

- Decision of 10 March 1973 (res. 328 (1973)) para. 10
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Part II

CONSIDERATION OF QUESTIONS RELATING TO AFRICA WITH WHICH THE SECURITY COUNCIL IS CURRENTLY SEIZED AND THE IMPLEMENTATION OF THE COUNCIL'S RELEVANT RESOLUTIONS

Decisions of 4 February 1972 (1638th meeting): resolutions 309 (1972) and 310 (1972)

Decision of 4 February 1972 (1638th meeting):

Rejection of three-Power draft resolution

Decisions of 4 February 1972 (1639th meeting): resolutions 311 (1972) and 312 (1972)

In accordance with its resolution 308 (1972) of 19 January 1972¹² the Security Council held 13 meetings—1627th to 1639th—in Addis Ababa between 28 January and 4 February 1972.

At the 1628th meeting on 28 January 1972, the Council adopted the agenda, which had been recommended by resolution 308 (1972), entitled: "Consideration of questions relating to Africa with which the Security Council is currently seized and the implementation of the Council's relevant resolutions." At the same meeting, the Council decided to invite the representatives of Cameroon, Congo, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Kenya, Liberia, Malawi, Mauritania, Mauritius, Morocco, Nigeria, Senegal, Tunisia, Uganda, United Republic of Tanzania, Zaire and Zambia to participate without vote in the discussion.¹³ Subsequently, at the 1630th meeting, on 31 January 1972, invitations were also extended to the representatives of Algeria, Burundi and the Libyan Arab Republic.¹⁴

Also at the 1628th meeting, in view of the decisions taken by three United Nations bodies to be represented at the Security Council meetings in Africa,¹⁵ the Council further decided to extend invitations to the representative of the Special Committee on *Apartheid*, the representative of Trinidad and Tobago, 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, the representative of the United Republic of Tanzania and to the President of the United Nations Council for Namibia, the representative of Pakistan.¹⁶ At the same meeting, the Security Council decided, at the request of the representatives of Guinea, Somalia and the Sudan,¹⁷ to extend an invitation, under rule 39 of its provisional rules of procedure, to the following persons: Mr. Mohamed Fouad El-Bedewi, Mr. Amilcar Cabral, Mr. M. Luvualo, Mr. M. dos Santos, Mr. Peter Mueshahange, Mr. Richard Hove,¹⁸ Mr. Potlako Leballo, Mr. Alfred Nzo, Mr. George Silundika, Mr. Abdul Minty, Mr. Diallo Telli,¹⁹ also at the 1632nd meeting to Reverend Canon Burgess Carr,²⁰ and at the 1633rd meeting to Mr. Johny Eduardo.²¹

At the 1627th meeting on 28 January 1972, the Council was addressed by the Emperor of Ethiopia and by the President of Mauritania in his capacity as Chairman of the Assembly of Heads of State and Government of OAU. The Council also heard addresses by the Secretary-General and by the Secretary of State for Foreign Affairs of Somalia, speaking in his capacity as President of the Council.

President Moktar Ould Daddah of Mauritania, Chairman of the OAU at its eighth session, stated that despite the often disappointing efforts of the United Nations to translate its principles and resolutions concerning colonialism and racial discrimination into facts, Africa looked to the historic session of the Security Council on its soil with renewed expectations and in the spirit of realism. A new approach was needed that would place upon the Council and particularly its permanent members the responsibility to control the implementation of the main decisions. The OAU formally proposed that a Committee of the Council including its five permanent members should take charge of Namibia and make all arrangements to ensure its effective administration leading to its self-determination and independence.

The Security Council should immediately assume its responsibilities to the same degree in Rhodesia. Africa

¹² For the proceedings leading to the adoption of resolution 308 (1972) and the discussions in connexion with the application of Article 28, paragraph 3, of the Charter and rule 5 of the Provisional Rules of Procedure of the Security Council, both dealing with meetings of the Security Council away from Headquarters, see chapter I of this *Supplement*.

¹³ 1628th meeting: opening statement by the President.

¹⁴ 1630th meeting, paras. 1-3.

¹⁵ S/10600, *SC. OR. 27th yr., Suppl. for Jan.-March 1972*, pp. 79-80.

¹⁶ 1628th meeting, opening statement by the President.

¹⁷ S/10602/Rev.2, *SC. OR. 27th yr., Suppl. for Jan.-March 1972*, p. 80; S/10604 *ibid.*, p. 81; S/10605, *ibid.*, p. 82.

¹⁸ Instead of Mr. Hove, Mr. M.K.H. Hamadziripi made a statement to the Council, at its 1633rd meeting, with the consent of the Council.

¹⁹ 1630th meeting, paras. 4-11.

²⁰ 1632nd meeting, para. 11.

²¹ 1633rd meeting, paras. 1-2.

proposed that the Council should take official note of the failure of the settlement efforts between the United Kingdom and the minority régime in Rhodesia and proclaim them invalid. It was incumbent on the United Kingdom to negotiate with the authentic representatives of the African peoples to bring about majority rule and independence in that Territory. The Council should also consider its attitude concerning Portugal and South Africa. These two States that refused to apply the Council decisions against decolonization and racial discrimination, should be suspended from membership in the United Nations. Such a decision could be applied immediately in contrast to economic sanctions whose application was being subjected to capricious interpretations. In conclusion, Mr. Daddah submitted the African proposal for an international aid fund to be set up within the United Nations and to assist in Africa and elsewhere the liberation movements and people who fight against racial discrimination.²²

The President said that by accepting the invitation of OAU to meet in Africa, the Council, acting under Article 28, paragraph 3 of the Charter, was enabled to pay special attention to the regional problems of Africa, to respond publicly and positively to the needs of the area rife with actual and potential threats to the peace and to effect the co-operation with regional organizations envisaged in Article 52 of the Charter as an aid to the task of peace-keeping. One important aspect of the meeting in Africa would be that world attention would be focused on the evils engendered by racism and colonialism in southern Africa.²³

At the 1628th meeting also held on 28 January 1972, the representative of Egypt* deplored that although the Charter of the United Nations had already stated the principle of self-determination 26 years ago, the authorities in South Africa, Namibia, Rhodesia and in the Portuguese territories were still subjecting several million Africans to colonial rule and were now resorting to military operations, supported by foreign economic and other interests, to crush the legitimate struggle of the Africans to achieve freedom and independence. Since no action followed the words on these problems in the United Nations, the only way left was liberation through armed struggle. The situation in Rhodesia which had become explosive could only be solved by the immediate transfer of power to the people of Zimbabwe on the basis of majority rule. The "terms of settlement" negotiated between the United Kingdom and the illegal régime did not fulfil the conditions of the right to self-determination. Sanctions against the Rhodesian régime should be rigorously applied, and sanctions should be imposed upon South Africa and Portugal whose Governments openly defied Article 25 of the Charter and the Council decisions. Regarding Namibia, the Council should take immediate and effective measures under Chapter VII of the Charter to ensure the removal of South Africa from the Territory and to assume direct responsibility for the Territory until independence. Turning to the internationally condemned system of *apartheid* in South Africa, he hoped that the Council would heed the repeated appeals of the General Assembly to take effective measures,

including those under Chapter VII of the Charter, to put an end to the explosive situation in South Africa. Portugal continued to refuse to implement the United Nations resolutions and to wage a colonial war against the peoples of Angola, Mozambique and Guinea (Bissau). The Council should take all effective measures in accordance with the relevant Charter provisions to ensure that all repressive activities and military operations by Portugal in these Territories be stopped, that Portuguese forces be withdrawn and that the Declaration on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV)) be fully implemented.²⁴

