

"2. *Urges* the parties concerned to act with the utmost restraint and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council, by availing themselves in a constructive manner of the present auspicious climate and opportunities;

"3. *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 1972, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."

At the same meeting, the representative of Cyprus* stated, *inter alia*, that his Government had decided to accept, despite certain reservations, the Secretary-General's suggestions regarding the intercommunal talks, on the understanding that it did not create a precedent. He held that if the new effort, under the proposal of the Secretary-General, failed to bring about the achievement of the objectives of the Security Council—as stated in its resolution 186 (1964) of 4 March 1964—either the Council on its own initiative, or the Government of Cyprus, would ask the Security Council to utilize the Secretary-General's further suggestion that the Council should become more actively involved in assisting the parties in the search for a solution to the Cyprus problem.²⁸⁴

The representative of Turkey*, expressed confidence that continuation of contacts with the Secretary-General on the matter of reactivation of intercommunal talks by the parties concerned would soon produce a consensus upon which the talks might be resumed.²⁸⁵

The representative of Greece,* reiterated his Government's acceptance of the Secretary-General's suggestions regarding the reactivation of intercommunal talks and pointed out that participation of a representative of the Secretary-General in these conversations, and within the framework of the Secretary-General's good offices, could be in keeping with Council resolution 244 (1967) of 22 December 1967, specifically paragraph 3, on the basis of which the dialogues had begun.²⁸⁶

The representative of the USSR stated that his Government's earlier position on the question of Cyprus still remained valid and that it shared the view, expressed in the Secretary-General's report and also put forth by the Representative of Cyprus, that the Security Council should be more actively engaged in the search for a solution to the problem of Cyprus. The Security Council should once again study all possibilities for a settlement of the situation in Cyprus leading to a withdrawal of United Nations troops from the island. He noted that it was on this understanding and also bearing in mind the position on this issue of the parties concerned that the Soviet delegation had not at this time raised the question of a withdrawal of the United Nations troops from Cyprus.²⁸⁷

At the 1613th meeting on 13 December 1971, the President, on behalf of the Council, appealed to the interested parties to agree on the modalities of reactivating the talks in accordance with the suggestions made by the Secretary-General.²⁸⁸

²⁸⁴ 1612th meeting, paras. 30-31, 33-35, 37-38.

²⁸⁵ *Ibid.*, para. 52.

²⁸⁶ *Ibid.*, para. 68.

²⁸⁷ *Ibid.*, paras. 145, 147, 148, 152-156.

²⁸⁸ 1613th meeting; para. 72.

SITUATION IN SOUTHERN RHODESIA

Decision of 17 June 1969 (1477th meeting) :
Statement by the President

Decision of 24 June 1969 (1481st meeting) :
Rejection of the joint draft resolution

By letter²⁸⁹ dated 6 June 1969 addressed to the President of the Security Council, the representatives of Afghanistan, Algeria, Botswana, Burundi, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Laos, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Swaziland, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia requested the President of the Security Council to call an urgent meeting of the Council to consider the situation in Southern Rhodesia (Zimbabwe). It was stated in the letter that because of the lack of co-operation on the part of several Member States, notably South Africa and Portugal, the comprehensive mandatory sanctions imposed by Security Council resolution 253 (1968) of 29 May 1968 had failed to bring about the desired result. The illegal racist minority régime had continued to strengthen its authority over the Territory and its population and was contemplating further new measures designed to formalize the system of *apartheid* already in operation in the Territory. The rapid deterioration in the situation and the refusal of the United Kingdom to act in an appropriate manner—namely, to resort to the use of force—had created a serious situation which constituted an increased threat to international peace and security. The Council must take more energetic measures within the framework of Chapter VII of the Charter so that the people of Southern Rhodesia (Zimbabwe) could exercise their right to self-determination in accordance with General Assembly resolution 1514 (XV).

At the 1475th meeting on 13 June 1969, the Council adopted the agenda,²⁹⁰ including also at the request of the representatives of Algeria *two reports*²⁹¹ of the Committee established in pursuance of Security Council resolution 253 (1968). The Council considered the

²⁸⁹ S/9237 and Add.1 and 2, OR, 24th yr., Suppl. for April-June 1969, p. 187. Document S/9237/Add.1, dated 9 June 1969, indicated the addition of Ivory Coast and Mongolia, and document S/9237/Add.2, dated 13 June 1969, the addition of Cyprus to the list of signatories of the letter.

²⁹⁰ 1475th meeting, para. 1.

²⁹¹ S/8954, OR, 23rd yr., Suppl. for Oct.-Dec. 1968, pp. 181-295 and S/9252 and Add.1, OR, 24th yr., Suppl. for Apr.-June 1969, pp. 195-329. In its first report (S/8954) the Committee stated, among other things, that in contravention of resolution 232 (1966) there were some countries, besides South Africa and Portugal, which had continued to trade with Southern Rhodesia. In its 'second report (S/9252 and Add.1) the Committee stated that, as a result of the refusal of South Africa and Portugal to take measures in accordance with the Council's decisions and the failure of some other States to implement fully the provisions of resolution 253 (1968), it was compelled to observe that the sanctions established by that resolution against the illegal régime in Southern Rhodesia had not yet brought about the desired results. The Committee therefore felt that consideration should be given to more effective measures to ensure full implementation of Security Council resolution 253 (1968).

question at its 1475th to 1481st meetings, between 13 and 24 June 1969. The representatives of Burundi, Guinea, India, Mauritania, Somalia, Sudan, Saudi Arabia and the United Republic of Tanzania were invited to participate in the discussion.²⁹²

At the 1475th meeting, the President drew the attention²⁹³ of the Council to a letter²⁹⁴ dated 10 June 1969 from 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 transmitting the text of a resolution adopted on that date by the Special Committee on the situation in Southern Rhodesia.

At the same meeting, the representative of Algeria stated that a new examination of the problem of Southern Rhodesia by the Security Council was indispensable in view of the ineffectiveness of the economic sanctions imposed by Security Council resolution 253 (1968) and the progressive deterioration of the situation which the Council had already recognized as a threat to peace. Instead of facing insurmountable difficulties as a result of the sanctions, the illegal régime of Southern Rhodesia was on the verge of taking a new step to consolidate and blatantly reaffirm its racist character by putting its draft constitution to a referendum. The ineffectiveness of the economic sanctions was due primarily to the fact that the Territory had had sources of supply offered by South Africa and Portugal and also to the fact that certain other States had failed to implement fully the provisions of resolution 253 (1968). The administering Power, which was still primarily responsible for the situation in Southern Rhodesia, was refusing to take more determined measures called for by the African countries to put an end to the rebellion. The Security Council must therefore implement more extensive and effective measures with all the determination which the situation required and by bringing to bear the entire authority of the Council to ensure a more strict implementation of its decisions.²⁹⁵

The representative of Zambia said that the basic issue in Southern Rhodesia was the denial of the right of self-determination to the majority of the people by the illegal racist régime which controlled that Territory. In the face of the defiance of South Africa and Portugal which had doomed the sanctions to failure, the obvious course of action for the Security Council would be to extend the mandatory sanctions against those two countries. In order to succeed in Southern Rhodesia, the Security Council must be prepared to apply the provisions of Articles 41 and 42 of Chapter VII of the Charter. The United Kingdom had ruled out the only weapon by which it could have put an end to the rebellion for the reason that use of force would lead to unnecessary loss of life and property and that possibilities for a negotiated settlement existed. The

proposed draft constitution made it clear, however, that there was no possibility for a negotiated settlement and a racial war appeared inevitable. In the absence of effective measures by the Council, there would be no choice left but to use force; the only question was whether it would be applied by the administering Power or by the people of Zimbabwe themselves. He urged the Council to ponder the consequences and to take effective measures on the matter.²⁹⁶

