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FOURTH REPORT OF THE COMMITTEE ESTABLISHED IN PURSUANCE OF
SECURITY COUNCIL RESOLUTION 253 (1968) OF 29 MAY 1968

ANNEXES

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ANNEX I

Cases carried over from previous reports and new cases

Explanatory note

The first,^{1/} second^{2/} and third^{3/} reports of the Committee to the Security Council contained texts of reports and substantive parts of correspondence with Governments on seventy-three specific cases of violations of sanctions against Southern Rhodesia.

This annex to the fourth report contains additional information received by the Committee on thirty-six of the cases previously reported, together with texts of reports and substantive parts of correspondence with Governments and specialized agencies received up to and including 1 March 1971, concerning forty new cases brought to the Committee's attention since submission of its third report.

The Committee considered it useful to arrange the cases in the annex according to the commodities involved. Thus, in addition to the case number which follows the chronological order of the date of its receipt by the Committee, the cases have also been serially numbered for easy reference.

^{1/} S/8954, para. 9.

^{2/} S/9252/Add.1, annex XI.

^{3/} S/9844/Add.2, annex VII.

List of specific cases of suspected violations

A. MINERALS

Ferrochrome and chrome ores

<u>Serial No.</u>	<u>Case No.</u>	
(1)	1.	Chrome sand - "Tjibodas": United Kingdom note dated 20 December 1968
(2)	3.	Chrome sand - "Tjipondok": United Kingdom note dated 22 January 1969
(3)	5.	Trade in chrome ore and ferrochrome: United Kingdom note dated 6 February 1969
(4)	6.	Ferrochrome - "Blue Sky": United Kingdom note dated 12 February 1969
(5)	23.	Ferrochrome - "Massimoemee" and "Archon": United Kingdom note dated 8 July 1969
(6)	45.	Ferrochrome - "Tai Sun" and "Kyotai Maru": United Kingdom note dated 20 September 1969
(7)	7.	Ferrochrome - "Catharina Oldendorff": United Kingdom note dated 22 February 1969
(8)	11.	Ferrochrome - "Al Mubarakiah" and "Al Sabahiah": United Kingdom note dated 24 April 1969
(9)	17.	Ferrochrome - "Gasikara": United Kingdom note dated 19 June 1969
(10)	25.	Ferrochrome - "Batu": United Kingdom note dated 14 July 1969
(11)	31.	Chrome ore and ferrochrome - "Ville de Nantes": United Kingdom note dated 4 August 1969
(12)	36.	Ferrochrome - "Ioannis": United Kingdom note dated 26 August 1969
(13)	37.	Ferrochrome - "Halleren": United Kingdom note dated 27 August 1969
(14)	40.	Ferrochrome - "Ville de Reims": United Kingdom note dated 29 August 1969
(15)	55.	Ferrochrome - "Gunvor": United Kingdom note dated 10 November 1969
(16)	57.	Chrome ore - "Myrtidiotissa": United Kingdom note dated 17 November 1969

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<u>Serial No.</u>	<u>Case No.</u>	
(17)	59.	Shipments of ferrochrome to various countries: United Kingdom note dated 4 December 1969
(18)	64.	Chrome ore and ferrochrome - "Birte Oldendorff": United Kingdom note dated 24 December 1969
(19)	71.	Ferrochrome - "Disa": United Kingdom note dated 2 April 1970
(20)	73.	Chrome ores - "Selene": United Kingdom note dated 13 April 1970
(21)	74.	Chrome ores and concentrates - "Castasegna": United Kingdom note dated 17 April 1970
(22)	76.	Ferrochrome - "Hodakasan Maru": United Kingdom note dated 13 May 1970
(23)	77.	Ferrochrome - "S.A. Statesman": United Kingdom note dated 28 May 1970
(24)	79.	Chrome ore - "Schutting": United Kingdom note dated 3 June 1970
(25)	80.	Chrome ore - "Klostertor": United Kingdom note dated 10 June 1970
(26)	81.	Ferrochrome - "Merrian": United Kingdom note dated 17 June 1970
(27)	84.	Chrome ores and concentrates - "Joha Stove": United Kingdom note dated 23 July 1970
(28)	87.	Ferrochrome - "Margaret Cord": United Kingdom note dated 5 August 1970
(29)	89.	Chrome ore - "Ville du Havre": United Kingdom note dated 18 August 1970
(30)	95.	Ferrochrome and ferrosilicon chrome - "Trautenfels": United Kingdom note dated 11 September 1970
(31)	100.	Chrome - "Cuxhaven": United Kingdom note dated 16 October 1970
(32)	103.	Chrome ore - "Anna Presthus": United Kingdom note dated 30 October 1970
(33)	108.	Chrome ores - "Schonfels": United Kingdom note dated 26 November 1970
(34)	110.	Chrome ores - "Kybfels": United Kingdom note dated 13 January 1971

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Serial No. Case No.

Tungsten ore

(35) 78. Tungsten ore - "Tenko Maru" and "Suruga Maru":
United Kingdom note dated 28 May 1970

Copper

(36) 12. Copper concentrates - "Tjipondok":
United Kingdom note dated 12 May 1969

(37) 15. Copper concentrates - "Eizan Maru":
United Kingdom note dated 4 June 1969

(38) 34. Copper exports: United Kingdom note dated
13 August 1969

(39) 51. Copper concentrates - "Straat Futami":
United Kingdom note dated 8 October 1969

(40) 99. Copper - various ships:
United Kingdom note dated 9 October 1970

Nickel

(41) 102. Nickel - "Randfontein":
United Kingdom note dated 28 October 1970

(42) 109. Nickel - "Sloterkerk":
United Kingdom note dated 11 January 1971

Lithium ores

(43) 20. Petalite - "Sado Maru":
United Kingdom note dated 30 June 1969

(44) 21. Lithium ores:
United Kingdom notes dated 3 July and 27 August 1969

(45) 24. Petalite - "Abbekerk":
United Kingdom note dated 12 July 1969

(46) 30. Petalite - "Simonskerk":
United Kingdom note dated 4 August 1969

(47) 32. Petalite - "Yang Tse":
United Kingdom note dated 6 August 1969

(48) 46. Petalite - "Kyotai Maru":
United Kingdom note dated 24 September 1969

(49) 54. Lepidolite - "Ango":
United Kingdom note dated 24 October 1969

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<u>Serial No.</u>	<u>Case No.</u>
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(50)	86.	Petalite ore - "Krugerland": United Kingdom note dated 4 August 1970
(51)	107.	Tantalite - "Table Bay": United Kingdom note dated 26 November 1970

Pig-iron and steel billets

(52)	29.	Pig-iron - "Mare Piceno": United Kingdom note dated 23 July 1969
(53)	70.	Steel billets: United Kingdom note dated 16 February 1970
(54)	85.	Steel billets - "Despinan" and "Birooni": United Kingdom note dated 30 July 1970
(55)	114.	Steel products - "Gemini Exporter": United Kingdom note dated 3 February 1971

Graphite

(56)	38.	Graphite - "Kaapland": United Kingdom note dated 27 August 1969
(57)	43.	Graphite - "Tanga": United Kingdom note dated 18 September 1969
(58)	62.	Graphite - "Transvaal", "Kaapland", "Stellenbosch and "Swellendam": United Kingdom note dated 22 December 1969

B. TRADE IN TOBACCO

(59)	4.	"Mokaria": United Kingdom note dated 24 January 1969
(60)	10.	"Mohasi": United Kingdom note dated 29 March 1969
(61)	19.	"Goodwill": United Kingdom note dated 25 June 1969
(62)	26.	Transactions in Southern Rhodesian tobacco: United Kingdom note dated 14 July 1969
(63)	35.	"Montaigle": United Kingdom note dated 13 August 1969
(64)	82.	"Elias L.": United Kingdom note dated 3 July 1970
(65)	92.	Cigarettes believed to be manufactured in Rhodesia: United Kingdom note dated 21 August 1970
(66)	98.	"Hellenic Beach": United Kingdom note dated 7 October 1970
(67)	104.	"Agios Nicolaos": United Kingdom note dated 2 November 1970

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<u>Serial No.</u>	<u>Case No.</u>	
(68)	105.	"Montalto": United Kingdom note dated 2 November 1970

C. TRADE IN MAIZE AND COTTON SEED

(69)	18.	Trade in maize: United Kingdom note dated 20 June 1969
(70)	39.	Maize - "Fraternity": United Kingdom note dated 27 August 1969
(71)	44.	Maize - "Galini": United Kingdom note dated 18 September 1969
(72)	47.	Maize - "Santa Alexandra": United Kingdom note dated 24 September 1969
(73)	49.	Maize - "Zeno": United Kingdom note dated 26 September 1969
(74)	53.	Cotton seed - "Holly Trader": United Kingdom note dated 23 October 1969
(75)	56.	Maize - "Julia L.": United Kingdom note dated 13 November 1969
(76)	63.	Maize - "Polyxene C.": United Kingdom note dated 24 December 1969
(77)	90.	Maize - "Virgy": United Kingdom note dated 19 August 1970
(78)	91.	Maize - "Master Daskalos": United Kingdom note dated 19 August 1970
(79)	96.	Cotton - "S.A. Statesman": United Kingdom note dated 14 September 1970
(80)	97.	Maize - "Lambros M. Fatsis": United Kingdom note dated 30 September 1970
(81)	106.	Maize - "Corviglia": United Kingdom note dated 26 November 1970

D. TRADE IN WHEAT

(82)	75.	Supply of wheat to Southern Rhodesia
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E. TRADE IN MEAT

(83)	8.	Meat - "Kaapland": United Kingdom note dated 10 March 1969
(84)	13.	Meat - "Zuiderkerk": United Kingdom note dated 13 May 1969

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<u>Serial No.</u>	<u>Case No.</u>	
(85)	14.	Beef - "Tabora": United Kingdom note dated 3 June 1969
(86)	16.	Beef - "Tugelaland": United Kingdom note dated 16 June 1969
(87)	22.	Beef - "Swellendam": United Kingdom note dated 3 July 1969
(88)	33.	Meat - "Taveta": United Kingdom note dated 8 August 1969
(89)	42.	Meat - "Polana": United Kingdom note dated 17 September 1969
(90)	61.	Chilled meat: United Kingdom note dated 8 December 1969
(91)	68.	Pork - "Alcor": United Kingdom note dated 13 February 1970

F. TRADE IN SUGAR

(92)	28.	"Byzantine Monarch": United Kingdom note dated 21 July 1969
(93)	60.	"Filotis": United Kingdom note dated 4 December 1969
(94)	65.	"Eleni": United Kingdom note dated 5 January 1970
(95)	72.	"Lavrentios": United Kingdom note dated 8 April 1970
(96)	83.	"Angelia": United Kingdom note dated 8 July 1970
(97)	94.	"Philomila": United Kingdom note dated 28 August 1970
(98)	112.	"Evangelos M.": United Kingdom note dated 22 January 1971

G. TRADE IN FERTILIZERS AND AMMONIA

(99)	2.	Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969
(100)	48.	Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969
(101)	52.	Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969
(102)	66.	Ammonia - "Cérons": United Kingdom note dated 7 January 1970
(103)	69.	Ammonia - "Mariotte": United Kingdom note dated 13 February 1970

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<u>Serial No.</u>	<u>Case No.</u>
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(104)	101.	Anhydrous ammonia: United Kingdom note dated 12 October 1970
(105)	113.	Anhydrous ammonia - "Cypress" and "Isfornn": United Kingdom note dated 29 January 1971

H. MOTOR VEHICLES

(106)	9.	Motor vehicles: United States note dated 28 March 1969
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I. CYCLE ACCESSORIES

(107)	88.	Cycle accessories: United Kingdom note dated 13 August 1970
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J. TRACTOR KITS

(108)	50.	Tractor kits: United Kingdom note dated 2 October 1969
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K. AIRCRAFT

(109)	41.	Aircraft spares: United Kingdom note dated 5 September 1969
(110)	67.	Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

L. DIESEL ELECTRIC LOCOMOTIVES

(111)	111.	Traction equipment for diesel electric locomotives: United Kingdom note dated 15 January 1971
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M. BOOK-KEEPING AND ACCOUNTING MACHINES

(112)	58.	Book-keeping and accounting machines: Italian note dated 6 November 1969
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N. SHIRTS

(113)	93.	Shirts manufactured in Southern Rhodesia: United Kingdom note dated 21 August 1970
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Specific cases of suspected violation

A. MINERALS

Ferrochrome, chrome sand and chrome ore

- (1) Case No. 1 Chrome sand - "Tjibodas": United Kingdom note dated 20 December 1968

There is no new information concerning this case in addition to that contained in the second report (S/9252/Add.1, annex XI, pages 1-10).

- (2) Case No. 3 Chrome sand - "Tjipondok": United Kingdom note dated 22 January 1969

There is no new information concerning this case in addition to that contained in the second report (S/9252/Add.1, annex XI, pages 10-13).

- (3) Case No. 5 Trade in chrome ore and ferrochrome: United Kingdom note dated 6 February 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, page 7).

- (4) Case No. 6 Ferrochrome - "Blue Sky": United Kingdom note dated 12 February 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 8-9).

- (5) Case No. 23 Ferrochrome - "Massimoemee" and "Archon": United Kingdom note dated 8 July 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, page 9).

- (6) Case No. 45 Ferrochrome - "Tai Sun" and "Kyotai Maru": United Kingdom note dated 20 September 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 9-11).

- (7) Case No. 7 Ferrochrome - "Catharina Oldendorff": United Kingdom note dated 22 February 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 11-12).

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- (8) Case No. 11 Ferrochrome - "Al Mubarakiah" and "Al Sabahiah": United Kingdom note dated 24 April 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 12-13).

- (9) Case No. 17 Ferrochrome - "Gasikara": United Kingdom note dated 19 June 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 13-16).

2. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to his previous note verbale dated 5 May 1970 (see annex VII, page 16, para. 12), transmitting, for the information of the Netherlands, a copy of the reply dated 18 June 1970 received from the Federal Republic of Germany to the Secretary-General's note verbale dated 14 May 1970 in connexion with a shipment of ferrochrome on the vessel "Gunvor"^{1/} and inquiring as to whether the information requested in the Secretary-General's note verbale dated 5 May 1970 could be forwarded either directly to the Government of the Federal Republic of Germany, with a copy to the Secretary-General, or to the Secretary-General for transmittal to the Government of the Federal Republic of Germany.

- (10) Case No. 25 Ferrochrome - "Batu": United Kingdom note dated 14 July 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 17-19).

2. Additional information received since the submission of the third report is given below.

3. Replies have been received from Italy and the Netherlands to the Secretary-General's note verbale dated 3 December 1969, the substantive parts of which read as follows:

- (1) Note verbale dated 11 January 1971 from Italy

"The Deputy Permanent Representative of Italy... has the honour, further to the note of 5 December 1969 /see S/9844/Add.2, annex VII, page 18, para. 3 (d)/, to inform him of the following:

^{1/} See (15), Case No. 55, page 16, para. 2.

"The vessel 'Batu' arrived in Genoa July 31st 1969 and unloaded there two consignments of kg. 39.798 and kg. 60.204 of ferrochrome. As a result of investigations promoted by the Italian authorities, it was established that the two consignments were of South African origin and that the certificates accompanying them, issued respectively by the Chamber of Commerce of Johannesburg and the 'Associao Comercial' of Lourenço Marques, were authentic."

(2) Note verbale dated 22 May 1970 from the Netherlands

"... the Netherlands authorities contacted the owner of the 'Batu', who supplied information to the effect that the vessel had indeed carried ferrochrome during the course of its voyage from Lourenço Marques to Europe.

"Two consignments, 60.240 and 39.789 kg. respectively, had the destination of Genoa, while a third shipment was marked for Barcelona.

"In view of the identity of the shippers and of available data, there was no basis for assuming that the cargo originated in Southern Rhodesia. The owner of the vessel, furthermore, informed the Netherlands authorities that the consignments were unloaded in Genoa and Barcelona in the absence of any objections on the part of the customs authorities. As far as this information applies to Genoa, it has been confirmed by the Italian authorities.

"In conclusion, the Permanent Representative wishes to draw the Secretary-General's attention to the fact that the 'Batu' berthed at the port of Antwerp before sailing directly to Rotterdam."