At the same meeting the representative of Zambia* joined the African people of Zimbabwe in condemning the Home-Smith "settlement proposals" for Southern Rhodesia and suggested the following course of action to the Council: The Council should support the Zimbabwe people in their rejection of the settlement proposals and demand that the British Government recall the Pearce Commission. The Council should further ask the British Government to convene without delay a constitutional conference of all the people of Zimbabwe, it should condemn the United Kingdom as administering Power for the wanton mass murders, arrests and detentions of Zimbabwe people by the Smith régime, and it should call upon the British Government to intervene in the colony militarily. In the meantime, sanctions should be maintained, tightened and expanded to include South Africa and Portugal. The Council should also reaffirm the principle of non-recognition of the rebel régime by Member States. With regard to Namibia he asked why the Council did not take decisive action to expel South Africa from the Territory and assume direct control to allow the Namibian people the exercise of their right to self-determination. He appealed to the allies of Portugal, particularly some NATO partners, to stop giving Portugal military and financial assistance, and requested that the United Nations, its specialized agencies and Member States continue to support the liberation struggle in the occupied territories.²⁵

The representative of Pakistan*, speaking as the President of the United Nations Council for Namibia, declared that the General Assembly, the Security Council and the International Court of Justice were in agreement that the continued presence of South Africa in Namibia was illegal, that it should withdraw from the Territory immediately and completely, that the United Nations bore a direct and special responsibility for the Territory, and that all States had to refrain from any relations with South Africa which implied recognition of its authority over Namibia. The United Nations Council for Namibia had been established by the General Assembly to administer Namibia until independence. He hoped that the Security Council, during its session in Africa, would provide the Council for Namibia with the appropriate means for fully discharging its responsibilities towards that Territory. Recalling the current strike by Namibian labourers against the contract labour system, he noted that the Council for Namibia had demanded an immediate end to that system and had called upon all foreign corporations operating in the Territory to cease using it and to refuse to become party to any

²² 1627th meeting: statement by the President of Mauritania.

²³ *Ibid.*, President's statement before closing the meeting.

²⁴ 1628th meeting: intervention by Egypt.

²⁵ *Ibid.*, intervention by Zambia.

settlement of that strike that did not take into account the just demands of the Namibian workers. As an immediate step the Security Council could issue a similar call to the Member States. The cardinal issue before the Security Council was the removal of South Africa from Namibia so as to enable the United Nations to discharge its responsibilities towards that Territory, and the Council should no longer shrink, if necessary, from appropriate measures under Chapter VII of the Charter to achieve that end.²⁶

The representative of Trinidad and Tobago*, speaking as the representative of the Special Committee on *Apartheid*, recalled that by its resolutions 181 (1963), 182 (1963) and 282 (1970) the Council had imposed an arms embargo on South Africa. However, a number of Member States had continued to supply arms to South Africa, maintaining that they were fulfilling their obligations under existing agreements or distinguishing between arms for internal anti-guerrilla operations and those for external defence. The Special Committee rejected that contention and believed that the time had come for all Governments to accept the letter and spirit of the resolutions of the Council and to carry them out, as the Charter provided. He also drew the Council's attention to the resolutions concerning *apartheid* adopted by the General Assembly at its twenty-sixth session. By resolution 2775 A(XXVI) the Assembly had called upon all Governments to implement fully the arms embargo and invited the Council to consider the situation with a view to securing the implementation of Council resolution 282 (1970). In resolution 2775 F (XXVI) the Assembly recommended that the Council consider urgently the situation in South Africa resulting from the policies of *apartheid* with a view to the adoption of effective measures including those envisaged under Chapter VII of the Charter. Since some delegations had expressed their inability in the Assembly debates to support this resolution because it fell within the exclusive competence of the Council, the Special Committee repeated these recommendations before the Council earnestly hoping for the adoption of effective measures.²⁷

At the 1629th meeting on 29 January 1972, the representative of Kenya* emphasized the fact that in 1972 over 30 million Africans in the southern part of Africa were being subjected to humiliation and colonial servitude that defied description. He reiterated his Government's condemnation of the Anglo-Rhodesian settlement as unjust and undemocratic and proposed several points on which a new settlement be based: a system of guarantees enforceable through British military presence in Rhodesia; African representation in the armed forces at the decision-making level; top positions for Africans in the civil service, industry, academic institutions and the police and security services; withdrawal of South African police and army personnel from Rhodesia; guarantee of complete freedom of movement and organization to the African majority under international supervision; detailed programme for common vote rolls and the attainment of African majority rule acceptable to the Rhodesia Africans; convocation of a round-table conference of Rhodesian whites, Zimbabwe Africans and the British administration under the aegis of the United Nations to work out a realistic and equitable

settlement; in the meantime, continuation and strengthening of sanctions until the settlement would be ready. Turning to the question of *apartheid*, he stressed that his Government had rejected the South African call for a dialogue because Pretoria had spurned all peaceful solutions and the dialogue would not lead to any improvement in the political and economic status of the Africans and would merely confer respectability on the obnoxious concept of *apartheid* and imply recognition of Bantustans. He added that his Government would support the freedom movements in the Portuguese Territories as much as possible, urged the United Nations to do likewise and appealed to the NATO countries to desist from assisting Portugal unless it stopped its colonial wars and oppression in Africa.²⁸

At the same meeting the representative of Tanzania*, speaking as 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, pointed out that the grave situation in southern Africa continued to deteriorate and to pose a most serious threat to international peace and security and to the territorial integrity of several African States. His Special Committee wanted to bring to the urgent attention of the Security Council the imminent need, among others: to widen the scope of sanctions against the illegal régime of Southern Rhodesia by declaring mandatory all the measures laid down in Article 41 of the Charter; to consider carefully the question of imposing sanctions upon South Africa and Portugal, in view of their refusal to carry out the relevant decisions of the Security Council; to give urgent consideration, with a view to promoting the elimination of colonialism, to the question of imposing a total embargo on arms of all kinds to South Africa and Rhodesia; and to consider urgently the adoption of measures to prevent the supply of arms to Portugal, as such arms have enabled that country to deny self-determination and independence to the peoples of the occupied Territories.²⁹

At the 1630th meeting on 31 January 1972, the representative of Uganda* declared that sanctions provided no effective solution to the rebellion in Rhodesia and that there was no short cut to physical intervention to topple the racist Smith régime. The United Kingdom should intervene, re-establish effective control over the Territory, set a time-table for the attainment of independence, reaffirm that independence would be on the basis of majority rule, withdraw the Home/Smith settlement proposals, and put an immediate stop to the brutal force inflicted upon the Africans who were exercising their rights of speech and assembly and release political detainees. If the United Kingdom could not take these steps, it should surrender its responsibilities and authority to the Security Council. In the case of Namibia which South Africa would not quit short of the use of force by the United Nations, his delegation proposed the following measures: implementation of the Council resolutions in concrete terms; direct physical intervention in Namibia by United Nations forces to enforce the ruling of the International Court of Justice and to expel the racist régime of South Africa; organization of political machinery to enable the people of Namibia to attain independence through self-determination; ensuring

²⁶ 1628th meeting: intervention by Pakistan.

