refugees and his relief programme by delivering food supplies and providing emergency medical services. The Secretary-

General also drew the Council's attention to the increasingly critical financial situation of UNFICYP.

287. As it had not been possible to reconvene the intercommunal talks, the Secretary-General appealed to the parties concerned to make a determined effort and show the necessary flexibility to make it possible to resume the negotiating process at an early date.

288. In an addendum to his report issued on 14 December (S/12253/Add.1), the Secretary-General indicated that the parties concerned had signified their concurrence in the extension of the mandate of UNFICYP for another six months.

### 3. CONSIDERATION AT THE 1979TH AND 1980TH MEETINGS (14-15 DECEMBER 1976)

289. The Council held its 1979th meeting on 14 December and adopted the following agenda without objection:

"The situation in Cyprus:

"Report of the Secretary-General on the United Nations Operation in Cyprus (S/12253 and Add.1)."

290. The President, with the consent of the Council, invited the representatives of Cyprus, Turkey and Greece, at their request, to participate in the discussion without the right to vote.

291. The President recalled that, in the course of consultations on 13 December, members of the Council had agreed that an invitation would be extended under rule 39 of the provisional rules of procedure to Mr. Vedat Celik, in accordance with previous practice. In the absence of objection, it was so decided.

292. The President drew attention to a draft resolution (S/12256) arrived at during the course of consultations among all members of the Council.

293. The President, in the absence of any objection, put the draft resolution to the vote.

**Decision:** *At the 1979th meeting on 14 December 1976, the draft resolution (S/12256) was adopted by 13 votes to none as resolution 401 (1976). Two members (Benin and China) did not participate in the vote.*

294. Resolution 401 (1976) read as follows:

"The Security Council,

"Noting from the report of the Secretary-General of 9 December 1976 (S/12253) that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,

"Noting from the report the conditions prevailing in the island,

"Noting also from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island and that further progress is being made in discussions regarding the stationing, deployment and functioning of the Force, and expressing the hope that ways will be found to surmount the remaining obstacles,

"Noting further that the Secretary-General has expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the

two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,

"Expressing its concern at actions which increase tension between the two communities and tend to affect adversely the efforts towards a just and lasting peace in Cyprus,

"Emphasizing the need for the parties concerned to adhere to the agreements reached at all previous rounds of the talks held under the auspices of the Secretary-General and expressing the hope that future talks will be meaningful and productive,

"Noting also the concurrence of the parties concerned with the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

"Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 December 1976,

"1. Reaffirms the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus;

"2. Reaffirms once again its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions as well as of its resolution 367 (1975) of 12 March 1975;

"3. Urges the parties concerned to act with the utmost restraint to refrain from any unilateral or other action likely to affect adversely the prospects of negotiations for a just and peaceful solution and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

"4. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1977, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

"5. Appeals again to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;

"6. Requests the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of this resolution by 30 April 1977."

295. Following the vote, statements were made by the Secretary-General and by the representatives of Cyprus, Greece, Turkey, China, Sweden and the USSR.

The Council also heard a statement by Mr. Çelik, in conformity with the decision taken at the beginning of the meeting.

296. At the 1980th meeting on 15 December, the Council continued its discussion with statements by the representatives of Japan, the United Kingdom of Great Britain and Northern Ireland, the United States of America, France, Pakistan, Guyana, Benin, Italy, Panama and the United Republic of Tanzania, and by the President, speaking in his capacity as the representative of Romania. Further statements were made by the representatives of Cyprus and Turkey. The Council heard a further statement by Mr. Çelik, who spoke in accordance with the decision of the Council taken at its previous meeting.

#### 4. FURTHER COMMUNICATIONS FROM THE SECRETARY-GENERAL

297. In a letter dated 7 December (S/12254), the Secretary-General transmitted to the Security Council the text of resolution 31/12 on the question of Cyprus adopted by the General Assembly on 12 November 1976. He drew particular attention to paragraph 5 of the resolution, in which the Assembly had expressed the hope that the Council would consider appropriate steps for the implementation of its resolution 365 (1974) of 13 December 1974.

### B. Developments between 1 January and 15 June 1977

#### 1. COMMUNICATIONS TO THE SECURITY COUNCIL FROM THE PARTIES CONCERNED

298. In a letter dated 5 January 1977 (S/12270 and Corr.1), the representative of Cyprus submitted a further complaint concerning the accelerating pace of forcible expulsions of indigenous Greek Cypriot inhabitants from the northern areas of Cyprus under Turkish military occupation.

#### 2. COMMUNICATIONS AND REPORTS TO THE SECURITY COUNCIL FROM THE SECRETARY-GENERAL

299. In a letter dated 16 March (S/12316) addressed to the Governments of Member States and members of the specialized agencies, the Secretary-General issued a further appeal for voluntary contributions for the financing of UNFICYP. He stated that as a result of the shortfall in contributions and the resulting accumulated deficit, which stood at \$43.8 million on 15 December 1976, \$12.7 million would be the estimated cost required to maintain the Force during the current six-month period ending 15 June 1977.

##### (a) *Report of the Secretary-General dated 30 April 1977*

300. In pursuance of his continuing mission of good offices under Security Council resolution 401 (1976) of 14 December 1976, the Secretary-General submitted a report to the Council on 30 April (S/12323) concerning the implementation of that resolution.

301. In his report, the Secretary-General reviewed developments that had led to the high-level meeting of Archbishop Makarios and Mr. Rauf Denktaş under his personal auspices on 27 February. He set out the texts of the agreed instructions (guidelines) for the intercommunal talks as a basis for future negotiations

that had been issued following the meeting. A new series of intercommunal talks had been held in Vienna from 31 March to 7 April, as had been decided at the high-level meeting. The annexes to the report contained the opening statement by the Secretary-General at those talks and the proposals submitted by the two Cypriot communities. Each side had presented certain proposals which the other had not accepted.

302. The Secretary-General stated that it had not been possible to bridge the considerable gap between the views of the two sides but that efforts would be continued to overcome the differences. To that end it had been agreed that talks would resume in Nicosia about the middle of May under the auspices of the Special Representative of the Secretary-General, in preparation of a further round in Vienna. The Secretary-General concluded that there was evidently still a long way to go in order to reach the point where the necessary concessions would begin to be made and that it would be necessary for both sides to make vastly increased efforts to appreciate each other's positions, apprehensions and aspirations.

##### (b) *Report of the Secretary-General dated 7 June 1977*

303. As the mandate on UNFICYP was due to expire on 15 June 1977, the Secretary-General submitted a report (S/12342) to the Security Council on 7 June on the United Nations operation in Cyprus for the period from 7 December 1976 to 7 June 1977.

304. The Secretary-General reported that a substantial trend towards stabilization of the security situation, mainly in the military field, had developed, thanks in good part to the continuing peace-keeping efforts of UNFICYP. There remained, however, areas of concern, especially with reference to the continuing efforts of both sides to improve or strengthen their positions in the confrontation areas. The daily exodus of Greek Cypriots from the north had virtually ceased in late January. The situation of the Greek Cypriots in the north, however, remained a matter of concern, as free and normal access to them by UNFICYP was still not possible.

305. While the peace-keeping aspect of the United Nations operation in Cyprus had been increasingly effective, the peace-making effort continued to encounter serious obstacles. Since the resumption of the intercommunal talks in Nicosia in May under the auspices of the Special Representative of the Secretary-General, the situation had remained unchanged. It was evident that certain political developments were being awaited before the next step was taken. As the Secretary-General felt that negotiations between the representatives of the two Cypriot communities remained the best available method of achieving a just and lasting settlement of the Cyprus problem, he would continue the mission entrusted to him by the Security Council to assist the parties. The continued presence of UNFICYP on the island remained essential to the maintenance of the cease-fire and would also facilitate the continued search for a peaceful settlement. He also drew attention to the increasingly critical financial situation of UNFICYP.

306. In an addendum to his report, issued on 15 June (S/12342/Add.1), the Secretary-General stated that he was in a position to inform the Council that the parties concerned had signified their concurrence

in the proposed extension of UNFICYP for a further six-month period.

3. CONSIDERATION AT THE 2012TH AND 2013TH MEETINGS (15 AND 16 JUNE 1977)

307. The Council held its 2012th meeting on 15 June and adopted the following agenda without objection:

"The situation in Cyprus:

"Report of the Secretary-General on the United Nations Operation in Cyprus (S/12342)."

308. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote.

309. The President stated that he understood from consultations held with members of the Council that the Council wished to follow the procedure agreed to on previous occasions and extend an invitation to Mr. Vedat Celik in accordance with rule 39 of the provisional rules of procedure. As there was no objection, it was so decided.

310. The President then drew attention to a draft resolution (S/12346) drawn up in the course of consultations among the members of the Council and read out an amendment of the fifth preambular paragraph that had been agreed upon.

311. The President then put the draft resolution, as amended, to the vote.

**Decision:** *At the 2012th meeting on 15 June 1977, the draft resolution (S/12346), as amended, was adopted by 14 votes to none as resolution 410 (1977). One member (China) did not participate in the vote.*

312. Resolution 410 (1977) read as follows:

*"The Security Council,*

*"Noting from the report of the Secretary-General of 7 June 1977 (S/12342) that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,*

*"Noting from the report the conditions prevailing in the island,*

*"Noting also from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island, and expressing the hope that ways will be found to surmount the remaining obstacles,*

*"Noting further that the Secretary-General expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,*

*"Noting that, due to the efforts of the Secretary-General, his staff and the United Nations Peace-keeping Force, and with the co-operation of the parties, there has been a relative improvement in the*

security situation, but that this evolution has yet to relieve the underlying tensions in the island,

*"Noting also the report of the Secretary-General of 30 April 1977 (S/12323) concerning the high-level meeting under the auspices of the Secretary-General and emphasizing the need to adhere to the agreement reached at this meeting as well as to the agreements reached at the previous rounds of the talks,*

*"Noting also the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,*

*"Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 June 1977,*

*"1. Reaffirms the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus;*

*"2. Reaffirms once again its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions and of its resolution 367 (1975) of 12 March 1975;*

*"3. Urges the parties concerned to act with the utmost restraint by refraining from any unilateral or other action likely to affect adversely the prospects of negotiations for a just and peaceful solution and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;*

*"4. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1977, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;*

*"5. Appeals again to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;*

*"6. Requests the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 November 1977."*

313. Following the vote, the Secretary-General made a statement.

314. At its 2013th meeting on 16 June, the Council continued its consideration of the item on the agenda. Statements were made by the representatives of Cyprus, Greece, Turkey, Benin, the United States, the United Kingdom, Romania, the USSR, Pakistan, France, China, the Federal Republic of Germany, In-

dia, Panama, Venezuela and Mauritius, and by the President, speaking in his capacity as the representative of Canada. A statement was also made by Mr. Vedat Celik, in accordance with the decision taken at the

2012th meeting. Statements in exercise of the right of reply were made by the representatives of Greece and Cyprus. A further statement was also made by Mr. Celik.

## Chapter 4

### COMPLAINT BY GREECE AGAINST TURKEY

#### A. Communications to the Security Council and request for a meeting

315. In a letter dated 10 August 1976 (S/12167), the representative of Greece complained of repeated flagrant violations by Turkey of the sovereign rights of Greece on its continental shelf in the Aegean Sea. Greece said that a dangerous situation had been created that threatened international peace and security and asked for an urgent meeting of the Security Council.

316. In another letter of the same date (S/12168), the representative of Greece drew attention to a statement by the Prime Minister of Greece, in which it was alleged that Turkey had been conducting seismological explorations with the vessel *Sismik-I* on the Aegean continental shelf, which Greece considered its own. The Prime Minister had pointed out that Greece had made many unsuccessful efforts to solve the problem bilaterally and had recently appealed unilaterally to the International Court of Justice in order to obtain a legal and scientific clarification of its differences with Turkey and thereby a delineation of the Aegean continental shelf.

317. By a third letter, dated 11 August (S/12173), the representative of Greece transmitted an explanatory memorandum concerning the points raised in his previous communications and copies of notes exchanged between the Governments of Greece and Turkey in 1975 and 1976.

318. By a letter dated 11 August (S/12172), the representative of Turkey transmitted the text of two notes that Turkey had delivered to Greece on 8 and 10 August, rejecting as unfounded the allegations and actions taken by Greece in connexion with the Aegean continental shelf.

319. By two letters dated 13 August (S/12175 and S/12176), the representative of Turkey submitted complaints against the Greek navy and air force for harassment and intimidation of the unarmed civilian research vessel, *Sismik-I*. He pointed out that both the Treaty of Lausanne of July 1923 and the Treaty of Peace of February 1947 provided for the demilitarization of the eastern Aegean islands, which lay within a few miles of the Anatolian coast, and expressed the hope that the Security Council would take the necessary steps to ensure compliance by Greece with its obligations.

320. In a further letter dated 18 August (S/12182), the representative of Turkey referred to the explanatory memorandum from Greece (S/12173) and stated that the Aegean continental shelf had not been delimited between Turkey and Greece. Nevertheless, Greece had granted exploration licences and unilaterally claimed the whole Aegean continental shelf. The question raised by Greece stemmed from Greek reluctance

to share the continental shelf in the Aegean Sea equitably with the other coastal State.

321. In a letter dated 21 August (S/12189), the representative of Greece replied to the arguments advanced by the representative of Turkey in his letter of 18 August (S/12182) and reiterated that Greece remained ready to solve the problem either through negotiations or through the International Court of Justice.

#### B. Consideration by the Council at the 1949th, 1950th and 1953rd meetings (12, 13 and 25 August 1976)

322. At the 1949th meeting on 12 August, the Security Council included the following item on its agenda without objection:

“Complaint by Greece against Turkey:

“Letter dated 10 August 1976 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/12167).”

323. The President, with the consent of the Council, invited the representatives of Greece and Turkey, at their request, to participate in the discussion without the right to vote. At the same meeting, the Council began its consideration of the question with statements by the representatives of Greece and Turkey.

324. At the 1950th meeting on 13 August, the Council heard further statements by the representatives of Turkey and Greece.

325. At the 1953rd meeting on 25 August, the Council concluded its consideration of the item and heard statements by the representatives of the United Kingdom of Great Britain and Northern Ireland, Italy, the United States of America, France, Panama, Romania, the Union of Soviet Socialist Republics, Pakistan, China and the Libyan Arab Jamahiriya.

326. In the course of his statement, the representative of the United Kingdom introduced a draft resolution (S/12187) sponsored by France, Italy, the United Kingdom and the United States.