The representatives of Burundi,* Guinea,* Hungary, India,* Mauritania,* Nepal, Pakistan, Senegal, Somalia,* Sudan,* the USSR and the United Republic of Tanzania* also deplored the ineffectiveness of the economic sanctions and the failure of certain Member States to fully implement the relevant decisions of the Security Council and called for more determined and effective measures including the application of the provisions of Chapter VII of the Charter and the use of force by the administering Power.²⁹⁷

Speaking at the 1475th meeting, the representative of the United Kingdom stressed the importance of an urgent and unanimous action by the Security Council, prior to the proposed referendum in Southern Rhodesia, to condemn the proposals for a new constitution, whose blatantly racist character offended every democratic principle, and again to call upon all States to refuse to recognize the illegal régime in whatever form. Thereafter, the British Government would be prepared to consult other Governments, particularly African Governments, on further action. On its part, his Government was resolved to pursue steadily the current course of denying recognition and maintaining sanctions against the illegal régime. The most important principle was that no settlement should be accepted which was not approved by the people of Rhodesia as a whole.²⁹⁸

At the 1477th meeting on 17 June 1969, the President of the Council (Paraguay) made the following statement:²⁹⁹

"In the debate on the question under consideration, so far all members of the Security Council have expressed their views. In the course of their statements, the members of the Security Council unanimously regarded the proposed referendum that the illegal régime in Southern Rhodesia is planning to hold on 20 June as 'illegal, considered that the so-called constitutional proposals are invalid, and declared that any constitution promulgated by the régime of the racist minority could have no legal effect.

"In view of the continuing danger to international peace and security presented by the situation in Southern Rhodesia, the Council will now continue its consideration of this question."

At the 1479th meeting on 19 June 1969, the representative of Algeria introduced³⁰⁰ a draft resolution,³⁰¹

²⁹² 1477th meeting, paras. 1-2, 74; 1478th meeting, paras. 1-4; 1480th meeting, paras. 1-3.

²⁹³ 1475th meeting, para. 6.

²⁹⁴ S/9244, OR, 24th yr., Suppl. for April-June 1969, p. 190. The resolution adopted by the Special Committee on Southern Rhodesia, among other things, drew the attention of the Security Council to the gravity of the situation in Southern Rhodesia which constituted a threat to international peace and security, and to the urgent necessity of applying certain measures envisaged under Chapter VII of the Charter to the illegal régime in Southern Rhodesia and the Governments of South Africa and Portugal, which had refused to carry out the mandatory decisions of the Security Council. For discussion concerning action under Chapter VII, see chapter XI, Case 4.

²⁹⁵ 1475th meeting, paras. 9-24.

²⁹⁶ *Ibid.*, paras. 31-45.

²⁹⁷ For texts of relevant statements, see: 1475th meeting, Pakistan, paras. 87-118; Senegal, paras. 49, 50, 63; 1476th meeting, Hungary, paras. 82-85; Nepal, paras. 17-23; USSR, paras. 24-52; 1477th meeting, Guinea,* paras. 60-69; Mauritania,* paras. 20-30; Somalia,* paras. 77-90; United Republic of Tanzania,* paras. 38-51; 1478th meeting, India,* paras. 9-21; Sudan,* paras. 26-32; 1480th meeting, Burundi,* paras. 27-34.

²⁹⁸ 1475th meeting, paras. 70-83.

²⁹⁹ 1477th meeting, paras. 4-5.

³⁰⁰ 1479th meeting, paras. 7-21.

³⁰¹ S/9270/Rev.1, OR, 24th yr., Suppl. for April-June 1969, p. 338.

jointly sponsored by Algeria, Nepal, Pakistan, Senegal and Zambia, under which the Council, reaffirming its resolution 232 (1966) in which it had determined that the situation in Southern Rhodesia constituted a threat to international peace and security, would emphasize the responsibility of the Government of the United Kingdom, as the administering Power, for the situation prevailing in Southern Rhodesia and condemn the so-called constitutional proposals of the illegal racist minority régime aimed at perpetuating its power and sanctioning the system of *apartheid* in Southern Rhodesia; urge the United Kingdom to take urgently all necessary measures, including the use of force, to bring to an end the rebellion in Southern Rhodesia and enable the people of Zimbabwe to exercise their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV); decide that all States should sever immediately all economic and other relations with the illegal régime in Southern Rhodesia, including railway, maritime, air transport, postal, telephonic and wireless communications and other means of communication; censure the assistance given by the Governments of Portugal and South Africa to the illegal régime in defiance of resolutions of the Security Council; decide that Member States and members of the specialized agencies should carry out the measures dealing with imports and exports envisaged in resolution 253 (1968) and in the present resolution against the Republic of South Africa and the Portuguese colony of Mozambique; call upon all Member States and members of the specialized agencies to carry out the decisions of the Security Council in accordance with their obligations under the Charter; call upon Member States and, in particular, those with primary responsibility under the Charter for the maintenance of international peace and security to assist effectively in the implementation of the measures called for by the present resolution; urge all States to render moral and material assistance to the national liberation movements of Zimbabwe in order to enable them to achieve their freedom and independence; request all States to report to the Secretary-General on the measures taken to implement the present, resolution; and request the Secretary-General to report to the Security Council on the progress of the implementation of the resolution.

At the same meeting, the representative of the United Kingdom referred to the demand by a number of representatives for the use of force by his Government and stated that, since Rhodesia was first formed as a self-governing colony in 1923, there had never been a British army there or any British official in administrative authority. The question therefore was not one of merely taking local action to maintain order, but one of invasion and of starting a war. The United Kingdom was not in a position to take action of that kind because, once force was used, escalation could easily ensue and its results were incalculable. As for the call to extend the sanctions to Portugal and South Africa, he reiterated his Government's position that, in view of the long and extensive economic ties between the United Kingdom and South Africa, it could not proceed to the extreme action of a full trade boycott backed by a naval blockade of all southern Africa. In conclusion, ruling out the use of force and the extension of the sanctions to South Africa and Portugal, he reaffirmed his Government's view that the sanctions against Southern Rhodesia must be maintained and, if possible, intensified.³⁰²

³⁰² 1479th meeting, paras. 30-39.

The representatives of Colombia, Finland, France, Paraguay and the United States, after condemning the draft constitution that the illegal régime of Southern Rhodesia was putting to a vote, stated that the Council should concentrate on finding effective measures on the basis of unanimity rather than on proposals such as the USC of force and the extension of the economic sanctions to South Africa and Portugal, which were bound to divide the Council.³⁰³

At the 1481st meeting on 24 June 1969, the five-Power draft resolution was put to the vote and was not adopted. It received 8 votes in favour, none against and 7 abstentions.³⁰⁴

Decision of 17 March 1970 (1534th meeting):
Rejection of a motion for adjournment

Decision of 17 March 1970 (1534th meeting):
Rejection of a motion for suspension

Decision of 17 March 1970 (1534th meeting):
Rejection of the United Kingdom draft resolution

Decision of 17 March 1970 (1534th meeting):
Rejection of the joint draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia

Decision of 18 March 1970 (1535th meeting): resolution 277 (1970)

By letter³⁰⁵ dated 3 March 1970, the representative of the United Kingdom informed the President of the Security Council that "the illegal régime in Southern Rhodesia has purported to declare the dissolution of its illegal parliament and the assumption of republican status". Stating further that that declaration, like the 1965 declaration of independence and subsequent acts, was illegal, the United Kingdom Government requested an urgent meeting of the Council.