²⁷ *Ibid.*, intervention by Trinidad and Tobago.

²⁸ 1629th meeting: intervention by Kenya.

²⁹ *Ibid.*, intervention by Tanzania.

compliance by all States with these goals and in particular ensuring the acceptance of these changes by foreign business interests in Namibia.³⁰

At the same meeting the representative of Tanzania* also called on the United Kingdom to abrogate the Home/Smith proposals, to withdraw the Pearce Commission and to shoulder its responsibility in Rhodesia, and he supported the demand by the OAU for the immediate take-over by the United Nations of the administration of Namibia. In view of the aggressive and defiant role of South Africa and Portugal, these two outlaws should be expelled from the United Nations.³¹

The representative of China reiterated his Government's basic policy regarding Africa, condemned the strongholds of colonialism and racism in South Africa, Rhodesia, Namibia and in the Portuguese Territories and urged the Security Council to condemn the atrocities committed by the Rhodesian régime against the Zimbabwe people and to reject the fraud of the so-called "agreement" between Britain and the Rhodesian régime; to condemn the Portuguese and South African colonialist authorities for their repression of the national liberation movements and for the policies of *apartheid* and to condemn the United States, Britain and other countries for their support of Rhodesia, South Africa and Portuguese colonialism. The Council should further expand and strengthen the sanctions against Rhodesia, South Africa and Portugal and call upon all Governments and peoples to give active support to the peoples of Azania, Namibia, Zimbabwe, Angola, Mozambique and Guinea (Bissau) in their liberation struggles.³²

The representative of Yugoslavia noted that although the Council had demonstrated its support for Africa by coming to Addis Ababa, by giving the representatives of African States and liberation movements the opportunity to address the Council on African soil and by a number of specific measures in the past, the time had come to take further and bolder steps for the achievement of liberation and independence of Namibia and other African Territories under colonial rule. The Council should review the implementation of its resolutions and devise new ways to ensure compliance. Regarding the flagrant violations of Council measures in South Africa, Namibia, Rhodesia and in the Portuguese Territories and measuring these against the mandatory provision of Article 25 of the Charter, the Council had to arrest the erosion of the authority of the United Nations. The flagrant violations of the sanctions, arms embargoes etc. encouraged the South African, Rhodesian and Portuguese régimes to initiate new oppressive actions and might even lead them to new adventures of conquest. Therefore, the Council should consider what sanctions should be automatically applied to anyone violating its decisions. The United Nations and the Council should increasingly be able to apply Articles 41 and 42 of the Charter against those who defied its resolutions and decisions and who threatened peace and security or whose acts constituted an affront to the conscience of the world. Yugoslavia supported the proposals to persuade the United Kingdom to fulfil its responsibilities as the administering Power in Southern Rhodesia, to safeguard the lives and

welfare of the African majority in that country and to withdraw the Pearce Commission immediately. Everything should be done to make the United States rescind its decision of importing chrome from Rhodesia in violation of the United Nations sanctions. Among more positive, more active measures in favour of the liberation movements his Government would pay closest attention to the proposal of the Chairman of the OAU that the Council assume direct responsibility for Namibia. In order to be able to follow the implementation of its resolutions and decisions on African issues, the Council might consider both present and new practices, such as holding periodic meetings, sending missions, establishing special reporting and monitoring techniques. These could be combined with the existing structure of co-operation between the OAU and various United Nations bodies and further developed.³³

At the 1631st meeting on 31 January 1972, the representative of the USSR stated that the perpetuation of colonial and racist régimes in Africa not only resulted in suffering and insults to human dignity but also constituted a threat to the whole African continent. The Council should take immediate and effective measures to ensure the speediest possible elimination of the colonial and racist oppression of peoples. His country had taken the initiative which led to the adoption of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV)) and subsequently of additional declarations reaffirming the legitimacy of the struggle of colonial peoples for their freedom and independence. He noted the strongholds of colonialism and racism in southern Africa and condemned the manifold violations of resolutions and decisions of the United Nations by the rulers of these régimes and by their imperialist supporters in defiance of Article 25 of the Charter. His Government supported the demands for the adoption and implementation of effective measures to eliminate colonialism, racism and *apartheid* in Africa.

Concerning Rhodesia, the Council should reject the British-Rhodesian settlement proposals, reaffirm that any settlement must be based on equality and universal suffrage, irrespective of race and colour; it should request the United Kingdom to eliminate the white minority régime and ensure an immediate transfer of power to the Zimbabwe people. Sanctions should not only be strictly complied with, but further increased in effectiveness and extended to South Africa and Portugal which were supporting the illegal régime. In regard to South Africa his Government advocated the strictest compliance with United Nations resolutions against *apartheid* and for an end to the occupation of Namibia by the Pretoria régime and for the independence of Namibia. South Africa could be forced to comply with Council decisions by sanctions and a trade embargo as well as the strictest possible international isolation of that régime. The sanctions should be imposed in accordance with Chapter VII of the Charter. The representative recalled that his delegation together with Guinea had submitted a draft convention on the suppression and punishment of the crime of *apartheid* to the twenty-sixth session of the General Assembly. As for Portugal, the Council should take the strictest measures against the Portuguese aggressors in order to put an end to its presence on the African continent

³⁰ 1630th meeting, paras. 53-65.

³¹ *Ibid.*, paras. 79-85.

³² *Ibid.*, paras. 94-99.

³³ *Ibid.*, paras. 120-133.

and to its attempts to encroach upon the sovereignty and independence of African States.³⁴

At the same meeting the representative of Ghana* stated that the basic issue underlying all the southern African questions was one of race and human rights. He criticized some members of the Council who distinguished between the Rhodesian question, which the Council had defined as a threat to international peace and security under Chapter VII of the Charter, and the other problems such as *apartheid*, Portuguese colonialism and others. The General Assembly, however, had condemned these, too, as threats to peace and security. To remove these threats preventive diplomacy was needed before the breach of the peace occurred. Since the problems of southern Africa were indissolubly interwoven with each other, any solutions proposed were to be aimed at all three Powers concerned: South Africa, Portugal and Rhodesia. All those who so far had given invaluable verbal support should move now to practical and concrete measures, in and out of the United Nations. As the application of political solutions was often hampered by the danger of the veto and the danger of the consensus, the Council could follow precedents, e.g. the deliberations of four permanent members about the Middle East, the strategic talks of the two super-Powers, the Vietnam negotiations, and try to promote solutions in southern Africa outside the Council debates but guided by its goals and principles.