327. The President then proposed that the Council take a decision on the draft resolution by consensus.

**Decision:** *At the 1953rd meeting on 25 August 1976, the four-Power draft resolution (S/12187) was adopted by consensus as resolution 395 (1976).*

328. Resolution 395 (1976) read as follows:

“The Security Council,

“Taking note of the letter of the Permanent Representative of Greece dated 10 August 1976 (S/12167),

"*Having heard* and noted the various points made in the statements by the Ministers for Foreign Affairs of Greece and Turkey,

"*Expressing its concern* over the present tensions between Greece and Turkey in relation to the Aegean Sea,

"*Bearing in mind* the principles of the Charter of the United Nations concerning the peaceful settlement of disputes, as well as the various provisions of Chapter VI of the Charter concerning procedures and methods for the peaceful settlement of disputes,

"*Noting* the importance of the resumption and continuance of direct negotiations between Greece and Turkey to resolve their differences,

"*Conscious* of the need for the parties both to respect each other's international rights and obligations and to avoid any incident which might lead to the aggravation of the situation and which, consequently, might compromise their efforts towards a peaceful solution,

"1. *Appeals* to the Governments of Greece and

Turkey to exercise the utmost restraint in the present situation;

"2. *Urges* the Governments of Greece and Turkey to do everything in their power to reduce the present tensions in the area so that the negotiating process may be facilitated;

"3. *Calls upon* the Governments of Greece and Turkey to resume direct negotiations over their differences and appeals to them to do everything within their power to ensure that these negotiations will result in mutually acceptable solutions;

"4. *Invites* the Governments of Greece and Turkey in this respect to continue to take into account the contribution that appropriate judicial means, in particular the International Court of Justice, are qualified to make to the settlement of any remaining legal differences which they may identify in connexion with their present dispute."

329. Following that decision, statements were made by the representatives of Benin, the United Republic of Tanzania and Sweden, by the President, speaking in his capacity as the representative of Japan, and by the representatives of Turkey and Greece.

## Chapter 5

### COMPLAINT BY THE PRIME MINISTER OF MAURITIUS, CHAIRMAN OF THE ORGANIZATION OF AFRICAN UNITY, OF THE "ACT OF AGGRESSION" BY ISRAEL AGAINST THE REPUBLIC OF UGANDA

#### A. Communications to the Security Council and requests for a meeting

330. By a letter dated 4 July 1976 (S/12123), addressed to the Secretary-General, the representative of Israel transmitted excerpts from a statement made by the Prime Minister of Israel with regard to an operation the Israeli Defence Forces had just conducted at Entebbe international airport in Uganda in order to rescue hostages hijacked by Palestinian terrorists on 27 June and held in captivity in Uganda. The Prime Minister stated that the decision to undertake the rescue operation had been taken by the Government of Israel on its sole responsibility. He charged that the President of Uganda had co-operated with the terrorists under the cloak of deception and false pretences and described the rescue operation as an achievement of great importance in the struggle against terrorism.

331. By a letter dated 5 July (S/12124), the representative of Uganda transmitted the text of a message dated 4 July from the President of the Republic of Uganda, drawing attention to a most serious incident which had occurred at Entebbe international airport on the night of 3/4 July. The President stated that at 2120 GMT, three Zionist Israeli transport planes had landed by surprise and without any authorization from the Ugandan Government at Entebbe international airport and approached the old airport building, where the hostages and the crew of the French airbus which had been hijacked in flight between Tel Aviv and Paris were being held by Palestinian commandos. The Israeli invaders had attacked the hijackers, killing seven of them and some of the hostages, and had destroyed a number of Ugandan aircraft which were parked nearby as well as other equipment. The President charged

that the Israeli invasion had been well-planned and rehearsed with the full co-operation of some other countries, including Kenya and the Western Powers. It was the intention of the Government of Uganda to claim compensation for Ugandan deaths, injuries and property damage. Meanwhile, Uganda requested that Israel be condemned in the strongest possible terms for its aggression.

332. By a letter dated 6 July (S/12126), the Assistant Executive Secretary of the Organization of African Unity (OAU) to the United Nations transmitted the text of a telegram addressed to the President of the Security Council by the Prime Minister of Mauritius, the current Chairman of OAU. The telegram stated that on 4 July, the Assembly of Heads of State and Government of OAU in Mauritius had received information concerning the invasion of Uganda by Israeli commandos carried out at 1 a.m. on that day and had decided to request the Security Council to meet urgently to consider that wanton act of aggression against a Member State of the United Nations.

333. In a letter dated 6 July (S/12128), the representative of Mauritania, as Chairman of the African Group for the month of July, requested the President of the Security Council to convene a meeting of the Council as a matter of urgency to consider the contents of the telegram of 6 July from the Chairman of OAU (S/12126).

334. In a letter dated 7 July (S/12131), the representative of Kenya replied to the charges made in the letter of 5 July (S/12124) from Uganda, denying that Kenya ever had been or ever would be used as a base for aggression against any other country. If the raiders had overflown its territory, Kenya, too, had been the



victim of aggression. The Israeli aircraft had been permitted to land at Nairobi airport after the Israeli raid only in response to a last-minute request for medical facilities with respect to the injured persons, purely on humanitarian grounds and in accordance with international law. Kenya, therefore, could not be held responsible in any manner or form for collaborating with the forces hostile to Africa.

335. By a note dated 8 July (S/12132), the Permanent Mission of Algeria to the United Nations transmitted a message addressed to the Secretary-General by the Minister for Foreign Affairs of Algeria, who stated that the Israeli raid against Uganda was a violation of Uganda's territorial integrity and an act of aggression against its sovereignty. The act constituted a dangerous precedent in the conduct of international relations which the United Nations and the Security Council, in particular, should condemn.

336. By a letter dated 9 July (S/12134), the representative of the United States of America transmitted the full text of the Convention for the Suppression of Unlawful Seizure of Aircraft (Hijacking) signed at The Hague on 16 December 1970, together with the list of 75 States that had ratified, acceded or succeeded to it. The letter explained that the Convention had been registered with the United Nations on 8 March 1973, but as it had not yet been published, the United States considered that members of the Security Council and other interested representatives should have the text readily available.

337. In a letter dated 9 July (S/12135), the representative of Mexico set out the position of his Government with regard to the question before the Council. Mexico reiterated its condemnation of all terrorist acts, particularly when the lives of innocent persons were endangered, as had been the case in the hijacking of the Air France aircraft on 27 June by an extremist Palestinian group. Nevertheless, Mexico likewise expressed its firm rejection of the use of armed force by any State as a means of trying to solve conflicts, because such acts were a flagrant violation both of the Charter of the United Nations and of universally accepted principles of international law.

338. By a letter dated 8 July (S/12136), the representative of Somalia transmitted the text of a telegram addressed by the President of Somalia to the President of Uganda, strongly condemning the Israeli action against Uganda as an arrogant insult to the dignity of Africa and as a violation of all norms of international behaviour.

339. In a letter dated 12 July (S/12140), the Minister for Foreign Affairs of Kenya stated that a very serious situation had arisen in the wake of the utterly false and malicious allegations by Ugandan authorities charging Kenya with collaboration in the recent Israeli raid at Entebbe airport. He charged that, since that incident, Ugandan military authorities had engaged in a systematic and indiscriminate massacre of Kenyan citizens in Uganda. The Government of Kenya wished to lodge the strongest possible protest at the wanton disregard by Uganda of its international responsibility to protect the lives and property of foreign nationals lawfully resident in its territory. The letter also charged that Uganda had recently built up its military forces along the border with Kenya, thus increasing tension and the danger of avoidable incidents in the area.

## B. Consideration at the 1939th to 1943rd meetings (9-14 July 1976)

340. At its 1939th meeting on 9 July, the Security Council included the following item in its agenda without objection:

"Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the 'act of aggression' by Israel against the Republic of Uganda:

"(a) Letter dated 6 July 1976 from the Assistant Executive Secretary of the Organization of African Unity to the United Nations addressed to the President of the Security Council (S/12126);

"(b) Letter dated 6 July 1976 from the Permanent Representative of Mauritania to the United Nations addressed to the President of the Security Council (S/12128);

"(c) Letter dated 4 July 1976 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (S/12123);

"(d) Letter dated 5 July 1976 from the Chargé d'affaires, *a.i.*, of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council (S/12124)."

341. The Council considered the item at five meetings held between 9 and 14 July.

342. At the 1939th meeting, the President, with the consent of the Council, invited the representatives of the Federal Republic of Germany, Guinea, Israel, Kenya, Mauritania, Mauritius, Qatar, Uganda and the United Republic of Cameroon, at their request, to participate in the debate without the right to vote.

343. The Secretary-General made a statement at the 1939th meeting. Discussion continued with statements by the representatives of Uganda, Mauritania, Israel, Kenya, Qatar, France, the United Republic of Cameroon, China and the Libyan Arab Jamahiriya. Statements in exercise of the right of reply were made by the representatives of Mauritius, Israel, France, Uganda and the United Kingdom of Great Britain and Northern Ireland.

344. At the 1940th meeting on 12 July, the President, with the consent of the Council, invited the representative of Somalia, at his request, to participate in the discussion without the right to vote. The Council continued its discussion with statements by the representatives of Guinea, Mauritius, Guyana, the United Kingdom and Sweden. The representatives of the Libyan Arab Jamahiriya, Israel, the United States and the President of the Council spoke on a point of order.

345. In the course of his statement, the representative of the United Kingdom introduced a draft resolution S/12138 sponsored by the United Kingdom and the United States which read as follows:

"The Security Council,

"Noting the letter dated 5 July 1976 from the Chargé d'affaires, *a.i.*, of the Permanent Mission of Uganda to the United Nations (S/12124) and the letter dated 4 July 1976 from the Permanent Representative of Israel to the United Nations (S/12123),

"*Recalling* its decision on hijacking adopted by consensus on 20 June 1972 (S/10705), the Hague Convention for the Suppression of Unlawful Seizure of Aircraft, the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, and the Standards and Practices Governing Airport Security and Aircraft Safety recommended by the International Civil Aviation Organization,

"*Reminding* all States signatory to the Hague and Montreal Conventions of their obligations flowing from their accession to these agreements,

"1. *Condemns* hijacking and all other acts which threaten the lives of passengers and crews and the safety of international civil aviation, and calls upon all States to take every necessary measure to prevent and punish all such terrorist acts;

"2. *Deplores* the tragic loss of human life which has resulted from the hijacking of the French aircraft;

"3. *Reaffirms* the need to respect the sovereignty and territorial integrity of all States in accordance with the Charter of the United Nations and international law;

"4. *Enjoins* the international community to give the highest priority to the consideration of further means of assuring the safety and reliability of international civil aviation."

346. At the 1941st meeting, also on 12 July, the President, with the consent of the Council, invited the representative of Yugoslavia, at his request, to participate in the discussion without the right to vote. The debate was continued with statements by the representatives of Benin, Somalia, the Federal Republic of Germany, Yugoslavia, the United States, the United Republic of Tanzania, Pakistan and the Union of Soviet Socialist Republics.

347. In the course of his statement, the representative of the United Republic of Tanzania introduced a draft resolution (S/12139) sponsored by Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania. The draft resolution read as follows:

"*The Security Council,*

"*Having considered* the contents of the telegram from the current Chairman of the Organization of African Unity (OAU), the Prime Minister of Mauritius, His Excellency, Sir Seewoosagur Ramgoolam (S/12126), and the letter from the President of Uganda, His Excellency, Field Marshal Idi Amin Dada (S/12124),

"*Having heard* the statement of the Foreign Minister of Uganda,

"*Having heard* the statement of the Foreign Minister of Mauritius, Chairman of the twenty-seventh ordinary session of the Council of Ministers of the Organization of African Unity,

"*Having also heard* the statement of the representative of Israel,

"*Bearing in mind* that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations Charter,

"*Gravely concerned* at the premeditated military raid committed by Israel against Uganda in violation of its sovereignty and territorial integrity,

"*Grieved* at the tragic loss of human life caused by the Israeli invasion of Ugandan territory,

"*Gravely concerned also* at the damage and destruction done by the Israeli invading forces in Uganda,

"1. *Condemns* Israel's flagrant violation of Uganda's sovereignty and territorial integrity;

"2. *Demands* that the Government of Israel meet the just claims of the Government of Uganda for full compensation for the damage and destruction inflicted on Uganda;

"3. *Requests* the Secretary-General to follow the implementation of the present resolution."

348. The representative of the United Kingdom made a further statement. The representatives of the Libyan Arab Jamahiriya and the United Kingdom spoke in exercise of the right of reply.

349. At the 1942nd meeting on 13 July, the President, with the consent of the Council, invited the representative of India, at his request, to participate in the discussion without the right to vote.

350. Continuing its debate, the Council heard statements by the representatives of Panama, Romania, Japan, Israel and India.

351. Statements in exercise of the right of reply were made by the representatives of Mauritius, the Libyan Arab Jamahiriya, the United Kingdom, Uganda, the United Republic of Tanzania, the USSR, Pakistan, Yugoslavia and Israel.

352. At the 1943rd meeting on 14 July, the President, with the consent of the Council, invited the representative of Cuba, at his request, to participate in the discussion without the right to vote. The Council concluded its consideration of the question with statements by the representatives of the Libyan Arab Jamahiriya and France, by the President, speaking in his capacity as the representative of Italy, and by the representatives of Cuba, Somalia and Uganda. The representative of the USSR, the President, speaking in his capacity as the representative of Italy, and the representatives of the United States and Israel spoke in exercise of the right of reply.

353. The representative of the United Republic of Tanzania stated that the sponsors of the draft resolution contained in document S/12139, Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania, would not insist on a vote on that resolution.

354. Before the vote on the draft resolution sponsored by the United Kingdom and the United States (S/12138), statements in explanation of vote were made by the representatives of Pakistan, Guyana, Benin and the USSR.

**Decision:** *At the 1943rd meeting on 14 July 1976, the two-Power draft resolution (S/12138) received 6 votes in favour (France, Italy, Japan, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America) and none against, with 2 abstentions (Panama and Romania) and was not adopted, having failed to obtain the required majority.*

*Seven members (Benin, China, Guyana, Libyan Arab Jamahiriya, Pakistan, Union of Soviet Socialist Republics and United Republic of Tanzania) did not participate in the vote.*

355. Statements were made after the vote by the representatives of the United Kingdom, Japan, the United States, the United Republic of Tanzania and Mauritius.

## Chapter 6

### COMPLAINT BY BENIN

#### A. Communications to the Security Council and request for a meeting

356. In a letter dated 26 January 1977 (S/12278), the representative of Benin, in accordance with Article 35 of the Charter of the United Nations, requested the President to convene a meeting of the Security Council to consider the cowardly and barbarous aggression committed by imperialists and their mercenaries against the People's Republic of Benin. The letter stated that on 16 January 1977 a commando unit of mercenaries, brought by a military aircraft, had attacked the airport and city of Cotonou but had been forced to retreat, abandoning a considerable quantity of weapons and ammunition after causing some loss of life and material damage.

357. By a letter dated 4 February (S/12281), the representative of Guinea transmitted a message from the President of Guinea supporting Benin's request for a meeting of the Security Council.

358. By a letter dated 7 February (S/12283), the representative of Sri Lanka, in his capacity as Chairman of the Co-ordinating Bureau of Non-Aligned Countries, transmitted a communiqué issued by that body in which it expressed grave concern over the incident of 16 January at Cotonou and the hope that the meeting of the Security Council would result in effective measures to deter and prevent such events in the future.

359. By a letter dated 8 February (S/12284), the representative of Jordan, in his capacity as Chairman of the Arab Group, transmitted a communiqué issued by that Group expressing grave concern over the dangerous implications of the events at Cotonou on 16 January and the hope that the meeting of the Security Council on the matter would result in effective measures to deter and prevent such events in the future.