At the 1530th meeting on 6 March 1970, the Security Council included the letter from the representative of the United Kingdom in its agenda³⁰⁶ and considered the question at the 1530th to 1535th meetings held between 6 and 18 March 1970. At its 1531st meeting on 11 March 1970, the Council also included in its agenda a letter³⁰⁷ dated 6 March 1970 addressed to the President of the Security Council by the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Congo (People's Republic of), Dahomey, Equatorial Guinea, Ethiopia, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia, requesting an urgent meeting of the Council to consider "the deterioration in the situation in Southern Rhodesia as a result of the proclamation of a so-called republic by the illegal, racist, minority régime in Salisbury, which is thereby endangering international peace and security". The repre-

³⁰³ For texts of relevant statements, see: 1475th meeting, United States, paras. 119-136; 1476th meeting, Colombia, paras. 61-62; Finland, paras. 54-58; France, paras. 6-10; 1480th meeting, Finland, paras. 6-9; 1481st meeting, Colombia, para. 109; France, para. 103; Paraguay, paras. 129-139; United States, paras. 11 0-1 15.

³⁰⁴ 1481st meeting, para. 78.

³⁰⁵ S/9675, OR, 25th yr., Suppl. for Jan.-March 1970, p. 149.

³⁰⁶ 1530th meeting, para. 3.

³⁰⁷ S/9682, OR, 25th yr., Suppl. for Jan.-March 1970, p. 153.

sentative of Gabon subsequently associated himself with the above request.³⁰⁸

At the 1531st meeting on 11 March the representatives of Algeria, Senegal and Pakistan were invited to participate in the discussion.³⁰⁹ At subsequent meetings, the Council also invited the representatives of Yugoslavia,³¹⁰ India³¹¹ and Saudi Arabia³¹² to participate in the discussion.

At the 1530th meeting on 6 March 1970, the President drew the attention of the Council to a United Kingdom draft resolution submitted on 3 March 1970,³¹³ which was subsequently revised. Under the revised draft resolution,³¹⁴ the Security Council, after recalling and reaffirming its resolutions 216 (1965), 217 (1965), 221 (1966), 232 (1966) and 253 (1968), would condemn the illegal acts of the racist minority regime in Southern Rhodesia, including the purported assumption of a republican status; and decide, in accordance with Article 41 of the United Nations Charter, that all Member States of the United Nations should refrain from recognizing the illegal regime or from rendering any assistance to it, and urge States not Members of the United Nations, having regard to the principles stated in Article 2 of the Charter, to act accordingly.

Introducing the revised text, the representative of the United Kingdom stated that the Council should concentrate on a single purpose, namely, to deny firmly and unanimously recognition of the republican status purportedly declared by the illegal regime in Salisbury. He urged the Council to act in full agreement and without delay in adopting the draft resolution, as it had done earlier in adopting resolution 216 (1965).³¹⁵

At the request of the representative of Zambia, who, speaking on behalf of the delegations of Burundi, Sierra Leone and Zambia, explained that the Organization of African Unity had decided to send a delegation of Foreign Ministers to participate in the Security Council discussion, the Council decided to adjourn until 10 March 1970.³¹⁶

At the 1531st meeting on 11 March 1970, the representative of Zambia stated that he had been directed by the Organization of African Unity to place before the Council the following specific requests: that the existence of an illegal regime in Rhodesia should be condemned and no recognition given to it; that all States should undertake all appropriate measures to ensure that no act should be performed in their territories by anyone or any institution whatsoever on behalf of the illegal minority regime; that all States should, in accordance with Chapter VII of the Charter, immediately sever all consular, economic, military or other relations with that regime, including rail, maritime and air transport and postal, telegraphic, radio and other means of communication; and that those measures should also be applied by the specialized agencies and organs of the United Nations. The African countries believed that the permanent members of the Security Council had a special responsibility to see to it that an end was put to the threat to international

peace and security posed by the illegal regime. Furthermore, the United Kingdom had the primary responsibility over the Territory and should apply all means at its disposal, including the use of force, to end the rebellion.³¹⁷

The representative of Sierra Leone noted that in view of the open defiance of Council decisions by South Africa and Portugal, there was no alternative but to extend the sanctions to cover them as well and to take measures under Articles 41 and 42 of Chapter VII of the Charter, since the Council had recognized in its previous resolutions that the situation in Southern Rhodesia constituted a threat to international peace and security.³¹⁸

The representative of the United Kingdom reiterated his appeal for an urgent and unanimous decision to deny recognition of the illegal regime and the illegal declaration of republican status, and added that he had never intended that the matter before the Council should solely be a question of recognition. In particular, his delegation would not retreat from any of the Council's previous decisions and would be ready to examine every aspect of the matter in consultation with the other members of the Council.³¹⁹

At the 1532nd meeting on 12 March 1970, the representative of the USSR stated that the Security Council had already taken certain measures against the illegal regime in South Africa. These measures were taken within the framework of Article 41 of Chapter VII of the Charter. They were also pursuant to Article 25 of the Charter which was mandatory for all Member States. However these measures had failed due to the fact that Portugal and South Africa had flouted the decision of the Council and had continued to maintain broadly based trade, transport, military and all kinds of relations with Southern Rhodesia. Moreover, through arrangements with its NATO allies the United Kingdom had effectively prevented the adoption by the Security Council of more effective measures against Southern Rhodesia, and the principal violators of the sanctions, South Africa and Portugal. At the same time it had refused to take any substantive measures of its own. The Security Council was, however, duty bound to take further effective measures in order to enable the people of Southern Rhodesia to exercise their right to self-determination.³²⁰

At the same meeting the representative of Syria introduced³²¹ a draft resolution³²² jointly sponsored by Burundi, Nepal, Sierra Leone, Syria and Zambia. Under its provisions, the Security Council, acting under Chapter VII of the Charter, would: (1) condemn the proclamation of a republic in Zimbabwe by the racist minority regime in Salisbury and declare null and void any form of government not based on the principle of majority rule; (2) decide that all States Members of the United Nations should refrain from recognizing the illegal regime and urge States not members of the Organization, having regard to the principles set out in Article 2 of the Charter, to act accordingly; (3) call upon all States to take measures as appropriate, at the national level, to ensure that any act performed by officials and institutions of the illegal regime in South-

³⁰⁸ 1531st meeting, para. 1.

³⁰⁹ *Ibid.*, para. 2.

³¹⁰ 1532nd meeting, para. 2.

³¹¹ *Ibid.*, para. 122.

³¹² 1534th meeting, para. 48.

³¹³ S/9676 (mimco).

³¹⁴ S/9676/Rev.1, 1530th meeting, para. 9.

³¹⁵ 1530th meeting, paras. 16-23.

³¹⁶ *Ibid.*, para. 84.

³¹⁷ 1531st meeting, paras. 21, 23-27.

³¹⁸ *Ibid.*, paras. 40-41.

³¹⁹ *Ibid.*, paras. 94-96.

³²⁰ 1532nd meeting, paras. 5-32.

³²¹ *Ibid.*, para. 72.

