

entirely unfounded. However, there were incidents of a far more serious nature which involved the infiltration of armed bands across the border from Zambia into the Caprivi Strip causing death and destruction. Five mine explosions had occurred in 1971. Those armed bands operated from camps situated in Zambia, they were given shelter on **Zambian** soil and received the support of the **Zambian** Government. The South African Government had asked Zambia to prevent armed incursions from Zambia into South West Africa, but there had been no response. While it was the policy of his Government to avoid border incidents and violations of the air space of neighbouring countries, in the case of incursions of terrorists, it had a duty to protect the inhabitants of South Africa and "South West Africa" against the acts of terrorism and such acts would not be tolerated.⁴⁰³

At the same meeting the representative of the Syrian Arab Republic introduced⁴⁰⁴ a draft resolution jointly sponsored by Burundi, Sierra Leone, Somalia and the Syrian Arab Republic.

At the 1592nd meeting on 12 October 1971, the representative of Somalia stated that as a result of extensive consultations among the members of the Council, the three African sponsoring countries had decided⁴⁰⁵ to revise the draft resolution to take into account the various positions of members and to bring forward a resolution which would ensure a unanimous vote,

The President then put to the vote the revised draft resolution which was adopted⁴⁰⁶ unanimously. The text⁴⁰⁷ read as follows:

"The Security Council,

"Having received the letter of the Permanent Representative of Zambia contained in document S/10352 and also the letter from 47 Member States contained in document S/10364,

"Taking note of the statements made by the Permanent Representative of Zambia at its 1590th meeting, concerning violations of the sovereignty, air space and territorial integrity of Zambia by South Africa,

"Taking note of the statement made by the Minister of Foreign Affairs of the Republic of South Africa,

"Bearing in mind that all Member States must refrain in their relations from resorting to threat or the **use** of force against the territorial integrity or political independence of any State,

"Conscious that it has the responsibility to take efficient collective measures to prevent and eliminate threats to peace and security,

"Concerned by the situation on the borders of Zambia and Namibia, in the vicinity of the Caprivi Strip,

"1. Reiterates that any violation of the sovereignty and territorial integrity of a Member State is contrary to the Charter of the United Nations;

"2. Calls upon South Africa to fully respect the sovereignty and territorial integrity of Zambia;

"3. Further declares that in the event of South Africa violating the sovereignty or the territorial integrity of Zambia, the Security Council will meet again to examine the situation further in accordance with the relevant provisions of the Charter."

SITUATION IN NORTHERN IRELAND

INITIAL PROCEEDINGS

In a letter⁴⁰⁸ dated 17 August 1969, the representative of Ireland requested, in accordance with Article 35 of the Charter, an urgent meeting of the Security Council. It was stated in the letter that the preceding week had witnessed the development of a situation in the six counties of Northern Ireland, resulting from the continuous suppression of the people of these counties. The Royal Ulster Constabulary had been unable to control that situation and that had led to the intervention of British military forces. Proposals by his Government that the United Kingdom ask for the dispatch of a United Nations peace-keeping force and, subsequently, that a joint British-Irish peace-keeping force be established had been rejected by the British Government. The Government of Ireland therefore felt obliged to appeal to the Security Council for the dispatch of a United Nations peace-keeping force, since it could not stand by and see the people in the six counties of Northern Ireland suffer injury; nor could it tolerate the tensions created along the border between the two areas which might give rise to serious disturbances in its own State. The letter requested that the Irish delegation be permitted to be heard at all stages of the consideration by the Council in order to present its case.

The Security Council met to consider the situation in Northern Ireland at its 1503rd meeting held on 20 August 1969.

In connexion with the adoption of the agenda, the representative of the United Kingdom stated that the principle of domestic jurisdiction set out in Article 2, paragraph 7 of the Charter was fundamental. If this principle were breached or eroded, the consequences would be most serious for the United Nations.⁴⁰⁹

The representative of Finland proposed that the Security Council, before taking a decision on its agenda, invite the Minister for External Affairs of Ireland to make a statement to the Council in explanation of his Government's request for the meeting of the Security Council.⁴¹⁰

Decision of 20 August 1969 (1503rd meeting):

Statement by the President

At the 1503rd meeting on 20 August 1969, the President (Spain) stated that the Security Council, before taking a decision on the provisional agenda, agreed to invite the Minister for External Affairs of Ireland to make a statement to the Council in explanation of his Government's request for an urgent meeting of the Security Council.⁴¹¹

At the same meeting, the Minister for External Affairs of Ireland,* after taking exception to the argument that the situation in Northern Ireland fell exclu-

⁴⁰³ 1590th meeting, paras. 59-72.

⁴⁰⁴ *Ibid.*, paras. 175-177.

⁴⁰⁵ 1592nd meeting, paras. 3-18.

⁴⁰⁶ *Ibid.*, para. 20.

⁴⁰⁷ Resolution 300 (1971).

⁴⁰⁸ S/9394, OR, 24th yr., Suppl. for July-Sept, 1969, p. 159.

⁴⁰⁹ 1503rd meeting, paras. 2-14. For consideration of Article 2(7), see in chapter XII, Case 12.

⁴¹⁰ 1503rd meeting, paras. 15-17.