He then suggested a number of measures for consideration by the council: The Council should issue during these meetings a declaration of support for all liberation movements struggling for their human and political rights. The Council should appeal to the ruling Governments in southern Africa to initiate procedures immediately with the leaders of the struggling peoples for the attainment of these rights. It should recommend the suspension of all plans for the political future of the African peoples which had been condemned as contrary to United Nations principles and request the renegotiation of those plans. The Council should condemn *apartheid* as contrary to the Charter and as a crime against humanity. It should call for the early review of the laws of each State concerned to achieve greater conformity with the Charter. It should adopt measures to implement the advisory opinion of the International Court of Justice on Namibia. All States should be invited to assist the liberation movements either directly or through a new United Nations fund. The Council should widen and strengthen sanctions against Rhodesia and ask Portugal and South Africa to implement them. Their failure to do so should result in a threat to consider the suspension of their membership in the United Nations. The Council should call on the major trading partners of South Africa to reduce their trade and economic relations with that country; the United States, for instance, might discontinue its sugar quota to South Africa, as it should comply with the embargo against Rhodesian chrome. All military aid to Portugal and South Africa should be stopped. South Africa should be isolated from all sports and cultural international competitions. The Secretary-General should be requested to initiate contacts with a view to securing the eventual independence of Namibia. The Council should decide not to recognize Rhodesian independence until it would be achieved on the basis of majority rule. The Council might

³⁴ 1631st meeting, paras. 46-88.

wish to initiate periodic reviews of the burning African problems as a whole at regular intervals in order to observe their development.³⁵

At the 1632nd meeting on 1 February 1972, Mr. El-Bedewi, speaking on behalf of the OAU Coordinating Committee for the Liberation of Africa, invited the Security Council to visit the liberated areas in Guinea (Bissau), Mozambique and Angola and declared that the time had come for the Council to assume its responsibilities and use all means within the Charter—including force—to uproot racism and colonialism in Africa. In conclusion he submitted several proposals formulated by the OAU Committee, which would provide *inter alia* that the Council would expressly ask all Member countries, especially the great Powers, to cease any kind of support to those colonialist Governments which might use it to suppress liberation movements; that all freedom-loving countries be urged to grant to the liberation movements recognized by OAU all necessary moral, financial and material assistance, and that the settlement in African territories currently under consideration by the Council should be negotiated with the authentic representatives of the recognized liberation movements.³⁶

Mr. dos Santos of the Mozambique Liberation Front asked the Council to persuade the United States and several West European countries as well as Japan to cease all forms of co-operation with Portugal, to make decisions of the General Assembly prohibiting the provision of arms for use in the colonies compulsory and to set up controls to verify compliance especially with respect to NATO arms. He also asked that sanctions should be taken against Portugal on account of its refusal to conform to the principles of the Charter.³⁷

At the 1633rd meeting also held on 1 February, Mr. Mueshange endorsed the proposal by the President of OAU to create a committee of the Council including its permanent members, to be entrusted with the administration of Namibia, asked for the application of Chapter VII of the Charter and consequently for the dispatch of United Nations forces to replace the oppressive South African forces. Further, the United Nations Council for Namibia should be strengthened and recognized as the legal authority in the Territory. As a last resort military action under Chapter VII should be taken against South Africa.³⁸

At the same meeting Mr. Diallo Telli, the Secretary-General of the Organization of African Unity, stressed that the effectiveness of United Nations action against colonialism, racial discrimination, and *apartheid* depended upon the direct action of the Security Council and in particular the action of its permanent members. The Council, benefiting from the full co-operation of its permanent members, could easily find ways of taking over the administration of Namibia and of organizing together with the United Kingdom a constitutional conference with the authentic representatives of the Zimbabwe people, outside the poisoned atmosphere of Rhodesia in order to permit

³⁵ *Ibid.*, paras. 150-152, 162-164.

³⁶ 1632nd meeting, paras. 53-54, 59-60.

³⁷ *Ibid.*, paras. 138-140.

³⁸ 1633rd meeting, paras. 36-42.

the people of Rhodesia to exercise freely, on the basis of majority rule, its inalienable right to self-determination and independence. The Council could also undertake measures to further the rapid decolonization of the Portuguese Territories and of South Africa. If the Portuguese and South African Governments resisted these steps, it would remain for the Council to use political, economic and military sanctions as provided for in Chapter VII of the Charter, including the expulsion or suspension of those two Governments from the United Nations until they would end colonial rule and *apartheid*. He urged the Council to recognize explicitly the legitimacy of the national liberation struggle and to step up its assistance to the liberation movements. The Council should insist that the specialized agencies earmark an important portion of their respective budgets for assistance to the victims of colonial exploitation and racial oppression in Africa, and this assistance should be supplemented by the special fund which the OAU Chairman had suggested at his opening address. Among other measures he also supported the proposal that the Council set up a watchdog committee to supervise the implementation of the arms embargo resolutions against South Africa and Portugal.³⁹

At the 1634th meeting on 2 February 1972, the representative of Belgium stated that in Rhodesia it was up to the United Kingdom as the administering Power to prepare a new régime based on majority rule and self-determination and that the Council would depart from its proper role if it tried to take the place of the administering Power. Nevertheless the Council had the right to concern itself with the application of the "test of acceptability" provided for under the British-Rhodesian agreement. In condemning the policy of *apartheid* he pointed out that his Government was opposed to the Council deciding to apply against South Africa the sanctions under Chapter VII of the Charter or other equivalent measures, such as the breaking-off of diplomatic, economic and trade relations. Such steps would force South Africa into an isolation which would strengthen its policy, whereas maintaining contacts with South Africa would keep the country aware of the unpopularity of its policy. Regarding Namibia, the Belgian delegation continued to hope that the South African Government would agree to arrangements to permit the Namibian people to exercise freely its right to self-determination. He also mentioned the appointment of a United Nations representative as a step toward the settlement of the problem.⁴⁰

At the 1635th meeting, also held on 2 February, the representative of the United Kingdom declared that Britain was facing a dilemma in that it had to choose between on the one hand, perpetuating a deadlock leading inside Rhodesia to *apartheid* and on the other hand, negotiations. His Government shared with the Governments of independent African countries and with the members of the Council the ultimate objective, but agreement was lacking as to the choice of means. His Government wanted a settlement which would provide guaranteed progress towards majority rule on a basis acceptable to the people of Rhodesia as a whole.⁴¹

The representative of the United States said that in discussing the burning issues of southern Africa everyone should be clear on the fact that the United Nations as an organization of peace could not redress wrongs by making war. Moreover the United Nations was not more than an auxiliary instrument, while the people themselves who were suffering from colonial rule and racial justice in those parts of Africa, were the primary factor in eliminating these ills. The United States Government rejected completely the system of *apartheid*, but it believed that the best means of encouraging change would be through increased communications with all elements of the population of South Africa, not through attempts at isolation. His Government had long held that the South African presence in Namibia was illegal, and had taken many steps to discourage American business from investing in that Territory. But it did not believe that the imposition of sanctions by the Security Council would result in the desired changes. Therefore, the Council should discuss ways to initiate contacts with the parties concerned to establish the necessary conditions to enable the people of Namibia to exercise their right to self-determination. In Rhodesia his Government continued to support strong mandatory economic sanctions, but refused to join other members of the Council in urging the use of force to bring about change. The Pearce Commission which had visited Rhodesia had for the first time enabled the people of Rhodesia to express their opinion in rejecting the British-Rhodesian settlement proposals. The United States was aware of the Portuguese problem. It hoped that the parties involved would explore new avenues of settlement, such as bilateral or third-party commissions. His Government consistently maintained the right to self-determination of the people in Portugal's African Territories, had informed Portugal to that effect and was still enforcing its own arms embargo against arms shipments for use in the African Territories.⁴²