4. A reply dated 18 June 1970 has been received from Belgium to the Secretary-General's notes verbale dated 31 December 1969 and 29 April 1970, the substantive part of which reads as follows:

"As my predecessor has explained in his reply of 2 December last [see S/9844/Add.2, annex VII, page 18, para. 3 (a)] to the Secretary-General's note of 22 July 1969, the competent Belgian authorities have made a very thorough investigation of this shipment. This investigation revealed no irregularities."

5. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Spain, referring to his previous notes verbale dated 22 July (see annex VII, page 18, para. 2) and 3 December 1969 (see annex VII, page 18, para. 5), forwarding a copy of the note verbale dated 22 May 1970 from the Netherlands [see para. 3 (2) above] for information and asking whether any investigation of this consignment was carried out and, if so, whether copies of the relevant documentation could be forwarded to the Secretary-General for the information of the Committee.

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6. An acknowledgement dated 8 February 1971 has been received from Spain, stating that the Secretary-General's note verbale has been transmitted to the competent Spanish authorities for information and any action that may be necessary.

(11) Case No. 31 Chrome ore and ferrochrome - "Ville de Nantes": United Kingdom note dated 4 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 19-22).
2. Additional information received since the submission of the third report is given below.
3. Replies have been received from the Federal Republic of Germany, the Netherlands and Norway to the Secretary-General's note verbale dated 29 April 1970 (annex VII, page 21, para. 6), the substantive parts of which read as follows:

(1) Note verbale dated 13 January 1971 from the Federal Republic of Germany

"1,327 tons of ferrochrome from the m.v. 'Ville de Nantes' were carried on the Rhine River barges 'Muskatet' and 'Pontet Canet' to Duisburg (FRG). Certificates of origin, issued by the Chamber of Commerce of Johannesburg and presented by the importer, together with the customs declaration, attested to the South African origin of the cargo. Since the customs authorities had no reason to suspect the origin to be different from that stated in the certificate, the ferrochrome was cleared for free use in the territory of the Federal Republic of Germany.

"The following quantities from the m.v. 'Ville de Nantes' were shipped in transit through the territory of the Federal Republic of Germany:

"(a) On barge 'Kurier', 127,510 kg. chrome ore and 525,866 kg. ferrochrome to Austria and Czechoslovakia;

"(b) On barge 'Maingau 4', 769,337 kg. chrome ore and 165,278 kg. ferrochrome to Austria and Czechoslovakia;

"(c) On barge 'Alan', 59,246 kg. chrome ore to Czechoslovakia;

"(d) On barge 'Dora', 676,337 kg. chrome ore to Czechoslovakia;

"(e) On barge 'Maingau 5', 920,080 kg. chrome ore to Czechoslovakia."

(2) Note verbale dated 23 June 1970 from the Netherlands

"The Netherlands Government is aware of the fact that the information which is divulged by the Committee established in pursuance of Security Council resolution 253 (1968) is not accusatory but is intended to facilitate the investigation of possible evasions of sanctions. In view of the great

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importance the Netherlands Government attaches to a correct application of the sanctions, it has submitted the information regarding the investigation of the shipment on board the French vessel 'Ville de Nantes', although no evidence was found that the cargo originated in Southern Rhodesia.

"However, in the past it has been found that the simple fact of publicly mentioning the name of a shipping company or one of her ships in relation to the transport of cargo suspected of being of Rhodesian origin, although it was proved later that this suspicion was unfounded, has done evident harm to the company in question. Therefore, the Netherlands Government has to insist on its request formulated in the note of 2 April 1970. 1/

"In case the Committee would consider asking the country of destination to make a further investigation, the Netherlands Government might suggest that the Committee could forward to the Government in question the data regarding the dates and ways of transit through the Netherlands in the same way as the Netherlands Government sent them to the Committee. If desired, the Netherlands Government is willing to forward in future, upon request from the Committee, data as mentioned above directly to Governments of countries to which cargo in transit through the Netherlands has been shipped, instead of sending these data to the Committee."

(3) Note verbale dated 15 June 1970 from Norway

"On instructions from his Government, the Permanent Representative of Norway has the honour to inform the Secretary-General that Norwegian authorities have undertaken a thorough investigation of the shipment of chrome ore which was off-loaded at Trondheim from the Greek vessel 'Bergum' after having been trans-shipped from the French vessel 'Ville de Nantes'. All available information indicates that the shipment originated in South Africa, and no evidence was disclosed to corroborate the suspicion that the shipment was of Southern Rhodesian origin. Norwegian authorities have thus concluded that no evasion of the sanctions established under Security Council resolution 253 (1968) has taken place."

4. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to its reply dated 23 June 1970 (para. 3 (2) above) and, in respect of the third paragraph thereof, accepting the kind offer of the Netherlands Government to forward data regarding the dates and ways of transit through the Netherlands directly to the Governments of countries to which cargo is shipped in transit through the Netherlands, with a request that a copy of such data be sent to the Secretary-General at the same time for the information of the Committee.

1/ S/9844/Add.2, annex VII, page 21, para. 5.

- (12) Case No. 36 Ferrochrome - "Ioannis": United Kingdom note dated 26 August 1969

There is no new information concerning this case in addition to that contained in S/9844/Add.2, annex VII, page 22).

- (13) Case No. 37 Ferrochrome - "Halleren": United Kingdom note dated 27 August 1969

There is no new information concerning this case in addition to that contained in S/9844/Add.2, annex VII, pages 23-24).

- (14) Case No. 40 Ferrochrome - "Ville de Reims": United Kingdom note dated 29 August 1969

1. Previous information concerning this case is contained in S/9844/Add.2, annex VII, pages 24-26).
2. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to his previous note verbale dated 5 May 1970 (annex VII, page 26, para. 7), transmitting for the information of the Netherlands a copy of the reply dated 18 June 1970 received from the Federal Republic of Germany to the Secretary-General's note verbale dated 14 May 1970 in connexion with a shipment of ferrochrome on the vessel "Gunvor"^{1/} and inquiring as to whether the information requested in the Secretary-General's note verbale dated 5 May 1970 could be forwarded either directly to the Government of the Federal Republic of Germany, with a copy to the Secretary-General, or to the Secretary-General for transmittal to the Government of the Federal Republic of Germany.

- (15) Case No. 55 Ferrochrome - "Gunvor": United Kingdom note dated 10 November 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 26-28).
2. At the request of the Committee at its 29th meeting, the Secretary-General sent a note verbale dated 14 May 1970 to the Federal Republic of Germany, referring to its reply of 22 April 1970 [see annex VII, page 27, para. 3 (b)] and requesting additional information concerning this shipment.

^{1/} See (15), Case No. 55, para. 2 below.

3. A reply dated 18 June 1970 has been received from the Federal Republic of Germany, the substantive part of which reads as follows:

"The 3,000 tons were sub-chartered by 'Otavi-Minen and Eisenbahngesellschaft' to a Swiss company for transportation of 2,000 tons of ferrochrome and 1,000 tons of silicon-chrome.

"By certificate of origin, issued by the Portuguese Chamber of Commerce in Lourenço Marques, the ferrochrome was declared as South African merchandise. For silicon-chrome, a certificate of origin is not required. The entire freight was unloaded from the 'Gunvor' at Rotterdam. The final destination of the freight could not be ascertained."

4. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Netherlands, referring to his note verbale dated 5 May 1970 (see annex VII, page 28, para. 6), transmitting, for the information of the Netherlands, a copy of the above note verbale dated 18 June 1970 from the Federal Republic of Germany and inquiring as to whether the information requested in the Secretary-General's note dated 5 May 1970 could be forwarded either directly to the Government of the Federal Republic of Germany, with a copy to the Secretary-General, or to the Secretary-General for transmittal to the Government of the Federal Republic of Germany.

(16) Case No. 57 Chrome ore - "Myrtidiotissa": United Kingdom note dated 17 November 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 28-31).

2. Additional information received since submission of the third report is given below.

3. A reply dated 3 August 1970 has been received from Greece to the Secretary-General's note verbale dated 26 November 1969 (see S/9844/Add.2, annex VII, page 29, para. 2), the substantive part of which reads as follows:

"The Permanent Mission of Greece has the honour to forward attached herewith photostat copies of certificate of origin showing that the cargo loaded last October at Lourenço Marques aboard the vessel 'Myrtidiotissa' was not of Southern Rhodesian origin.

"The Greek authorities would very much appreciate it if the inquiries carried out by the country of destination were notified to them."

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4. Replies have been received from Austria, Czechoslovakia and Italy to the Secretary-General's note verbale dated 20 April 1970 (see annex VII, page 31, para. 11), the substantive parts of which read as follows:

(1) Note verbale dated 6 July 1970 from Austria

"The Austrian Mission to the United Nations has the honour to transmit enclosed testified copies of the certificates of origin which demonstrate without any doubt that the chrome ore in question was not of Southern Rhodesian origin."

(2) Note verbale dated 2 July 1970 from Czechoslovakia

"The results of the investigation undertaken by the competent Czechoslovak authorities in order to clarify the subject of the information submitted on 2 January 1970 by the Government of the United Kingdom to the Committee established in pursuance of Security Council resolution 253 (1968) confirmed that no Czechoslovak commercial organization had violated provisions of resolution 253 (1968).

"At the same time, it became evident that in 1969 the Swiss firm RIF Trading Co., mentioned in the United Kingdom note, arranged for only one delivery of chrome ore which was of Iranian origin. The certificate of the ore proves beyond doubt that its quality corresponds to a typical Iranian chrome ore which the above-mentioned firm has for several years delivered to the Czechoslovak Socialist Republic. Simultaneously, the investigation showed that the respective payment for the ore was made to Iran within the framework of the Czechoslovak-Iranian clearing.

"The Czechoslovak Socialist Republic does not recognize the illegitimate régime in Southern Rhodesia and does not maintain diplomatic, commercial or any other relations with it."

(3) Note verbale dated 27 November 1970 from Italy

"The Permanent Representative of Italy has the honour to inform him /the Secretary-General/ that further inquiries promoted through the Italian Consular Authorities in Lourenço Marques have confirmed that the documents concerning the merchandise aboard the said vessel were authentic."

5. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Greece and Panama, referring to his note verbale dated 26 November 1969 (see annex VII, page 29, para. 2) and inquiring whether those Governments could throw any light on the following apparent discrepancies revealed in the information received by the Committee. According to the certificates of origin received from the Greek Government with its note

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verbale dated 3 August 1970 (see para. 3 above) issued by the Chamber of Commerce, Lourenço Marques, more than 56 million pounds of ore were loaded on the vessel on 27 October 1969. According to information received from the Italian Government in a note verbale dated 5 January 1970 [see S/9844/Add.2, annex VII, page 30, para. 7 (b)]⁷, when the vessel arrived in Trieste on 24 November 1969, its cargo consisted of only 13,576,987 pounds and was consigned to Austrian firms. According to certificates of origin received from the Austrian Government with its note verbale dated 6 July 1970 [see para. 4 (1) above] issued by the Chamber of Commerce, Johannesburg, the cargo totalled 15,543,600 pounds, an excess of about 2 million pounds on the figure mentioned in the Italian note of 5 January 1970.

(17) Case No. 59 Shipments of ferrochrome to various countries: United Kingdom note dated 4 December 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 32-41).

2. Additional information received since the submission of the third report is given below.

3. A reply dated 13 July 1970 has been received from Belgium to the Secretary-General's note verbale dated 22 January 1970 (see annex VII, page 40, para. 14), the substantive part of which reads as follows:

"I have the honour to refer to your note dated 22 January 1970... concerning a cargo of ferrochrome, suspected to be of Southern Rhodesian origin, on board the Netherlands vessel 'Nijkerk' (3rd para. of UK note of 15 January).

"At the request of my Government, I have the honour to inform you that the Belgian administration of customs and excise has carried out a thorough investigation of the cargo of this vessel at Anvers. This investigation has not revealed any irregularities."

4. A reply dated 30 September 1970 has been received from Brazil to the Secretary-General's note verbale dated 29 April 1970 (see annex VII, page 40, para. 17), the substantive part of which reads as follows:

"The Permanent Representative of Brazil... has the honour to refer to the notes transmitting, at the request of the Committee established in accordance with resolution 253 (1968)..., communications from the United Kingdom Mission concerning the importation into Brazil of merchandise of suspected Rhodesian origin.

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"In this connexion and in order to avoid the possibility of the entry into Brazil of any goods originating in Rhodesia, the Brazilian Government has decided to adopt the exceptional measure of re-establishing the requirement of a certificate of origin for all goods imported from South Africa, Angola and Mozambique.

"Said certificate of origin will be considered valid only if issued by a governmental authority of the country of origin. To that effect Brazilian Consulates in all those areas through which goods might be shipped from Rhodesia have already received appropriate instructions from the Brazilian Government."

5. By a note dated 10 July 1970, the United Kingdom Government reported the following further information:

"In their note of 4 December 1969, the Government of the United Kingdom brought to the attention of the Committee established in pursuance of Security Council resolution 253 (1968) the activities of the firm of Hochmetals (Africa) (Pty) Ltd. of Johannesburg in the sale of ferrochrome from Rhodesian Alloys, Gwelo, Southern Rhodesia, to purchasers in various parts of the world. The Government of the United Kingdom have received reliable information that the trade in ferrochrome previously carried on by Hochmetals (Africa) (Pty) Ltd. is now being carried on by a company called Septem Trading (Pty) Ltd. Certificates of origin purporting to show that the minerals were of South African origin have been obtained in the name of Septem from a Chamber of Commerce in a third country.

"Among the certificates in ferrochrome executed by Septem Trading (Pty) Ltd. have been:

"(a) Contract No. C 1588, 50 tons for Dalmine Siderurgica, Buenos Aires and contract No. C 1547, 40 tons for Marathon, Buenos Aires, Argentina, both of which consignments were shipped on the m.v. 'Hodakasan Maru' of Japanese registry which sailed from Lourenço Marques on 12 April 1970 (United Kingdom Government note of 13 May 1970 to the Committee...).

"(b) Contract No. C 1579, 100 tons for Patricio Echeverria, Madrid, Spain, shipped on the s.s. 'S.A. Statesman' of South African registry which sailed from Lourenço Marques on 19 April 1970 (United Kingdom Government note of 28 May 1970).

"(c) Contract No. C 1456, about 140 tons for Mannesmann, Rio de Janeiro, Brazil, shipped on the m.v. 'Merian' of FRG registry which sailed from Lourenço Marques on 22 May 1970 (United Kingdom Government note of 17 June 1970).

"The Government of the United Kingdom suggest that the Committee may wish to invite the United Nations Secretary-General to bring the above information to the attention of all the Governments to whom copies of his notes of 10 December 1969 and 13 January 1970, about Hochmetals (Africa) (Pty) Ltd., were sent."

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6. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 July 1970 to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note. Replies were not requested but have been received from Argentina, Canada, Democratic Republic of the Congo, Mauritania, Nauru, as follows:

(1) Note verbale dated 1 September 1970 from Argentina

"I have the honour to refer to your notes dated 13 January, 26 May and 23 July transmitting notes dated 4 December 1969, 13 May 1970 and 10 July 1970 from the United Kingdom Mission... which drew attention to possible violations of the sanctions against Rhodesia consisting in the shipment and sale of ferrochrome from Rhodesia to purchasers in various parts of the world, including Buenos Aires.

"The facts presented to us in these notes have been thoroughly investigated by the Government of the Argentine Republic which, as you will remember, severed economic relations with Rhodesia by Decree 1196/66, which was transmitted to you by our note NU 33/405 of 15 March 1966.

"As a result of this investigation, my Government is in a position to state that a consignment of the above-mentioned mineral entered Argentina under cover of documents from a South African export and production firm stating that the said consignment was of South African origin.

"The competent authorities of the Argentine Republic could not be aware that the firm in question was acting as an intermediary, since the note from the United Kingdom drawing attention to that fact (10 July 1970) was written a considerable time after the mineral had entered the country.

"With a view to avoiding any repetition of this occurrence, the Government of the Argentine Republic has instructed its consulate having jurisdiction in South Africa that, in addition to requiring certificates of origin for any suspicious cargoes, it should tighten precautions so as to prevent transactions which might, even indirectly, undermine Security Council resolutions."