360. By a letter dated 8 February (S/12285), the representative of Rwanda, in his capacity as Chairman of the African Group for the month of February, stated that the African countries had unanimously decided to support the request of Benin that the Security Council should consider its complaint. The African Group regarded the incident as a very serious act of aggression against all African States and was sure that the Security Council would take strong action against the activities of international mercenaries.

#### B. Consideration at the 1986th and 1987th meetings (7 and 8 February 1977)

361. At its 1986th meeting on 7 February, the Security Council included the following item in its agenda without objection:

"Complaint by Benin:

"(a) Letter dated 26 January 1977 from the Chargé d'affaires *a.i.* of the Permanent Mission of Benin to the United Nations addressed to the President of the Security Council (S/12278);

"(b) Letter dated 4 February 1977 from the Chargé d'affaires *a.i.* of the Permanent Mission of Guinea to the United Nations addressed to the President of the Security Council (S/12281)."

362. The President, with the consent of the Council, invited the representatives of Algeria, Guinea, Madagascar, Rwanda and Togo, at their request, to participate in the discussion without the right to vote.

363. The Council then began its consideration of the item and heard statements by the representatives of Benin, Mauritius, Rwanda, Madagascar, Guinea and Algeria.

364. In the course of his statement, the representative of Mauritius introduced a draft resolution (S/12282) sponsored by Benin, the Libyan Arab Jamahiriya and Mauritius, which read as follows:

*"The Security Council,*

*"Taking note of the letter dated 26 January 1977 from the Chargé d'affaires *a.i.* of the Permanent Mission of the People's Republic of Benin to the United Nations addressed to the President of the Security Council (S/12278),*

*"Having heard the statement of the Permanent Representative of the People's Republic of Benin,*

*"Bearing in mind that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,*

*"1. Affirms that the territorial integrity and political independence of the People's Republic of Benin must be respected;*

*"2. Decides to send a Special Mission composed of three members of the Security Council to the People's Republic of Benin in order to investigate and report not later than 24 February 1977;*

*"3. Decides that the members of the Special Mission will be appointed after consultations between the President and the members of the Security Council;*

*"4. Decides to remain seized of the question."*

365. At the 1987th meeting on 8 February, the President, with the consent of the Council, invited the representatives of Cuba, Mali, Senegal and Somalia, at their request, to participate in the discussion without the right to vote.

366. The Council continued its discussion, hearing statements by the representatives of the Union of Soviet

Socialist Republics, the Libyan Arab Jamahiriya, France, Romania, Pakistan, China, India, Togo, Cuba, Somalia, Mali and Panama.

367. At the same meeting, the President drew attention to the revised text of the draft resolution sponsored by Benin, the Libyan Arab Jamahiriya and Mauritius (S/12282/Rev.1), in which the second operative paragraph had been modified and a new fourth operative paragraph had been inserted.

368. The President stated that as a result of informal consultations, he understood that members of the Council were agreed that the draft resolution might be adopted by consensus, without being put to the vote.

**Decision:** *At the 1987th meeting on 8 February 1977, the draft resolution (S/12282/Rev.1) was adopted by consensus, without a vote, as resolution 404 (1977).*

369. Resolution 404 (1977) read as follows:

*"The Security Council,*

*"Taking note of the letter dated 26 January 1977 from the Chargé d'affaires, a.i., of the Permanent Mission of the People's Republic of Benin to the United Nations addressed to the President of the Security Council (S/12278),*

*"Having heard the statement of the Permanent Representative of the People's Republic of Benin,*

*"Bearing in mind that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,*

*"1. Affirms that the territorial integrity and political independence of the People's Republic of Benin must be respected;*

*"2. Decides to send a Special Mission composed of three members of the Security Council to the People's Republic of Benin in order to investigate the events of 16 January 1977 in Cotonou and report not later than the end of February 1977;*

*"3. Decides that the members of the Special Mission will be appointed after consultations between the President and the members of the Security Council;*

*"4. Requests the Secretary-General to provide the Special Mission with the necessary assistance;*

*"5. Decides to remain seized of the question."*

370. A statement was then made by the representative of Mauritius.

#### **C. Establishment and time-table of the Special Mission**

371. In a note issued on 10 February (S/12286), the President of the Security Council stated that after consultations, agreement had been reached that the Security Council Special Mission to the People's Republic of Benin would be composed of the following three members of the Security Council: India, the Libyan Arab Jamahiriya and Panama. The representative of India would be Mr. Ramesh N. Mulye, the representative of the Libyan Arab Jamahiriya would be Ambassador Mansur Rashid Kikhia and the representative of Panama would be Ambassador Jorge Enrique Illueca, who would serve as Chairman of the Special Mission.

372. In a note issued on 23 February (S/12289), the President of the Security Council indicated that on 22 February he had received a telegram from the Chairman of the Special Mission to Benin, indicating that in view of the extensive volume of testimony and other material evidence acquired in the course of its investigation, the Special Mission requested an extension until 8 March of the deadline for submission of its report. The President added that following consultations with members of the Council, the date had been extended accordingly.

#### **D. Report of the Special Mission to the People's Republic of Benin**

373. On 7 March, the Security Council Special Mission to the People's Republic of Benin submitted its report (S/12294 and Add.1), in which it gave an account of its investigation of the events of 16 January at Cotonou.

374. The Special Mission had visited Benin from 16 to 25 February and had met with the President of Benin, interviewed members of the diplomatic corps, taken testimony from witnesses and a member of the attacking force who had been taken prisoner, inspected the sites where the events of 16 January had occurred and examined material evidence and the documentation that had been left behind by the attacking force. In the annexes to its report (S/12294/Add.1), the Special Mission published the texts of the testimony it had heard, photocopies of the documentation left at Cotonou by the attacking force and an inventory of the abandoned armaments, munitions and supplies.

375. The conclusions of the Special Mission, set out in part III of its report, indicated its belief, based on its on-the-spot investigations, that the following events had occurred at Cotonou on 16 January. At about 7 a.m. (local time) on 16 January, a four-engine aircraft with no identification marks had made an unauthorized landing at Cotonou international airport. An attacking force of about 100 persons in military uniform had disembarked, the majority of whom were white. They had with them a large quantity of various categories of arms and ammunition. After landing, the bulk of the attacking force had marched in three separate columns in the direction of the city of Cotonou. Along the way, they had fired indiscriminately at civilians and non-military establishments. The attack had been repulsed by the Beninese armed forces, which had not been able to prevent the retreating attackers from leaving the airport in their aircraft. The whole episode had lasted about three hours, during which time two members of the attacking force had been killed, one a European and one an African. The casualties on the Benin side were 6 dead and 51 wounded. During the fighting, a number of foreigners of different nationalities residing in Benin had also been wounded. The Beninese forces had captured one member of the attacking force, a national of the Republic of Guinea who was being held prisoner. The fighting had also resulted in substantial damage to a number of public and private buildings, including the premises of some diplomatic missions at Cotonou and a hospital.

376. The report concluded that on the basis of the testimony received and evidence examined by the Special Mission, the Republic of Benin had been subjected to an armed attack on 16 January with the

primary objective of overthrowing the Government of Benin. There was no doubt that Benin had been subjected to aggression and most of the attackers had acted for pecuniary motives and thus were mercenaries.

377. The report further stated that according to the testimony of the prisoner held in Benin and parts of the documentation left behind by the attacking force, the attackers, who had been recruited in Europe and Africa, had come to Morocco from Paris, Dakar and Abidjan, had been trained in a base near Marrakesh, Morocco, had been transported from Morocco to Gabon on 15 January and, from there, had set out on their mission in Benin on a different aircraft, arriving at Cotonou on the morning of 16 January. The same sources indicated that a Colonel Maurin, who was in charge of the operation, had been hired by an organization called the Front de Libération et de Réhabilitation du Dahomey, whose objective was to overthrow the Government in Benin and establish a régime of its own choice. According to the documents, a French national, Gilbert Bourgeaud, had been employed as an adviser to the President of Gabon since 3 August 1976, and his photograph had been identified by the prisoner as that of Colonel Maurin. However, the Special Mission stated, the terms of its mandate, as well as the time at its disposal, had not permitted it to investigate further and verify the testimony of the prisoner pertaining to those matters. The same was true of the suggestive evidence contained in the documentation.

#### **E. Subsequent communications to the Council**

378. By a letter dated 28 March (S/12313), the Secretary-General transmitted a copy of a telegram from the President of Gabon, in which the President expressed astonishment at the conclusion contained in the report of the Security Council Special Mission to the People's Republic of Benin and his disappointment at the cursory manner in which the inquiry had been conducted. He invited members of the Special Mission to visit Gabon to supplement their information and added that his country had at no time been involved in the alleged aggression.

379. By a letter dated 4 April (S/12317) addressed to the President of the Security Council, the Secretary-General transmitted a copy of another letter dated 23 March from the President of Gabon, in which he requested authorization for another mission to visit Gabon to conduct a full counterinvestigation and ascertain the veracity of the information given to the Special Mission.

380. By a letter dated 4 April (S/12318), the representative of Benin transmitted a report, circulated as document S/12318/Add.8, prepared by his Government on the evaluation of damages and losses incurred by his country as a result of the aggression of 16 January. The total figures were: 274,642,000 CFA francs for damage to buildings, 622,013,910 CFA francs for national defence losses and 362,420,000 CFA francs for bodily injury.

381. By a second letter dated 4 April (S/12319), the representative of Benin transmitted the text of a report, circulated as document S/12319/Add.1, on "the imperialist armed aggression committed on Sunday, 16 January 1977, against the People's Republic of Benin" which had been adopted by the Joint Special Session of the Central Committee of the Party of the People's

Revolution of Benin, the National Council of the Revolution and the Revolutionary Military Government.

382. In a letter dated 8 April (S/1232), the representative of the Ivory Coast stated that the report submitted by the representative of Benin (S/12319 and Add.1) contained serious accusations against his country. In reply to those accusations, he submitted a statement issued on 16 March by the Political Bureau of the Democratic Party of the Ivory Coast, denying any knowledge of mercenaries having been recruited in the Ivory Coast. The statement pointed out that 1,200,000 non-Ivory Coast Africans were living in the Ivory Coast, and they had been all officially advised not to abuse the hospitality of the country or to engage in any activities from the Ivory Coast directed against their countries of origin.

#### **F. Consideration at the 2000th to 2005th meetings (6-14 April 1977)**

383. At its 2000th meeting on 6 April, the Security Council included the following item in its agenda without objection:

"Complaint by Benin:

"Report of the Security Council Special Mission to the People's Republic of Benin established under resolution 404 (1977) (S/12294 and Add.1)."

384. The President, with the consent of the Council, invited the representatives of Botswana, Gabon, Guinea, Niger, Morocco and Saudi Arabia, at their request, to participate in the discussion without the right to vote.

385. The Council began its consideration of the item with a statement by the representative of Panama, who, as Chairman of the Special Mission of the Security Council to the People's Republic of Benin, introduced its report.

386. The Council then heard statements by the representatives of Benin, Mauritius, Niger, Gabon, Guinea and Saudi Arabia. The representatives of Benin and Mauritius spoke in exercise of the right of reply.

387. At the 2001st meeting on 7 April, the President, with the consent of the Council, invited the representatives of Algeria, the Ivory Coast, Madagascar, Mauritania, Senegal and Togo, at their request, to participate in the discussion without the right to vote.

388. The Council continued its consideration of the item by hearing statements by the representatives of the USSR, Botswana, Senegal, France, Morocco, the Ivory Coast and Algeria. Further statements were made by the representatives of Panama and Mauritius.

389. At the 2002nd meeting on 12 April, the President, with the consent of the Council, invited the representatives of Cuba, Egypt, the Lao People's Democratic Republic and Somalia, at their request, to participate in the discussion without the right to vote.

390. The discussion was continued, with statements by the representatives of the Libyan Arab Jamahiriya, Romania, Togo and Madagascar.

391. At the 2003rd meeting on 13 April, the President, with the consent of the Council, invited the representatives of Equatorial Guinea and Mozambique, at their request, to participate in the discussion without the right to vote.

392. The Council continued the debate, hearing statements by the representatives of Mauritania, Cuba, India, Pakistan, Benin, the Lao People's Democratic Republic and Egypt.

393. At the 2004th meeting on 14 April, the President, with the consent of the Council, invited the representatives of Mali, Mongolia and the United Republic of Tanzania, at their request, to participate in the discussion without the right to vote.

394. The President drew attention to a draft resolution (S/12322) sponsored by Benin, Mauritius and the Libyan Arab Jamahiriya, joined later by India and Panama.

395. The Council continued its discussion with statements by the representatives of Mauritius, Somalia, Senegal, Guinea and the United Republic of Tanzania. In the course of his statement, the representative of Mauritius introduced the draft resolution contained in document S/12322, which he later proposed should be put to the vote at an early stage in the Council's next meeting.

396. At the 2005th meeting on 14 April, the President, with the consent of the Council, invited the representative of Upper Volta, at his request, to participate in the discussion without the right to vote.

397. The Council then concluded its discussion of the question, hearing statements by the representatives of Upper Volta, Mozambique, Gabon, Equatorial Guinea, Mali, Mongolia, the Ivory Coast, China, Panama and Benin. Statements in exercise of the right of reply were made by the representatives of Senegal, Guinea, the USSR and China.

398. The Council then proceeded to take a decision on the draft resolution (S/12322). The President stated that as a result of consultations, he understood that the members wished to adopt the draft by consensus, without a vote.