The representative of India called the white Government of South Africa the most important element in the problems the Council was discussing. It was the principal agent for spreading *apartheid*, for maintaining Portugal's colonial rule over Angola, Mozambique and Guinea (Bissau), for sustaining the Smith régime in Rhodesia and for illegally occupying Namibia. No satisfactory solution to any of these problems would be found unless the Government of South Africa could be persuaded or coerced to follow a civilized policy. Concerning Rhodesia, he recommended, now that the people of Zimbabwe had rejected the Home-Smith proposals, that the British Government consider relinquishing its legal responsibility for the Territory if it did not want to exercise its administrative authority against the illegal régime. Sanctions against Rhodesia should be tightened and widened, and the Sanctions Committee of the Council should be more vigorous in pursuing and in publicizing all infringements. All communications systems to and from Rhodesia should be cut off extending to passports, visas, postal services, transports and communication systems of all kinds. The presence of the South African "police" force in Rhodesia should also be ended. As regarded Namibia, the Council for Namibia should assess taxes on foreign companies operating in Namibia and ask them to pay those taxes into a central UN fund. In case of refusal, the United Nations could sue

³⁹ 1633rd meeting, paras. 144-157.

⁴⁰ 1634th meeting, paras. 104-118.

⁴¹ 1635th meeting, paras. 20-21.

⁴² *Ibid.*, paras. 39-62.

these companies in appropriate national courts. The Organization might consider stationing a ship outside the territorial waters of Namibia with the authority to issue fishing licences within and beyond these territorial waters. If South Africa refused to comply, it could be sued for damages before the International Court of Justice. He also suggested to consider the stationing of an all-African border force along the Namibian borders with other African countries. To continue the fight against *apartheid* he advised an effective trade ban and arms embargo on South Africa. Other economic sanctions and the termination of diplomatic and consular relations should also be weighed. In order to terminate Portuguese colonialism the United Nations should immediately declare Angola, Mozambique and Guinea (Bissau) independent and free of Portuguese authority. The very presence of the Portuguese in these Territories constituted a form of aggression, and one could not consider any of these Territories, including South Africa, as a sovereign independent State until all citizens enjoyed full and equal civil rights.⁴³

The representative of France recalled that successful decolonization had been carried out since 1945 under the provisions of Chapters XI and XII of the Charter. The accumulation of 128 resolutions on this issue since 1960 had been in vain and reflected a wrong approach. While there was agreement on the objectives to be attained—freedom, self-determination and independence for the peoples of Namibia, Rhodesia, Angola, Mozambique and Guinea (Bissau) as well as for the victims of *apartheid*, no real progress could be achieved without the participation of Portugal and South Africa and, in the case of Rhodesia, of Great Britain. The alternative would have to be violence and war, which nobody would wish to propose for the United Nations and for southern Africa. Concerning Rhodesia, his delegation would suggest not to stop the consultation process involving the Pearce Commission in order to get the full report from the British Government, and to ask the United Kingdom to take immediate measures for the protection of the life and well-being of the African majority against brutality and repression. As regarded Namibia, his Government renewed the call for a negotiation between the United Nations and South Africa for an international régime over Namibia under which its people could decide their destiny freely. The new Secretary-General, with the support of the Council and in constant consultation with its five permanent members, should begin these negotiations with the Government of South Africa immediately, and the Council should set a period of six months at the end of which the Secretary-General should present his report. This process for Namibia ought to be exemplary for the other problems also to be resolved.⁴⁴

At the beginning of the 1636th meeting on 3 February 1972, the President announced that the delegations of Guinea, Somalia and Sudan had jointly submitted a draft resolution⁴⁵ relating to the situation in Southern Rhodesia.⁴⁶

⁴³ 1635th meeting, paras. 85-95.

⁴⁴ *Ibid.*, paras. 110-131.

⁴⁵ S/10606, *OR*, 27th yr., *Suppl. for Jan.-March 1972*, pp. 82-83.

⁴⁶ 1636th meeting, para. 1.

The representative of Burundi* suggested that a world conference be held dealing with the complete and final elimination of racial subjugation and colonial domination in Africa, and he proposed that the Council request from the OAU a "Plan for a liberated Africa" which would establish a time-limit for accession by all countries to independence and for the elimination of *apartheid*; it would also include *inter alia* the dispatch of periodic missions from the Security Council to check the progress in implementing the plan.⁴⁷

At the same meeting the representative of Somalia stated that following the decision of the International Court of Justice, his Government had hoped that the Council would have asked all Member States to take positive action, collectively, to ensure the withdrawal of South Africa from Namibia, but unfortunately, the situation had remained the same. His Government, therefore, proposed that the Council should declare that any further refusal by South Africa to withdraw would constitute an act of aggression against Namibia and a threat to international peace and security within the context of Chapter VII of the Charter. Since the Council had recognized the right of the people to resist an illegal occupation, it should provide the Namibian liberation forces with the necessary assistance against South Africa's illegal presence. The Council should ensure that the arms embargo imposed on South Africa, the significance of which for Namibia had been recognized in Security Council resolution 283 (1970) be fully implemented. All relations with or involving Namibia should be entered into or maintained through the United Nations in order to have legal effect. Actual or potential foreign investors should be prevailed upon by their Governments to desist from making investments until the situation in Namibia had been solved to the satisfaction of the United Nations.

Regarding the situation in the Territories under Portuguese control, direct United Nations intervention had become necessary to save the lives of the valiant people in those Territories and to stop the senseless wars Portugal was waging against Africa. Portugal should be subjected to an arms embargo and be forced to grant the people the right of self-determination and independence.

Turning to Rhodesia, the Somali representative emphasized the rejection of the British-Rhodesian agreement by the African people and asked what the British Government intended to do at this point. His own Government had rejected the so-called agreement because it did not entail fundamental changes from the 1969 rebel constitution; because it deliberately ignored the cardinal principle of "no independence before majority rule"; because the so-called test of acceptability was meaningless in the absence of a referendum involving the people of Zimbabwe; because the implementation of the settlement was left to the good will of the rebel régime; because the terms of the "settlement" were concluded behind the backs of the African population and its legitimate representatives; and because the British Government aimed to seek face-saving means and to confer legal independence on the minority régime in defiance of United Nations resolutions and world opinion.

The representative of Somalia then introduced a draft resolution (S/10606), sponsored by Guinea, Somalia and the Sudan.

⁴⁷ *Ibid.*, paras. 17-22.