⁴¹¹ *Ibid.*, para. 20.

sively within the domestic jurisdiction of the **United Kingdom**,⁴¹² stated that the present situation in the Six Counties of Northern Ireland had its origins in the partition of Ireland, a unilateral act on the part of the United Kingdom Government which had never been conceded to by the Government of Ireland whose declared policy was to bring about reunification by peaceful means. The persistent denial by the United Kingdom Government of their civil rights to a large part of the population of Northern Ireland had culminated in the present crisis. It was the position of the delegation of Ireland* that while that aspect of the matter alone would be sufficient to justify the request for a Council meeting, another consideration as to why the Council should deal with this question was that the grave situation in Northern Ireland could become aggravated to a degree which would affect relations between Great Britain and Ireland. There was no doubt that the situation in Northern Ireland was grave and could affect relations between Great Britain and Ireland. The current crisis had been brought about by the decision of the Government of the six counties to allow the holding of a provocative parade by a Protestant sectarian organization at Derry, despite the warnings of his Government about the dangers involved. The disturbances at Derry had quickly spread to other towns in the area and had led to the loss of life, the destruction of property and the virtual collapse of law and order. The calling of British troops had been a confession of the inability of the Government of the six counties to maintain law and order impartially through its police force. There was need, he stressed, for an impartial peace-keeping force, inasmuch as the use of British troops constituted a basic factor in the perpetuation of partition. The Council must consider also that the tension created by these events might spread beyond the area itself and lead to friction between two neighbouring Member States.⁴¹³

Decision of 20 August 1969 (1503rd meeting) :

Adjournment

At the 1503rd meeting on 20 August 1969, the representative of Zambia stated that the question before the Council was whether or not to adopt the agenda. In the light of the statements so far made it might be wise for the Council to adjourn a decision on that matter. Consequently he proposed that in accordance with the rules of procedure, and particularly rule 33, paragraph 2, the meeting be adjourned.⁴¹⁴

The proposal for adjournment was unanimously adopted.

COMPLAINT BY SENEGAL.

Decision of 9 December 1969 (1520th meeting): resolution 273 (1969)

By letter⁴¹⁵ dated 27 November 1969 addressed to the President of the Security Council, the representative of Senegal informed the Council that on 25 November 1969 the regular Portuguese Army, based at Bégène in Guinea (Bissau), had shelled the village of Samine in southern Senegal, leaving one person dead and eight seriously wounded and causing property damage. It was not the first time that the Portuguese forces had

attacked Senegal's nationals and violated its territory. In view of the growing loss of life and destruction of property, the Government of Senegal was obliged to denounce Portugal's policy of systematic provocation and to request the convening of the Security Council as soon as possible to consider the question.

By letter⁴¹⁶ dated 2 December 1969 to the President of the Security Council, the representatives of Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Dahomey, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia supported Senegal's request. Recalling that other African States bordering on the Territories under Portuguese domination had also been the object of Portugal's acts of aggression, the signatories to the letter expressed Africa's concern at the constant threat and acts of aggression committed by Portugal and expressed the hope that the Security Council would be able to take the necessary measures to put an end to those acts of aggression in accordance with Chapter VII of the United Nations Charter.

At the 1516th meeting on 4 December 1969, the Security Council adopted⁴¹⁷ the agenda and considered the question at the 1516th to 1520th meetings between 4 and 9 December 1969. At the 1516th meeting on 4 December, the representatives of Portugal, Guinea and Morocco were invited⁴¹⁸ to take part in the discussion. Subsequently, at the 1517th meeting on 5 December the representatives of Liberia, Madagascar, Sierra Leone, Tunisia, Mali, Saudi Arabia, Syria, Yemen and the United Arab Republic,⁴¹⁹ and at the 1518th meeting on 8 December the representative of Mauritania⁴²⁰ were also invited to participate.

At the 1516th meeting on 4 December 1969, the representative of Senegal recounted the incident described in his letter of 27 November, which his Government considered sufficiently grave to constitute a threat to international peace and security. He then referred to numerous earlier violations of Senegal's sovereignty and territorial integrity committed by Portuguese forces since April 1963 and recalled previous Council resolutions⁴²¹ in which those actions were deplored and Portugal was requested to take all effective and necessary action to prevent such violations. Notwithstanding those resolutions Portugal had committed further acts of provocation and since January 1969 incidents had become more frequent and more serious as Portuguese forces violated Senegalese air space and shelled Senegalese villages, killing, wounding and kidnapping villagers. If Portugal were to persist in its policy of systematic provocations and violations of the territorial integrity of African countries, in which it was being supported by its allies, particularly South Africa, Senegal would have no alternative but to resort to force in order to impose respect of its territorial sovereignty. However, Senegal was convinced that the Security Council would make such an action unneces-

⁴¹² For consideration of Article 2(7), see in chapter XII, Case 12.

⁴¹³ 1503rd meeting, paras. 23-43.

⁴¹⁴ *Ibid.*, para. 68.

⁴¹⁵ S/9513, OR. 24th yr., Suppl. for Oct.-Dec. 1969, p. 117.

⁴¹⁶ S/9524 and Add.1, *ibid.*, p. 144.

⁴¹⁷ 1516th meeting, preceding para. 40.

⁴¹⁸ *Ibid.*, paras. 40-41.

⁴¹⁹ 1517th meeting, paras. 4, 59, 92.

⁴²⁰ 1518th meeting, para. 3.

⁴²¹ Resolution 178 (1963) and resolution 204 (1965).