**Decision:** *At the 2005th meeting, on 14 April 1977, the draft resolution (S/12322) was adopted by consensus, without a vote, as resolution 405 (1977).*

399. Resolution 405 (1977) read as follows:

*The Security Council,*

*"Having considered the report of the Security Council Special Mission to the People's Republic of Benin established under resolution 404 (1977) (S/12294 and Add.1),*

*"Gravely concerned at the violation of the territorial integrity, independence and sovereignty of the State of Benin,*

*"Deeply grieved at the loss of life and substantial damage to property caused by the invading force during its attack on Cotonou on 16 January 1977,*

*"1. Takes note of the report of the Special Mission and expresses its appreciation for the work accomplished;*

*"2. Strongly condemns the act of armed aggression perpetrated against the People's Republic of Benin on 16 January 1977;*

*"3. Reaffirms its resolution 239 (1967) of 10 July 1967, by which, inter alia, it condemns any State which persists in permitting or tolerating the recruitment of mercenaries and the provision of facilities to them, with the objective of overthrowing the Governments of Member States;*

*"4. Calls upon all States to exercise the utmost vigilance against the danger posed by international mercenaries and to ensure that their territory and other territories under their control, as well as their nationals, are not used for the planning of subversion and recruitment, training and transit of mercenaries designed to overthrow the Government of any State Member;*

*"5. Further calls upon all States to consider taking necessary measures to prohibit, under their respective domestic laws, the recruitment, training and transit of mercenaries on their territory and other territories under their control;*

*"6. Condemns all forms of external interference in the internal affairs of Member States, including the use of international mercenaries to destabilize States and/or to violate their territorial integrity, sovereignty and independence;*

*"7. Requests the Secretary-General to provide appropriate technical assistance to help the Government of Benin in assessing and evaluating the damage resulting from the act of armed aggression committed at Cotonou on 16 January 1977;*

*"8. Appeals to all States to provide material assistance to the People's Republic of Benin in order to enable it to repair the damage and losses inflicted during the attack;*

*"9. Notes that the Government of Benin has reserved its right with respect to any eventual claims for compensation which it may wish to assert;*

*"10. Calls upon all States to provide the Security Council with any information they might have in connexion with the events at Cotonou on 16 January 1977 likely to throw further light on those events;*

*"11. Requests the Secretary-General to follow closely the implementation of the present resolution;*

*"12. Decides to remain seized of this question."*

400. Thereafter, statements were made by the representatives of the United States and Mauritius.

## Part II

# OTHER MATTERS CONSIDERED BY THE SECURITY COUNCIL

## Chapter 7

### ADMISSION OF NEW MEMBERS

#### A. Application of Angola

##### 1. CONSIDERATION AT THE 1931ST AND 1932ND MEETINGS (22 AND 23 JUNE 1976)

401. At the 1931st meeting of the Security Council on 22 June 1976, the President of the Council, in the absence of a proposal to the contrary, referred the application of Angola (S/12064) to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

402. On 23 June, the Committee on the Admission of New Members submitted a report (S/12109) to the Security Council on its consideration of Angola's application for membership. The Committee stated that it had been unable to make a unanimous recommendation to the Security Council and, consequently, had decided to submit to the Council a report reflecting the attitudes of delegations towards the application of Angola. The report stated that at the Committee's 53rd meeting on 23 June, the representative of the United States of America had urged the Committee to defer action on the application of Angola to a date not later than 35 days in advance of the thirty-first session of the General Assembly, in accordance with rule 59 of the provisional rules of procedure of the Security Council. Such a procedure, he said, would maximize the chances for positive action by the Council and would permit the General Assembly to take action at the beginning of the session. The representatives of the United Kingdom of Great Britain and Northern Ireland, France, Italy and Japan had supported the United States suggestion but had made it clear that they fully supported the application and would vote in favour of it should it come before the Council. They agreed that a deferment of the Committee's decision, as suggested by the United States, would not cause such a delay but would, on the contrary, improve the chances that Angola's admission would then encounter no obstacle. The representative of Panama, while strongly supporting Angola's admission, had said that he would have no difficulty in agreeing to the request for postponement submitted by the representative of the United States. The report indicated that the representative of the United Republic of Tanzania had proposed that the Committee recommend to the Security Council the adoption of the following draft resolution, sponsored by Benin, Guyana, the Libyan Arab Jamahiriya, Romania, the Union of Soviet Socialist Republics and the United Republic of Tanzania:

*"The Security Council,*

*"Having considered the application of the People's Republic of Angola for admission to the United Nations (S/12064),*

*"Recommends to the General Assembly that the People's Republic of Angola be admitted to membership in the United Nations."*

403. The report indicated further that statements in favour of the immediate admission of Angola had been made by the sponsors of the draft resolution and by Pakistan and Sweden; that the representative of China had declared that under the prevailing circumstances, China was unable to associate itself with the recommendation for the admission of Angola to membership in the United Nations; and that the representative of the United States had said that his delegation was unable, at that time, to concur in a recommendation to the General Assembly that Angola be admitted to membership in the United Nations.

404. At its 1932nd meeting on 23 June, the Security Council considered the Committee's report (S/12109). The President, with the consent of the Council, invited the representatives of Algeria, Bulgaria, Cuba, the German Democratic Republic, India, Kenya, Liberia, Madagascar, Mongolia, Portugal and Yugoslavia, at their request, to participate in the discussion without the right to vote.

405. The President then read out the text of a letter dated 23 June (S/12111) addressed to him by the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania, in which they requested that the representative of Angola, Mr. Elisio de Figueiredo, be given an opportunity to present his Government's views on the matter. In the absence of objection, the President indicated that the representative of Angola would be invited to make his statement at the appropriate stage.

406. The Council had before it a draft resolution (S/12110) identical to the one contained in the Committee's report and sponsored by Benin, Guyana, the Libyan Arab Jamahiriya, Romania, the USSR and the United Republic of Tanzania.

407. The Council heard statements by the representatives of Liberia, Algeria, the USSR, China, the United States, Italy, France, Romania, the United Kingdom, the United Republic of Tanzania, Sweden, Portugal, Yugoslavia, the German Democratic Republic, India, Madagascar, Bulgaria, Cuba, Kenya and Guyana.

408. The representatives of the United States and Cuba spoke in exercise of the right of reply.

**Decision:** *At the 1932nd meeting on 23 June 1976, the draft resolution (S/12110) received 13 votes in*

*favour and 1 against (United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council. One member (China) did not participate in the vote.*

409. The representatives of Benin, the Libyan Arab Jamahiriya, Japan, Pakistan, Panama, the United Republic of Tanzania, the USSR and China made statements after the vote.

410. The representatives of the USSR, China and Cuba spoke in exercise of the right of reply.

411. In accordance with its earlier decision, the Council heard a statement by Mr. de Figueiredo, the representative of Angola.

412. The Council then approved the text of the special report to the General Assembly required under rule 60 of the provisional rules of procedure of the Security Council (A/31/113).

## 2. CONSIDERATION AT THE 1973RD AND 1974TH MEETINGS (19-22 NOVEMBER 1976)

413. In a letter dated 15 November (S/12230), the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania requested that renewed consideration be given by the Security Council to the application of Angola for membership in the United Nations.

414. At its 1973rd meeting on 19 November, the Security Council decided to renew consideration of that application. In accordance with rule 59 of the provisional rules of procedure and in the absence of a proposal to the contrary, the President referred the application to the Committee on the Admission of New Members for examination and report.

415. On 22 November, the Committee on the Admission of New Members submitted a report to the Security Council (S/12234), in which it recommended the adoption of the following draft resolution, which had been sponsored by Benin, Guyana, Italy, the Libyan Arab Jamahiriya, Panama, Romania, Sweden, the USSR and the United Republic of Tanzania:

*"The Security Council,*

*"Having examined the application of the People's Republic of Angola for admission to the United Nations (S/12064),*

*"Recommends to the General Assembly that the People's Republic of Angola be admitted to membership in the United Nations."*

416. The report stated that the Committee had considered the application of Angola for membership at its 57th and 58th meetings, held on 19 and 22 November. In the course of the Committee's discussion, the representatives of France, Guyana, Italy, Japan, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania, Sweden, the USSR and the United Kingdom had expressed their support for the application. The representative of China had stated that since June, when the Security Council had considered the application of Angola, no fundamental change in the situation of Angola had occurred. Therefore, China was still unable to associate itself with the recommendation for the admission of Angola to membership in the United Nations. The representative of the United States had said that the United States delegation was not able to support the draft resolution but did not wish to stand in the way of its adoption by the Committee.

417. At its 1974th meeting on 22 November, the Security Council considered the report of the Committee (S/12234). The President, with the consent of the Council, invited the representatives of Cuba, Egypt, India, Madagascar, Mali, Mauritius, Mozambique, Sri Lanka, Yugoslavia and Zambia, at their request, to participate in the discussion without the right to vote.

418. The President then read out the text of a letter dated 22 November (S/12236) addressed to him by the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania, in which they requested that the representative of Angola, Mr. Elisio de Figueiredo, be given an opportunity to present his Government's views on the matter. In the absence of objection, the President indicated that the representative of Angola would be invited to make his statement at the appropriate time.

419. In the course of the discussion, statements were made by the representatives of Mauritius, Benin, the Libyan Arab Jamahiriya, Guyana, the USSR, Sweden, Romania, the United Republic of Tanzania, Japan, Italy, Pakistan, India, Egypt, Sri Lanka, Zambia, Yugoslavia, Madagascar, Mozambique and Mali, and by the President, speaking in his capacity as the representative of Panama.

420. Before proceeding to the vote, the Council also heard statements by the representatives of China, the United States, the United Kingdom and France.

**Decision:** *At its 1974th meeting on 22 November 1976, the Security Council adopted the draft resolution contained in the report of the Committee on the Admission of New Members (S/12234) by 13 votes to none, with 1 abstention (United States of America), as resolution 397 (1976). One member (China) did not participate in the vote.*

421. The Security Council further decided, as recommended by the Committee on the Admission of New Members, to have recourse to the provisions of the final paragraph of rule 60 of its provisional rules of procedure in submitting its recommendation to the General Assembly.

422. The Council then heard statements by the representatives of the United Republic of Tanzania, Cuba and Mauritius. In accordance with the decision taken earlier in the meeting, the representative of Angola also made a statement.

423. The representatives of the United States and Cuba spoke in exercise of the right of reply.

424. The President stated that in accordance with the provisions of the second paragraph of rule 60 of the provisional rules of procedure, he would immediately transmit the recommendation of the Security Council to the General Assembly and that that recommendation would replace the report adopted by the Council at its 1932nd meeting on 23 June.

## B. Application of Seychelles

425. In a letter dated 23 July (S/12164), the President of the Republic of Seychelles submitted the application of Seychelles for membership in the United Nations and declared that his Government accepted the obligations contained in the Charter of the United Nations and solemnly undertook to fulfil them.

426. At the 1951st meeting on 16 August, the President of the Security Council referred the applica-



tion of Seychelles to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

427. At the 1952nd meeting on 16 August, the Council considered the Committee's report on the application of Seychelles (S/12177). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of the Republic of Seychelles for admission to the United Nations (S/12164),*

*"Recommends that the Republic of Seychelles be admitted to membership in the United Nations."*

**Decision:** *At its 1952nd meeting on 16 August 1976, the Security Council unanimously adopted the draft resolution as resolution 394 (1976).*

### C. Application of the Socialist Republic of Viet Nam

428. In a letter dated 10 August (S/12183), the Prime Minister of the Government of the Socialist Republic of Viet Nam submitted the application of the Socialist Republic of Viet Nam for membership in the United Nations and declared that his Government accepted the obligations contained in the Charter of the United Nations and solemnly undertook to fulfil them.

429. By a letter dated 8 September (S/12198), the representative of Sri Lanka transmitted the text of a declaration adopted on the same day by the Co-ordinating Bureau of the Non-aligned Countries, strongly supporting the application of the Socialist Republic of Viet Nam and describing any opposition to its admission as legally and morally indefensible and contrary to the Charter of the United Nations.

430. At the 1955th meeting on 10 September, the Security Council considered the application of the Socialist Republic of Viet Nam (S/12183) for admission to membership in the United Nations. In accordance with rule 59 of the provisional rules of procedure and in the absence of a proposal to the contrary, the President of the Council referred the application to the Committee on the Admission of New Members for examination and report. The Security Council further decided that the Committee should meet to consider the matter on 14 September. On 14 September, the Council decided, as reported in document S/12200, at the initiative of the French delegation, to postpone consideration of the application until a date in November, in order that the General Assembly might discuss the question at its thirty-first session.

431. On 10 November, the Committee on the Admission of New Members considered the application for membership of the Socialist Republic of Viet Nam and submitted a report (S/12225) on the question. The Committee stated that it had been unable to make a unanimous recommendation to the Security Council and, consequently, was submitting to the Council a report reflecting the attitudes of delegations towards the application. The report stated that at the 55th meeting of the Committee, the representative of Guyana had introduced the following draft resolution, sponsored by Benin, China, Guyana, the Libyan Arab Jamahiriya,

Pakistan, Panama, Romania, Sweden, the USSR and the United Republic of Tanzania:

*"The Security Council,*

*"Having considered the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations (S/12183),*

*"Recommends to the General Assembly that the Socialist Republic of Viet Nam be admitted to membership in the United Nations."*

432. The report indicated that in the course of the discussion at that meeting, the representatives of Benin, China, France, Guyana, Italy, Japan, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania, Sweden, the USSR, the United Kingdom and the United Republic of Tanzania had expressed their support for the application and that the representative of the United States had stated that at that stage and under existing circumstances, his Government was unable to acquiesce in that application.

433. At the 1970th meeting on 12 November, the Security Council began its consideration of the report of the Committee on the Admission of New Members concerning the application of the Socialist Republic of Viet Nam (S/12225). The President, with the consent of the Council, invited the representatives of Bulgaria, Cuba, Czechoslovakia, Democratic Kampuchea, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Madagascar, Malta, Mongolia, Poland, Sri Lanka, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and Yugoslavia, at their request, to participate in the discussion without the right to vote.

434. At that meeting, the representative of Guyana introduced a draft resolution (S/12226) sponsored by Benin, China, Guyana, the Libyan Arab Jamahiriya, Pakistan, Panama, Romania, Sweden, the USSR and the United Republic of Tanzania, subsequently joined by France, identical to the text contained in the report of the Committee on the Admission of New Members.

435. In the course of the same meeting, the Council heard statements by the representatives of the USSR, Romania, China, Sri Lanka, the Lao People's Democratic Republic, Pakistan, Cuba, Democratic Kampuchea, Mongolia, the German Democratic Republic, the Ukrainian SSR, Yugoslavia, Malta and Hungary.

436. At the 1971st meeting on 15 November, the President, with the consent of the Council, invited the representatives of the Byelorussian Soviet Socialist Republic, Democratic Yemen, India and Mexico, at their request, to participate in the discussion without the right to vote.

437. Discussion was continued with statements by the representatives of Poland, Democratic Yemen, Guyana, the Syrian Arab Republic, Bulgaria, Benin, Czechoslovakia and Madagascar.

438. At the 1972nd meeting, also on 15 November, the President, with the consent of the Council, invited the representatives of Guinea and Mali, at their request, to participate in the discussion without the right to vote.

439. The President then read out the text of a letter from the Permanent Observer of the Socialist Republic of Viet Nam to the United Nations, in which he expressed the wish to make a statement after the vote on the draft resolution before the Council. The President stated further that he had received a letter dated 15

November (S/12229) from the representatives of Benin, China, France, Guyana, the Libyan Arab Jamahiriya, Pakistan, Romania, Sweden, the USSR and the United Republic of Tanzania, requesting that the representative of the Socialist Republic of Viet Nam, Mr. Dinh Ba Thi, be given an opportunity to present his Government's views on the matter. As there was no objection, the President indicated that the representative of the Socialist Republic of Viet Nam would be invited to make his statement after the vote.

440. The Council concluded its discussion of the question with statements by the representatives of Mexico, the Byelorussian SSR, the United Republic of Tanzania, the Libyan Arab Jamahiriya, Sweden, France, Japan, Italy, India, Mali and Guinea.

441. The President then put the 11-Power draft resolution (S/12226) to the vote.

**Decision:** *At the 1972nd meeting on 15 November 1976, the 11-Power draft resolution (S/12226) received 14 votes in favour and 1 against (United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council.*

442. Following the vote, statements were made by the representatives of the United States, China, Benin, the USSR, the Libyan Arab Jamahiriya, the United Republic of Tanzania and Romania. Thereafter, in accordance with the decision taken earlier by the Council, the representative of the Socialist Republic of Viet Nam made a statement.