The draft resolution, in its operative part, would provide *inter alia* for (1) the reaffirmation by the Council that the situation in Southern Rhodesia constituted a threat to international peace and security, for (2) the Council's regret over the failure of the United Kingdom to bring the rebellion in Rhodesia to an end; (3) the Council would condemn the recent killings, woundings and detention of civilians carried out by the illegal régime; (4) the Council would call upon the United Kingdom to safeguard the lives and welfare of the African people against further brutal and repressive acts by the illegal régime; (5) the Council would urge the British Government not to implement the "settlement" proposals, taking into account the overwhelming African opposition to these proposals; (6) the Council would express its firm belief that a solution to the situation in Southern Rhodesia required that a constitutional conference should be convened, without delay, in which the African people, through their genuine representatives, would be able to participate in the formulation of new proposals for the constitutional advancement of their country; (7) it would urge the United Kingdom Government to convene such a constitutional conference as a matter of urgency; (8) it would call upon Member States to take more stringent measures in order: to assure full implementation of sanctions and to prevent any circumvention by their nationals, organizations, companies and other institutions of their nationality, of the decisions taken by the Security Council in resolutions 232 (1966) and 253 (1968), all provisions of which should remain fully in force; (9) it would call upon South Africa to withdraw immediately its police and armed forces from the territory of Southern Rhodesia.⁴⁸

At the beginning of the 1637th meeting, also held on 3 February, the President drew the attention of the Council members to the four additional draft resolutions which had been submitted to the Council: S/10607, sponsored by Guinea, Somalia and Sudan;⁴⁹ S/10376/Rev.2, sponsored by Argentina,⁵⁰ S/10608, sponsored by Guinea, Somalia and Sudan;⁵¹ and S/10609, sponsored by Guinea, India, Somalia, Sudan and Yugoslavia.⁵²

The representative of Guinea, speaking also on behalf of Somalia and Sudan, introduced the draft resolution (S/10607) on the Territories under Portuguese domination, under the preamble of which the Council would *inter alia* acknowledge the statements by the representatives of the liberation movements of Guinea (Bissau), Angola and Mozambique; deplore the fact that Portugal had failed to implement the pertinent resolutions of the Council, which were the only means to achieve a peaceful solution of the Territories; further deplore the policies and actions of those States which, in disregard of the repeated appeals addressed to them by the United Nations, continued to assist Portugal in its colonial policies; recognize that the liberation movements in Angola, Mozambique and Guinea (Bissau)

represented the authentic voice of the African people in these territories; and note with satisfaction the progress towards national independence and freedom made by the national liberation movements, both through their struggle and reconstruction programmes. Under the operative part of the draft resolution, the Council would *inter alia* (4) reaffirm its urgent demand to Portugal for: (b) ... the withdrawal of all the military and other forces at present employed for that purpose; (d) negotiations, on the basis of the recognition of the right to self-determination and independence, with the genuine representatives of the people of the Territories with a view to the transfer of power to political institutions freely elected and representatives of the peoples, in accordance with resolution 1514 (XV); (e) the granting of independence immediately thereafter to all the Territories under its administration in accordance with the aspirations of the peoples; (7) invite all States and the specialized agencies and other organizations within the United Nations system in consultation with the Organization of African Unity, to render to the peoples of the Territories, in particular the population in the liberated areas, all the moral and material assistance necessary to continue their struggle for the restoration of their inalienable right to self-determination and independence; and (8) further urge all States to take all appropriate measures to prevail upon the Government of Portugal to abide by the provisions of this resolution.

In conclusion, the representative of Guinea stated that the sponsors were open to suggestions for changes and improvements of the draft.⁵³

At the same meeting, the representative of Argentina introduced the revised text (S/10376/Rev.2) of the draft resolution,⁵⁴ which he had originally submitted to the Council at its 1598th meeting on 20 October 1971 during the discussion of the situation in Namibia and which had been revised as a result of consultations with the African Group and with all Council members. In paragraph 1 of the proposed draft resolution, the Council would invite the Secretary-General, in consultation with a group of the Council, the membership of which remained to be determined, to initiate contacts with all parties concerned, with a view to establishing the necessary conditions for the people of Namibia to exercise their right to self-determination and independence.⁵⁵

The representative of Italy proposed that the group of the Security Council, provided for in the Argentinian draft resolution, should be composed of the representatives of Argentina and Somalia.⁵⁶

At the same meeting the representative of India introduced the draft resolution (S/10609), co-sponsored by Guinea, India, Somalia, Sudan and Yugoslavia and relating to the question of *apartheid* and race conflict in South Africa, in the operative part of which the Council would *inter alia* (5) call upon all States ... to deny all military co-operation to the South African Government; and (8) decide to establish a committee of the Council to study

⁴⁸ 1636th meeting, paras. 47-88.

⁴⁹ S/10607, *OR*, 27th yr., *Suppl. for Jan.-March 1972*, pp. 83-84.

⁵⁰ S/10376/Rev.2, adopted without change as resolution 309 (1972).

⁵¹ S/10608, *OR*, 27th yr., *Suppl. for Jan.-March 1972*, p. 84.

⁵² S/10609, *ibid.*, pp. 84-85. For President's statement see 1637th meeting, para. 9.

⁵³ 1637th meeting, paras. 10-24.

⁵⁴ S/10376, *OR* 26th yr. *Suppl. for Oct.-Dec. 1971*, p. 27.

⁵⁵ 1637th meeting, paras. 28-49.

⁵⁶ *Ibid.*, para. 53.

and report urgently on ways and means to implement the resolutions of the Council on this question of *apartheid*.⁵⁷

The representative of Yugoslavia introduced a second draft resolution (S/10608) on Namibia, co-sponsored by Guinea, Somalia, Sudan and Yugoslavia.⁵⁸

The representative of the USSR called it a major task of the Council and primarily all its permanent members to provide support and assistance to the enslaved peoples of the south of Africa and not to protect the oppressors and enslavers of these peoples. He declared his delegation's intention to support and vote for the various draft resolutions. Referring to the Italian proposal with regard to the group of the Council under draft resolution S/10376/Rev.2 on Namibia, he suggested to enlarge the group to five members and to include the representatives of Guinea, India and Yugoslavia in addition to those named by Italy.⁵⁹

Following further discussion of this issue, the representative of Somalia suggested to follow customary practice and ask the President to establish the composition of the group through consultations with the members of the Council.⁶⁰

At the 1638th meeting on 4 November 1972, the representative of Yugoslavia drew the attention of the Council to the revised text⁶¹ of draft resolution S/10608, which had been arrived at through consultations with members of the Council. The revisions included, *inter alia*, the deletion of a reference to Article 25 of the Charter of the United Nations from the eighth preambular and the deletion of the phrase "... and has grave consequences as concerns international peace and security" from paragraph 6.⁶²

At the same meeting, after a procedural discussion concerning the priority of various draft resolutions before the Council,⁶³ the President stated that, following consultations with all the members of the Council, it had been agreed that the group of the Council to which the Argentine draft resolution (S/10376/Rev.2) referred, would consist of the representatives of Argentina, Somalia and Yugoslavia.⁶⁴ The Council proceeded then to vote on the revised Argentine draft resolution and adopted it by 14 votes to none; one member did not participate in the voting.⁶⁵ The resolution read as follows:

The Security Council,

Having examined further the question of Namibia and without prejudice to other resolutions adopted by the Security Council on this matter,

Recognizing the special responsibility and obligation of the United Nations towards the people and Territory of Namibia,

⁵⁷ 1637th meeting, paras. 64-78.