(2) Note verbale dated 24 July 1970 from Canada

"The Secretary-General's note, together with its attachment, is being brought to the attention of the appropriate Canadian authorities."

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(3) Note verbale dated 25 August 1970 from the Democratic Republic of the Congo

"The Permanent Representative of the Democratic Republic of the Congo... has the honour to acknowledge receipt of the Secretary-General's note of 23 July 1970, the contents of which have received his attention.

"The said note, together with the attached document, has been transmitted today to the Congolese Government for information."

(4) Note verbale dated 24 July 1970 from Mauritania

"The Permanent Mission of Mauritania wishes to inform the Secretary-General that the contents of his note have been transmitted to the Government of Mauritania."

(5) Note verbale dated 6 August 1970 from the Republic of Nauru

"The Acting Secretary for External Affairs has the honour to inform the Secretary-General that the Republic of Nauru is not an importer of ferrochrome and has the honour to confirm that the Republic has not available to it any information regarding trade of the nature referred to in the Secretary-General's communication."

7. A reply dated 18 February 1971 has been received from the Netherlands to the Secretary-General's note verbale of 20 January 1970 (see S/9844/Add.2, annex VII, page 39, para. 14), the substantive part of which reads as follows:

"A careful inquiry conducted by the Netherlands authorities has shown that the Netherlands vessel 'Nykerk' has indeed carried a consignment of copper materials and gun-metal as stated in the annex of the note from the United Kingdom dated 15 January 1970 which was attached to the aforesaid note of the Secretary-General.

"The Netherlands authorities, however, have concluded that having regard to the contents of the documents pertaining to the consignment, there was no basis whatsoever for the shipping company in question to doubt the non-Southern Rhodesian origin of the cargo.

"The shipment was unloaded after its arrival in Antwerp, in the absence of any objections on the part of the Belgian customs authorities.

"In conclusion, the Permanent Representative wishes to inform the Secretary-General that, owing to an administrative misunderstanding, a reply to the latter's note has not been sent at an earlier date."

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8. Subsequent to the statement concerning this case made by the Representative of Belgium at the Committee's 42nd meeting on 24 February 1971, further information has been received from Belgium in a note dated 26 February 1971, the substantive part of which reads as follows:

"With regard to Case No. 59 (Shipments of ferrochrome to various countries), the Belgium-Luxembourg Economic Union imported none of this ore from Rhodesia over the period 1960-1965. In 1966 a very small import of 395 tons of Rhodesian ferrochrome was recorded. Since the adoption of resolution 232 (1966) by the Security Council, the BLEU has imported no more ferrochrome of Rhodesian origin."

(18) Case No. 64 Chrome ore and ferrochrome - "Birte Oldendorff": United Kingdom note dated 24 December 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VI, pages 41-42).

(19) Case No. 71 Ferrochrome - "Disa": United Kingdom note dated 2 April 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 42-43).

2. Additional information received since the submission of the third report is given below.

3. Replies have been received from the Federal Republic of Germany and Sweden to the Secretary-General's note verbale dated 8 April 1970 (see annex VII, page 43, para. 2), the substantive parts of which read as follows:

(1) Note verbale dated 27 August 1970 from the Federal Republic of Germany

"According to information received from the customs authorities of the Federal Republic of Germany, no ferrochrome was unloaded from the vessel during her calls at the FRG ports of Hamburg and Bremen. Neither are there indications that any such products if shipped on board the 'Disa' have come into the FRG by other means."

(2) Note verbale dated 5 June 1970 from Sweden

"The Permanent Representative... has the honour to inform the Secretary-General that the matter is now being investigated by the competent Swedish authorities. Further information was to be transmitted to the Secretary-General upon completion of that investigation."

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4. At the request of the Committee at its 40th meeting, the Secretary-General sent notes verbale dated 29 January 1971 to the Netherlands and Sweden, in the case of the Netherlands referring to his note verbale dated 8 April 1970 (see annex VII, page 43, para. 2) and requesting a reply thereto as soon as possible; in the case of Sweden, referring to its reply dated 5 June 1970 (see para. 3 (2) above) to the Secretary-General's note verbale of 8 April 1970 and inquiring as to whether the Swedish Government had completed its investigation of this consignment and, if so, whether the further information mentioned in its reply could be forwarded to the Secretary-General for the information of the Committee.

(20) Case No. 73 Chrome ores - "Selene": United Kingdom note dated 13 April 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 43-44).

2. Additional information received since the submission of the third report is given below.

3. A further reply has been received from Italy and a reply has been received from Yugoslavia to the Secretary-General's notes verbale dated 20 April 1970 (annex VII, page 44, para. 2), the substantive parts of which read as follows:

(1) Note verbale dated 16 June 1970 from Italy

"On the basis of an inquiry made by the proper authorities in Italy, it has been ascertained that the chrome transported by the ship 'Selene' was of South African origin as it was proved by the documentation presented by the shipping company, 'Billits'. The ship has been allowed, therefore, to unload the chrome in Trieste."

(2) Note verbale dated 11 May 1970 from Yugoslavia

"... the Yugoslav authorities have been informed of the shipment of chrome ores and chrome concentrates, suspected to be of Southern Rhodesian origin, and all the necessary measures were undertaken to prevent the unloading of the cargo aboard the m.v. 'Selene' at Yugoslav ports, at the appropriate time."

4. By a letter dated 18 June 1970, the United Kingdom Government reported that it had received information indicating that the m.v. 'Selene' had discharged her cargo of chrome ore and concentrates at Trieste for transit to Austria.

5. At the request of the Committee at an informal meeting on 19 June 1970, the Secretary-General sent a note verbale dated 19 June 1970 to Austria, transmitting

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the previous United Kingdom note of 13 April (see S/9844/Add.2, annex VII, page 43, para. 1), together with the information contained in the letter of 18 June 1970 and requesting comments thereon.

6. A reply dated 26 October 1970 has been received from Austria, the substantive part of which reads as follows:

"The Acting Permanent Representative of Austria to the United Nations has the honour to inform the Secretary-General of the United Nations that the above-mentioned cargo was addressed to the following Austrian firms: 'Radenthein', 'Oesterreichische Magnesit-Werke AG' and 'Veitscher Magnesit AG', Vienna. Copies of the bills of lading and certificates of origin, which show the chrome ores and chrome concentrates in question to be of South African origin are attached, as well as copies of relevant certificates of the Chamber of Commerce, Johannesburg."

(21) Case No. 74 Chrome ores and concentrates - "Castasegna": United Kingdom note dated 17 April 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, page 45).
2. Additional information received since the submission of the third report is given below.
3. Replies have been received from Spain and Switzerland to the Secretary-General's note verbale dated 29 April 1970, the substantive parts of which read as follows:

(1) Note verbale dated 21 May 1970 from Spain

"The Permanent Mission of Spain... has the honour to inform him /the Secretary-General/ that, between 11 and 22 April, four consignments of chrome ore carried on board the said vessel were cleared by the customs at Santander and that the documents covering these consignments showed their origin to be the Republic of South Africa. The said documents meet the requirements of Spanish law regarding authenticity."

(2) Note verbale dated 15 June 1970 from Switzerland

"The investigation in this connexion ordered by the competent Federal authorities has revealed that in March 1970 the m.v. 'Castasegna', owned by the shipping company, Suisse atlantique of Lausanne, did in fact take on a cargo of 12,020 tons of chrome ore bound for Santander for account of Ferroatleaciones Espanoles S.A. at Madrid. However, the charter party concluded by the Swiss company with the Spanish charterers contains in article 36 the following provision:

'Cargo to be of non-Rhodesian origin.'

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"There is no indication in the bill of lading that the merchandise in question might be of Rhodesian origin. In view of the above-mentioned safeguard clause in the charter party, Suisse atlantique denies any responsibility in the event that the Spanish charterers have failed to comply with it."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Spain, referring to its reply dated 21 May 1970 [see para. 3 (1) above] to the Secretary-General's note verbale of 17 April 1970 and inquiring as to whether copies of the documents mentioned in the above reply could be forwarded for the information of the Committee.
5. A reply dated 3 February 1971 has been received from Spain, the substantive part of which reads as follows:

"The Permanent Mission of Spain to the United Nations... has the honour to enclose photocopies of the documents referred to in the /Spanish/ Mission's note of 21 May 1970, which attest to the South African origin of the consignments of chrome unloaded at Santander from m.v. 'Castasegna' between 11 and 22 April 1970."

(22) Case No. 76 Ferrochrome - "Hodakasan Maru": United Kingdom note dated 13 May 1970

1. By a note dated 13 May 1970, the United Kingdom Government reported information concerning a shipment of ferrochrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, from commercial sources, about a shipment of Rhodesian ferrochrome which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that consignments of Rhodesian ferrochrome in drums were recently loaded at Lourenço Marques aboard the m.v. 'Hodakasan Maru'.

"The m.v. 'Hodakasan Maru', which is owned by Mitsui O.S.K. Lines Ltd. of Tokyo and is of Japanese registry sailed from Lourenço Marques on 12 April for ports in the Republics of Argentina, Uruguay and Brazil.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of Argentina, Uruguay and Brazil with a view to assisting them in their investigations into the origin of any ferrochrome unloaded from the m.v. 'Hodakasan Maru' at ports in their territories during her present voyage, either for use in their territories or trans-shipment to other countries.

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"If the importers should claim that the ferrochrome is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the despatch of the consignments to Lourenço Marques.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of Japan so as to enable them to make inquiries into the carriage aboard a Japanese-owned and registered vessel of ferrochrome which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, at its 30th meeting, the Secretary-General sent notes verbale dated 26 May 1970 to Argentina, Brazil, Japan and Uruguay, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from Argentina dated 1 September 1970 [see (17) Case No. 59, para. 6 (1)], Brazil dated 30 September 1970 [see (17) Case No. 59, para. 4] and Japan dated 16 February 1971, the substantive part of which reads as follows:

"The Permanent Representative of Japan to the United Nations... has the honour to inform the Secretary-General that the investigation made by the Government of Japan produced the following results:

"The vessel 'Hodakasan Maru' sailed from Lourenço Marques on 12 April 1970 and entered the ports of Buenos Aires (Argentina), Montevideo (Uruguay) and Santos (Brazil) on 26 April, 6 May and 8 May respectively.

"Ninety-seven drums (101,026 pounds) of ferrochrome, 760 bags (84,534 pounds) of ferrochrome and 90 drums (100,288 pounds) of high carbon ferrochrome were unloaded from the vessel at the port of Buenos Aires and 170 drums (136,340 pounds) of ferrochrome at the port of Santos. (No consignment of ferrochrome was unloaded at the port of Montevideo.)

"As a result of its investigations, the Government of Japan was assured that special attention is paid by Mitsui O.S.K. Lines, Ltd. to the origin of consignments prior to the time of loading, so as to preclude any possibility of transporting goods of Southern Rhodesian origin and that consignments are allowed to be loaded only when they are judged to be not originating in Southern Rhodesia after careful examination of certificates of origin. The Government of Japan was further assured that the consignments in question, after such examination, were judged to be of South African origin and accordingly were transported to their respective destinations."

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(23) Case No. 77 Ferrochrome - "S.A. Statesman": United Kingdom note dated 28 May 1970

1. By a note dated 28 May 1970, the United Kingdom Government reported information about a consignment of ferrochrome on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of Rhodesian ferrochrome which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of Rhodesian ferrochrome in drums was recently loaded at Lourenço Marques aboard s.s. 'S.A. Statesman', which is owned by the South African Marine Corporation Ltd. of Cape Town and is of South American registry, sailed from Lourenço Marques on 19 April for ports in Spain, France and Italy.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Governments of Spain, France and Italy, with a view to assisting them in their investigation into the origin of any ferrochrome unloaded from the s.s. 'S.A. Statesman' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee at its 31st meeting, the Secretary-General sent notes verbale dated 4 June 1970 to Italy and Spain, transmitting the United Kingdom note and requesting comments thereon. The representative of France in the Committee also took note of the contents of the United Kingdom note.

3. Replies have been received from Italy and Spain as follows:

(1) Note verbale dated 14 July 1970 from Italy

"The South African ship 'S.A. Statesman' arrived in Venice from Marseilles on 30 May, with a cargo of 110 pounds of chrome samples. On the basis of an inquiry made by the proper authorities in Italy, it has been ascertained that the chrome was of South African origin as it was

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proved by the documents provided by the Chamber of Commerce of Johannesburg (South Africa) signed by Giselle Kaethe Anna Krystal, on 1 May 1970. The ship has therefore been allowed to unload the chrome in Venice."

(2) Note verbale dated 29 July 1970 from Spain

"... the vessel 'S.A. Statesman' entered the port of Barcelona on 28 June 1970 carrying merchandise in transit, without unloading any cargo destined for the said port."

(24) Case No. 79 Chrome ore - "Schutting": United Kingdom note dated 3 June 1970

1. By a note dated 3 June 1970, the United Kingdom Government reported information about shipments of chrome ore, ferrochrome and ferro-silicon-chrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of consignments of chrome ore, ferrochrome and ferrosiliconchrome, suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that about six thousand tons of chrome ore and various consignments of ferrochrome and ferrosiliconchrome were recently loaded at Lourenço Marques aboard the m.v. 'Schutting'.

"The m.v. 'Schutting', which is owned by Fisser and Van Doornum of Hamburg and is of FRG registry, sailed from Lourenço Marques on 5 May for Rotterdam and Hamburg.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above-mentioned consignments has been supervised and co-ordinated by the firm of Handelsgesellschaft in Zurich, A.G., whose activities in connexion with suspected breaches of sanctions have previously been drawn to the attention of the Committee established in pursuance of Security Council resolution 253 (1968), in particular in the United Kingdom Government's note of 6 February 1969. 1/

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the FRG and the Netherlands with a view to assisting them in their investigations into the origin of any minerals

1/ See S/9252/Add.1, annex XI, page 13, (3).

unloaded from the m.v. 'Schutting' at ports in their territories during her present voyage: either for use in their territories or for trans-shipment to other countries.

"If the importers of the minerals in question should claim that the minerals are not of Rhodesian origin, the Governments of the FRG and the Netherlands may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee at its 32nd meeting, the Secretary-General sent notes verbale dated 12 June 1970 to the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 20 August 1970 from the FRG

"According to information received from the customs authorities of the Federal Republic of Germany, no ferrochrome, chrome ore and ferro silicon chrome was unloaded from the vessel during her call at the FRG port of Hamburg."

(2) Note verbale dated 24 November 1970 from the Netherlands

"A careful investigation by the Netherlands authorities did not yield any indication whatsoever of the evasion of the measures decided upon in resolution 253 (1968) of the Security Council.

"Accordingly, no objections were raised to its transit to the Federal Republic of Germany."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands referring to its reply dated 24 November 1970 to the Secretary-General's note verbale of 12 June 1970 and inquiring as to whether the Netherlands Government could forward information about the onward destination of the consignments in question, in particular details or copies of the documents which were produced to the Netherlands authorities which satisfied them that they were not of Rhodesian origin.

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(25) Case No. 80 Chrome ore - "Klostertor": United Kingdom note dated 10 June 1970

1. By a note dated 10 June 1970, the United Kingdom Government reported information about the shipment of chrome ore on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of consignments of chrome ore and ferrosiliconchrome, suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that various consignments of chrome ore and ferrosiliconchrome were recently loaded at Lourenço Marques aboard the m.v. 'Klostertor'.

"The m.v. 'Klostertor', which is owned by Fisser and Van Doornum of Hamburg and is of FRG registry, sailed from Lourenço Marques on 9 May for Rotterdam and Hamburg.

"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above-mentioned consignments has been supervised and co-ordinated by the firm of Handelsgesellschaft in Zurich A.G., whose activities in connexion with suspected breaches of sanctions have been previously called to the attention of the Committee established in pursuance of Security Council resolution 253 (1968), particularly in the United Kingdom's notes of 6 February 1969 1/ and of 3 June 1970. 2/

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany and the Netherlands with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. 'Klostertor' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries.

"If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

1/ See S/9252/Add.1, annex XI, page 13, (3).