³²² S/9696, OR, 25th yr., Suppl. for Jan.-March 1970, pp. 160-161.

ern Rhodesia or by persons and organizations purporting to act for it should not be accorded any official recognition, including judicial notice, by the competent organs of their State; (4) emphasize the responsibility of the Government of the United Kingdom, as the administering Power, with regard to the situation in Southern Rhodesia; (5) condemn the persistent refusal of the Government of the United Kingdom to use force to bring an end to the rebellion in Southern Rhodesia and enable the people of Zimbabwe to exercise their right to self-determination and independence in accordance with General Assembly resolution 15 14 (XV); (6) decide that all States should immediately sever all diplomatic, consular, economic, military and other relations with the illegal regime in Southern Rhodesia, including railway, maritime, air transport, postal, telegraphic and wireless communications and other means of communication; (7) request the Government of the United Kingdom, as the administering Power? to rescind any existing agreements on the basis of which foreign consular, trade and other representations might currently be maintained in or with Southern Rhodesia; (8) condemn the assistance given by the Governments of Portugal and South Africa and by other imperialist Powers to the illegal regime in defiance of Security Council resolutions and demand the immediate withdrawal of South African troops from the Territory of Zimbabwe; (9) decide that Member States and members of the specialized agencies should apply against South Africa and Portugal measures set out in resolution 253 (1968) and in the present resolution; (10) call upon all Member States and members of the specialized agencies to carry out the decisions of the Security Council in accordance with their obligations under the Charter; (11) call upon all States Members of the United Nations, and, in particular, those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the present resolution; (12) urge all States to render moral and material assistance to the national liberation movements of Zimbabwe in order to enable them to regain their freedom and independence; , (13) request all States to report to the Secretary-General on the measures taken to implement the present resolution; and (14) request the Secretary-General to report to the Security Council on the progress made in implementing the present resolution.³²⁵

The representative of Finland observed that neither of the two draft resolutions before the Council provided a basis for unanimous action. Consequently, the Security Council should make every effort to agree on a course of action acceptable to all of its members. In this regard, his delegation suggested that the Council might, under the mandatory provisions of Article 41 of the Charter,³²⁴ decide that all Member States should immediately sever diplomatic, consular, trade, military and other relations with the illegal regime and interrupt any existing means of transportation to and from Southern Rhodesia. It should also exclude that regime from participation in any multilateral relations between States and suspend its membership in some of the specialized agencies. Furthermore, the Council should call upon Member States to carry out the sanctions more effectively and might give a wider and more

³²³ 1532nd meeting, paras. 65-86.

³²⁴ For consideration of applicability of Article 41, see chapter XI. Case 5.

active role to the Committee established by resolution 253 (1968). Finally, his delegation suggested that more assistance should be given by States Members of the United Nations and by members of the specialized agencies and other international organizations to Zambia, a country that very strongly felt the impact of the consequences of the measures taken against Southern Rhodesia.³²⁵

At the 1534th meeting on 17 March 1970, the representative of the United Kingdom, referring to the demands made by several delegations for the use of force, reiterated his Government's position that it could not undertake to start a war by invading Southern Rhodesia which had been self-governing for half a century. Nor was his Government in a position to extend sanctions against all southern Africa.³²⁶

At the same meeting, the representative of the United Kingdom formally proposed, in view of the new suggestions made at the previous meeting by the representative of Finland, a twenty-four hour adjournment in order to facilitate further consultations before voting.³²⁷ After a brief procedural discussion, the Council voted upon the United Kingdom motion and rejected it³²⁸ by 6 votes in favour, 7 against and 2 abstentions.

At the same meeting, the representative of the United States formally moved that, in view of the possibility that the five-Power draft resolution might be voted upon paragraph-by-paragraph, the Council suspend its meeting for half an hour, in order to give the members time to reflect on the new situation before voting on the draft resolution before it.³²⁹ After further procedural discussion, the Security Council rejected³³⁰ the United States proposal by 6 votes in favour, 7 against with 2 abstentions.

The Security Council proceeded then to vote upon the United Kingdom draft resolution, which was not adopted.³³¹ There were 5 votes in favour, none against, with 10 abstentions.

The President (Colombia) stated that in putting to the vote in accordance with the request by the representative of Spain and in the absence of objections to it, separate votes would be taken on operative paragraphs 8 and 9 of the five-Power draft resolution. Operative paragraphs 8 and 9 were not adopted. Each of them received 7 votes in favour, none against with 8 abstentions. The five-Power draft resolution, as modified by the deletion of operative paragraphs 8 and 9, was then voted upon. The result of the vote was 9 in favour, 2 against, with 4 abstentions. It failed of adoption, owing to the negative votes of two permanent members of the Security Council.³³²

Speaking after the vote, the representative of Finland maintained that the Council therefore must make every effort to agree on a course of action which would intensify the international pressures on the illegal regime in Southern Rhodesia. Bearing that in mind, his delegation was submitting to the Council a draft resolution³³³

³²⁵ 1533rd meeting, paras. 47-58.

³²⁶ 1534th meeting, paras. 10-19.

³²⁷ *Ibid.*, para. 132.

³²⁸ *Ibid.*, para. 138. See also chapter I, part V.

³²⁹ *Ibid.*, paras. 139-149.

³³⁰ *Ibid.*, para. 172. See also chapter I, part VI.

³³¹ *Ibid.*, para. 185.

³³² *Ibid.*, paras. 205-207.

³³³ S/9709, OR. 25th yr., Suppl. for Jan.-March 1970, pp. 165-166.

along the lines of his suggestions made to the Council at its previous meeting.³³⁴

At the 1535th meeting on 18 March 1970, the representative of Finland stated that, after consultations with the sponsors of the various draft resolutions that had been considered by the Council, he was submitting a revised text³³⁵ of his delegation's draft resolution.³³⁶

At the same meeting, the revised draft resolution was adopted³³⁷ by 14 votes in favour, none against, with 1 abstention. The resolution³³⁸ read:

"The Security Council,

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

"Reaffirming that, to the extent not superseded in the present resolution, the measures provided for in resolutions 217 (1965), 232 (1966) and 253 (1968), as well as those initiated by Member States in implementation of those resolutions, shall continue in effect,

"Taking into account the reports of the Committee established in pursuance of Security Council resolution 253 (1968),

"Noting with grave concern that:

"(a) The measures so far taken have failed to bring the rebellion in Southern Rhodesia to an end,

"(b) Some States, contrary to resolutions 232 (1966) and 253 (1968) of the Security Council and to their obligations under Article 25 of the Charter of the United Nations, have failed to prevent trade with the illegal régime of Southern Rhodesia,

"(c) The Governments of the Republic of South Africa and Portugal have continued to give assistance to the illegal régime of Southern Rhodesia, thus diminishing the effects of the measures decided upon by the Security Council,

"(d) The situation in Southern Rhodesia continues to deteriorate as a result of the introduction by the illegal régime of new measures, including the purported assumption of republican status, aimed at repressing the African people in violation of General Assembly resolution 1514 (XV) of 14 December 1960,

"Recognizing the legitimacy of the struggle of the people of Southern Rhodesia to secure the enjoyment of their rights as set forth in the Charter and in conformity with the objectives of General Assembly resolution 1514 (XV),

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

"Acting under Chapter VII of the Charter,

"1. **Condemns** the illegal proclamation of republican status of the Territory by the illegal régime in Southern Rhodesia;

"2. **Decides** that Member States shall refrain from recognizing this illegal régime or from rendering any assistance to it;

"3. **Calls upon** Member States to take appropriate measures, at the national level, to ensure that any act performed by officials and institutions of the illegal régime in Southern Rhodesia shall not be accorded any recognition, official or otherwise, including judicial notice, by the competent organs of their State;