⁵⁸ *Ibid.*, paras. 87-96.

⁵⁹ *Ibid.*, paras. 107-115.

⁶⁰ *Ibid.*, para. 182. For further discussion of this issue, see Chapter V of this *Supplement*, case 10.

⁶¹ S/10608/Rev.1, adopted without change as resolution 310 (1972).

⁶² 1638th meeting, paras. 6-16.

⁶³ For further discussion see chapter I, part V, case 25.

⁶⁴ 1638th meeting, para. 99.

⁶⁵ *Ibid.*, para. 102. Adopted as resolution 309 (1972).

Reaffirming once again the inalienable and imprescriptible right of the people of Namibia to self-determination and independence,

Reaffirming also the national unity and territorial integrity of Namibia,

1. *Invites* the Secretary-General, in consultation and close co-operation with a group of the Security Council, composed of the representatives of Argentina, Somalia and Yugoslavia, to initiate as soon as possible contacts with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principle of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations;

2. *Calls upon* the Government of South Africa to co-operate fully with the Secretary-General in the implementation of the present resolution;

3. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution not later than 31 July 1972.

The Council then proceeded to vote on the revised four-Power draft resolution (S/10608/Rev.1), which was adopted by 13 votes to none, with 2 abstentions.⁶⁶ The resolution read as follows:

The Security Council,

Taking note of the statement of the President of the Islamic Republic of Mauritania, in his capacity as current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity,

Taking note of the statement of the President of the United Nations Council for Namibia,

Gravely concerned over the present situation in Namibia and the repressive measures of the South African Government, following the strike of the African contract labourers in the country and the widespread and increasing manifestations of African resistance to the illegal occupation of the Territory by the South African Government,

Convinced that the Security Council, as a matter of urgency, should find ways and means to enable the people of the Territory to achieve self-determination and independence,

Conscious of the need for full co-operation of all Member States, in particular the permanent members of the Security Council and the main trading partners of South Africa, for this purpose,

Recalling its previous resolutions and those of the General Assembly pertaining to Namibia,

Conscious of the special responsibilities of the United Nations towards the people and Territory of Namibia,

Mindful of its responsibility to take necessary action to secure strict compliance with the obligations entered into by Member States under the relevant provisions of the Charter of the United Nations,

Reaffirming the inalienable right of the people of Namibia to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) of 14 December 1960,

Reaffirming also the national unity and territorial integrity of Namibia,

1. *Strongly condemns* the refusal of South Africa to comply with the resolutions of the General Assembly and the Security Council pertaining to Namibia;

2. *Reaffirms* that the continued occupation of Namibia by the South African authorities is illegal and detrimental to the interests of the people of Namibia;

3. *Declares* that the defiant attitude of South Africa towards the decisions of the Security Council undermines the authority of the United Nations;

4. *Strongly condemns* the recent repressive measures against the African labourers in Namibia, and calls upon the Government of

⁶⁶ *Ibid.*, para. 103. Adopted as resolution 310 (1972).

South Africa to end immediately these repressive measures and to abolish any labour system which may be in conflict with the basic provisions of the Universal Declaration of Human Rights;

5. *Calls upon* all States whose nationals and corporations are operating in Namibia notwithstanding the relevant provisions of Security Council resolution 283 (1970) to use all available means to ensure that such nationals and corporations conform, in their policies of hiring Namibian workers, to the basic provisions of the Universal Declaration of Human Rights;

6. *Considers* that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant resolutions of the United Nations and of the Charter creates conditions detrimental to the maintenance of peace and security in the region;

7. *Calls upon* South Africa to withdraw immediately its police and military forces as well as its civilian personnel from the Territory of Namibia;

8. *Decides* that, in the event of failure on the part of the Government of South Africa to comply with the present resolution, the Security Council shall meet immediately to decide upon effective steps or measures, in accordance with the relevant Chapters of the Charter, to secure the full and speedy implementation of the present resolution;

9. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution not later than 31 July 1972.

At the beginning of the 1639th meeting, also held on 4 February, the President announced that the Council would first discuss the draft resolution on Southern Rhodesia (S/10606), followed by the five-Power draft resolution on *apartheid* (S/10609/Rev.1) and an as yet unavailable revision of the draft resolution concerning the Portuguese Territories, which had originally been circulated in document S/10607.⁶⁷

Speaking in explanation of vote, the representative of the United Kingdom reiterated that his Government could not accept a directive to change its policy while it was in the process of being worked out. The draft resolution on Southern Rhodesia (S/10606) recommended courses of action which were unrealistic and impracticable. His delegation therefore could not accept the draft resolution.⁶⁸

Then the Council voted on the draft resolution sponsored by Guinea, Somalia and Sudan, which received 9 votes in favour to 1 against, with 5 abstentions and was not adopted owing to the negative vote of a permanent member of the Council.⁶⁹

Taking up the draft resolution on the question of *apartheid*, the representative of India introduced a revised text (S/10609/Rev.1)⁷⁰ in which the words "and to deny all military co-operation to the South African Government" in paragraph 5 and the old paragraph 8 had been deleted.⁷¹

Subsequently, the Council voted on the revised five-Power draft resolution (S/10609/Rev.1), which was adopted by 14 votes to none with 1 abstention.⁷²

The resolution read as follows:

The Security Council,

Noting with grave concern the aggravation of the situation in South Africa resulting from the continued intensification and

expansion of the policies of *apartheid* and repression by the Government of South Africa,

Having heard the statements of those individuals invited to address the Council on this question,

Taking note of the statement of the representative of the Special Committee on *Apartheid*,

Deploring the persistent refusal of the Government of South Africa to implement the resolutions adopted by the Security Council in order to promote a peaceful solution in accordance with the Charter of the United Nations,

Gravely concerned that the situation in South Africa seriously disturbs international peace and security in southern Africa,

Noting the continued military build-up and strengthening of its military capability by the Government of South Africa,

Convinced that urgent measures must be taken by the Security Council to secure implementation of its resolutions and thereby promote a solution to the grave situation in South Africa and southern Africa,

1. *Condemns* the Government of South Africa for continuing its policies of *apartheid* in violation of its obligations under the Charter of the United Nations;

2. *Reiterates* its total opposition to the policies of *apartheid* of the Government of South Africa;

3. *Recognizes* the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights, as set forth in the Charter and the Universal Declaration of Human Rights;

4. *Urgently calls upon* the Government of South Africa to release all persons imprisoned, interned or subjected to other restrictions as a result of the policies of *apartheid*;

5. *Calls upon* all States to observe strictly the arms embargo against South Africa;

6. *Urges* Governments and individuals to contribute generously and regularly to the United Nations funds which are used for humanitarian and training purposes to assist the victims of *apartheid*;

7. *Commends* the inter-governmental organizations, non-governmental organizations and individuals for assisting in the education and training of South Africans and urges those who do not to begin and those who do to expand their efforts in this field;

8. *Decides*, as a matter of urgency, to examine methods of resolving the present situation arising out of the policies of *apartheid* of the Government of South Africa.