2/ See (24) Case No. 79 ('Schutting').

2. At the request of the Committee at its 34th meeting, the Secretary-General sent notes verbale dated 18 June 1970 to the Governments of the Federal Republic of Germany and the Netherlands.

3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 20 August 1970 from the FRG

"According to information received from the customs authorities of the Federal Republic of Germany, no chrome ore and ferro-silicon-chrome was unloaded from the vessel during her call at the FRG port of Hamburg."

(2) Note verbale dated 30 November 1970 from the Netherlands

"A careful investigation by the Netherlands authorities did not yield any indication whatsoever of any evasion of the measures decided upon in resolution 253 (1968) of the Security Council.

"Accordingly, no objections were raised to its transit to the FRG."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands, referring to its above reply dated 30 November 1970 to the Secretary-General's note verbale of 18 June 1970 and inquiring as to whether the Netherlands Government could forward information about the onward and final destination of the consignments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(26) Case No. 81 Ferrochrome - "Merian": United Kingdom note dated 17 June 1970

1. By a note dated 17 June 1970, the United Kingdom Government reported information concerning shipment of a consignment of ferrochrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of a consignment of ferrochrome suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of about 140 tons of ferrochrome was recently loaded at Lourenço Marques aboard the m.v. 'Merian'.

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"The m.v. 'Merian', which is owned by E. Komrowski Reed of Hamburg, and is of FRG registry, sailed from Lourenço Marques on 22 May for ports in Brazil.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the notice of the Government of Brazil with a view to assisting them in their investigation into the origin of any ferrochrome unloaded from the m.v. 'Merian' at ports in their territory or during her present voyage, either for use in their territory or trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, the Government of Brazil may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques.

"It is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of the FRG so as to enable them to make inquiries into the carriage aboard an FRG-owned and registered vessel of ferrochrome which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 19 June 1970 to Brazil and the Federal Republic of Germany.
3. A reply dated 26 June 1970 has been received from the FRG, stating that the contents of the Secretary-General's note have been transmitted to the Government of the FRG.
4. At the request of the Committee at its 40th meeting, the Secretary-General sent notes verbale dated 29 January 1971 to Brazil and the Federal Republic of Germany, in the case of Brazil, referring to his previous note verbale dated 19 June 1970 (see para. 2 above) and requesting a reply thereto as soon as possible; in the case of the FRG, referring to its acknowledgement dated 26 June 1970 of the Secretary-General's note verbale of 19 June 1970 and inquiring as to whether the FRG Government was now in a position to forward its comments on this matter for the information of the Committee.
5. An acknowledgement dated 5 February 1970 has been received from the Federal Republic of Germany, stating that the Secretary-General's note verbale of 29 January 1971 has been brought to the attention of the FRG Government.

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(27) Case No. 84 Chrome ores and concentrates - "Johs Stove": United Kingdom note dated 23 July 1970

1. By a note dated 23 July 1970, the United Kingdom Government reported information about shipments of chrome ores and concentrates on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about some shipments of chrome ores and concentrates suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that approximately ten thousand tons of chrome ores and concentrates were recently loaded at Lourenço Marques aboard the m.v. 'Johs Stove'.

"The m.v. 'Johs Stove' which is owned by Lorentzens Rederi Co. of Oslo and is of Norwegian registry, sailed from Lourenço Marques on 30 June for Trieste.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of Italy with a view to assisting them in their investigations into the origins of any chrome ores or concentrates unloaded from the m.v. 'Johs Stove' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment to other countries.

"If the importers of the chrome ores and concentrates in question should claim that the minerals are not of Rhodesian origin, and particularly if they should support this claim with certificates of origin issued by an authority in one country claiming that the minerals were produced in a second country, the Government of Italy may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the despatch of the consignments to Lourenço Marques.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the Government of Norway so as to enable them to make enquiries into the carriage aboard a Norwegian owned and registered vessel of minerals which, according to the information above, are suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 29 July 1970 to the Governments of Italy and Norway.

/...

3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 17 September 1970 from Italy

"... the Norwegian ship 'Johs Stove' called at Trieste at the end of July with a cargo of 15,555 tons of chrome destined to Austria.

"On the presentation by the shipping Company Billitz of documentation establishing that the chrome was not of Rhodesian origin, the authorities of the port of Trieste have authorized its shipment to Austria."

(2) Note verbale dated 4 August 1970 from Norway

"The Acting Permanent Representative has been instructed to state the following:

"The m/v 'Johs Stove', owners Lorentzens Rederi Co. of Oslo, has been chartered to the Swiss firm RIF Trading Co., whose agents in Trieste are Messrs. Pilamar. The charter party covering the consignments in question contain a clause stipulating that 'cargo to be of non-Rhodesian origin'.

"It is the understanding of the Norwegian authorities that the Norwegian parties concerned have complied with the requirements of Security Council resolution 253 (1968), the integral text of which has been reproduced as part of Norwegian legislative measures to implement that resolution."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Austria, transmitting a copy of the United Kingdom note of 23 July 1970 (see para. 1 above), together with the substantive part of the reply from Italy dated 17 November 1970 (see para. 3 (1) above) to the Secretary-General's note verbale of 29 July 1970 and asking whether the Austrian Government could produce any further information, such as a chemical analysis (as referred to in the Secretary-General's note verbale and enclosures of 4 August 1969^{1/}) of the ores in question, together with copies of the relevant documentation as outlined in the fifth paragraph of the United Kingdom note.

^{1/} See S/9252/Add.1, annex XI, page 10.

(28) Case No. 87 Ferrochrome - "Margaret Cord": United Kingdom note dated 5 August 1970

1. By a note dated 5 August 1970, the United Kingdom Government reported information concerning a consignment of ferrochrome on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about the shipment of a consignment of ferrochrome suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that a consignment of some 90 tons in drums of this mineral was recently loaded at Lourenço Marques aboard the m.v. 'Margaret Cord'.

"The m.v. 'Margaret Cord', which is owned by Messrs. Jorgen Ditlev Lauritzen of Hellerupvej 14, Hellerup, and is of Danish registry, sailed from Lourenço Marques on 9 July for Rio de Janeiro.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Brazil with a view to assisting them in their investigations into the origin of any ferrochrome unloaded from the m.v. 'Margaret Cord' at ports in their territory during her present voyage, either for use in their territory or trans-shipment to other countries.

"If the importers should claim that the ferrochrome is not of Rhodesian origin, the Government of Brazil may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969 and require the importers to produce certificates from the mining company supplying the ferrochrome as well as rail notes covering the despatch of the consignment to Lourenço Marques.

"It is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the attention of the Government of Denmark so as to enable them to make enquiries into the carriage aboard a Danish owned and registered vessel of ferrochrome which, according to the information above, is suspected to be of Rhodesian origin."

2. Following informal consultations, at the request of the Committee, the Secretary-General sent notes verbale dated 17 August 1970 to the Governments of Brazil and Denmark, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from both those Governments as follows:

(1) Note verbale dated 30 September 1970 from Brazil

/see (17) Case No. 59, para. 27

/...

(2) Note verbale dated 25 September 1970 from Denmark

"In his note, the Secretary-General... invited the comments of the Danish Government on the note dated 5 August 1970 from the Permanent Mission of the United Kingdom concerning a consignment of ferrochrome, suspected to be of Southern Rhodesian origin, shipped from Lourenço Marques to Brazil aboard the m.v. 'Margaret Cord'.

"Acting upon instructions, the Permanent Representative of Denmark has the honour to inform the Secretary-General as follows:

"The owners of the vessel m.v. 'Margaret Cord' have informed the Danish authorities that they are without any knowledge that the vessel has been engaged in transports from Lourenço Marques to Brazil of ferrochrome suspected to be of Southern Rhodesian origin.

"By virtue of a time charter party of 4 September 1969, the vessel m.v. 'Margaret Cord' is time chartered by the shipping company Lloyd Brasileiro, Rio de Janeiro.

"The captain of the vessel m.v. 'Margaret Cord' has no possibility of determining the nature of the cargo because bills of lading and manifests are drawn up by the agents ashore often after the vessel's departure from the port in question. Consequently, the officers of the vessel are not able to ascertain whether a consignment originates from Rhodesia.

"Considering the information thus available, the Danish authorities have taken no further steps in the matter."

(29) Case No. 89 Chrome ore - "Ville de Havre": United Kingdom note dated 18 August 1970

1. By a note dated 18 August 1970, the United Kingdom Government reported information concerning shipments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about further shipments of minerals suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is that consignments of minerals believed to be of Rhodesian origin (including some nine thousand tons of chrome ores, ferrosilicon chrome and ferrochrome) were recently loaded at Lourenço Marques aboard the m.v. 'Ville de Havre' for carriage to Rotterdam. The sale in Europe of the consignments of the specified minerals has been supervised and co-ordinated by Handelsgesellschaft in Zurich A.G. whose activities in

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connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee... in the United Kingdom Government's notes of 6 February 1969 1/ and 30 May 1960.

"The m.v. 'Ville du Havre' which is owned by the Compagnie Havraise et Nantaise Peninsulaire, 59 Boulevard Haussman, Paris, and is of French registry, sailed from Lourenço Marques on 17 July for Rotterdam.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of the Netherlands with a view to assisting them in their investigations into the origin of all minerals unloaded from this vessel during her present voyage at Rotterdam or other ports in the Netherlands either for use in the Netherlands or trans-shipment to other countries. If the importers or transit agents handling the cargo in Netherlands ports should claim the minerals are not of Rhodesian origin, the authorities in those ports may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the French Government so as to enable them to make enquiries into the carriage aboard a French owned and registered vessel of minerals which, according to the information above, are suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 21 August 1970 to the Government of the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. The following information has been received from France in a note verbale dated 20 October 1970:

"The Permanent Mission of France... has the honour to inform the Secretary-General that since the vessel 'Ville du Havre' did not call at any French port before Rotterdam, it has not been possible for the French maritime and customs authorities to verify the origin of her cargo.

"In the light of information which may be communicated to them by the country of destination, the French authorities, should the occasion arise, will not fail to make an enquiry into the responsibility of the transporter."

1/ See S/9252/Add.1, annex XI, page 13, para. (3).

4. A reply dated 5 January 1971 has been received from the Netherlands, the substantive part of which reads as follows:

"The 'Ville du Havre' berthed at Rotterdam on 5 August 1970 carrying amongst others consignments of ferrochrome ore, ferrochrome, siliconchrome ore and chromeore 'grade 3'. The Netherlands authorities conducted the customary thorough investigation into the origin of the aforesaid cargo. The enquiry yielded no evidence whatsoever of any infringement of the sanctions decided upon in Security Council Resolution 253/1968. Accordingly no objection was made to its transit to the Federal Republic of Germany.

"The Permanent Representative of the Kingdom of the Netherlands avails himself of this opportunity to renew to the Secretary-General the assurances of his highest consideration."

5. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands, referring to its reply dated 5 January 1971 to the Secretary-General's note verbale of 21 August 1970 and enquiring as to whether the Netherlands Government could forward information about the onward and final destination of the consignments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(30) Case No. 95 Ferrochrome and Ferrosilicon chrome - "Trautenfels": United Kingdom note dated 11 September 1970

1. By a note dated 11 September 1970, the United Kingdom Government reported information concerning shipments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about further shipments of minerals suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 4,500 tons of ferrochrome and ferrosilicon chrome believed to be of Rhodesian origin were recently loaded at Lourenço Marques aboard the m.v. 'Trautenfels'.

"The m.v. 'Trautenfels', which is owned by Hansa, Deutsche Dampfschiffahrts - Gesellschaft of Bremen and is of FRG registry, sailed from Lourenço Marques on 14 August for Rotterdam, Emden and Hamburg.

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"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above minerals has been supervised and co-ordinated by Handelsgesellschaft in Zurich A.G., whose activities in connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee..., particularly in the United Kingdom Government's notes of 6 February 1969, 1/ 3 June, 2/ 10 June 3/ and 19 August 1970.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany and the Netherlands with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. 'Trautenfels' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries; and in the case of the Government of the Federal German Republic into the carriage on an FRG-owned and registered ship of minerals suspected of being of Rhodesian origin.

"If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from those two Governments, the substantive parts of which read as follows:

(1) Note verbale dated 29 December 1970 from the FRG

"The Acting Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to communicate the following:

"The ship's owners, Deutsche Dampfschiffahrts-Gesellschaft Hansa of Bremen, have stated that they are not aware of any cargo of Southern Rhodesian origin having been carried on m.v. 'Trautenfels'. Under section 38 of the charter contract they concluded on 18 June 1970 with

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- 1/ See S/9252/Add.1, annex XI, page 13, (3).
 - 2/ See (24) Case 79.
 - 3/ See (25) Case 80.

/...

Spedimex Speditionsgesellschaft m.b.H. Dusseldorf, they believe to be justified in their assumption that the cargo originated in South Africa. It was unloaded in Rotterdam on 9 September 1970."

(2) Note verbale dated 7 January 1971 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... has the honour to state the following:

"The 'Trautenfels' arrived at the port of Rotterdam on 9 September 1970. Part of its cargo consisted of ferrochrome ore and ferrosiliconchrome ore. The consignment was declared for transit to the Federal Republic of Germany and Sweden after a close examination by the Netherlands authorities had not in any way led to the assumption that an evasion of the sanctions, established by Security Council resolution 253 (1968), had been committed."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Netherlands, referring to its above reply dated 7 January 1971 to the Secretary-General's note of 22 December 1970 and inquiring as to whether the Netherlands Government could forward information about the ultimate destination and consignees of the shipments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(31) Case No. 100 Chrome - "Cuxhaven": United Kingdom note dated 16 October 1970

1. By a note dated 16 October 1970, the United Kingdom Government reported information concerning shipments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about further shipments of minerals suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 5,000 tons of minerals, about half of which was chrome, one-third ferrochrome and the rest made up of about 1,000 tons of ferrosilicon chrome and some 50 tons of other minerals packed in drums all believed to be of Rhodesian origin, were recently loaded at Lourenço Marques aboard the m.v. 'Cuxhaven'.

"The m.v. 'Cuxhaven', which is owned by Bugsier, Reederei und Bergungs A.G. of Hamburg and is of FRG registry, sailed from Lourenço Marques on 15 September for Antwerp, Rotterdam, Bremen and Hamburg.

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"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above minerals has been supervised and co-ordinated by Handelsgesellschaft in Zurich A.G., whose activities in connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee... in the United Kingdom's notes of 6 February 1969, 1/ 3 June 1970, 2/ 10 June 1970, 3/ 18 August 1970 4/ and 11 September 1970. 5/

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany, the Netherlands and Belgium with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. 'Cuxhaven' at ports in their territories during her present voyage either for use in their territories or for trans-shipment to other countries and, in the case of the Government of the Federal Republic of Germany, into the carriage in an FRG-owned and registered ship of minerals suspected of being of Rhodesian origin.

"If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the dispatch of the consignments to Lourenço Marques."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 16 October 1970 to Belgium, the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Belgium and the Federal Republic of Germany, the substantive parts of which read as follows:

(1) Note verbale dated 12 January 1971 from Belgium

"On the instructions of my Government, I have the honour to inform you that, after inquiry, the competent Belgian authorities are in a position to state that the cargo of this vessel was not discharged at Antwerp when it made a call at this port on 18 October."

1/ See S/9252/Add.1, annex XI, page 13, (3).

2/ See (24) Case 79.

3/ See (25) Case 80.

4/ See (29) Case 89.

5/ See (30) Case 95.

(2) Note verbale dated 17 December 1970 from the FRG

"The Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note of 23 November 1970 concerning certain consignments of minerals believed to be of Rhodesian origin, aboard the m.v. 'Cuxhaven'.

"The contents of the note have been brought to the attention of the Government of the Federal Republic of Germany."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent notes verbale dated 29 January 1971 to the Federal Republic of Germany and the Netherlands, in the case of the FRG referring to its acknowledgement dated 17 December 1970 of the Secretary-General's note verbale of 16 October 1970 and inquiring as to whether that Government was now in a position to forward information on the consignments in question, together with copies of the relevant documentation, for the information of the Committee; in the case of the Netherlands, referring to his previous note verbale dated 16 October 1970 and inquiring as to whether the Netherlands Government was now in a position to forward information concerning the consignments in question, together with copies of the relevant documentation, for the information of the Committee.