"4. **Reaffirms** the primary responsibility of the Government of the United Kingdom of Great Britain and Northern Ireland to enable the people of Zimbabwe to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations and in conformity with General Assembly resolution 1514 (XV), and urges that Government to discharge fully its responsibility;

"5. **Condemns** all measures of political repression, including arrests, detentions, trials and executions, which violate fundamental freedoms and rights of the people of Southern Rhodesia;

"6. **Condemns** the policies of the Government of South Africa and Portugal, which continue to maintain political, economic, military, and other relations with the illegal régime in Southern Rhodesia in violation of the relevant resolutions of the United Nations;

"7. **Demands** the immediate withdrawal of South African police and armed personnel from the Territory of Southern Rhodesia;

"8. **Calls upon** Member States to take more stringent measures in order 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 shall fully remain in force;

"9. **Decides**, in accordance with Article 41 of the Charter and in furthering the objective of ending the rebellion, that Member States shall:

"(a) Immediately sever all diplomatic, consular, trade, military and other relations that they may have with the illegal régime in Southern Rhodesia, and terminate any representation that they may maintain in the Territory;

"(b) Immediately interrupt any existing means of transportation to and from Southern Rhodesia;

"10. **Requests** the Government of the United Kingdom, as the administering Power, to rescind or withdraw any existing agreements on the basis of which foreign consular, trade and other representation may at present be maintained in or with Southern Rhodesia;

"11. **Requests** Member States to take all possible further action under Article 41 of the Charter to deal with the situation in Southern Rhodesia, not excluding any of the measures provided in that Article;

"12. **Calls upon** Member States to take appropriate action to suspend any membership or associate membership that the illegal régime of Southern Rhodesia has in the specialized agencies of the United Nations;

"13. **Urges** member States of any international or regional organizations to suspend the membership of the illegal régime of Southern Rhodesia from their respective organizations and to refuse any request for membership from that régime;

³³⁴ 1534th meeting, paras. 209-221.

³³⁵ S/9709/Rev.1, adopted without change as resolution 277 (1970).

³³⁶ 1535th meeting, paras. 4-17.

³³⁷ *Ibid.*, para. 85.

³³⁸ Resolution 277 (1970).

"14. Urges Member States to increase moral and material assistance to the people of Southern Rhodesia in their legitimate struggle to achieve freedom and independence;

"15. Requests the specialized agencies and other international organizations concerned, in consultation with the Organization of African Unity, to give aid and assistance to refugees from Southern Rhodesia and those who are suffering from oppression by the illegal régime of Southern Rhodesia;

"16. Requests Member States, the United Nations, the specialized agencies and other international organizations in the United Nations system to make an urgent effort to increase their assistance to Zambia as a matter of priority with a view to helping it solve such special economic problems as it may be confronted with arising from the carrying out of the decisions of the Security Council on this question;

"17. Calls upon Member States, in particular those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the measures called for by the present resolution;

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

"19. Calls upon Member States to report to the Secretary-General by 1 June 1970 on the measures taken to implement the present resolution;

"20. 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 submitted no later than 1 July 1970;

"21. Decides that the Committee of the Security Council established in pursuance of resolution 253 (1968), in accordance with rule 28 of the provisional rules of procedure of the Council, shall be entrusted with the responsibility of:

"(a) Examining such reports on the implementation of the present resolution as will be submitted by the Secretary-General;

"(b) Seeking from Member States such further information regarding the effective implementation of the provisions laid down in the present resolution as it may consider necessary for the proper discharge of its duty to report to the Security Council;

"(c) Studying ways and means by which Member States could carry out more effectively the decisions of the Security Council regarding sanctions against the illegal régime of Southern Rhodesia and making recommendations to the Council;

"23. Requests the United Kingdom, as the administering Power, to continue to give maximum assistance to the Committee and to provide the Committee with any information it may receive in order that the measures envisaged in the present resolution as well as resolution 232 (1966) and 253 (1968) may be rendered fully effective;

"23. Calls upon Member States, as well as the specialized agencies, to supply such information as may be sought by the Committee in pursuance of the present resolution;

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

Decision of 10 November 1970 (1556th meeting) :

Rejection of the joint draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia

Decision of 17 November 1970 (1557th meeting) : resolution 288 (1970)

By letter³³⁹ dated 6 November 1970 addressed to the President of the Security Council, the representatives of Burundi, Nepal, Sierra Leone, Syria and Zambia stated that, since the adoption of Security Council resolution 277 (1970), a number of disturbing political and economic developments had taken place in the Territory of Southern Rhodesia which required the close examination and attention of the Security Council and requested an early meeting of the Security Council.

At the 1556th meeting on 10 November 1970, the Council included³⁴⁰ the above-mentioned letter together with the third report of the Committee established in pursuance of Security Council resolution 253 (1968)³⁴¹ in the agenda. The question was considered at the 1556th and 1557th meetings of the Council on 10 and 17 November 1970.

At the same meeting, the President drew the attention of the Council to a draft resolution,³⁴² submitted by the representatives of Burundi, Nepal, Sierra Leone, Syria and Zambia, by which the Security Council, acting under Chapter VII of the Charter, would (1) call upon the United Kingdom as the administering Power not to grant independence to Southern Rhodesia without the fulfilment of majority rule; (2) decide that the current sanctions against Southern Rhodesia should remain in force; (3) urge all States to fully implement all Security Council resolutions pertaining to Southern Rhodesia in accordance with their obligations under Article 25 of the Charter and deplore the attitude of those States that had persisted in giving moral, political and economic assistance to the illegal régime; and (4) urge all States not to grant any form or recognition to the illegal régime in Southern Rhodesia.

The representative of Nepal, introducing the above draft resolution, stated that the third report of the Security Council Committee on sanctions, dated 15 June 1970³⁴³ and the Secretary-General's introduction to his annual report³⁴⁴ presented the incontrovertible evidence that the policies of sanctions had failed in their objective of bringing down the illegal régime of Southern Rhodesia. That failure was due to lack of co-operation of certain States. The draft resolution, therefore, expressed grave concern that certain States, contrary to their obligations under Article 25 of the Charter, had not complied with the provisions of previous Security Council resolutions concerning application of sanctions. The most important part of the draft resolution was operative paragraph 1, which sought to clarify the central issue involved in the situation in Southern Rhodesia, namely, the denial of the inalienable right of self-determination to the majority

³³⁹ S/9975/Rev.1, OR, 25th yr., Suppl. for Oct.-Dec. 1970, p. 36.

³⁴⁰ 1556th meeting, preceding para. 67.

³⁴¹ S/9844 and Add.1-3, OR, 25th yr., Special Supplements Nos. 3 and 3A.

³⁴² S/9976, OR, 25th yr., Suppl. for Oct.-Dec. 1970, pp. 36-37.

³⁴³ S/9844 and Add.1-3. See foot-note 340 above.