443. The President made a statement in his capacity as representative of Panama.

444. The Security Council then approved without objection the special report to the General Assembly (A/31/330)<sup>4</sup> provided for in the third paragraph of rule 60 of the Council's provisional rules of procedure.

445. By a letter dated 7 December (S/12252) addressed to the President of the Security Council, the Secretary-General transmitted the text of resolution 31/21, adopted by the General Assembly on 26 November, in which the Assembly, expressing deep regret and concern about the fact that one negative vote by a permanent member of the Security Council prevented the adoption of a draft resolution supported by fourteen members of the Council recommending

<sup>4</sup> *Ibid.*, Thirty-first Session, Annexes, agenda item 26.

the admission of the Socialist Republic of Viet Nam to membership in the United Nations, considered that the Socialist Republic of Viet Nam should be admitted to membership in the United Nations and, accordingly, recommended that the Security Council should reconsider the matter favourably in strict conformity with Article 4 of the Charter of the United Nations.

#### D. Application of Western Samoa

446. In a letter dated 29 November (S/12245), the Prime Minister of Western Samoa submitted the application of Western Samoa for membership in the United Nations, together with the declaration signed by him, accepting the obligations contained in the Charter of the United Nations and solemnly undertaking to fulfil them.

447. At the 1976th meeting on 1 December, the President of the Security Council referred the application of Western Samoa to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

448. At its 1977th meeting on 1 December, the Council considered the Committee's report on the application of Western Samoa (S/12249). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of Western Samoa for admission to the United Nations (S/12245),*

*"Recommends to the General Assembly that Western Samoa be admitted to membership in the United Nations."*

449. The Committee further recommended that the Council should have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure.

450. The President, with the consent of the Council, invited the representatives of Fiji and New Zealand, at their request, to participate in the discussion without the right to vote.

**Decision:** *At its 1977th meeting on 1 December 1976, the Security Council unanimously adopted the draft resolution as resolution 399 (1976).*

### Chapter 8

#### RECOMMENDATION FOR THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS

451. At the 1978th meeting of the Security Council, held in private on 7 December 1976, the Security Council considered the question of the recommendation for the appointment of the Secretary-General of the United Nations.

452. As a result of the voting on the candidates by secret ballot, the Security Council unanimously adopted resolution 400 (1976), recommending to the General Assembly that Mr. Kurt Waldheim be appointed Secretary-General of the United Nations for a second term of office.

453. Resolution 400 (1976) read as follows:

*"The Security Council,*

*"Having considered the question of the recommendation for the appointment of the Secretary-General of the United Nations,*

*"Recommends to the General Assembly that Mr. Kurt Waldheim be appointed Secretary-General of the United Nations for a second term of office from 1 January 1977 to 31 December 1981."*

## **Part III**

### **THE MILITARY STAFF COMMITTEE**

#### ***Chapter 9***

#### **WORK OF THE MILITARY STAFF COMMITTEE**

454. The Military Staff Committee functioned continuously under the draft rules of procedure during the period under review and held a total of 26 meetings without considering matters of substance.

## Part IV

### MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED IN THE COUNCIL DURING THE PERIOD COVERED

#### Chapter 10

#### COMMUNICATIONS CONCERNING THE SITUATION IN WESTERN SAHARA

455. In a letter dated 23 June 1976 (S/12108), the representative of Algeria replied to a letter dated 14 June (S/12095) from Mauritania.<sup>5</sup> He stated that while his country had never concealed its position of support for the legitimate demands of the Saharan people, it rejected the Mauritanian accusation against Algeria. He added that the policy that had been pursued by the Governments of Morocco and Mauritania in Western Sahara was contrary to the solemn undertakings that had been assumed by the highest Mauritanian authorities towards the Saharan people. Algeria continued to affirm that the only possible step to rectify the situation was to allow the Saharan people to exercise their rights to self-determination.

456. In a letter dated 24 June (S/12116), the representative of Mauritania replied to the letter from Algeria (S/12108) and reiterated his Government's charges concerning the attack on Nouakchott on 8 June, which, he asserted, had been planned and organized by Algerian leaders and headed by Algerian officers. He charged that Algeria, by creating the so-called Republic of Sahara and granting it *de jure* recognition, was the real cause of tension in the area.

457. By a letter dated 13 July (S/12141), the representative of Algeria transmitted the texts of two resolutions on Western Sahara. The first was adopted by the Council of Ministers of OAU and the second at the 13th summit meeting of OAU, which had taken place in Mauritius. By the first resolution the Council of Ministers reaffirmed the inalienable right of the people of Western Sahara to self-determination and to national independence; it requested the Secretary-General of the United Nations to pursue his mission, with

<sup>5</sup> *Ibid.*, Thirty-first Session, Supplement No. 2 (A/31/2), chap. 2, sect. 1.

a view to enabling the Saharaoui people to freely exercise their right to self-determination and demanded the immediate withdrawal of all foreign forces of occupation from Western Sahara. In the second resolution, OAU invited all the parties concerned and interested, including the people of Western Sahara, to co-operate, with a view to achieving a peaceful solution of the conflict, and decided to hold a special session at the level of heads of State and Government, with the participation of the people of Western Sahara, for the purpose of finding a just and lasting solution to the problem of Western Sahara.

458. In a reply dated 15 July (S/12143), the representative of Mauritania stated that the resolution on Western Sahara of the OAU Council of Ministers transmitted in the Algerian letter had not been adopted at the 13th summit meeting of OAU, which had not ratified it but, instead, had adopted the second resolution annexed by the representative of Algeria. Accordingly, the definitive position of OAU concerning Western Sahara would not emerge until its special session took place.

459. By a letter dated 27 July (S/12155), the representative of Morocco transmitted the text of a message dated 26 July from the Minister of State for Foreign Affairs of Morocco to the United Nations High Commissioner for Refugees. The message referred to a joint communiqué issued on 23 July, following talks between the King of Morocco and the President of Mauritania, which included an appeal to native Saharans currently in the Tindouf area and an invitation to the competent international organizations of humanitarian character to co-operate with the Moroccan and Mauritanian Governments with a view to ensuring the repatriation of such persons.

#### Chapter 11

#### COMMUNICATIONS CONCERNING RELATIONS BETWEEN THE SUDAN AND THE LIBYAN ARAB JAMAHIRIYA

460. In a letter dated 4 July 1976 (S/12122), the representative of the Sudan charged that on 2 July his country had suffered an act of armed banditry designed to overthrow its legally constituted Government, an act of aggression that had been conceived, prepared and executed by the Government of the Libyan Arab Jamahiriya. He transmitted an aide-mémoire, in which it was charged that the Libyan Government had provided training, arms and ammunition, and vehicles of transport, as some mercenaries arrested by the Sudanese security forces had confessed. As a consequence of that aggression, the Sudan had sustained substantial

loss of life, including innocent children, women, the old and medical personnel, as well as property losses estimated to be worth at least \$300 million. The representative of the Sudan requested an urgent meeting of the Security Council, in accordance with Article 35 of the Charter, in order to discuss that grave act of aggression.

461. In a letter dated 7 July (S/12129), the representative of the Libyan Arab Jamahiriya rejected the allegations contained in the letter from the Sudan (S/12122) and charged that the submission of the issue to the Security Council would merely serve propaganda purposes and ultimately lead to more serious complications in the relations of the two fraternal countries. Moreover, he stated, such action would undermine the efforts being made or contemplated in that connexion by OAU and the Arab League. The principles of the Libyan Arab Jamahiriya did not allow interference in the internal affairs of a fraternal or friendly country or participation in any coup attempt inside any other country. He charged that the ambiguous claims of the Sudanese Government, which lacked any basis of truth, confirmed that the events which took place in the Sudan on 2 July had been an internal uprising carried out by the Sudanese people themselves.

## ***Chapter 12***

### **COMMUNICATION FROM THE IVORY COAST**

462. By a letter dated 6 July (S/12125), the representative of the Ivory Coast transmitted the text of a statement made by the President of the Ivory Coast in connexion with a broadcast by Radio Conakry of an editorial alleging that "aggression by mercenaries" was being organized against Guinea from within the borders of Senegal and the Ivory Coast. The President stated that the only concern of the Ivory Coast was its own economic and social development and that it could not afford to divert some of its manpower to other goals. He invited the United Nations and OAU to dispatch missions as soon as possible to verify the accuracy or inaccuracy of the accusations made against the Ivory Coast by Guinea.

## ***Chapter 13***

### **COMMUNICATIONS FROM YEMEN AND ETHIOPIA**

463. In a letter dated 2 September 1976 (S/12193), the representative of Yemen charged that on 10 August, an Ethiopian military boat had violated Yemeni territorial waters near the port of Mocha, had stopped a Yemeni sailboat in Yemeni territorial waters and had forced it to proceed to the port of Assab. On 18 August, another Ethiopian military boat had violated Yemeni territorial waters, landed on a Yemeni island and apprehended three Yemeni fishermen. The Government of Yemen had requested Ethiopia to release the sailboat, the seven sailors and the three fishermen immediately and to pledge that such acts of aggression would not be repeated.

464. In a letter dated 4 September (S/12199), the representative of Ethiopia transmitted the text of the reply that his Government had given to the Embassy of Yemen in Addis Ababa in connexion with Yemen's charges (S/12193). In its reply, Ethiopia had informed Yemen that the sailing boat and all the persons involved had been immediately released after an investigation necessitated by certain problems connected with the national security of Ethiopia in the region and stated that the Ethiopian patrol boats had been carrying out their responsibilities within Ethiopian jurisdiction.

## ***Chapter 14***

### **COMMUNICATIONS CONCERNING MOZAMBIQUE**

465. By a letter dated 20 December 1976 (S/12258), the representative of Mozambique transmitted the text of a communiqué issued by the Ministry of Information of Mozambique protesting a campaign by the Western press to characterize Mozambique as a threat to peace and security in its area of Africa

and as intending to attack South Africa and other countries. The same circles, the communiqué charged, had been intensifying an alarmist campaign concerning the intentions of socialist countries to use Mozambique as a platform from which to launch operations against the racist régimes of southern Africa. The Ministry of Information wished to alert public opinion to the preparations for aggression being made against Mozambique and to denounce in advance the pretexts being used to justify such imperialist aggression.

466. By a letter dated 3 June 1977 (S/12340), the representative of Sri Lanka, as Chairman of the Co-ordinating Bureau of Non-Aligned Countries, transmitted the text of a communiqué issued by that Bureau, condemning an act of aggression that was stated to have been committed recently by the illegal racist minority régime of Ian Smith against Mozambique. The communiqué added that the sanctions voted by the Security Council against the illegal Smith régime had clearly failed of their purpose and that Ian Smith was using the negotiations for the transfer of power to the black majority of Zimbabwe in order to gain time for the consolidation of his illegal occupation of that country.

467. By a letter dated 14 June (S/12347), the representative of Mongolia transmitted a statement issued on 7 June by the Mongolian Ministry of Foreign Affairs, in which it was charged that the recent aggressive act committed by the illegal racist régime in Southern Rhodesia against Mozambique was illustrative of the adventurist policy of the racist and neo-colonialist forces designed to perpetuate the racist and colonial structures in southern Africa. Mongolia strongly condemned the armed attack on Mozambique and the aggressive policy of the imperialist Powers towards the independent States of Africa and demanded their immediate cessation.

## **Chapter 15**

### **COMMUNICATIONS CONCERNING REFUGEES FROM ANGOLA**

468. By a letter dated 12 November 1976 (S/12228), the representative of South Africa transmitted the text of a letter addressed to the Secretary-General by the Minister of Foreign Affairs of South Africa, referring to previous communications in connexion with "the problem arising from the flood of refugees from Angola into the northern part of South West Africa [Namibia]"<sup>6</sup>. The Foreign Minister stated that 3,400 refugees remained in Kavango, most of whom had been there since 1975, and that approximately 2,700 refugees had crossed the border from Angola to Owambo in the previous week as a result of recent fighting in southern Angola and that their number was increasing daily. Although the South African authorities were caring for those refugees and supplying the necessary health and other services, their resources were not inexhaustible. Accordingly, he requested urgently that the United Nations High Commissioner for Refugees be authorized to lend active assistance in resolving a problem which clearly fell within his competence.

469. In a reply dated 22 November (S/12239), the Secretary-General took note of the request of the Minister for Foreign Affairs and stated that in accordance with the decision of the General Assembly, South Africa did not have legal standing in the Territory of Namibia and was therefore not a competent authority with which the United Nations could deal in the resolution of the problem. The Secretary-General added that he had, however, discussed with the High Commissioner for Refugees the possibility of enlisting the co-operation of the International Committee of the Red Cross in channelling to the refugees assistance which the United Nations might be able to provide.

<sup>6</sup> *Ibid.*, Supplement No. 2 (A/31/2), chap. 10, sect. A.

## **Chapter 16**

### **COMMUNICATION CONCERNING THE FIRST AFRO-ARAB SUMMIT CONFERENCE**

470. By a letter dated 17 March 1977 (S/12298), the Deputy Prime Minister and Minister for Foreign Affairs of Egypt transmitted to the Secretary-General the text of the Political Declaration of the First Afro-Arab Summit Conference, held

in Cairo from 7 to 9 March, in which the African and Arab heads of State and Government condemned imperialism, neo-colonialism, zionism, *apartheid* and all other forms of racial and religious segregation; expressed their full support for the struggle of the peoples of Palestine, Zimbabwe, Namibia, South Africa and Djibouti for the recovery of their legitimate national rights and the exercise of their right to self-determination; condemned the constant military aggression, as well as other political and economic manoeuvres carried out by imperialism through the racist régimes of South Africa and Southern Rhodesia and their allies against Angola, Botswana, Lesotho, Mozambique and Zambia with the aim of politically destabilizing the Governments of those countries and of sabotaging their efforts for economic development; declared that the Conference regarded such aggression as directed against the Afro-Arab world; condemned similar activities carried out by Israel against Egypt, Jordan, Lebanon, the Syrian Arab Republic and the people of Palestine; decided that their respective countries should provide and increase their material support and any other type of assistance required to enable those countries to consolidate and defend their independence; condemned the Israeli authorities for their policy of changing the demographic and geographic features of the occupied Arab territories; affirmed the necessity to continue to impose a total boycott—political, diplomatic, cultural, sporting and economic, and in particular the oil embargo—against Israel, South Africa and Southern Rhodesia; and decided to extend total support to the peoples struggling against the racist and Zionist régimes and to the front-line States bordering confrontation zones for their assistance to the national liberation struggle.

### *Chapter 17*

#### **COMMUNICATIONS FROM DEMOCRATIC YEMEN, IRAN AND OMAN**

471. By a letter dated 26 November 1976 (S/12242), the representative of Democratic Yemen transmitted the text of a statement made by an official spokesman for the Ministry of Foreign Affairs of Democratic Yemen, who charged that on 24 November, Iranian fighter planes stationed at air bases inside Oman had crossed the border and had violated the air space of Democratic Yemen over the eastern district of its Sixth Province. Consequently, Democratic Yemen's ground forces had shot down one of the intruding planes inside its territory. He also stated that Democratic Yemen had been threatened and endangered by repeated violations of its air space by Iranian spy planes and by Iranian jet fighters bombarding its territory and terrorizing its people. Furthermore, the Iranian armed forces and navy had repeatedly massed troops and naval ships along Democratic Yemen's eastern border and territorial waters.