(32) Case No. 103 Chrome ore - "Anna Presthus": United Kingdom note dated 30 October 1970

1. By a note dated 30 October 1970, the United Kingdom Government reported information concerning a shipment of chrome ore on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about a shipment of chrome ore suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 15,000 tons of chrome ore believed to be of Rhodesian origin were recently loaded at Lourenço Marques aboard the m.v. 'Anna Presthus'.

"The m.v. 'Anna Presthus', which is owned by Johs Presthus of Bergen and is of Norwegian registry, sailed from Lourenço Marques on 10 October for Trieste.

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"Further information received by the Government of the United Kingdom indicates that the sale in Europe of the above chrome ore has been supervised and co-ordinated by a Swiss firm, RIF Trading Company Ltd., of Zurich, whose activities in connexion with exports from Southern Rhodesia were previously drawn to the attention of the Committee established in pursuance of Security Council resolution 253 (1968) in the United Kingdom Government's letter of 2 January 1970 1/ which offered further information about a shipment of chrome ore aboard the m.v. 'Myrtidiotissa'. As in the case of the chrome ore aboard the 'Myrtidiotissa', it could be that in the present case part or all of the ore has been sold to purchasers in Austria and Czechoslovakia.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the notice of the Government of Italy with a view to assisting them in their investigations into the origin of any chrome ore which may be unloaded from the m.v. 'Anna Presthus' at ports in their territories during the course of its present voyage. The Committee may also wish to suggest that this information should be brought to the notice of the Governments of Austria and Czechoslovakia with a view to assisting them in their investigations into the origin of chrome ore on the 'Anna Presthus' which may be consigned to organizations situated within their territories.

"If the importers should claim that the chrome ore is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers, as well as rail notes covering the dispatch of the consignment to Lourenço Marques.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the Government of Norway so as to enable them to make inquiries into the carriage aboard a Norwegian-owned and registered vessel of chrome ore which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 9 December 1970 to Austria, Czechoslovakia, Italy, Norway and Switzerland, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from Italy, Norway, and Switzerland, the substantive parts of which read as follows:

1/ See S/9844/Add.2, annex VII, page 30, para. 8.

(1) Note verbale dated 22 February 1971 from Italy

"The Permanent Representative of Italy to the United Nations... has the honour to inform him [the Secretary-General] of the following:

"1. The vessel 'Anna Presthus' arrived at Trieste with a consignment of 15,000 tons of chrome.

"2. The chrome was destined to Austria and to Kotoriba at the Hungarian border with Yugoslavia.

"3. The shipment in transit to Austria and Kotoriba was authorized as the authorities investigating it were satisfied that the chrome was of South African origin as it was proved by the certificate of origin bearing a visa of the Italian Consul General in Johannesburg, by the bill of lading, by a certificate of the Chamber of Commerce of Johannesburg, by a copy authenticated of the sale contract, by a copy of the freight contract and by the consignment note concerning the shipment of the chrome from South Africa to Lourenço Marques."

(2) Note verbale dated 4 February 1971 from Norway

"On instructions from his Government, the Permanent Representative has the honour to inform the Secretary-General that the Norwegian authorities have undertaken a thorough investigation into the matter. It is confirmed that the motor vessel 'Anna Presthus' was cleared out of Lourenço Marques on 10 October 1970, carrying a cargo of 15,000 tons of chrome ore. The charter party covering the consignment in question contained a clause stipulating that 'cargo could not be of Rhodesian origin'."

(3) Note verbale dated 20 January 1971 from Switzerland

"According to information which has reached the Government of the United Kingdom, it would appear that the sale of this chrome ore in Europe was supervised and co-ordinated by a Swiss firm, the RIF Trading Company Ltd. of Zurich. The Permanent Observer of Switzerland has already had occasion, by note of 17 April 1970, 1/ to provide the Secretary-General of the United Nations with various data on the activities of this firm, whose business is conducted, it seems, outside Swiss territory. In this connexion, therefore, the Federal authorities can only repeat that they have no legal or practical means of intervening outside the territory of the Confederation. Under public international law, each State is entitled to apply legal rules only in its own territory; the Swiss authorities cannot therefore take steps which would contravene positive international law."

1/ See S/9844/Add.2, annex VII, page 31, para. 10 (b).

4. At the request of the Committee at its 43rd meeting on 18 March 1971, the Secretary-General sent notes verbale dated 22 March 1971 to Austria and Yugoslavia requesting further information on the case. The Secretary-General also sent an automatic reminder to Czechoslovakia on the same day, in accordance with the procedural practice decided upon by the Committee at its 38th meeting.

(33) Case No. 108 Chrome ores - "Schonfels": United Kingdom note dated 26 November 1970

1. By a note dated 26 November 1970, the United Kingdom Government reported information concerning consignments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that further large consignments of minerals, mainly chromium ores and concentrates, suspected to be of Rhodesian origin, were recently loaded at Lourenço Marques for shipment to Europe aboard the m.v. 'Schonfels'.

"The m.v. 'Schonfels', which is owned by Deutsche Dampfschiffahrtsgesellschaft Hansa, of Bremen, and is of FRG registry, sailed from Lourenço Marques on 9 November for Bremen via intermediate ports.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above report to the attention of the Government of the Federal Republic of Germany with a view to assisting them in their investigations into the carriage aboard an FRG-owned and registered vessel of minerals suspected to be of Rhodesian origin which may be destined for FRG firms or for trans-shipment to other countries. The Secretary-General may wish to ask the FRG Government whether it would be possible to obtain from the shipping company details of all minerals loaded on the vessel at Lourenço Marques during her present voyage so that, in the event of these minerals being discharged prior to the arrival of the vessel in Bremen, investigation (in accordance with the suggestions contained in his note of 18 September 1969) into their origin can be made at the ports where they are scheduled for unloading."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 15 December 1970 to the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

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(34) Case No. 110 Chrome ores - "Kybfels": United Kingdom note dated 13 January 1971

1. By a note dated 13 January 1971, the United Kingdom Government reported information concerning consignments of minerals on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation, concerning the supply of further large consignments of minerals suspected to have been mined in Southern Rhodesia.

"The information is to the effect that several thousands of tons of various grades of chrome ores and concentrates were loaded at Lourenço Marques aboard the Deutsche Damfschiffahrts-Gesellschaft Hansa m.v. 'Kybfels' for carriage to Rotterdam. This vessel, which is registered in the Federal Republic of Germany, cleared Lourenço Marques on 24 December and should arrive in Rotterdam about 10 January.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the attention of the Netherlands and the Federal Republic of Germany so as to enable them to investigate the origin and final destination of these minerals suspected to be of Southern Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 22 January 1971 to the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. An acknowledgement dated 9 February 1971 has been received from the Federal Republic of Germany, stating that the contents of the above note of the Secretary-General dated 22 January 1971 have been brought to the attention of the FRG Government.

Tungsten ore

(35) Case No. 78 Tungsten ore - "Tenko Maru" and "Suruga Maru": United Kingdom note dated 28 May 1970

1. By a note dated 28 May 1970, the United Kingdom Government reported information concerning consignments of tungsten ore on the above vessels. The text of the note is reproduced below:

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"The Government of the United Kingdom have recently received information about the shipment of Rhodesian tungsten ores which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of Rhodesian tungsten ore was loaded at Lourenco Marques aboard the m.v. 'Tenko Maru'. The m.v. 'Tenko Maru' sailed from Lourenco Marques on 24 December 1969 for Kobe.

"A further consignment of tungsten ore was loaded at Lourenco Marques aboard the m.v. 'Suruga Maru'. The m.v. 'Suruga Maru' sailed from Lourenco Marques on 11 March 1970, also for Kobe. The m.v. 'Tenko Maru' is owned by Kambara Kisen K.K. of Tokyo and is of Japanese registry: the m.v. 'Suruga Maru' is owned by Nippon Yusen Kaisha of Tokyo and is of Japanese registry. The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of Japan with a view to assisting them in their investigations into the origin of tungsten ores unloaded from the m.v.s. 'Tenko Maru' and 'Suruga Maru' at ports in their territory during the voyage mentioned above, either for use in their territory or trans-shipment to other countries.

"It is possible that the above consignments will be accompanied by some form of certificates of origin purporting to show the ores as originating in countries in southern Africa. In this connection it should be noted that, from published figures, South African production of tungsten ores and concentrates amounted to only 23 tons in 1967 and in the preceding five years only once exceeded 10 tons. South West African production of scheelite amounts to less than one ton per annum and, although its production of tin-wolfram concentrates is very high, it would be very unlikely, for geographical reasons, that South West African production would be shipped from Lourenco Marques. The Japanese Government may therefore wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note PO 230 SORH (1-2-1) of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the despatch of the consignments to Lourenco Marques."

2. At the request of the Committee at its 31st meeting, the Secretary-General sent a note verbale dated 4 June 1970 to Japan, transmitting the United Kingdom note and requesting comments thereon.

Copper

(36) Case No. 12 Copper concentrates - "Tjipondok": United Kingdom note dated 12 May 1969

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 28-29) and in the third report (S/9844/Add.2, annex VII, pages 46-47).

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2. Additional information received by the Committee since the submission of the third report is given below.

3. A reply dated 15 July 1970 has been received from Japan to the Secretary-General's note verbale of 3 December 1969, which reads as follows:

"As previously reported, the Government of Japan made a careful examination of the relevant import documents, including the rail notes concerning the copper concentrates aboard the vessel 'Tjipondok' after the vessel entered the port of Kobe on 26 May 1969.

"The Government further continued to investigate the matter in view of reported indications that copper was not produced in Mozambique, so that Southern Rhodesian copper should not be imported as being of Mozambique origin.

"On the basis of the importer's statement to the effect that the consignment in question was produced in the Edmundian copper mine, the Government undertook an on-the-spot investigation of the mine between late July and early August 1969 and collected information on the production, shipment and export of copper products from the competent Mozambique authorities, as well as from persons associated with the said mine.

"As a result of the investigation, it became clear that the mine had not been abandoned but that it had been producing copper though on a small scale, and had accumulated a stock of copper products. Accordingly, the consignment in question was allowed to be imported on 25 August 1969. It was thus after the procedure of customs clearance was completed that the Government received the note verbale of the Secretary-General dated 17 September 1969 concerning the Edmundian mine.

"In view of the results of the investigation referred to above, the Government did not seek to obtain the producer's certificate concerning the copper concentrates in question."

(37) Case No. 15 Copper concentrates - "Eizan Maru": United Kingdom note dated 4 June 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 47-49).

(38) Case No. 34 Copper exports: United Kingdom note dated 13 August 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 49-50).

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- (39) Case No. 51 Copper concentrates - "Straat Futami": United Kingdom note dated 8 October 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 50-52).

- (40) Case No. 99 Copper - various ships: United Kingdom note dated 9 October 1970

1. By a note dated 9 October 1970, the United Kingdom Government reported information concerning shipments of copper on various vessels. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received reliable information from commercial sources about shipments of copper suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that several consignments of copper believed to be of Rhodesian origin were shipped earlier this year to Japan from both Walvis Bay and Lourenço Marques. Approximately 500 tons were shipped in each of the vessels m.v. 'Straat Frazer', m.v. 'Straat Fremantle' and m.v. 'Wakasa Maru'. Smaller amounts were dispatched in the m.v. 'Hokkai Maru' and in two other vessels.

"The m.v. 'Wakasa Maru', which is owned by Nippon Yusen Kaisha Tokyo and is of Japanese registry, sailed from Lourenço Marques on 5 January 1970; the m.v. 'Straat Frazer', which is owned by Koninklijke Paketvaart Maatschappij, N.V. of Amsterdam and is of Dutch registry, sailed from Walvis Bay on 25 January 1970; the m.v. 'Straat Fremantle', which is owned by Koninklijke Java-China-Paketvaart Lijnen N.V. of Amsterdam and is of Dutch registry sailed from Walvis Bay on 2 March 1970; the m.v. 'Hokkai Maru', which is owned by Mitsui O.S.K. Lines Ltd. of Tokyo and is of Japanese registry, sailed from Lourenço Marques on 14 April; all the above ships eventually discharged at Japanese ports.

"Further information available to the Government of the United Kingdom indicates that the sales to which the above shipments relate were originally arranged on behalf of the Rhodesian producers by Hochmetals Africa (Pty) Ltd. of Johannesburg, whose activities in connexion with exports from Southern Rhodesia have previously been drawn to the attention of the Committee...

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particularly in the United Kingdom Government's notes of 4 December 1969, 1/ 24 December 1969, 2/ 8 January 1970, 3/ 15 January 1970 4/ and 10 July 1970. 5/

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Government of Japan with a view to assisting them in their investigations into the origin of any copper unloaded from the above-mentioned vessels at ports in their territory during their recent voyages, either for use in their own territory or for trans-shipment to other countries. If the importers should claim that the minerals are not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the dispatch of the consignments to Lourenço Marques or Walvis Bay. The above information may also assist the Government of Japan in any inquiries which they may make into the carriage aboard Japanese-owned and registered vessels of consignments of copper suspected to have been of Rhodesian origin.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to bring the above information to the notice of the Government of the Netherlands so as to enable them to make inquiries into the carriage aboard Dutch-owned and registered vessels of consignments of copper which, according to the information above, are suspected to have been of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to Japan and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.
3. Replies have been received from the Netherlands and Japan, the substantive parts of which read as follows:

(1) Note verbale dated 5 January 1971 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... with reference to the Secretary-General's note of 23 November 1970 concerning several consignments of copper believed to

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- 1/ See S/9844/Add.2, annex VII, page 32, para. 1.
 - 2/ See S/9844/Add.2, annex VII, page 35, para. 7.
 - 3/ See S/9844/Add.2, annex VII, page 37, para. 10.
 - 4/ See S/9844/Add.2, annex VII, page 38, para. 13.
 - 5/ See (17) Case 59.

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be of Rhodesian origin aboard the m.v. 'Straat Frazer' and the m.v. 'Straat Fremantle', has the honour to state the following:

"Inquiries conducted by the Netherlands authorities produced evidence that the above-mentioned vessels have indeed carried several consignments of copper (bars blister copper) from Walvis Bay to Japan on the data mentioned in the note from the United Kingdom dated 9 October 1970 which was attached to the aforesaid note of the Secretary-General.

"Permit for transport, however, was granted after it had been established to the satisfaction of the ship-owners that there were no indications whatsoever of the shipments originating in Southern Rhodesia.

"The Netherlands Government would appreciate being informed in the event of the investigation of the Government of Japan brings to light any doubt about the origin of the cargoes in question."

(2) Note verbale dated 26 February 1971 from Japan

"The ships referred to above ('Straat Frazer', 'Straat Fremantle', 'Wakasa Maru', 'Hokkai Maru') visited Japanese ports during the following dates:

'Wakasa Maru'	1-5 February 1970
'Straat Frazer'	27 February-11 March 1970
'Straat Fremantle'	31 March-6 April 1970
'Hokkai Maru'	14-26 May 1970

"Three Japanese importers applied for customs clearance with regard to the following goods:

- "(a) 2,057 metric tons of blister copper of South African origin;
- "(b) 1,428 metric tons of blister copper of Namibian origin;
- "(c) 762 metric tons of copper concentrate of South African origin;
- "(d) 2,486 metric tons of copper concentrate of Namibian origin.

"As to the blister copper, after the examination of contracts and invoices, it was confirmed to be the products of manufacturers respectively of South Africa and Namibia and to have been imported through the sales agents of these manufacturers. The Government of Japan confirmed the existence of these manufacturers by referring to statistics issued by the American Bureau of Metal Statistics (1969).

"As to the copper concentrate, certificates of origin issued by the Chambers of Commerce respectively of Johannesburg and Walvis Bay were submitted.

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"In accordance with the above the Government of Japan concluded that these consignments were respectively of South African and Namibian origin and allowed them to be imported."