³⁴⁴ A/8001, Add.1, GA, OR, 25th Session, Suppl. No. 1A, para. 11.

of the population by a racist minority régime. The responsibility of the United Nations and that of the administering Power would not end with the overthrow of the illegal régime but with the full and effective application of the principle of self-determination. Accordingly, the administering Power was requested not to grant independence to Southern Rhodesia without the fulfilment of majority rule.³⁴⁵

The representative of Zambia said that, since the Council had last considered the situation in Southern Rhodesia in March 1970, the illegal régime in Southern Rhodesia had consolidated its political, military and economic position. One of the most disturbing developments was the attitude of the new Government of the United Kingdom towards the question of sanctions. Although at one time the British Government had accepted the policy of no independence before majority rule, the present Government appeared to be willing to negotiate with the rebel régime and to accept a settlement that would leave the African majority of the Territory under the control of the white minority.³⁴⁶

The representative of the United Kingdom stated that his Government had been taking positive steps to meet its responsibilities with regard to the situation in Southern Rhodesia. Thus, it was considering whether there was a basis for a settlement of this problem in accordance with the five principles it had formulated. The first of those principles was the principle and intention that unimpeded progress to majority rule would have to be maintained and guaranteed. He added that his Government was committed to seeing that any settlement should be acceptable to the Rhodesian people as a whole. The British Government could not accept any fresh commitment in the Security Council that would restrict it in any way in reaching such a settlement, if that proved practicable; nor did it consider it acceptable that the Security Council should, at that juncture, seek to lay down any conditions for a settlement. Regarding the question of sanctions, his delegation regretted that they had not achieved their immediate political objective. However, it was undeniable that sanctions continued to exert pressure on the Rhodesian economy and to restrict its rate of development. Contrary to what had been alleged, his Government had just renewed the annual legislation that imposed sanctions. Referring to the draft resolution before the Council, he said that it was too little in that two of its operative paragraphs seemed to repeat in less precise terms steps that the Council had already taken; it was too much, on the other hand, in that operative paragraph 1 attempted to bind the United Kingdom not to grant independence to Southern Rhodesia without the fulfilment of majority rule. His Government had never accepted that commitment in a United Nations resolution and still could not do so. In conclusion, he said that the United Kingdom had always accepted and continued to accept its primary responsibility concerning Southern Rhodesia. However, it was not prepared to enter into negotiations with its negotiating position publicly dictated from outside.³⁴⁷

The representative of France stated that the United Nations should prefer, over recommendations that would not facilitate attainment of the objectives sought, concrete initiatives taken in concert with the administering Power. The United Kingdom was the responsible

authority which was in duty bound to take measures that fit the circumstances to end the Rhodesian rebellion. The Council could not tell the British Government what it should do. Although his delegation had no objection to the substance of the draft resolution, it found operative paragraph 1 legally doubtful, as its language seemed to go beyond the powers of the Council under Article 41.³⁴⁸

At the same meeting, the Council proceeded to vote upon the five-Power draft resolution. The result of the vote was 12 in favour, 1 against with 2 abstentions. The draft resolution failed of adoption,³⁴⁹ owing to the negative vote of a permanent member of the Council.

At the 1557th meeting, on 17 November 1970, the President (Syria) announced that, during consultations held since the previous meeting, a draft resolution had been prepared which appeared to have the support of all the members of the Council. He further stated that, although the delegation of France had repeated the reservations which it had expressed at the 1556th meeting on 10 November 1970,³⁵⁰ that delegation had nevertheless associated itself with the consensus that had emerged in favour of the draft resolution.³⁵¹

At the same meeting, the draft resolution was put to the vote and was adopted³⁵² unanimously. It read as follows:³⁵³

"The Security Council,

"Having considered the question of Southern Rhodesia,

"Reaffirming its resolutions 216 (1965) of 12 November 1965, 217 (1965) of 20 November 1965, 221 (1966) of 9 April 1966, 232 (1966) of 16 December 1966, 253 (1968) of 29 May 1968 and 277 (1970) of 18 March 1970,

"Gravely concerned that certain States have not complied with the provisions of resolutions 232 (1966), 253 (1968) and 277 (1970), contrary to their obligations under Article 25 of the Charter of the United Nations,

"Reaffirming the primary responsibility of the Government of the United Kingdom of Great Britain and Northern Ireland to enable the people of Southern Rhodesia to achieve self-determination and independence, and in particular their responsibility of bringing the illegal declaration of independence to an end,

"Taking into account the third report of the Committee established in pursuance of Security Council resolution 253 (1968),

"Acting in accordance with previous decisions of the Security Council on Southern Rhodesia, taken under Chapter VII of the Charter,

"1. Reaffirms its condemnation of the illegal declaration of independence in Southern Rhodesia;

"2. Culls upon the United Kingdom of Great Britain and Northern Ireland, as the administering Power in the discharge of its responsibility, to take urgent and effective measures to bring to an end the

³⁴⁸ *Ibid.*, paras. 164-167. For discussion of the applicability of Article 41, see chapter XI, Case 6.

³⁴⁹ *Ibid.*, para. 212.

³⁵⁰ *Ibid.*, para. 167. See foot-note 59 above.

³⁵¹ 1557th meeting, para. 1.

³⁵² *Ibid.*, para. 3.

³⁵³ Resolution 288 (1970).

³⁴⁵ 1556th meeting, paras. 72, 73, 78-80.

³⁴⁶ *Ibid.*, paras. 87, 91.

³⁴⁷ *Ibid.*, paras. 131-143.

illegal rebellion in Southern Rhodesia and enable the people to exercise their right to self-determination, in accordance with the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960;

"3. *Decides* that the present sanctions against Southern Rhodesia shall remain in force;

"4. *Urges* all States to fully implement all Security Council resolutions pertaining to Southern Rhodesia, in accordance with their obligations under Article 25 of the Charter, and deplores the attitude of those States which have persisted in giving moral, political and economic assistance to the illegal régime;

"5. *Further urges* all States, in furtherance of the objectives of the Security Council, not to grant any form of recognition to the illegal regime in Southern Rhodesia;

"6. *Decides* to remain actively seized of the matter."³⁵⁴

Decision of 30 December 1971 (1623rd meeting):

Rejection of the draft resolution

By letter³⁵⁵ dated 24 November 1971 addressed to the President of the Security Council, the representative of the United Kingdom requested a meeting of the Security Council to be held on 25 November 1971, or as soon as possible thereafter, in order that he might make a statement about the results of the discussions which the Secretary of State for Foreign and Commonwealth Affairs of his Government had had in Salisbury regarding the situation in Southern Rhodesia.

At the 1602nd meeting on 25 November 1971, the Council included³⁵⁶ in its agenda the letter of the representative of the United Kingdom as well as the fourth report of the Committee established in pursuance of Security Council resolution 253 (1968)³⁵⁷ and considered the question at the 1602nd to 1605th, 1609th, 1622nd and 1623rd meetings held between 25 November and 30 December 1971. The representatives of Saudi Arabia,³⁵⁸ the United Republic of Tanzania and Kenya,³⁵⁹ Zambia and Ghana,³⁶⁰ Uganda, Nigeria, Algeria and India³⁶¹ were invited to participate in the discussion.