472. In a letter dated 26 November (S/12244), the representative of Iran informed the President of the Security Council that on 24 November, an Iranian Air Force aircraft belonging to a contingent stationed in Oman had been shot down during a training flight over Oman by fire from across the border of Democratic Yemen. He charged that that flagrant act of aggression was evidently designed to sabotage the smooth process of the Foreign Ministers' Conference of the Persian Gulf Littoral States which was in session in Oman's capital.

473. In a letter dated 29 November (S/12248), the representative of Oman charged that by shooting down an unarmed Iranian Air Force plane on a training flight over Oman, Democratic Yemen had committed an act of aggression which violated the accepted norms of international law, the Charter of the United Nations and every concept of truth. Through a policy of aggression and intervention, he stated, Democratic Yemen was threatening peace and security in the area and was trying to undermine the meaningful talks which had prevailed throughout the Gulf Foreign Ministers' Conference.

### *Chapter 18*

#### **COMMUNICATIONS CONCERNING THE SITUATION IN TIMOR**

474. By a letter dated 15 June 1976 (S/12097), the representative of Indonesia transmitted to the Secretary-General the texts of four communications from the

“Provisional Government of East Timor” relating to the request of the “Popular Representative Assembly” that East Timor be integrated with Indonesia without

any referendum. The representative of Indonesia also transmitted the text of a statement made by President Suharto of Indonesia, in which he accepted the petition presented by the delegation of East Timor and expressed the wish to send a team of Indonesian officials to ascertain the wishes of the people.

475. In a note issued on 21 June (S/12104), the President of the Security Council circulated the text of an invitation received on 10 June from the Government of Indonesia for the Security Council to visit East Timor concurrently with a mission of the Indonesian Government commencing on 24 June. The note stated that after holding consultations with the members of the Council, the President had replied to the representative of Indonesia that the Council, having regard to the decisions which it had taken in resolutions 384 (1975) and 389 (1976) on the situation in Timor, had concluded that it was unable to accept the invitation of the Indonesian Government.<sup>7</sup>

476. In accordance with the request of the Security Council in paragraph 4 of resolution 389 (1976), the Secretary-General submitted to the Council on 22 June a report (S/12106) concerning the continuing assignment of his Special Representative and transmitted the second report on the contacts made by the Special Representative with the parties concerned.

477. The Special Representative described the consultations he had held with representatives of the Governments of Indonesia and Portugal, as well as of the "Provisional Government of East Timor". He had been unable to arrange a meeting with representatives of FRETILIN but had received various communications by letter and telegram on behalf of the "Government of the Democratic Republic of East Timor". In view of the fact that his mandate derived specifically from resolutions 384 (1975) and 389 (1976), it had been decided that it would not have been appropriate for the Special Representative to respond to the invitations received from the Government of Indonesia to visit East Timor on 24 June, concurrent with the mission to be sent there by the Indonesian Government. Under the circumstances outlined in his report, the Special Representative stated in conclusion, it had not been possible to assess accurately the prevailing situation in East Timor, particularly with regard to the implementation of resolutions 384 (1975) and 389 (1976).

478. In a note to the President of the Council dated 17 June (S/12112), the representative of Benin referred to the Indonesian communications of 10 June contained in document S/12104 and stated that it proved that the Government of Indonesia intended to proceed with its policy of annexing East Timor outright on the basis of a decision emanating from self-styled representatives of the peoples of East Timor.

479. By a letter dated 8 July (S/12133), the representative of Mozambique transmitted the text of a letter from the "Democratic Republic of East Timor", charging that the report of the Special Representative was incomplete and that because of obstruction by Indonesia the Special Representative's mission could not be con-

sidered finished. Annexed to the letter were a communiqué from the Central Committee of FRETILIN and press reports from the radio station of the "Democratic Republic of East Timor".

480. By the two letters dated 10 August (S/12170 and S/12171), the representative of Indonesia transmitted the text of a telegram from the former Chief Executive of the "Provisional Government of East Timor", stating that the statute of integration of East Timor with Indonesia had been signed into law on 17 July and that as of that date all matters pertaining to East Timor had come under the jurisdiction of Indonesia, and the text of a document signed by the Chairman of the Indonesian Red Cross and the Special Representative of the Republic of Portugal concerning the transfer of Portuguese nationals from East Timor to Portugal.

481. In a letter dated 12 August (S/12174), the representative of Indonesia summarized recent developments that had taken place in East Timor in June and July. He indicated that following a request for integration from the representative of the people of East Timor, the Indonesian Government had dispatched a fact-finding mission to ascertain the wishes of the people of the Territory. In accordance with its findings, legislative action had been taken, and, on 17 July, the process of integration of East Timor into Indonesia had been completed.

482. By two subsequent communications dated 1 and 17 September, respectively (S/12194 and S/12203), the representative of Indonesia transmitted to the Secretary-General the texts of documents signed by representatives of the Indonesian Red Cross and representatives of Portugal concerning the transfer of Portuguese nationals to Portuguese authorities.

483. By a letter dated 20 December (S/12264), the Secretary-General transmitted the text of resolution 31/53 concerning the questions of Timor, adopted by the General Assembly on 1 December, in which the Assembly had drawn the attention of the Security Council to the critical situation in the Territory and recommended that the Council should take all effective action for the implementation of its resolutions, with a view to securing the full exercise by the people of their right to self-determination and independence.

484. By a letter dated 6 May 1977 (S/12327), the representative of Mozambique transmitted the text of a communication from the "Democratic Republic of East Timor", containing charges that there had been large-scale killings in Timor since the Indonesian invasion, amounting to a concerted crime of genocide. Annexed to the communication was a document containing refugee accounts of the situation in Timor and excerpts of a report prepared by an Indonesian Catholic organization.

485. By a note dated 23 May (S/12336), the representative of Indonesia transmitted the text of four statements concerning the latest situation in Timor made by residents of the Territory which contradicted the information presented in the annex to the communication from the representative of Mozambique and asserted that the situation had returned to normal.

<sup>7</sup> *Ibid.*, chap. 4, sects. B and D.





## Chapter 19

### REPORT ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS

486. The report of the Trusteeship Council on the Trust Territory of the Pacific Islands, covering the period from 8 June 1975 to 13 July 1976, was communicated to the Security Council in document S/12214 (*Official Records of the Security Council, Thirty-first Year, Special Supplement No. 1*).

## Chapter 20

### COMMUNICATIONS CONCERNING THE KOREAN QUESTION

487. In a letter dated 19 August 1976 (S/12181), the representative of the United States of America, on behalf of the Unified Command established pursuant to Security Council resolution 84 (1950) of 7 July 1950, transmitted to the Security Council a report of the United Nations Command on an incident which had taken place on 18 August at the site of the Military Armistice Commission meetings in the demilitarized zone. It charged that the incident had resulted in two United Nations personnel being beaten to death and the wounding of several other personnel of the United Nations Command and the Republic of Korea by North Koreans.

488. By a letter dated 23 December (S/12263), the representative of the United States, on behalf of the Unified Command, transmitted a report of the United Nations Command concerning the maintenance of the 1953 Armistice Agreement during the period 1 September 1975 through 20 December 1976. The report stated that during the past year, the United Nations Command had reported 10,801 violations of the Agreement by North Korea, which included the incident of 18 August, when 30 North Korean guards had attacked a group of 10 United Nations Command security guards. The report also contained the text of an agreement of 6 September 1976 supplemental to the "Agreement on the Military Armistice Commission Headquarters Area, its Security and its Construction" of 19 October 1953. The new Agreement provides for additional measures which it states are designed to guarantee the security of personnel and particularly to preclude conflicts between military personnel of both sides.

489. In conclusion, the report indicated that despite the existing tension and hostility, the Armistice Agreement and the Military Armistice Commission had continued to operate and to facilitate communication between the two sides.

## Chapter 21

### COMMUNICATION FROM THE ORGANIZATION OF AMERICAN STATES

490. By a letter dated 2 August 1976 (S/12163), the Secretary-General of the Organization of American States (OAS), pursuant to Article 54 of the Charter of the United Nations, transmitted the text of a resolution adopted on 31 July by the Thirteenth Meeting of Consultation of Ministers for Foreign Affairs of OAS. In the resolution, the Meeting of Consultation, having noted the request of Costa Rica and Nicaragua, the guarantor countries, for military observers to supervise the withdrawal of troops and the establishment of the safety zone referred to in the San José Agreement, instructed its Commission to appoint OAS military observers as soon as possible and requested member States to make available to the Commission officers of their armed forces who could serve in that capacity and, if possible, to provide the facilities and equipment needed for the performance of their mission.

## Chapter 22

### COMMUNICATIONS CONCERNING THE STRENGTHENING OF INTERNATIONAL SECURITY

491. By a joint letter dated 2 August 1976 (S/12161), the representatives of France and the Union of Soviet Socialist Republics transmitted the texts of

letters exchanged on 16 July between the Ministers for Foreign Affairs of France and the USSR which constituted an agreement between France and the Soviet

Union on the prevention of the accidental or unauthorized use of nuclear weapons. The letters, which were identical, set forth certain measures which each party to the agreement undertook to carry out in order to avoid any risk of accidental or unauthorized use of nuclear weapons.

492. By a letter dated 13 December (S/12255), the representatives of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR transmitted the texts of the following three documents adopted at the meeting of the Political Consultative Committee of the States Parties to the Warsaw Treaty, held in Bucharest on 25 and 26 November: (a) the Declaration of the Warsaw Treaty participating States; (b) the Appeal of the Warsaw Treaty participating States; and (c) a draft treaty.

493. The Declaration set forth the common views of the signatories regarding current problems relating to the continuing struggle for peace and the further relaxation of international tension and for the strengthening of security and the development of co-operation in Europe. It expressed their common determination to pursue a policy based on the principles and agreements reached at the Conference on European Security and Co-operation, which are a basis for the further con-

solidation of peace in Europe and in other parts of the world, and called for an endeavour to ensure that the relaxation of tension should be irreversible. The Appeal expressed the conclusion that it would be in the interests of the consolidation of Peace in Europe and in the world that all signatory States of the Final Act of the Conference on European Security and Co-operation should pledge not to be the first to use nuclear weapons one against the other; it also submitted for examination a draft treaty designed to attain that objective. The draft treaty set forth, in a preamble and six articles, various commitments and measures engaging each signatory not to be the first to use nuclear weapons.

494. By a letter dated 28 January (S/12279), the Secretary-General transmitted the text of General Assembly resolution 31/92, entitled "Implementation of the Declaration on the Strengthening of International Security", adopted on 14 December 1976. The Secretary-General drew particular attention to paragraph 7 of the resolution, in which the Assembly recommended that the Security Council should consider appropriate steps towards carrying out effectively its primary responsibility for the maintenance of international peace and security.

### Chapter 23

#### COMMUNICATIONS REGARDING THE TRANSLATION INTO RUSSIAN OF THE PHRASE "FEDERAL REPUBLIC OF GERMANY"

495. In a letter dated 22 March 1977 (S/12302), the representative of the Federal Republic of Germany referred to the Russian version of the provisional verbatim record of the 1988th meeting of the Security Council and expressed regret that his country had been listed incorrectly in spite of the letters he had addressed to the Secretary-General on that subject. He reaffirmed the position of his Government that it was the inherent right of Member States, deriving from their sovereignty, to choose their designation and to decide on the form in which that designation should be used in the working languages of the United Nations.

496. In a note dated 11 April (S/12321), the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations referred to the above communication and reaffirmed the position set out in its previous communications concerning the translation into Russian of the name of the Federal Republic of Germany.<sup>8</sup> The Mission insisted that the Secretariat of the United Nations should adhere to generally accepted practice in the translation of that country's name into Russian.

<sup>8</sup> *Ibid.*, chap. 26.

## APPENDICES

### I. Membership of the Security Council during the years 1976 and 1977

1976	1977
Benin	Benin
China	Canada
France	China
Guyana	France
Italy	Germany, Federal Republic of
Japan	India
Libyan Arab Jamahiriya	Libyan Arab Jamahiriya
Pakistan	Mauritius
Panama	Pakistan
Romania	Panama
Sweden	Romania
Union of Soviet Socialist Republics	Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland	United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania	United States of America
United States of America	Venezuela

### II. Representatives and deputy, alternate and acting representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives served on the Security Council during the period from 16 June 1976 to 15 June 1977:

#### Benin

Mr. Thomas S. Boya  
Mr. Patrice Houngavou  
Mrs. Isabelle Houngavou  
Mr. Joseph V. Acakpo  
Mr. Apollinaire Hacheme

#### Canada<sup>a</sup>

Mr. William H. Barton  
Mr. Paul A. Lapointe  
Mr. Geoffrey F. Bruce  
Mr. Robert B. Edmonds  
Lt. Col. Robert M. Gallagher  
Mr. Guy M. B. Plamondon  
Ms. Verona M. Edelstein  
Mr. Robert R. Fowler

#### China

Mr. Huang Hua  
Mr. Chen Chu  
Mr. Lai Ya-li  
Mr. Chou Nan  
Mr. Wu Miao-fa

#### France

Mr. Louis de Guiringaud  
Mr. Jacques Leprette  
Mr. Jacques Lecompt  
Mr. Guy Scalabre  
Mr. Patrick Leclercq  
Mr. Pierre Garrigue-Guyonnaud

#### Guyana<sup>b</sup>

Mr. Frederick R. Wills  
Mr. Rashleigh E. Jackson  
Mr. Joseph A. Sanders

Mr. Cedric L. Joseph  
Mr. Percy Haynes  
Mr. Leslie Robinson

#### Germany, Federal Republic of<sup>a</sup>

Baron Rüdiger von Wechmar  
Mr. Wolf Ulrich von Hassell  
Mr. Phil-Heiner Randermann  
Mr. Hans-Joachim Vergau

#### India<sup>a</sup>

Mr. Rikhi Jaipal  
Mr. Saad M. Hashmi  
Mr. Ramesh N. Mulye  
Mr. Sushil Dubey  
Mr. G. S. Iyer  
Mr. Shashank

#### Italy<sup>b</sup>

Mr. Piero Vinci  
Mr. Alberto Cavaglieri  
Mr. Ranieri Tallarigo  
Mr. Giancarlo Danovi

#### Japan<sup>b</sup>

Mr. Isao Abe  
Mr. Masao Kanazawa  
Mr. Chusei Yamada  
Mr. Junpei Kato

#### Libyan Arab Jamahiriya

Mr. Mansur Rashid Kikhia  
Mr. Ali Abdullah Al Gayed  
Mr. Ashour Saad Benkhayal  
Mr. Ibrahim Suleiman Dharat

#### Mauritius<sup>a</sup>

Mr. Radha Krishna Ramphul  
Mr. Parrwiz Cassim Hossen

<sup>a</sup> Term of office began on 1 January 1977.

<sup>b</sup> Term of office ended on 31 December 1976.