Nickel

(41) Case No. 102 - Nickel - "Randfontein": United Kingdom note dated 28 October 1970

1. By a note dated 28 October 1970, the United Kingdom Government reported information concerning a shipment of nickel on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources about a shipment of nickel suspected to be of Rhodesian origin which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that some 50 tons of nickel believed to be of Rhodesian origin were recently loaded at Lourenco Marques aboard the m.v. 'Randfontein'.

"The m.v. 'Randfontein', which is owned by Koninklijke Nedlloyd N.V. of Rijswijk and is of Dutch registry, sailed from Lourenco Marques on 19 September for Southampton, Antwerp, Rotterdam, Amsterdam, Bremen and Hamburg.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General to bring the above information to the notice of the Governments of the Federal Republic of Germany, the Netherlands and Belgium with a view to assisting them in their investigations into the origin of any nickel unloaded from the m.v. 'Randfontein' at ports in their territories during her present voyage, either for use in their territories or for trans-shipment to other countries and, in the case of the Government of the Netherlands, into the carriage in a Dutch-owned and registered vessel of nickel suspected to be of Rhodesian origin. The United Kingdom Commissioners of Customs and Excise have verified that none of the nickel was unloaded at British ports.

"If the importers should claim that the nickel is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the dispatch of the consignment to Lourenco Marques.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 9 December 1970 to Belgium, the Federal

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Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Belgium and the Federal Republic of Germany, the substantive parts of which read as follows:

(1) Note verbale dated 4 February 1971 from Belgium

"On the instructions of my authorities, I have the honour to inform you that this vessel called at Antwerp on 18 October 1970 and left that port on 22 October for Rotterdam. The customary inspection was made by the Belgian Customs service and no irregularities were found.

(2) Note verbale dated 23 December 1970 from the FRG

"The Acting Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note of 9 December 1970 concerning a cargo of some 50 tons of nickel, suspected to be of Southern Rhodesian origin, aboard the m.v. 'Randfontein'.

"The contents of the note have been brought to the attention of the Government of the Federal Republic of Germany."

(42) Case No. 109 Nickel - "Sloterkerk": United Kingdom note dated 11 January 1971

1. By a note dated 11 January 1971, the United Kingdom Government reported information concerning a shipment of nickel on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation, about the shipment of a further consignment of nickel suspected to be of Rhodesian origin. The information is to the effect that a consignment of this mineral was loaded at Lourenço Marques aboard the m.v. 'Sloterkerk' for carriage to Rotterdam pending sale to various customers in Western Europe. The m.v. 'Sloterkerk' of Netherlands registration was scheduled to arrive at Rotterdam in early January.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the information to the attention of the Government of the Netherlands with a view to assisting them in their investigations into the origin of any nickel unloaded from this vessel at Rotterdam and into the circumstances in which this consignment, suspected to be of Rhodesian origin, was accepted for carriage on a vessel of Dutch registration."

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2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 22 January 1971 to the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

Lithium ores

(43) Case No. 20 Petalite - "Sado Maru": United Kingdom note dated 30 June 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 53-55).

(44) Case No. 21 Lithium ores: United Kingdom notes dated 3 July and 27 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 54-58).
2. Additional information received since the submission of the third report is given below.
3. A further note dated 27 July 1970 was received from the United Kingdom Mission concerning this subject. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their notes of 3 July and 27 August 1969, concerning the production and export of certain lithium ores in southern Africa, wish to inform the Committee that a means of determining the precise origin of petalite from southern Africa has been devised by the Institute of Geological Sciences of London.

"The Institute considers that it is possible to distinguish in the laboratory between pegmatites (i.e. lithium-bearing material) obtained from Karibib, South West Africa: from Letaba, Transvaal, Republic of South Africa and from Bikita, Southern Rhodesia. Details of the criteria which should be employed for this purpose are set out in the annex to this note. It will be seen from the annex that it is possible clearly to distinguish lithium ores produced from Rhodesian pegmatites from those of South West African origin by reference to geological age, and from any lithium ores that may still be being produced at Letaba by reference to their mineralogical composition. As indicated in the United Kingdom note of 3 July 1969, there is no evidence to suggest that petalite has ever been produced from Letaba pegmatite.

"The Government of the United Kingdom suggest that the Committee might wish to ask the Secretary-General of the United Nations to bring the above information and the annexes to the attention of all the

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Governments to whom copies of his notes of 29 July and 18 September 1969, about lithium ores, were sent. Governments which have comments on the scientific and technical aspects of the analysis process might be invited to send them to the Committee for consideration.

"ANNEX

"1. The age of Rhodesian pegmatites, in particular those of the Bikita area, are =2,500 m.y. old, whereas those of South West Africa are =600 m.y. old. Care should be taken in the case of the Letaba pegmatites of the Transvaal which are probably the same age as those of Bikita, but at present the latter are not known to contain substantial amounts of petalite or spodumene. (The other commercial lithium-bearing mineral, lepidolite, is a mica which contains fluorine and is not, therefore, sought by glass manufacturers.)

"2. The mineral Bikitaite (LIALS1206. H2O) is only known from the Bikita pegmatites, hence if this mineral occurs in association with other lithium minerals the material almost certainly originates from Rhodesia. Again the Letaba pegmatites should be considered, as they are in the same province as the Rhodesian pegmatites and could contain bikitaite, though the mineral is not as yet known to occur in the Transvaal.

"3. Bikita lithium concentrates invariably contain the mineral eucryptite (LIALS104) and when this is found in association with Bikitaite, petalite and spodumene the provenance of the material, on present knowledge, is certainly the Bikita pegmatites.

"4. If it is ever shown that bikitaite occurs in the Letaba pegmatites, together with eucryptite, the criteria set out above will require revision. At present, the onus is on the shipper to show that the mineral assemblage described in paragraph 3 occurs elsewhere than in Rhodesia.

"5. Further details of the analysis process can, if required, be obtained from the Institute of Geological Sciences, Geochemical Division, 64-78 Gray's Inn Road, London, W.C.1. The Institute of Geological Sciences is one of the component bodies of the Natural Environment Research Council which was established by Royal Charter in 1965 to encourage, plan and conduct research in those sciences that relate to man's natural environment."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 14 September 1970 to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.

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3. The following replies have been received:

Burma	Italy
Cambodia	Mauritania
Canada	Singapore
Cyprus	Switzerland
Democratic Republic of the Congo	Zambia

4. Of the above replies, those from Burma (dated 26 November 1970), Cambodia (dated 29 September 1970) and Cyprus (dated 10 November 1970) stated that they were not importers of the ores in question and therefore had no comments to offer on this subject; the replies from the Democratic Republic of the Congo (dated 21 September 1970), Italy (dated 17 September 1970) and Mauritania (dated 4 November 1970) stated that the Secretary-General's note and its annexes had been transmitted to their respective Governments. A summary of the remaining replies is given below:

(a) In a note verbale dated 7 October 1970, Singapore stated that while it was unable to comment on the analysis process as described in the annex to the United Kingdom note, the Singapore Government had taken due note of its contents.

(b) In a note verbale dated 27 October 1970, Switzerland stated that it had no record of any imports of lithium ores from either Rhodesia or southern Africa in 1969 and 1970 and that, since the Swiss authorities were not in a position, from the practical standpoint, to determine the origin of lithium ores which entered into the composition of alloys, they were unable to make any comments on possible scientific and technical analyses in respect of such ores.

(c) The substantive part of the reply received on 18 December from Zambia reads as follows:

"The Permanent Representative of the Republic of Zambia to the United Nations... and has the honour to transmit views from the Zambia Government to the Secretary-General's note in connexion with the recognition of Southern African Lithium Mineral concentrates (Lithium Ores in Southern Rhodesia).

"1. The criteria suggested for recognizing the provenance of Southern African lithium mineral concentrates are valid although the Zambia Government points out that there can never be an absolute certainty in determining an accurate age for rocks by any techniques known at present.

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Ages obtained by methods are usually expressed as n plus or minus anything up to several hundred million years. It would therefore be necessary for the age determinations to be carried out by at least two laboratories to obtain a legally acceptable degree of confidence in the results. In this connection, it is relevant to point out that there are only a few laboratories capable of carrying out this kind of work.

"2. As far as the mineralogical criteria are concerned it must be emphasized that one cannot rule out entirely the possibility of bikitaite being found in the Transvaal lithium-bearing pegmatites."

5. At the request of the Committee at its 39th meeting, the Secretary-General sent notes verbale dated 3 February 1971 to all Member States of the United Nations or members of the specialized agencies, transmitting the above reply received on 18 December 1970 from Zambia to the Secretary-General's note of 14 September 1970, for purposes of information.

6. Acknowledgements have been received from Canada, Colombia, El Salvador the Federal Republic of Germany and the United Kingdom.

(45) Case No. 24 Petalite - "Abbekerk": United Kingdom note dated 12 July 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, pages 58-60).

(46) Case No. 30 Petalite - "Simonskerk": United Kingdom note dated 4 August 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, pages 60-63).

(47) Case No. 32 Petalite - "Yang Tse": United Kingdom note dated 6 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 63-65).

2. At the request of the Committee at its 29th meeting, the Secretary-General sent a note verbale dated 14 May 1970 to Belgium, transmitting the contents of the French reply dated 28 April 1970 [see Annex VII, page 64, para. 3 (c)] and stating that no further reply was expected from Belgium.

(48) Case No. 46 Petalite - "Kyotai Maru": United Kingdom note dated 24 September 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 65-66).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 26 February 1971 has been received from Japan (see S/9844 Add.2, Annex VII, page 66, para. 5), the substantive part of which reads as follows:

"After the departure of the vessel "Kyotai Maru" from the port of Lourenço Marques, the South African exporter proposed to the Japanese importer cancellation of the export contract concerning the goods in question for the reason that, as a result of examination by a surveyor, these goods proved to have been of very poor quality, contents of lithium (petalite) being far from meeting contract conditions, and the latter consented to the cancellation.

"Therefore, the ownership of these consignments belongs to the South African exporter and the Japanese importer has not received any import documents, nor has it applied for import permission and the consignments have been kept in a bonded shed ever since their unloading in October 1969.

"The Japanese importer has repeatedly requested the South African exporter to remove those consignments from the Japanese port, but no reply has been received from the latter.

"It is not possible for the Government of Japan to judge whether the consignments in question are of Southern Rhodesian origin or not, as the related import documents have never reached the Japanese importer, but the Government has requested the Japanese importer to get the consent of the owner of those consignments either for sending them back to South Africa or for abandoning them."

4. At its 43rd meeting on 18 March 1971, the Committee decided to request Japanese authorities, if possible under Japanese law, to conduct a composition test on the consignments which belonged to the exporter. If the test proved the goods to be of Southern Rhodesian origin, the Committee would be able to bring that fact to the attention of other countries to which the consignments might subsequently be shipped. The representative of Japan in Committee took note of the Committee's decision.

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(49) Case No. 54 Lepidolite - "Ango": United Kingdom note dated 24 October 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, pages 67-68).

(50) Case No. 86 Petalite ore - "Krugerland": United Kingdom note dated 4 August 1970

1. By a note dated 4 August 1970, the United Kingdom Government reported information about a consignment of petalite ore on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received reliable information about the shipment of a consignment of petalite ore which is suspected to be of Rhodesian origin, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of about 250 tons of Rhodesian petalite ore was recently loaded at Walvis Bay aboard the M.V. 'Krugerland'. The petalite was shipped to Walvis Bay from Rhodesia by a very circuitous route in order to disguise its origin. For the same reason, the consignment underwent changes of description at various stages of the journey, and only reverted to its original and correct description of petalite ore for its final shipment. It is probable that shipment was made through Walvis Bay in order to facilitate claiming South West African origin for the ore.

"The m.v. 'Krugerland', which is owned by South African Lines Ltd. of Capetown and is of South African registry, sailed from Walvis Bay on 3 April and arrived at Rotterdam on 17 April, London on 21 April, Bremen on 28 April, and Hamburg on 3 May.

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Governments of the Netherlands and the Federal Republic of Germany with a view to assisting them in their investigations into the origin of any petalite ore unloaded from the m.v. 'Krugerland' at ports in their territories during her recent voyage, either for use in their territories or for trans-shipment to other countries. It has been confirmed by H.M. Customs and Excise that no petalite was discharged when the m.v. 'Krugerland' called at London.

"If the importers should claim that the petalite is not of Rhodesian origin, the Governments of the Netherlands and the Federal Republic of Germany may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's

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note of 18 September 1969. This could take the form of certificates from the producers as well as rail notes covering the despatch of the consignments to Walvis Bay."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 17 August 1970 to the Governments of the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from both those Governments, the substantive parts of which read as follows:

(1) Note verbale dated 9 December 1970 from the Federal Republic of Germany

"The Permanent Observer of the Federal Republic of Germany to the United Nations has the honour to communicate that no petalite ore was unloaded from the vessel during her calls at the ports of Bremen and Hamburg."

(2) Note verbale dated 30 November 1970 from the Netherlands

"The 'Krugerland' berthed at the port of Rotterdam on 17 April 1970 carrying among others a consignment of 240149 kg petalite ore.

"The Netherlands customs officers proceeded to a careful inquiry into that consignment, taking into account the suggestions contained in the Secretary-General's note of 18 September 1969 concerning documentation which could serve the purpose of establishing the origin of goods.

"As a result of the above enquiry, it was established that the cargo in question did not originate in Southern Rhodesia."

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a further note verbale dated 29 January 1971 to the Netherlands, referring to its above reply dated 30 November 1970 and inquiring as to whether the Netherlands Government could forward information about the onward and final destination of the consignments in question and, in particular, details or copies of the relevant documentation, for the information of the Committee.

(51) Case No. 107 Tantalite - "Table Bay": United Kingdom note dated 26 November 1970

1. By a note dated 26 November 1970, the United Kingdom Government reported information concerning a consignment of Rhodesian tantalite on the above vessel. The text of the note is reproduced below:

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"The Government of the United Kingdom have recently received reliable information about a sale of minerals supplied by the firm Metex (Pvt) Ltd. of Salisbury, Rhodesia.

"The information is to the effect that a consignment of Rhodesian tantalite was recently railed to Lourenço Marques by the above firm for shipment on the m.v. 'Table Bay', a vessel of FRG registration, for shipment to Bremen.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the attention of the Federal Republic of Germany to enable them to make enquiries into the origin of any tantalite unloaded from the above-named vessel during her present voyage to Europe."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 15 December 1970 to the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

Pig-iron and steel billets

(52) Case No. 29 Pig-Iron - "Mare Piceno": United Kingdom note dated 23 July 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, pages 68-69).

(53) Case No. 70 Steel billets: United Kingdom note dated 16 February 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 70-71).
2. The following further information has been received from France (see Annex VII, page 70, para. 3) in a note verbale dated 25 May 1970:

"...although the Permanent Mission is aware of the difficulties which certain companies may encounter in their relations with firms established in Southern Rhodesia and only partly owned by them, it suggests, in view of the fact that RISCO was originally financed by the United Kingdom company Lancashire Steel and the South African firm Anglo-American Corporation, that the Committee... should request the Permanent Mission of the United Kingdom to collect any information which Lancashire Steel may have on the activities of the Rhodesian Iron and Steel Company."

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3. In the consideration of this case at the 40th meeting, the representative of the United Kingdom stated that the British firms involved would not be likely to be able to provide any additional information.

4. At the request of the Committee, at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Iran, referring to his previous note verbale dated 18 February 1970 (see S/9844/Add.2, annex VII, page 70, para. 2) and requesting the comments of Iran on this matter as soon as possible.

(54) Case No. 85 Steel billets - "Despinan" and "Birooni": United Kingdom note dated 30 July 1970

1. By a note dated 30 July 1970, the United Kingdom Mission reported information concerning the shipment to Iran of steel products suspected to be of Rhodesian origin. The text of the note is reproduced below:

"The Government of the United Kingdom wish to bring to the attention of the Committee the following information which they consider to be sufficiently reliable to warrant investigation concerning the shipment to Iran of steel products suspected to be of Rhodesian origin.