At the 1602nd meeting, the representative of the United Kingdom stated that although there had never been any doubt in the Security Council that the settlement of the situation in Southern Rhodesia was primarily a matter for his Government, it had also always been recognized that the question was one of legitimate and continuing concern to the world community. For that reason it seemed to his Government right and fitting that it should inform the Security Council of the agreement that had been reached between the United Kingdom Foreign Secretary and Mr. Ian Smith in

Salisbury on 24 November 1971 on proposals for a settlement of the Southern Rhodesian problem. The central parts of the proposals, the text of which he said would be made available to all members of the Council,³⁶² were the constitutional arrangement which, he asserted, would enable unimpeded progress towards majority rule and thus constituted a substantial change in direction away from the existing state of affairs embodied in the 1969 constitution. The proposals also contained a new declaration of rights, which would afford protection to the fundamental rights and freedoms of the individual. The other main provisions in the proposals related to amendment of the Rhodesian constitution. Certain specially entrenched provisions of the constitution, including the new provisions to give effect to increased African representation and the new Declaration of Rights, would be guaranteed against retrogressive amendment. The proposals also provided for a review of existing legislation through an independent commission to examine the problem of racial discrimination, as well as other provisions having a direct bearing on the status and rights of the Africans, such as the release of a significant number of detainees and restrictees, the ending of the state of emergency, and important provisions concerning land and development, which would include a development programme assisted by the British Government aimed at increasing education and job opportunities for Africans. The agreement on the above proposals constituted only a first step and no change in the existing situation, including the application of sanctions, would be made before the people of Rhodesia as a whole had had a full and free opportunity to demonstrate that those proposals were acceptable. In that connexion, he said his Government would appoint a commission to ascertain directly from all sections of the population of Rhodesia their views on the acceptability of the proposals and report thereon to the British Government.³⁶³

The representative of the USSR maintained that the (British-Rhodesian) talks had been conducted with an unlawful, racist regime, already condemned as such by the United Nations, and had resulted in an agreement concluded without the participation or consultation of the majority of the people of Zimbabwe or their political parties, contrary to the appeal made by the General Assembly in its resolution 2652 (XXV). It was clear, he asserted, that the proposals were aimed at maintaining for a long time the existing racist order prevailing in the Territory. It was therefore necessary that the leaders of the Zimbabwe African People's Union (ZAPU) and the Zimbabwe African National Union (ZANU) should be invited to address the Council and give it their opinion of the proposals.³⁶⁴

At the 1604th meeting on 2 December 1971, the Security Council, acting on the proposal made by the representative of the USSR and supported by the representative of Somalia,³⁶⁵ decided, without objection, to invite Mr. Joshua Nkomo and Mr. N. Sithole to appear before the Council to state their views on the proposals on Southern Rhodesia.³⁶⁶

³⁵⁴ For the consideration of the provisions of Chapter VII of the Charter, see chapter XI, part V.

³⁵⁵ S/10396, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 40.

³⁵⁶ 1602nd meeting, preceding para. 1.

³⁵⁷ S/10229 and Add.1 and 2. OR, 26th yr., Special Supplement No. 2. At the 1609th meeting, the Council also included in its agenda an interim report of the same Committee (S/10408, OR, 26th yr., Suppl. for Oct.-Dec. 1971, pp. 78-79). See 1609th meeting, para. 68.

³⁵⁸ 1602nd meeting, para. 99.

³⁵⁹ 1603rd meeting, para. 88.

³⁶⁰ 1604th meeting, para. 8.

³⁶¹ 1623rd meeting, para. 2.

³⁶² By a letter dated 1 December 1971, the representative of the United Kingdom transmitted to the President of the Security Council the text of a White Paper entitled "Rhodesia: proposals for a settlement", S/10405, OR, 26th yr., Suppl. for Oct.-Dec. 1971, pp. 60-73.

³⁶³ 1602nd meeting, paras. 1-59.

³⁶⁴ *Ibid.*, paras. 62-79.

³⁶⁵ *Ibid.*, paras. 79, 137-118.

³⁶⁶ 1604th meeting, paras. 44-48. For the consideration of the invitations to Mr. Nkomo and Mr. Sithole, see chapter III, Case 6.

At the 1609th meeting on 8 December 1971, the representative of China said that, since the illegal declaration of the so-called independence in November 1965, the colonialist authorities of Southern Rhodesia had intensified their fascist rule over the people of Zimbabwe and their suppression of the struggle of the people of Zimbabwe for national independence. The experience of Afro-Asian countries had proved that without political independence economic and social progress could not be achieved, and therefore, under the United Kingdom proposals, majority rule by the Africans in Southern Rhodesia could never be achieved. The proposals were only aimed at legitimizing the fascist and racist rule over the Zimbabwe people and at enabling the colonialists to openly cancel the sanctions against the Rhodesian colonialist authorities. The only solution to the question of Southern Rhodesia was the realization of national independence of the Zimbabwe people.³⁰⁷

During the debate, the representatives of Algeria,* Burundi, Ghana,* India,* Kenya,* Nigeria,* Saudi Arabia,* Sierra Leone, Somalia, the Syrian Arab Republic, Uganda,* the United Republic of Tanzania* and Zambia* stated their objections to the proposals for a settlement of the Southern Rhodesian problem on the grounds that they had been negotiated and agreed upon without the participation of the political leaders of the majority of the Zimbabwe people, were contrary to the principles and objectives laid down in the United Nations Charter and in General Assembly resolution 1514 (XV) and disregarded the relevant General Assembly and Security Council resolutions concerning the question of Southern Rhodesia. The terms of the proposals, they stressed, did not enable the majority of the people of Southern Rhodesia to exercise freely and equally their right to self-determination nor did they correspond to the principle of unimpeded progress towards majority rule. They also disputed the United Kingdom's contention that the proposals fulfilled the five principles set by the British Government and pointed out, in that connexion, that those principles had never been accepted by the United Nations, the Organization of African Unity or the independent African States as a basis for a settlement. They emphatically urged the Council to reject the proposals and to strengthen sanctions against the illegal régime of Southern Rhodesia and expressed their concern about the recent violations of sanctions reported by the Committee established in pursuance of Security Council resolution 253 (1968).³⁰⁸

The representatives of Belgium, France and Italy stated that the proposals had the merit of ending the *status quo* and offering the people of Rhodesia the possibility of setting in motion machinery that could and should transform their institutions. It was important therefore not to prejudge the agreement before

the results of the test of acceptability were known.³⁰⁰

At the 1622nd meeting on 29 December 1971, the representative of Somalia explained the contents of a working paper that had been drawn up by his delegation and circulated informally, which he hoped would form the basis of a draft resolution.³⁷⁰

At the 1623rd meeting on 30 December 1971, the representative of the United Kingdom said that his delegation did not believe that any resolution by the Security Council was called for at that juncture and that the Council should await the outcome of the test of acceptability before contemplating any further action.³⁷¹

At the same meeting, the representative of Somalia introduced³⁷² a draft resolution³⁷³ jointly sponsored by Burundi, Sierra Leone, Somalia and the Syrian Arab Republic, which was based on the working paper that had been submitted to the Council at the previous meeting by his delegation. By the operative paragraphs of the draft resolution, the Security Council would (1) decide that the terms of the proposals did not fulfil the conditions necessary to ensure that all the people of Southern Rhodesia would be able to exercise freely and equally their right to self-determination; (2) reject the "proposals for a settlement" as they did not guarantee the inalienable rights of the majority of the People of Southern Rhodesia; (3) consider that the principle of universal adult suffrage for the people of Southern Rhodesia without regard to colour or race must be the basis for any constitutional and political arrangements for the Territory; (4) urge the United Kingdom, pursuant to paragraph 3 above, not to accord any form of recognition to an independent State of Southern Rhodesia which was not based on majority rule or on the will of the majority as determined by universal adult suffrage; (5) call upon the United Kingdom to ensure that, in any exercise to ascertain the wishes of the people of Southern Rhodesia as to their political future, the procedure to be followed would be by secret referendum on the basis of one vote, without regard to race or colour or to educational, property or income considerations; (6) further call upon the United Kingdom, after having ensured the establishment of conditions under which all the people of Southern Rhodesia would be able to exercise freely and equally their right to self-determination on the basis of paragraphs 3 and 5 above, to facilitate the participation of a United Nations team of observers during the preparation for, and in the actual conduct of, any exercise to ascertain the wishes of the people of Southern Rhodesia as to their political future; (7) decide to continue political, diplomatic and economic sanctions against Southern Rhodesia until the rebellious régime in that territory was brought to an end; and (8) request the Government of the United Kingdom not to transfer under any circumstances to its colony of Southern Rhodesia, as at present governed, any of the powers or attributes of sovereignty, but to promote that country's attainment of independence by a democratic system of Government in accordance with the aspirations of the majority of the population.