**Pakistan**

Mr. Iqbal A. Akhund  
Mr. Naseem Mirza

**Panama**

Mr. Jorge E. Illueca  
Mr. Dídimo Ríos  
Mr. Juan Antonio Stagg

**Romania**

Mr. George Macovescu  
Mr. Ion Dăcu  
Mr. Aurel Gheorghe  
Mr. Dumitru Ceausu  
Mr. Ion Goritza  
Mr. Petre Vlasceanu

**Sweden<sup>b</sup>**

Mr. Olof Rydbeck  
Mr. Kaj I. Sundberg  
Mr. Peder Hammar skjöld  
Mr. Rolf Ekéus  
Mr. Jan Ståhl  
Mr. Göran R. K. Berg  
Mrs. Eva Birgitta Nauckhoff-Lundberg

**Union of Soviet Socialist Republics**

Mr. Yakov Aleksandrovich Malik  
Mr. Oleg Aleksandrovich Troyanovsky  
Mr. Mikhail Averkievich Kharlamov  
Mr. Richard Sergeevich Ovinnikov

**United Kingdom of Great Britain and Northern Ireland**

Mr. Ivor Richard  
Mr. James Murray  
Mr. P. H. R. Marshall  
Mr. J. C. Thomas  
Mr. R. A. C. Byatt  
Mr. P. R. N. Fifoot  
Mr. C. C. R. Battiscombe

**United Republic of Tanzania<sup>b</sup>**

Mr. Ibrahim M. Kaduma  
Mr. Salim A. Salim  
Mr. A. B. Nyakyi  
Mr. Sebastian Chale  
Mr. Paul M. Rupia  
Miss Fatuma Tatu Nuru

**United States of America**

Mr. William W. Scranton  
Mr. Andrew Young  
Mr. W. Tapley Bennett, Jr.  
Mr. James F. Leonard  
Mr. Albert W. Sherer, Jr.  
Mr. Donald F. McHenry  
Mr. Richard W. Petree  
Mr. Herbert K. Reis

**Venezuela<sup>a</sup>**

Mr. Simón Alberto Consalvi  
Miss María Clemencia López

**III. Presidents of the Security Council**

The following representatives served as President of the Security Council during the period from 16 June 1976 to 15 June 1977:

**Guyana**

Mr. Rashleigh E. Jackson (16 to 30 June 1976)

**Italy**

Mr. Piero Vinci (1 to 31 July 1976)

**Japan**

Mr. Isao Abe (1 to 31 August 1976)

**Libyan Arab Jamahiriya**

Mr. Mansur Rashid Kikhia (1 to 30 September 1976)

**Pakistan**

Mr. Iqbal A. Akhund (1 to 31 October 1976)

**Panama**

Mr. Jorge E. Illueca (1 to 30 November 1976)

**Romania**

Mr. Ion Dăcu (1 to 31 December 1976)

**Union of Soviet Socialist Republics**

Mr. Oleg Aleksandrovich Troyanovsky (1 to 31 January 1977)

**United Kingdom of Great Britain and Northern Ireland**

Mr. James Murray (1 to 28 February 1977)

**United States of America**

Mr. Andrew Young (1 to 31 March 1977)

**Venezuela**

Mr. Simón Alberto Consalvi (1 to 30 April 1977)

**Benin**

Mr. Thomas S. Boya (1 to 31 May 1977)

**Canada**

Mr. William H. Barton (1 to 15 June 1977)

**IV. Meetings of the Security Council held during the period from 16 June 1976 to 15 June 1977**

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1928th	The question of the exercise by the Palestinian people of its inalienable rights: Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)	18 June 1976
1929th	Situation in South Africa: killings and violence by the <i>apartheid</i> régime in South Africa in Soweto and other areas: (a) Letter dated 18 June 1976 from the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania addressed to the President of the Security Council (S/12100);	18 June 1976

Meeting	Subject	Date
	(b) Telegram dated 18 June 1976 from the President of the Democratic Republic of Madagascar addressed to the Secretary-General (S/12101)	
1930th	Ditto	19 June 1976
1931st	Admission of new Members: Application of the People's Republic of Angola for admission to the United Nations (S/12064)	22 June 1976
1932nd	Admission of new Members: Report of the Committee on the Admission of New Members concerning the application of the People's Republic of Angola for membership in the United Nations (S/12109)	23 June 1976
1933rd	The question of the exercise by the Palestinian people of its inalienable rights: Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)	24 June 1976
1934th	Ditto	25 June 1976
1935th	Ditto	28 June 1976
1936th	Ditto	28 June 1976
1937th	Ditto	29 June 1976
1938th	Ditto	29 June 1976
1939th	Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the "act of aggression" by Israel against the Republic of Uganda: (a) Letter dated 6 July from the Assistant Executive Secretary of the Organization of African Unity to the United Nations addressed to the President of the Security Council (S/12126); (b) Letter dated 6 July 1976 from the Permanent Representative of Mauritania to the United Nations addressed to the President of the Security Council (S/12128); (c) Letter dated 4 July 1976 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (S/12123); (d) Letter dated 5 July 1976 from the Chargé d'affaires, <i>a.i.</i> , of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council (S/12124)	9 July 1976
1940th	Ditto	12 July 1976
1941st	Ditto	12 July 1976
1942nd	Ditto	13 July 1976
1943rd	Ditto	14 July 1976
1944th	Complaint by Zambia against South Africa: Letter dated 19 July 1976 from the Chargé d'affaires <i>a.i.</i> , of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council (S/12147)	27 July 1976
1945th	Ditto	28 July 1976
1946th	Ditto	29 July 1976
1947th	Ditto	30 July 1976
1948th	Ditto	30 July 1976
1949th	Complaint by Greece against Turkey: Letter dated 10 August 1976 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/12167)	12 August 1976
1950th	Ditto	13 August 1976

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1951st	Admission of new Members: Application of the Republic of Seychelles for admission to membership in the United Nations (S/12164)	16 August 1976
1952nd	Admission of new Members: Report of the Committee on the Admission of New Members concerning the application of the Republic of Seychelles for membership in the United Nations (S/12177)	16 August 1976
1953rd	Complaint by Greece against Turkey: Letter dated 10 August 1976 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/12167)	25 August 1976
1954th	The situation in Namibia	31 August 1976
1955th	Admission of new Members: Application of the Socialist Republic of Viet Nam for admission to membership in the United Nations (S/12183)	10 September 1976
1956th	The situation in Namibia	28 September 1976
1957th	Ditto	30 September 1976
1958th	Ditto	1 October 1976
1959th	Ditto	5 October 1976
1960th	Ditto	7 October 1976
1961st	Ditto	13 October 1976
1962nd	Ditto	18 October 1976
1963rd	Ditto	19 October 1976
1964th	The situation in the Middle East: Report of the Secretary-General on the United Nations Emergency Force (S/12212)	22 October 1976
1965th (private)	Consideration of the draft report of the Security Council to the General Assembly	28 October 1976
1966th	The situation in the occupied Arab territories: Letter dated 20 October 1976 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/12218)	1 November 1976
1967th	Ditto	4 November 1976
1968th	Ditto	9 November 1976
1969th	Ditto	11 November 1976
1970th	Admission of new Members: Report of the Committee on the Admission of New Members concerning the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations (S/12225)	12 November 1976
1971st	Ditto	15 November 1976
1972nd	Ditto	15 November 1976
1973rd	Admission of new Members: Application of the People's Republic of Angola for admission to the United Nations (S/12064); Letter dated 15 November 1976 from the representatives of Benin, the Libyan Arab Jamahiriya and the United Republic of Tanzania addressed to the President of the Security Council (S/12230)	19 November 1976
1974th	Admission of new Members: Report of the Committee on the Admission of New Members concerning the application of the People's Republic of Angola for membership in the United Nations (S/12234)	22 November 1976
1975th	The situation in the Middle East: Report of the Secretary-General on the United Nations Disengagement Observer Force (S/12235)	30 November 1976

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1976th	Admission of new Members: Application of Western Samoa for admission to membership in the United Nations (S/12245)	1 December 1976
1977th	Admission of new Members: Report of the Committee on the Admission of New Members concerning the application of Western Samoa for membership in the United Nations (S/12249)	1 December 1976
1978th (private)	Recommendation for the appointment of the Secretary-General of the United Nations	7 December 1976
1979th	The situation in Cyprus: Report of the Secretary-General on the United Nations Operation in Cyprus (S/12253 and Add.1)	14 December 1976
1980th	Ditto	15 December 1976
1981st	Complaint by Lesotho against South Africa: Letter dated 16 December 1976 from the Permanent Representative of Lesotho to the United Nations addressed to the President of the Security Council (S/12257)	21 December 1976
1982nd	Ditto	22 December 1976
1983rd	Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council (S/12262)	12 January 1977
1984th	Ditto	13 January 1977
1985th	Ditto	14 January 1977
1986th	Complaint by Benin: (a) Letter dated 26 January 1977 from the Chargé d'affaires <i>a.i.</i> , of the Permanent Mission of Benin to the United Nations addressed to the President of the Security Council (S/12278); (b) Letter dated 4 February 1977 from the Chargé d'affaires <i>a.i.</i> , of the Permanent Mission of Guinea to the United Nations addressed to the President of the Security Council (S/12281)	7 February 1977
1987th	Ditto	8 February 1977
1988th	The question of South Africa: Letter dated 9 March 1977 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/12295)	21 March 1977
1989th	Ditto	22 March 1977
1990th	Ditto	23 March 1977
1991st	Ditto	24 March 1977
1992nd	Ditto	25 March 1977
1993rd	The situation in the Middle East: Report of the Secretary-General submitted under General Assembly resolution 31/62 concerning the Peace Conference on the Middle East (S/12290 and Corr.1)	25 March 1977
1994th	The question of South Africa: Letter dated 9 March 1977 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/12295)	28 March 1977
1995th	The situation in the Middle East: Report of the Secretary-General submitted under General Assembly resolution 31/62 concerning the Peace Conference on the Middle East (S/12290 and Corr.1)	28 March 1977



<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1996th	The question of South Africa: Letter dated 9 March 1977 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/12295)	29 March 1977
1997th	The situation in the Middle East: Report of the Secretary-General submitted under General Assembly resolution 31/62 concerning the Peace Conference on the Middle East (S/12290) and Corr.1)	29 March 1977
1998th	The question of South Africa: Letter dated 9 March 1977 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/12295)	30 March 1977
1999th	Ditto	31 March 1977
2000th	Complaint by Benin: Report of the Security Council Special Mission to the People's Republic of Benin established under resolution 404 (1977) (S/12294 and Add.1)	6 April 1977
2001st	Ditto	7 April 1977
2002nd	Ditto	12 April 1977
2003rd	Ditto	13 April 1977
2004th	Ditto	14 April 1977
2005th	Ditto	14 April 1977
2006th	Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council: Note by the Secretary-General (S/12307)	24 May 1977
2007th	Complaint by Lesotho against South Africa: Note by the Secretary-General (S/12315)	24 May 1977
2008th	Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council: Note by the Secretary-General (S/12307)	25 May 1977
2009th	Complaint by Lesotho against South Africa: Note by the Secretary-General (S/12315)	25 May 1977
2010th	The situation in the Middle East: Report of the Secretary-General on the United Nations Disengagement Observer Force (S/12333)	26 May 1977
2011th	Question concerning the situation in Southern Rhodesia: Second special report of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia on the expansion of sanctions against Southern Rhodesia (S/12296)	27 May 1977
2012th	The situation in Cyprus: Report of the Secretary-General on the United Nations Operation in Cyprus (S/12342)	15 June 1977

**V. Resolutions adopted by the Security Council during the period  
from 16 June 1976 to 15 June 1977**

<i>Resolution No.</i>	<i>Date of adoption</i>	<i>Subject</i>
392 (1976)	19 June 1976	Situation in South Africa: killings and violence by the <i>apartheid</i> régime in South Africa in Soweto and other areas
393 (1976)	30 July 1976	Complaint by Zambia against South Africa
394 (1976)	16 August 1976	Admission of new Members to the United Nations (Republic of Seychelles)
395 (1976)	25 August 1976	Complaint by Greece against Turkey
396 (1976)	22 October 1976	The situation in the Middle East
397 (1976)	22 November 1976	Admission of new Members to the United Nations (People's Republic of Angola)
398 (1976)	30 November 1976	The situation in the Middle East
399 (1976)	1 December 1976	Admission of new Members to the United Nations (Western Samoa)
400 (1976)	7 December 1976	Recommendation for the appointment of the Secretary-General of the United Nations
401 (1976)	14 December 1976	The situation in Cyprus
402 (1976)	22 December 1976	Complaint by Lesotho against South Africa
403 (1977)	14 January 1977	Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council
404 (1977)	8 February 1977	Complaint by Benin
405 (1977)	14 April 1977	Complaint by Benin
406 (1977)	25 May 1977	Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council
407 (1977)	25 May 1977	Complaint by Lesotho against South Africa
408 (1977)	26 May 1977	The situation in the Middle East
409 (1977)	27 May 1977	Question concerning the situation in Southern Rhodesia
410 (1977)	15 June 1977	The situation in Cyprus

**VI. Meetings of subsidiary bodies of the Security Council during  
the period from 16 June 1976 to 15 June 1977**

<i>1. Security Council Committee on the Admission of New Members</i>		<i>Meeting</i>	<i>Date</i>
<i>Meeting</i>	<i>Date</i>	276th	22 July 1976
53rd	23 June 1976	277th	3 August 1976
54th	16 August 1976	278th	4 November 1976
55th	10 November 1976	279th	11 November 1976
56th	10 November 1976	280th	18 November 1976
57th	19 November 1976	281st	24 November 1976
58th	22 November 1976	282nd	9 December 1976
59th	1 December 1976	283rd	14 December 1976
		284th (Part I)	22 December 1976
		(Part II)	14 March 1977
		285th	10 February 1977
		286th	22 April 1977
		287th	28 April 1977
		288th	5 May 1977
		289th	12 May 1977
		290th	19 May 1977
		291st	2 June 1977
		292nd	9 June 1977
<i>2. Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia</i>			
<i>Meeting</i>	<i>Date</i>		
273rd	17 June 1976		
274th	2 July 1976		
275th	16 July 1976		

## VII. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee

### A. REPRESENTATIVES (16 June 1976 to 15 June 1977)

#### *Chinese delegation*

Mr. Lin Fang, Army representative and head of delegation	16 June 1976 to 2 September 1976
Mr. Hsu Yi-min, Army representative and head of delegation	2 September 1976 to present
Mr. Yang Ming-liang, Naval representative	16 June 1976 to 5 August 1976
Mr. Feng Lieh-sun, Naval representative	5 August 1976 to present
Mr. Li Chih-hung, Air Force representative	27 August 1976 to present
Mr. Huang Pao-hsiang, Assistant to the head of delegation	28 July 1976 to present