"The information is to the effect that some 9,000 metric tons of steel billets manufactured by the Rhodesian Iron and Steel Company Ltd. (RISCO) were recently shipped from Lourenço Marques on the s.s. 'Despinan' and the m.v. 'Birooni'. The s.s. 'Despinan', which is owned by the Trans-Argo Compania Maritima S.A. of Panama and is of Liberian registry, sailed from Lourenço Marques on 24 May for Abadan. The m.v. 'Birooni', which is owned by the Ivory Shipping Company Ltd. of Monrovia, is also of Liberian registry and sailed from Lourenço Marques on 25 May, also for Abadan. It is possible that these shipments may be connected with the contract referred to in paragraph 2 of the United Kingdom note of 16 February 1970. 1/

"The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of Iran, with a view to assisting them in their investigations into the import of any steel billets which were off-loaded from the above vessels at Abadan. If it is claimed that steel billets imported from southern Africa are not of Rhodesian origin, the Iranian Government will doubtless bear in mind the suggestions contained in the Secretary-General's note of 18 September 1969 relating to documentary proof of origin.

"The Committee may also wish to bring the above information to the notice of the Governments of Panama and Liberia with a view to assisting them in their investigations into the carriage aboard a Panamanian owned vessel and two Liberian registered vessels of steel products which, according to the above information are suspected to be of Rhodesian origin."

1/ See S/9844/Add.2, Annex VII, para.1, page 70.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 4 August 1970 to Iran, Liberia and Panama, transmitting the United Kingdom note and requesting comments thereon.
3. At the Committee's request at its 38th meeting, the Secretary-General sent notes verbale dated 21 January 1971 to those three Governments referring to his previous notes verbale dated 4 August 1970 and seeking comments thereon as soon as possible.

(55) Case No. 114 Steel products - "Gemini Exporter": United Kingdom note dated 3 February 1971

1. By a note dated 3 February 1971, the United Kingdom Government reported information concerning a further consignment of steel products on the vessel "Gemini Exporter". The text of the note is reproduced below:

"In continuation of their note of 30 July 1970^{1/} about the shipment of steel products to Iran, the Government of the United Kingdom now wish to bring to the attention of the Committee the following information received from commercial sources which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a further consignment of several thousand tons of steel products manufactured by the Rhodesian Iron and Steel Co. Ltd. (RISCO) were recently shipped from Lourenço Marques aboard the ss. 'Gemini Exporter'. The vessel which is owned by Haliato Oceanica Nav. S.A. of Panama and is of Greek registration sailed from Lourenço Marques mid-January for Abadan.

"The Government of the United Kingdom suggests that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of Iran, in order to assist them in their investigations into the origin of any steel products unloaded from the 'Gemini Exporter' during the present voyage either for use in Iran or trans-shipment. If the importers should claim that the consignment is not of Rhodesian origin, the Government may wish, bearing in mind the advice relating to the reliability of certain forms of documentation indicated in the Secretary-General's note of 18 September 1969, to call for the production of full documentary evidence, including producers' certificates and rail notes covering the despatch of all the consignment to the port of shipment.

^{1/} See (54) Case 85.

"At the same time, the Committee may wish to ask the Secretary-General to advise the Governments of Panama and Greece of this shipment so that they may investigate the circumstances in which the goods believed to be of Southern Rhodesian origin were accepted for carriage on this Panamanian-owned Greek-registered vessel."

2. Following informal consultations, at the request of the Committee, the Secretary-General sent notes verbale dated 9 February 1971 to Greece, Iran and Panama, transmitting the United Kingdom note and requesting comments thereon as soon as possible.

Graphite

(56) Case No. 38 Graphite - "Kaapland": United Kingdom note dated 27 August 1969

See Annex III.

(57) Case No. 43 Graphite - "Tanga": United Kingdom note dated 18 September 1969

See Annex III.

(58) Case No. 62 Graphite - "Transvaal", "Kaapland", "Stellenbosch" and "Swellendam": United Kingdom note dated 22 December 1969

See Annex III.

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B. TRADE IN TOBACCO

(59) Case No. 4 "Mokaria": United Kingdom note dated 24 January 1969

There is no new information concerning this case in addition to that contained in the second report (S/9252/Add.1, annex XI, pages 38-41).

(60) Case No. 10 "Mohasi": United Kingdom note dated 29 March 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, page 75).

(61) Case No. 19 "Goodwill": United Kingdom note dated 25 June 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 75-79).

(62) Case No. 26 Transactions in Southern Rhodesian tobacco: United Kingdom note dated 14 July 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 79-80).

(63) Case No. 35 "Montaigle": United Kingdom note dated 13 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 80-83).

2. Additional information received since the submission of the third report is given below.

3. A reply dated 28 May 1970 has been received from the Netherlands to the Secretary-General's note verbale dated 29 April 1970 (see annex VII, page 82, para. 6), the substantive part of which reads as follows:

"The Permanent Representative of the Netherlands... wishes to point out that information contained in his previous notes concerning this question are related only to results of inquiries into the cargo carried by the 'Montaigle' during its stay in Rotterdam.

"Given, however, that the vessel is of Belgian nationality, the Netherlands Government is not in a position to provide further information about its movements or its cargo during the period prior to its entry into the port of Rotterdam."

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(64) Case No. 82 Tobacco - "Elias L.": United Kingdom note dated 3 July 1970

1. By a note dated 3 July 1970, the United Kingdom Government reported information to the effect that, under arrangements made between the Tobacco Producers' Floor, Salisbury, and the firm of Mercator A.G., Zurich, a consignment of tobacco, believed to be of Rhodesian origin, was loaded aboard the vessel "Elias L.". The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant further investigation. The information is to the effect that, under arrangements made between the Tobacco Producers' Floor, Salisbury, and the firm of Mercator A.G., Zurich, a large consignment of tobacco, believed to be of Rhodesian origin, was recently loaded at Lourenço Marques aboard the m.v. 'Elias L.'.

"The m.v. 'Elias L.', which is owned by Kaldelian Shipping Company Ltd., Famagusta, Cyprus, and is of Cypriot registry, sailed from Lourenço Marques on 28 April 1970 and, it has now been learned, arrived at Riga in the USSR on or about 1 June 1970, after making a brief call at Lisbon on 19-20 May 1970.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Governments of Portugal and the USSR in order to assist them in their investigations into the origin of any tobacco which may be or have been unloaded from the m.v. 'Elias L.' at ports in their territory during her present voyage, either for use in the territory or for trans-shipment to another country.

"If the importers of the tobacco in question should claim that it is not of Rhodesian origin, Governments may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Cyprus so as to enable them to investigate the carriage in a Cypriot owned and registered vessel of tobacco which, according to the information referred to above, is believed to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 7 July 1970 to Cyprus and Portugal, transmitting the United Kingdom note and requesting comments thereon. The representative of the USSR in the Committee was also informed of the contents of the United Kingdom note.

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3. A reply dated 23 July 1970 has been received from the USSR, the substantive part of which reads as follows:

"The competent organizations of the USSR have investigated the matter referred to in the note and have established that no cargo of any kind was unloaded from the vessel 'Elias L.' in the port of Riga.

"The 'Elias L.' was chartered by the Deufracht shipping organization of the German Democratic Republic to carry cargoes f.o.b. Riga to the port of Rostock (German Democratic Republic). The vessel arrived in Riga on 1 June 1970 in ballast. It did not carry out any unloading operations. On 22 June 1970, the 'Elias L.' left Riga for Rostock with 4,402 tons of cement on board.

"I should like to take this opportunity to emphasize once again that the Soviet Union does not maintain relations of any kind with the racist régime of Southern Rhodesia and, needless to say, does not maintain trade relations of any kind with that régime - either directly or through other countries."

(65) Case No. 92 Cigarettes believed to be manufactured in Rhodesia: United Kingdom note dated 21 August 1970

1. By a note dated 21 August 1970, the United Kingdom Government reported information concerning cigarettes believed to be manufactured in Rhodesia. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, through commercial sources, concerning a possible evasion of sanctions against Southern Rhodesia, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that supplies of cigarettes, bearing the brand name Benson and Hedges, are now being openly offered for sale at cut prices by Messrs. Karellakis Georges and Freres of Lubumbashi (who are not agents for the proprietors of this trade mark) and advertisements about these sales have appeared in the local press at Lubumbashi. As these cigarettes have not been imported through the normal trade channels or obtained with the consent of the proprietors of the trade mark in the Democratic Republic of the Congo, it is believed that these cigarettes have been manufactured by a company in Rhodesia. It is believed further that cigarettes described by other internationally known brand names but derived from the same source can also be obtained from the same importer.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Congo with a view to assisting them with their enquiries into the origin of these cigarettes."

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2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 25 August 1970 to the Government of the Democratic Republic of the Congo, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 28 August 1970 has been received from the Democratic Republic of the Congo, the substantive part of which reads as follows:

"At this stage, the Permanent Representative would like to draw the following to the attention of the Secretary-General:

"1. If the Rhodesian régime is still in existence and continues to defy the United Nations, the reason is very well known to all, and to the United Kingdom in particular. It is solely because of the complacency of the colonial Administering Authority - none other than Britain - which was not willing to take the only adequate and appropriate measures when faced with rebellion.

"2. If the United Nations sanctions have not succeeded in producing the effect which the United Kingdom wished to attribute to them, the fault rests on that country and, as the British Government knows perfectly well, on the authorities of the countries neighbouring Rhodesia, particularly South Africa and Portugal which control territories bordering on Rhodesia.

"3. As concerns the specific cases of the shirts (see Case 93) and cigarettes of Rhodesian origin imported into the Congo, it is evident that such imports are made without the agreement and the knowledge of the governmental authorities.

"4. The Congolese Government, which respects the decisions of the Security Council, has already opened an enquiry concerning those cases of fraudulent imports, and its representative to the United Nations will not fail at the appropriate time to inform the Secretary-General of the results of that inquiry."

4. At the request of the Committee at its fortieth meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Democratic Republic of the Congo, referring to its above reply dated 28 August 1970, expressing gratitude therefore and inquiring as to whether any further information was available concerning the inquiry mentioned in paragraph 4 of that reply.

5. A reply dated 11 February 1971 has been received from the Democratic Republic of the Congo, the substantive part of which reads as follows:

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"The Permanent Representative of the Democratic Republic of the Congo to the United Nations... has the honour to refer to the Secretary-General's note of 29 January 1971, relating to the sale in the Democratic Republic of the Congo of cigarettes and shirts (see (113) Case No. 93) believed to be of Rhodesian manufacture.

"The Permanent Representative of the Democratic Republic of the Congo wishes to inform the Secretary-General that he has just reapprised his Government of the above-mentioned cases and will not fail to keep him informed at the appropriate time of any further information which is received."

(66) Case No. 98 Tobacco - "Hellenic Beach": United Kingdom note dated 7 October 1970

1. By a note dated 7 October 1970, the United Kingdom Government reported information concerning a consignment of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that a consignment of some 200 tons of tobacco suspected to be of Rhodesian origin was recently loaded at Beira aboard the s.s. 'Hellenic Beach' for shipment to Alexandria. The transaction has been arranged by the El Nasr Export and Import Co. of Cairo and Paris and South Africa Leaf Tobacco Co.

"The s.s. 'Hellenic Beach' which is owned by Hellenic Lines Ltd. of Piraeus and is of Greek registry sailed from Beira on 24 August for certain other African and Mediterranean ports, including Piraeus and Trieste at one of which the tobacco is likely to be trans-shipped to Alexandria.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Greece and Italy so as to assist them in their enquiries into the origin of any tobacco unloaded from this vessel at ports in their territory in transit to Alexandria. The Secretary-General might suggest to the Government of Greece that they might ascertain, in the course of their investigations into the carriage of goods suspected to be of Rhodesian origin on a Greek owned and registered vessel, where the tobacco is to be trans-shipped and the name of the on-carrying vessel so that further enquiries can be made at the port of trans-shipment and destination.

"Pending the receipt of further information from the Government of Greece, the Committee may wish to ask the Secretary-General to notify the Government of the United Arab Republic of this report suggesting that if and when the

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tobacco is shipped to Alexandria, they bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Governments of Greece, Italy and the United Arab Republic, transmitting the United Kingdom note and requesting comments thereon.
3. A reply dated 27 November 1970 has been received from Italy, informing the Secretary-General that the contents of his note have been brought to the attention of the proper authorities in Italy.
4. A reply dated 19 December 1970 has been received from Greece, the substantive part of which reads as follows:

"The Permanent Mission of Greece to the United Nations has the honour to forward attached hereto copies of Certificate of Origin and Bill of Lading showing that the consignment of tobacco loaded aboard the s.s. 'Hellenic Beach' was of Malawi and Mozambique origin."

5. The following further information has been received from Italy in a note verbale dated 22 February 1971:

"The Permanent Representative of Italy to the United Nations has the honour to inform him /the Secretary-General/ that:

"1. The S.S. 'Helenic Beach' arrived at Trieste on 25 December 1970. It did not call at Trieste between 24 August 1970 and 24 December 1970.

"2. It had no consignment of tobacco on board at that time. It had a consignment of 203.208 tons of iron-manganese loaded at Durban.

"3. The said consignment of iron-manganese was destined to Austria and authorization was given for shipment in transit to Austria after the proper authorities in Italy had ascertained that the consignment, as proved by the certificates of origin bearing a visa of the Italian Consular authorities, was of South African origin."

6. At the request of the Committee at its 43rd meeting, the Secretary-General sent an automatic reminder on 22 March 1971 to the United Arab Republic (see para. 2 above).

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(67) Case No. 104 Tobacco - "Agios Nicolaos": United Kingdom note dated 2 November 1970

1. By a note dated 2 November 1970, the United Kingdom Government reported information concerning consignments of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that consignments of tobacco, suspected to be of Rhodesian origin, were recently loaded at Lourenço Marques aboard the m.v. 'Agios Nicolaos'.

"The m.v. 'Agios Nicolaos', which is owned by the Cia de Nav Damka S.A. of Panama, and is of Greek registration, sailed from Lourenço Marques on 17 September for Lisbon where she made a call for bunkers on 10 October and cleared on 11 October for the Baltic Sea.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information in the first instance to the attention of the Government of Greece in order to ascertain through the managers of the m.v. 'Agios Nicolaos' (Messrs. Trinity Shipping Company Ltd., 6 Sotiros Dios Street, Piraeus) at which port or ports the tobacco aboard the vessel is to be unloaded.

"At the same time the Committee may wish to ask the Secretary-General also to inform the Government of Panama so that enquiries can be made into the carriage aboard a Panamanian owned vessel of tobacco believed to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 10 December 1970 to Greece and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 18 January 1971 has been received from Greece, the substantive part of which reads as follows:

"The Permanent Mission of Greece to the United Nations... has the honour to transmit, attached hereto:

"(a) Photostatic copy of the Time Charter in which it is specifically stipulated that the Charterers, Messrs. A.H. Basse Rederi A/S, Copenhagen, can use the vessel in world-wide trading within I.W.L., excluding Southern Rhodesia.

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"(b) Photostatic copies of letters dated 13 November 1970 and 2 December 1970 of the Charterers addressed to the owners, confirming that they personally checked Certificates of origin from which it appears that the cargo was of Mozambique origin and emphasizing that as a Danish company they follow the same UN sanctions as Greece.

"The Greek Mission wishes to reiterate its previous requests to the effect that a more thorough scrutiny and appraisal of the information concerning transportation of consignments, suspected to be of Rhodesian origin, be envisaged in order to limit investigations to those cases for which there is actually sufficient ground to warrant such time-consuming and burdensome enquiries.

"The Greek Authorities wish to stress, once again, that they would be thankful if the results of the investigations carried out by the Authorities of the country of destination and/or the country of the Charterers were made known to them with a view to facilitating the completion of their own enquiries. All previous requests to this effect remain unheeded."

4. At the request of the Committee at its 41st meeting, the Secretary-General sent notes verbale dated 22 February 1971 to Denmark and Panama; in the case of Denmark, transmitting the United Kingdom note dated 2 November 1970 (see para. 1 above), together with the relevant part of the above reply from Greece and a copy of the documents referred to therein; in the case of Panama, reminding that Government of the Secretary-General's previous note verbale of 10 December 1970 and requesting a reply thereto as soon as possible.

(68) Case No. 105 Tobacco - "Montalto": United Kingdom note dated 2 November 1970.