Following a brief suspension of the meeting,⁷³ the Council, on 5 February, took up the discussion of the draft resolution regarding the Portuguese Territories. The representative of Guinea, on behalf of the three sponsors of draft resolution S/10607, submitted a revised text,⁷⁴ which was the result of the consultations with other Council members and contained numerous changes in the pre-ambular and operative parts.⁷⁵ The sponsors also agreed to incorporate an amendment to paragraph 4 (c), proposed orally by the representative of Japan, which read: "To withdraw all its armed forces at present employed for the purpose of repression against the people of Angola, Mozambique and Guinea (Bissau)."⁷⁶

The Council then proceeded to vote upon the revised draft resolution (S/10607/Rev.1), which was adopted by 9 votes to none, with 6 abstentions.⁷⁷

⁶⁷ 1639th meeting, para. 1.

⁶⁸ *Ibid.*, paras. 43-44.

⁶⁹ *Ibid.*, para. 48.

⁷⁰ Adopted without change as resolution 311 (1972).

⁷¹ 1639th meeting, paras. 77-79.

⁷² *Ibid.*, para. 194. Adopted as resolution 311 (1972).

⁷³ 1639th meeting, para. 121.

⁷⁴ S/10607/Rev.1, adopted as resolution 312 (1972).

⁷⁵ *Ibid.*, paras. 124-137.

⁷⁶ *Ibid.*, paras. 148, 152, 154, 160.

⁷⁷ *Ibid.*, para. 161. Adopted as resolution 312 (1972).

The resolution read as follows:

The Security Council,

Having reviewed the situation in the African territories under Portuguese administration,

Having heard the statements of those individuals invited to address the Council on this question,

Taking note of the statement of 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,

Gravely concerned that the Government of Portugal is continuing its measures of repression in its military operations against the African peoples of Angola, Mozambique and Guinea (Bissau), in order to suppress the legitimate aspirations of the peoples for self-determination and independence,

Deploring the refusal of the Government of Portugal to implement the pertinent resolutions of the Security Council, adopted on the question of the Territories under Portuguese administration, in accordance with the purposes and principles of the Charter of the United Nations,

Further deploring the policies and actions of those States which continue to provide Portugal with military and other assistance, which it uses to pursue its colonial and repressive policies against the peoples of Angola, Mozambique and Guinea (Bissau),

Seriously concerned at the repeated violations by the armed forces of Portugal of the sovereignty and territorial integrity of independent African States,

Deeply disturbed at the reported use of chemical substances by Portugal in its colonial wars against the peoples of Angola, Mozambique and Guinea (Bissau),

Recognizing the legitimacy of the struggle of the liberation movements in Angola, Mozambique and Guinea (Bissau) in their demand for the achievement of self-determination and independence,

1. *Reaffirms* the inalienable right of the peoples of Angola, Mozambique and Guinea (Bissau) to self-determination and independence, as recognized by the General Assembly in its resolution 1514 (XV) of 14 December 1960, and recognizes the legitimacy of their struggle to achieve that right;

2. *Condemns* the persistent refusal of the Government of Portugal to implement General Assembly resolution 1514 (XV) and all other relevant resolutions of the Security Council;

3. *Again affirms* that the situation resulting from the policies of Portugal both in its colonies and in its constant provocations against the neighbouring States seriously disturbs international peace and security in the African continent;

4. *Calls upon Portugal:*

(a) To recognize immediately the right of the peoples of the Territories under its administration to self-determination and independence, in accordance with General Assembly resolution 1514 (XV);

(b) To cease immediately the colonial wars and all acts of repression against the peoples of Angola, Mozambique and Guinea (Bissau);

(c) To withdraw all its armed forces as presently employed for the purpose of the repression of the peoples of Angola, Mozambique and Guinea (Bissau);

(d) To promulgate an unconditional political amnesty and the restoration of democratic political rights;

(e) To transfer power to political institutions freely elected and representative of the peoples, in accordance with General Assembly resolution 1514 (XV);

5. *Again calls upon* Portugal to refrain from any violations of the sovereignty and territorial integrity of African States;

6. *Calls upon* all States to refrain forthwith from offering the Portuguese Government any assistance which would enable it to continue its repression of the peoples of the Territories under its administration, and to take all the necessary measures to prevent the sale and supply of arms and military equipment to the Portuguese

Government for this purpose, including the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition to be used in the Territories under Portuguese administration;

7. *Requests* the Secretary-General to follow the implementation of the present resolution and report to the Security Council from time to time.

At the conclusion of the 1639th meeting, the President, with the authorization of the members of the Council, made a statement of consensus on behalf of the Council expressing gratitude to the host country, in particular the Emperor and Government of Ethiopia.⁷⁸

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

In the course of its meetings in Addis Ababa, the Security Council considered among other issues the question of *apartheid* in South Africa and adopted resolution 311 (1972) relating to this item.⁷⁹

THE SITUATION IN SOUTHERN RHODESIA

Decision of 28 February 1972 (1645th meeting): resolution 314 (1972)

By letter⁸⁰ dated 15 February 1972 addressed to the President of the Security Council, the representatives of Guinea, Somalia and Sudan requested that the Council meet to resume consideration of the problem of Southern Rhodesia. They also included a request that the Council extend an invitation in accordance with rule 39 to Mr. Abel Muzorewa, Chairman of the African National Council of Zimbabwe, to address the Council.

At its 1640th meeting on 16 February 1972, the Council included the letter by the three representatives together with the fourth report⁸¹ and the interim report⁸² of the Committee established in pursuance of Security Council resolution 253 (1968) in its agenda. Following the adoption of the agenda, the Council decided without objection to extend an invitation to Mr. Muzorewa, as requested.⁸³ At the same meeting, the representative of Saudi Arabia was also invited, at his request, to participate without the right to vote in discussion.⁸⁴ The item on the agenda was considered at the 1640th to 1642nd and the 1645th meetings from 16 to 25 and on 28 February 1972.

At the 1640th meeting, Mr. Muzorewa said that the African National Council which he represented had been

⁷⁸ 1639th meeting, para. 178. For the text of the statement see also, *SCOR, 27th yr., Resolutions and Decisions of the Security Council 1972*, p. 3.

⁷⁹ For relevant proceedings see in this chapter the procedural history of the meetings in Addis Ababa under the heading "Consideration of questions relating to Africa with which the Security Council is currently seized and the implementation of the Council's resolutions", esp. p. 101.

⁸⁰ S/10540, *OR, 27th yr., Suppl. for Jan.-March 1972*, p. 50.

⁸¹ S/10229 and Add.1 and 2, *OR, 26th yr., Special Suppl. No. 2*.

⁸² S/10408, *OR, 26th yr., Suppl. for Oct.-Dec. 1971*, pp. 78-79.

⁸³ 1640th meeting, para. 1-2.

⁸⁴ *Ibid.*, paras. 56-57.