#### *French delegation*

Brigadier-General C. G. Fricaud-Chagnaud, French Army	16 June 1976 to present
Lieutenant-Colonel C. Cholin, French Air Force	16 June 1976 to present
Commander A. Sauvage, French Navy	16 June 1976 to 31 July 1976
Commander M. C. Debray, French Navy	31 July 1976 to present
Lieutenant-Colonel J. L. Crespin, French Army	16 June 1976 to 19 June 1976
Lieutenant-Colonel G. H. Berge, French Army	20 June 1976 to present
Lieutenant-Colonel B. G. Fournier, French Army	16 June 1976 to present
Lieutenant-Colonel R. F. Dubois, French Army	16 June 1976 to present

#### *USSR delegation*

Rear-Admiral I. P. Sakulkin, USSR Armed Forces	16 June 1976 to present
Colonel V. I. Linkevitch, USSR Armed Forces	16 June 1976 to 15 October 1976
Lieutenant-Colonel L. V. Vorobyev, USSR Armed Forces	31 October 1976 to present
Colonel V. N. Chernyshev, USSR Armed Forces	16 June 1976 to present
Captain 2nd Rank A. P. Koval, USSR Armed Forces	16 June 1976 to present

#### *United Kingdom delegation*

Lieutenant-General Sir Rollo Pain, British Army	16 June 1976 to present
Rear-Admiral R. W. Halliday, Royal Navy	16 June 1976 to present
Brigadier A. L. Watson, British Army	16 June 1976 to present
Air Commodore N. S. Howlett, Royal Air Force	16 June 1976 to present
Group Captain A. D. A. Honley, Royal Air Force	16 June 1976 to 21 August 1976
Group Captain E. S. Chandler, Royal Air Force	21 August 1976 to present
Captain W. E. B. Godsall, Royal Navy	16 June 1976 to 29 October 1976
Captain N. Bearne, Royal Navy	29 October 1976 to present
Colonel D. A. Bayly, British Army	16 June 1976 to 31 July 1976
Colonel B. R. W. Barbar, British Army	31 July 1976 to present
Colonel J. F. Mottram, Royal Marines	16 June 1976 to present
Major C. J. Dawnay, British Army	16 June 1976 to present

#### *United States delegation*

Vice Admiral J. P. Moorer, United States Navy	16 June 1976 to present
Lieutenant General M. L. Boswell, United States Air Force	16 June 1976 to 26 October 1976
Lieutenant General W. G. Moore, Jr., United States Air Force	26 October 1976 to present
Lieutenant General J. W. Vessey, Jr., United States Army	16 June 1976 to 30 September 1976
Lieutenant General E. C. Meyer, United States Army	1 October 1976 to present
Colonel N. A. Gallagher, United States Air Force	16 June 1976 to present
Colonel W. R. D. Jones, United States Army	16 June 1976 to present
Captain C. J. Lidel, United States Navy	16 June 1976 to present

### B. CHAIRMEN AND PRINCIPAL SECRETARIES AT MEETINGS (16 June 1976 to 15 June 1977)

<i>Meeting</i>	<i>Date</i>	<i>Chairman and Principal Secretary</i>	<i>Delegation</i>
809th	24 June 1976	Colonel V. I. Linkevitch, USSR Armed Forces Colonel V. N. Chernyshev, USSR Armed Forces	USSR
810th	8 July 1976	Group Captain A. D. A. Honley, Royal Air Force	UK
811th	22 July 1976	Brigadier A. L. Watson, British Army Captain W. E. B. Godsall, Royal Navy	UK

<i>Meeting</i>	<i>Date</i>	<i>Chairman and Principal Secretary</i>	<i>Delegation</i>
812th	5 Aug. 1976	Colonel N. A. Gallagher, United States Air Force	USA
813th	19 Aug. 1976	Colonel N. A. Gallagher, United States Air Force Captain C. J. Lidel, United States Navy	USA
814th	2 Sept. 1976	Mr. Lin Fang, Army representative and head of delegation Mr. Huang Pao-hsiang, Assistant to the head of delegation	China
815th	16 Sept. 1976	Mr. Hsu Yi-min, Army representative and head of delegation Mr. Feng Lieh-sun, Naval representative	China
816th	30 Sept. 1976	Mr. Hsu Yi-min, Army representative and head of delegation Mr. Feng Lieh-sun, Naval representative	China
817th	14 Oct. 1976	Brigadier-General C. G. Fricaud-Chagnaud, French Army	France
818th	28 Oct. 1976	Lieutenant-Colonel R. F. Dubois, French Army	France
819th	11 Nov. 1976	Colonel V. N. Chernyshev, USSR Armed Forces Lieutenant-Colonel L. V. Vorobyev, USSR Armed Forces	USSR
820th	24 Nov. 1976	Colonel V. N. Chernyshev, USSR Armed Forces Lieutenant-Colonel L. V. Vorobyev, USSR Armed Forces	USSR
821st	9 Dec. 1976	Rear-Admiral R. W. Halliday, Royal Navy Captain N. Bearne, Royal Navy	UK
822nd	23 Dec. 1976	Air Commodore N. S. Howlett, Royal Air Force Colonel J. F. Mottram, Royal Marines	UK
823rd	6 Jan. 1977	Colonel N. A. Gallagher, United States Air Force Colonel W. R. D. Jones, United States Army	USA
824th	20 Jan. 1977	Colonel W. R. D. Jones, United States Army	USA
825th	3 Feb. 1977	Mr. Hsu Yi-min, Army representative and head of delegation Mr. Li Chih-hung, Air Force representative	China
826th	17 Feb. 1977	Mr. Hsu Yi-min, Army representative and head of delegation Mr. Feng Lieh-sun, Naval representative	China
827th	3 Mar. 1977	Brigadier-General C. G. Fricaud-Chagnaud, French Army	France
828th	17 Mar. 1977	Lieutenant-Colonel C. Cholin, French Air Force	France
829th	31 Mar. 1977	Commander M. C. Debray, French Navy	France
830th	14 Apr. 1977	Colonel V. N. Chernyshev, USSR Armed Forces Lieutenant-Colonel L. V. Vorobyev, USSR Armed Forces	USSR
831st	28 Apr. 1977	Colonel V. N. Chernyshev, USSR Armed Forces Captain 2nd Rank A. P. Koval, USSR Armed Forces	USSR
832nd	12 May 1977	Colonel B. R. W. Barber, British Army	UK
833rd	26 May 1977	Group Captain E. S. Chandler, Royal Air Force	UK
834th	9 June 1977	Colonel N. A. Gallagher, United State Air Force Captain C. J. Lidel, United States Navy	USA

## VIII. List of matters of which the Security Council is seized

The complete list of items of which the Security Council is seized, issued pursuant to rule 11 of the provisional rules of procedure of the Security Council, is published at the beginning of each calendar year. The list issued on 5 January 1976 was contained in document S/11935, and that issued on 5 January 1977 was contained in document S/12269.

A. As of 15 June 1977, the list of matters of which the Security Council is seized is as follows:

1. Special agreements under Article 43 of the Charter and the organization of armed forces to be made available to the Security Council.
2. Rules of procedure of the Security Council.
3. Statute and rules of procedure of the Military Staff Committee.
4. The general regulation and reduction of armaments and information on the armed forces of the United Nations.
5. The Egyptian question.
6. Voting procedure in the Security Council.
7. Reports on the strategic Trust Territory of the Pacific Islands pursuant to the resolution of the Security Council of 7 March 1949.
8. Admission of new Members.
9. The Palestine question.
10. The India-Pakistan question.
11. The Czechoslovak question.
12. The Hyderabad question.
13. Identical notifications dated 29 September 1948 from the Governments of the French Republic, the United Kingdom and the United States of America to the Secretary-General.
14. International control of atomic energy.
15. Complaint of armed invasion of Taiwan (Formosa).
16. Complaint of bombing by air forces of the territory of China.
17. Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons.
18. Question of a request for investigation of alleged bacterial warfare.
19. Letter dated 29 May 1954 from the acting representative of Thailand to the United Nations addressed to the President of the Security Council.
20. Cablegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council.
21. Letter dated 8 September 1954 from the representative of the United States of America addressed to the President of the Security Council.
22. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China; letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan and other islands of China.
23. Situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal which was confirmed and completed by the Suez Canal Convention of 1888.
24. Actions against Egypt by some Powers, particularly France and the United Kingdom, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations.
25. The situation in Hungary.
26. Military assistance rendered by the Egyptian Government to the rebels in Algeria.
27. Letter dated 30 October 1956 from the representative of Egypt addressed to the President of the Security Council.
28. Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General.
29. Complaint of the representative of the Union of Soviet Socialist Republics in a letter to the President of the Security Council dated 18 April 1958 entitled: "Urgent measures to put an end to flights by United States military aircraft with atomic and hydrogen bombs in the direction of the frontiers of the Soviet Union".
30. Report of the Secretary-General on the letter received from the Minister for Foreign Affairs of the Royal Government of Laos, transmitted by a note from the Permanent Mission of Laos to the United Nations, 4 September 1959.
31. Letter dated 25 March 1960 from the representatives of Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, the Philippines, Saudi Arabia, the Sudan, Thailand, Tunisia, Turkey, the United Arab Republic and Yemen addressed to the President of the Security Council.
32. Cable dated 18 May 1960 from the Minister of Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
33. Letter dated 23 May 1960 from the representatives of Argentina, Ceylon, Ecuador and Tunisia addressed to the President of the Security Council.
34. Letter dated 13 July 1960 from the Secretary-General of the United Nations addressed to the President of the Security Council.
35. Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council.
36. Letter dated 31 December 1960 addressed to the President of the Security Council by the Minister for External Affairs of Cuba.
37. Letter dated 20 February 1961 from the representative of Liberia addressed to the President of the Security Council.
38. Letter dated 26 May 1961 addressed to the President of the Security Council by the representatives of Afghanistan, Burma, Cambodia, Cameroon, the Central African Republic, Ceylon, Chad, the Congo (Brazzaville), the Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, the Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, the Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Nigeria, Pakistan, the Philippines, Saudi Arabia, Senegal, Somalia, the Sudan, Togo, Tunisia, the United Arab Republic, the Upper Volta, Yemen and Yugoslavia.
39. Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security. Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq.

- which is likely to endanger the maintenance of international peace and security.
40. Letter dated 21 November 1961 from the Permanent Representative of Cuba addressed to the President of the Security Council.
  41. Letter dated 22 October 1962 from the Permanent Representative of the United States of America addressed to the President of the Security Council; letter dated 22 October 1962 from the Permanent Representative of Cuba addressed to the President of the Security Council; letter dated 23 October 1962 from the Deputy Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
  42. Complaints by Senegal.
  43. Telegram dated 5 May 1963 from the Minister for Foreign Affairs of the Republic of Haiti to the President of the Security Council.
  44. Reports by the Secretary-General to the Security Council concerning developments relating to Yemen.
  45. Question concerning the situation in Territories under Portuguese administration.
  46. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa.
  47. Question concerning the situation in Southern Rhodesia.
  48. Letter dated 10 January 1964 from the Permanent Representative of Panama addressed to the President of the Security Council.
  49. Letter dated 1 April 1964 from the Deputy Permanent Representative of Yemen, Chargé d'affaires *a.i.*, addressed to the President of the Security Council.
  50. Complaint concerning acts of aggression against the territory and civilian population of Cambodia.
  51. Letter dated 4 August 1964 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
  52. Letter dated 3 September 1964 from the Permanent Representative of Malaysia addressed to the President of the Security Council.
  53. Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council.
  54. Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council.
  55. Letter dated 1 December 1964 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, the Central African Republic, the Congo (Brazzaville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Malawi, Mali, Mauritania, Somalia, the Sudan, Uganda, the United Arab Republic, the United Republic of Tanzania, Yugoslavia and Zambia.
  56. Letter dated 9 December 1964 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council.
  57. Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
  58. Letter dated 31 January 1966 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
  59. Letter dated 2 August 1966 from the Deputy Permanent Representative of the United Kingdom addressed to the President of the Security Council.
  60. Complaints by the Democratic Republic of the Congo.
  61. The situation in the Middle East.
  62. The situation in Namibia.
  63. Letter dated 25 January 1968 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
  64. Letter dated 21 May 1968 from the Permanent Representative *a.i.*, of Haiti addressed to the President of the Security Council.
  65. Letter dated 12 June 1968 from the Permanent Representatives of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.
  66. Letter dated 21 August 1968 from the representatives of Canada, Denmark, France, Paraguay, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.
  67. Complaint by Zambia.
  68. Letter dated 18 August 1969 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
  69. Complaint by Guinea.
  70. The question of initiating periodic meetings of the Security Council in accordance with Article 28, paragraph 2, of the Charter.
  71. The situation created by increasing incidents involving the hijacking of commercial aircraft.
  72. The situation in the India/Pakistan subcontinent.
  73. Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council.
  74. Request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital.
  75. Consideration of questions relating to Africa with which the Security Council is currently seized and implementation of its relevant resolutions.
  76. Consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter.
  77. Complaint by Cuba.
  78. Arrangements for the proposed Peace Conference in the Middle East.
  79. Complaint by Iraq concerning incidents on its frontier with Iran.
  80. The situation in Cyprus.
  81. Relationship between the United Nations and South Africa.
  82. The situation concerning Western Sahara.
  83. The situation in Timor.
  84. Letter dated 12 December 1975 from the Permanent Representative of Iceland to the United Nations addressed to the President of the Security Council.
  85. The Middle East problem including the Palestinian question.
  86. The situation in the Comoros.
  87. Communications from France and Somalia concerning the incident of 4 February 1976.
  88. Request by Mozambique under Article 50 of the Charter of the United Nations in relation to the situation which

has arisen as a result of its decision to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council.

89. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories.
90. Complaint by Kenya, on behalf of the African Group of States at the United Nations, concerning the act of aggression committed by South Africa against the People's Republic of Angola.
91. The situation in the occupied Arab territories.
92. The question of the exercise by the Palestinian people of its inalienable rights.
93. Situation in South Africa: killings and violence by the *apartheid* régime in South Africa in Soweto and other areas.
94. Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the "act of aggression" by Israel against the Republic of Uganda.
95. Complaint by Zambia against South Africa.
96. Complaint by Greece against Turkey.
97. Complaint by Lesotho against South Africa.
98. Complaint of the Government of Botswana against the illegal régime in Southern Rhodesia concerning violations of its territorial sovereignty, as contained in the letter dated 22 December 1976 from the Permanent Representative of Botswana to the United Nations addressed to the President of the Security Council.

99. Complaint by Benin.

100. The question of South Africa.

B. Between 16 June 1976 and 15 June 1977, items 95 through 100 above were added to the list of matters of which the Security Council is seized, and the following alterations occurred:

Following requests contained in a letter dated 16 September 1976 from the Permanent Representative of Iran, and in letters dated 24 September and 4 October 1976 from the Permanent Representatives of the United Kingdom of Great Britain and Northern Ireland and of Iran, the Secretary-General, with the consent of the Security Council, removed the following two items from the list of matters of which the Security Council is seized:

The Iranian question.

Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company Case.

Furthermore, in letters dated 27 May 1977, the Permanent Representatives of Italy and Yugoslavia requested the deletion from the list of matters of which the Security Council is seized of the following two items:

Appointment of a Governor of the Free Territory of Trieste.

The question of the Free Territory of Trieste.

Accordingly, the Secretary-General, with the consent of the Security Council, deleted the above-mentioned items from the list.





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