³⁰⁷ 1609th meeting, paras. 74-81.

³⁰⁸ For text of relevant statements, see: 1602nd meeting (PV): Burundi, paras. 81-97, 131-132; Somalia, paras. 133-142; Syrian Arab Republic, paras. 125-127; 1603rd meeting: United Republic of Tanzania,* paras. 92-141; 1604th meeting: Saudi Arabia,* paras. 56-96; Somalia, paras. 11-38; 1605th meeting: Ghana,* paras. 3 1-68; Kenya,* paras. 73-105; Zambia,* paras. 6-27; 1609th meeting: Sierra Leone, paras. 84-116; 1622nd meeting: Saudi Arabia,* paras. 93-103; Somalia, paras. 6-36; Syrian Arab Republic, paras. 63-69; 1623rd meeting: Algeria,* paras. 135-153; India,* paras. 96-119; Nigeria,* paras. 88-94; Uganda,* paras. 44-85.

³⁰⁹ For text of relevant statements see: 1623rd meeting: Belgium, paras. 155-162; France, paras. 33-35, 189-191; Italy, paras. 1 R-32, 184-187.

³⁷⁰ 1622nd meeting, paras. 8-9.

³⁷¹ 1633rd meeting, paras. 178-179.

³⁷² *Ibid.*, paras. 23 1-233.

³⁷³ S/10489, OH, 26th yr., *Suppl. for Oct.-Dec. 1971*, pp. 129-130.

Following a brief suspension of the meeting, the representative of Somalia requested separate votes on the second and fifth preambular paragraphs and operative paragraphs 3, 4, and 5.³⁷⁴

At the same meeting the draft resolution was put to the vote with the following results:³⁷⁵

The second preambular paragraph, which would have the Council note that the proposals for a settlement had not been negotiated in consultation with the accredited political leaders of the majority of the people of Southern Rhodesia, was adopted by 10 votes to none, with 5 abstentions.

The fifth preambular paragraph, which stated that the Council was mindful of the conditions necessary to permit the free expression of the right to self-determination, was adopted by 14 votes to none, with 1 abstention.

Operative paragraph 3 was adopted by 14 votes to none, with 1 abstention.

Operative paragraphs 4 and 5 were each adopted by 10 votes to none, with 5 abstentions.

The draft resolution as a whole failed of adoption, owing to a negative vote by one of the permanent members of the Security Council. It received 9 votes in favour, 1 against with five abstentions.³⁷⁶

COMPLAINT BY ZAMBIA

INITIAL PROCEEDINGS

By letter³⁷⁷ dated 15 July 1969 addressed to the President of the Security Council, the Permanent Representative of Zambia requested an early meeting of the Council to discuss the recent Portuguese violations of the territorial integrity of Zambia, and also the bombing of a village, destruction of property and the wounding and killing of two innocent and unarmed civilians at Lote village in the Katete District of Eastern Province of Zambia on 30 June 1969. He recalled that several unprovoked activities of the Portuguese Government had been brought to the attention of the Security Council and added that the recent aggression was a proof of the bellicose intentions of the Lisbon Government. Lest its application of the inherent right of self-defence as envisaged in Article 51 of the Charter might result in a more serious situation, his Government now requested the Security Council to take corrective measures in order to bring an end to those acts which constitute a threat to international peace and security.

Subsequently, in a letter³⁷⁸ dated 18 July 1969 addressed to the President of the Council, thirty-five Member States acting on behalf of the Organization of African Unity expressed their support for the request for a meeting of the Security Council.

At the 1486th meeting on 18 July 1969, the item was included in the Council's agenda.³⁷⁹ The Council considered the question at its 1486th to 1491st meetings between 22 and 29 July 1969. The representatives

of Portugal,³⁸⁰ Tanzania,³⁸¹ Somalia,³⁸² Kenya,³⁸³ the United Arab Republic,³⁸⁴ Liberia, Madagascar, Sierra Leone, Tunisia, Gabon,³⁸⁵ and Democratic Republic of the Congo³⁸⁶ were invited to participate in the discussions.

At the 1486th meeting the representative of Zambia* stated that since his request for a meeting there was yet another armed attack by Portuguese soldiers on Zambian civilians in Balovale District which had resulted in the killing of two persons. He further stated that the reason why his Government had not brought the matter to the Council sooner was that it thought it preferable to resolve such matters bilaterally. However, since the Portuguese authorities had become intransigent, his Government found it necessary to seek now recourse before the Council. He further stated that in the period between 18 May 1966 and 30 June 1969 there were some sixty Portuguese military incursions into the Zambian territory, thirty-five by land and twenty-five by air. Those were aggressive acts causing a continuous turmoil and instability and threatening the peace and security not only in Zambia alone but in Africa as a whole. They were in open violation of Article 2, paragraph 4 of the Charter.

The representative of Zambia went on to recount a few of the instances of the alleged Portuguese armed aggression against Zambian territory as well as technical data relating to fragments of bombs, mines and grenades so as to substantiate the direct involvement of the Portuguese armed forces in the incidents complained of and to indicate to the members of NATO that such arms as they made available to Portugal were being used not for the defence of Portugal or for the member countries of NATO, but for the oppression of the peoples of Mozambique and Angola and for launching attacks against Zambia. In the light of this chain of acts of aggression, it was incumbent upon the Council to consider whether Portugal, a Member of the United Nations, was observing that principle. In conclusion, the representative of Zambia, after stating that his Government reserved its inherent right to take action in self-defence under Article 51 of the Charter, requested the Council to condemn Portugal for its unprovoked and premeditated aggression against unarmed Zambian civilians, to call on Portugal to cease all its acts of aggression, to return Zambian nationals kidnapped by Portuguese soldiers in Angola and Mozambique and to demand that it make amends for the destruction of Zambian homes and property.³⁸⁷

The representative of Portugal* stated that he found it strange that the Zambian Government had brought the matter to the Security Council bypassing bilateral talks which had been adopted by agreement by the two Governments. Moreover, its allegations lacked any substance. The only incident concretely mentioned which was alleged to have taken place on 30 June, i.e., the bombing of Lote village in Eastern Zambia, was also devoid of any foundation. He further wondered why the representative of Zambia should have submitted to the Council a list of incidents which took place since 1966 inasmuch as all those past incidents

³⁷⁴ 1623rd meeting paras. 249-259.

³⁷⁵ *Ibid.* paras. 266-272.

³⁷⁶ *Ibid.* para. 272.

³⁷⁷ S/9331, O.R. 24th yr., Suppl. for July-Sept. 1969, p. 127.

³⁷⁸ S/9340 and Add.1 -3, *ibid.*, p. 131.

³⁷⁹ 1486th meeting, preceding para. 1.

³⁸⁰ *Ibid.*, para. 1.

³⁸¹ 1487th meeting, para. 12.

³⁸² *Ibid.* para. 13.

³⁸³ 1488th meeting, para. 2.

³⁸⁴ *Ibid.*, para. 44.

³⁸⁵ 1489th meeting, para. 2.

³⁸⁶ *Ibid.*, para. 31.

³⁸⁷ 1486th meeting, paras. 6-9, 14-21, 51, 52, 58.