1. By a note dated 2 November 1970, the United Kingdom Government reported information concerning consignments of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that consignments of tobacco suspected to be of Rhodesian origin were recently loaded at Beira and Durban aboard the m.v. 'Montalto'. The m.v. 'Montalto', which is owned by the Compagnie Maritime Belge, S.A. of Antwerp, and is of Belgian registry, sailed from Durban on 16 September for Antwerp.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the

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above information to the attention of the Government of Belgium with a view to assisting them with their enquiries into the origin of any tobacco which may have been unloaded from the vessel during her present voyage, either for use in Belgium or for trans-shipment to other countries, and into the carriage aboard a Belgian owned and registered ship of tobacco suspected to be of Rhodesian origin.

"If the importers of the tobacco should claim that it is not of Rhodesian origin, the Belgian authorities may wish to bear in mind the suggestion relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. If the tobacco is declared to be of South African origin, it is relevant to note that the South African Government authorize the export of South African produced leaf tobacco through two organizations only, namely, the Central Cooperative Tobacco Company of South Africa Ltd. and the Western Province Cooperative Tobacco Growers Company Ltd., who alone are empowered by the authorities to issue certificates of origin required by importing countries (South African Notice No. R.276 dated 23 February 1962 refers)."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 10 December 1970 to Belgium, transmitting the United Kingdom note and requesting comments thereon.
3. A reply dated 11 January 1971 has been received from Belgium, the substantive part of which reads as follows:

"On instructions of my Government, I have the honour to inform you that this matter has been the subject of an enquiry by the competent Belgian authorities. This enquiry has shown that the 'Montalto' put in at Anvers during the month of October, but that at this time there was no import or transit of tobacco which could be found to be irregular."

C. TRADE IN MAIZE AND COTTON SEED

(69) Case No. 18 Trade in Maize: UK note dated 20 June 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 83-87).
2. Additional information received by the Committee since the submission of the third report is given below.
3. Replies have been received from Belgium, Japan, Italy and the Food and Agriculture Organization to the Secretary-General's note verbale dated 7 May 1970 (see Annex VII, page 87, para. 5), the substantive parts of which read as follows:

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(1) Note verbale dated 19 June 1970 from Belgium

"I have the honour to refer to note PO 230 SORH (1-2-1) of 7 May 1970 requesting observations of the Belgian Government on imports of maize from Mozambique during the period 1965-68.

"It is true that the Belgian-Luxembourg Economic Union has imported the following amounts of maize from Mozambique during the years 1967-68:

	Pounds (1,000 kg)	Value (1,000 f.b.)
1967	41,613.6	127.384
1968	31,540.2	93.596

"On the other hand, imports in 1966 and 1969 have been non-existent.

"This trade is quite in order as far as the origin of the maize is concerned. Indeed, as a general rule, the Belgian-Luxembourg Economic Union has never imported maize from Rhodesia. For reference, I can inform you that the statistics given for the Union for the years 1965, 1966, 1967, 1968 and 1969 indicate that no tonnage of this product has been purchased in Rhodesia.

"I hope that this information will give entire satisfaction to the members of the Committee....."

(2) Note verbale dated 21 July 1970 from Japan

"The Permanent Representative of Japan has the honour to inform the Secretary-General as follows:

"The figures for Japan's imports of maize from Mozambique included in the table attached to the note verbale of the Secretary-General dated 7 May 1970 correctly reflect the corresponding figures in the Customs Clearance Statistics of Japan.

"At the time of any importation of maize of Mozambique origin, the Government of Japan requires the importer to submit a certificate of origin issued by the Chamber of Commerce of Beira and, as necessary, a quarantine certificate issued by the Portuguese Governor's Office of Mozambique as well as other relevant import documents. Such imports are allowed only when the consignment in question is judged to be of Mozambique origin."

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(3) Note verbale dated 27 July 1970 from Italy

"The Chargé d'Affaires a.i. of the Permanent Mission of Italy to the United Nations has the honour to inform His Excellency /the Secretary-General/ that the proper authorities in Italy investigating this matter have not found any evidence of traffic of Rhodesian maize imported into Italy through Mozambique.

"The information contained in the Secretary-General's note has been conveyed to the customs authorities in Italy which have been requested to establish special control on all products arriving in Italy from Mozambique."

(4) Letter dated 2 September 1970 from the Director, International Agency Division, FAO

"A review of the activities of our Seed Laboratory, from 1965 to date, confirms that no maize seed have been sent to Mozambique through the services of FAO.

"Moreover, it is not believed that introduction of 'hybrid maize' constitutes a valid explanation of the figures purporting to represent increase in production in Mozambique. There is no valid technical explanation for an increase from 25,000 tons in 1967 to 122,000 tons one year later. Moreover, the hybrids could not be reproduced in the importing country, and introduction would have to be repeated annually to keep production levels at their highest potential.

"We tend to believe that the explanation of the discrepancies between Mozambique's exports of maize and its estimated production is to be found in the statement of the UK representative at the 27th meeting of the Committee; and are likely to be in the form of trans-shipments from neighbouring countries. Production figures available to us are not sufficiently reliable to be taken as proof in this respect, but such information as we possess does not point to any significant rise in production in recent years. Moreover, the third 6-year development plan foresees for 1973 a marketed production of maize of 193,000 tons and a total production of 446,000 tons, levels which are not markedly higher than FAO estimates for 1966-68 (about 160,000 tons and 400,000 tons, respectively).

"Substantial trans-shipment of goods from neighbouring countries is also suggested by the following passage from US State Department Background Notes on Mozambique: 'The imbalance of imports over exports has been largely remedied by the substantial invisible earnings of the transit shipping trade from South Africa, Southern Rhodesia, Zambia and Malawi and the remittances of African migrant labour.'

"It is regretted that we cannot give you a more conclusive answer."

4. At the request of the Committee at its 38th meeting, the Secretary-General sent notes verbale dated 26 January 1971 to all Member States of the United

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Nations, with the exception of Portugal (see below) or members of the specialized agencies, referring to his previous note verbale dated 10 July 1969, to the United Kingdom Note dated 20 June 1969 attached thereto, and to the Secretary-General's note verbale dated 7 May 1970 to FAO, and transmitting a copy of FAO's reply thereto dated 2 September 1970. At the request of the Committee at the same meeting, the Secretary-General sent the same note verbale dated 26 January 1971 to Portugal, with an additional paragraph requesting the comments of the Portuguese Government on this matter.

5. The following replies have been received:

Canada
Colombia
El Salvador
Federal Republic of Germany
Mauritania
Nauru,
Netherlands
United Kingdom

6. Of the above replies, those from Colombia dated 3 February 1971, El Salvador dated 5 February 1971, the Federal Republic of Germany dated 5 February 1971, Mauritania dated 2 February 1971, Nauru dated 9 February 1971 and the United Kingdom dated 3 February 1971 are acknowledgements of the Secretary-General's note, stating that the contents thereof have been transmitted to their respective Governments. In its reply dated 4 February 1971, Canada recalled its note of 6 January 1970 (see S/9844/Add.2, annex VII, page 84, para. 3) in which it stated that Canada had not imported maize or maize products said to be of Mozambique origin during 1967 or 1968 or during the first five months of 1969 and that, although the Canadian authorities remained confident that the control procedures in operation in Canada were adequate to enforce sanctions against Southern Rhodesia, they welcomed the continuing information supplied by the Committee. The reply from Netherlands dated 25 February 1971 simply wished to confirm what had been stated earlier in its note of 10 September 1969 (see S/9844/Add.2, annex VII, page 85, para 3 (c)).

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(70) Case No. 39 Maize - "Fraternity": United Kingdom note dated 27 August 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 87-89).

(71) Case No. 44 Maize - "Galini": United Kingdom note dated 18 September 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 89-90).

(72) Case No. 47 Maize - "Santa Alexandra": United Kingdom note dated 24 September 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 90-91).

(73) Case No. 49 Maize - "Zeno": United Kingdom note dated 26 September 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 91-92).

(74) Case No. 53 Cotton seed - "Holly Trader": United Kingdom note dated 23 October 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 95-96).

(75) Case No. 56 Maize - "Julia L.": United Kingdom note dated 13 November 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 92-93).

(76) Case No. 63 Maize - "Polyxene C.": United Kingdom note dated 24 December 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 93-95).

(77) Case No. 90 Maize - "Vingy": United Kingdom note dated 19 August 1970

1. By a note dated 19 August 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

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"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of maize, suspected to be of Rhodesian origin, was recently loaded at Beira aboard the m.v. 'Virgy'.

"The m.v. 'Virgy', which is owned by the Vasa Shipping Co. Ltd., Nicosia, Cyprus, and is of Cypriot registry, sailed from Beira on 26 July for Mexico.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Mexico so as to assist them in their enquiries regarding the origin of any maize unloaded from the m.v. 'Virgy' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Mexico may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the despatch of the consignment to Beira, as well as the appropriate health and phyto-sanitary certificates. When investigating the consignment, the Government of Mexico may also wish to take into consideration the fact that at the present time Zambia, Malawi and Mozambique are having to supplement their home grown supplies with imported maize, and that therefore this consignment is unlikely to have originated in any of those countries.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Cyprus of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Cypriot owned and registered vessel of maize which, according to the information referred to above, is suspected to be of Rhodesian origin."

2. At the request of the Committee following informal consultations, the Secretary-General sent notes verbale dated 21 August 1970 to Cyprus and Mexico, transmitting the United Kingdom note and requesting comments thereon.
3. At the request of the Committee at its 38th meeting, the Secretary-General sent notes verbale dated 21 January 1971 to those two Governments, referring to his previous notes verbale dated 21 August 1970 and seeking comments thereon as soon as possible.
4. Replies have been received from Cyprus and Mexico to the Secretary-General's notes verbale dated 21 January 1971, the substantive parts of which read as follows:

/...

(1) Note verbale dated 18 January 1971 from Cyprus

"The Permanent Representative of Cyprus to the United Nations... had the honour to advise that steps have been taken and are still being pursued by the appropriate Government authorities in Cyprus to investigate the situation referred to therein. This investigation has not as yet been concluded."

(2) Note verbale dated 27 January 1971 from Mexico

"The Permanent Representative of Mexico to the United Nations... has the honour to refer to some purchases of maize which were made by the Government of Mexico and which, according to the Government of the United Kingdom...; may have involved Rhodesian maize.

"In this connexion, the Permanent Representative reiterates the reply on the subject sent by the Mission of Mexico to the Secretary-General in its note dated 10 September 1970 1/".

5. At the request of the Committee at its 41st meeting, the Secretary-General sent a note verbale dated 22 February 1971 to Cyprus, forwarding copies of the various documents received from the Government of Mexico relating to this shipment, among them the relevant certificates of origin and charter contracts, and expressing the hope that these would be useful in the investigation being carried out by the Government of Cyprus.

(78) Case No. 91 Maize - "Master Daskalos": United Kingdom note dated 19 August 1970

1. By a note dated 19 August 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of maize, suspected to be of Rhodesian origin, was recently loaded at Beira aboard the m.v. 'Master Daskalos'.

"The m.v. 'Master Daskalos', which is owned by Motores Maritimos Cia., Lda., San Jose, Costa Rica, and is of Greek registry, sailed from Beira on 29 July for Mexico.

1/ See (78) Case 91, para. 3 (2).

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Mexico so as to assist them in their enquiries regarding the origin of any maize unloaded from the m.v. 'Master Daskalos' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Mexico may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the dispatch of the consignments to Beira, as well as the appropriate health and phytosanitary certificates. When investigating the consignments, the Government of Mexico may also wish to take into account the fact that at the present time Zambia, Malawi and Mozambique are having to supplement their home grown supplies with imported maize, and that therefore this consignment is unlikely to have originated in any of those countries.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Costa Rica and Greece of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Costa Rican owned, Greek registered vessel, of maize which, according to the information referred to above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 21 August 1970 to the Governments of Costa Rica, Greece and Mexico, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Mexico, the substantive parts of which read as follows:

(1) Note verbale dated 23 November 1970 from Greece

"The Permanent Mission of Greece to the United Nations... has the honour to forward attached hereto photostat copies of Certificate of Origin and Certificate of Inspection showing that the consignment of maize loaded aboard the m.v. 'Master Daskalos' was of Mozambique origin.

"On this occasion, the Greek authorities wish to reiterate their previous request to the effect that the results of the enquiries carried out by the Authorities of the country of destination be communicated to them for the completion of their own investigations."

(2) Note verbale dated 10 September 1970 from Mexico

"The Permanent Representative of Mexico... has the honour to refer to the Secretary-General's note dated 21 August 1970 concerning a

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purchase of maize by the Mexican Government which, according to the Government of the United Kingdom, might possibly be concerned with Rhodesian maize.

"In this connexion, by means of this present transmission to the Committee...; the Permanent Representative sends several documents to the Secretary-General, among them the relevant certificates of origin and charter contracts according to which the maize involved in the purchase and sale was of Mozambique origin.

"The Permanent Representative wishes to emphasize that the documents entitled 'M/S MASTER DASKALOS' Rider clauses to C/P dated 26 June 1970' and 'Virgy, Rider Clauses to C/P dated 17 June 1970' state clearly in clause 48 of both documents that 'No cargo of Rhodesian origin to be loaded', which proves that the Mexican Government took all necessary precautions to comply with the Security Council's provisions concerning trade with Rhodesia."

(79) Case No. 96 Cotton - "S.A. Statesman": United Kingdom note dated 14 September 1970

1. By a note dated 14 September 1970, the United Kingdom Government reported information concerning a consignment of cotton on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation. The information is to the effect that a consignment of cotton, suspected to be of Rhodesian origin, was loaded recently at Beira aboard the m.v. 'S.A. Statesman'. The m.v. 'S.A. Statesman' sailed from Beira on 10 August, declared for Genoa and Venice.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Italy with a view to assisting them with their enquiries into the origin of any cotton which may be unloaded from the 'S.A. Statesman' at ports in their territory, either for use in their territory or for trans-shipment.

"If the importers of the cotton in question should claim that it is not of Rhodesian origin, the Government of Italy may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the despatch of the consignment to Beira, as well as the appropriate health and phyto-sanitary certificates."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 23 November 1970 to Italy, transmitting the United Kingdom note and requesting comments thereon.

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3. A reply dated 30 November 1970 has been received from Italy, the substantive part of which reads as follows:

"The Permanent Representative of Italy to the United Nations... has the honour to inform him /the Secretary-General/ that the m.v. 'S.A. Statesman' called at Venice where it unloaded 67 tons of cotton on September 6th and at Genoa where it unloaded 60 tons of cotton on September 14th. The first results of the enquiry conducted by the proper Italian authorities have shown that the cotton unloaded at Venice and Genoa was of Mozambiquan origin. The consignments however are being further investigated."

4. Further information has been received from Italy in a note verbale dated 22 February 1971, stating that further investigations have confirmed beyond any doubt that the consignment of cotton unloaded by the vessel in question in Italy in September last was of Mozambiquan origin, as proved by the certificate of origin issued by the Commercial Association of Beira, by the bill of lading and by the invoice of the exporter.

(80) Case No. 97 Maize - "Lambros M. Fatsis": United Kingdom note dated 30 September 1970

1. By a note dated 30 September 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of maize, suspected to be of Rhodesian origin, was recently loaded at Beira aboard the m.v. 'Lambros M. Fatsis'.

"The m.v. 'Lambros M. Fatsis' which is owned by Alpha Shipping Company S.A. of Panama, and is of Greek registration, sailed from Beira on 4 September for Japan.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Japan so as to assist them in their enquiries regarding the origin of any maize unloaded from the m.v. 'Lambros M. Fatsis' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

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"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Japan may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the dispatch of the consignment to Beira as well as the appropriate health and phyto-sanitary certificates. When investigating the consignments the Government of Japan may also wish to take into account the fact that at the present time Zambia and Malawi and Mozambique are having to supplement their home grown supplies with imported maize. In connection with the documentation which the Japanese Government reported in their reply to the Secretary-General dated 22 December 1969 ^{1/} as being produced during their investigations of shipments of 59,500 tons of maize from Mozambique ports to Japan in the year 1969, they may wish also to take into account the fact that the official Mozambique export statistics for the first eleven months of 1969 now published disclose that only 20,761.7 tons of Mozambique produced maize was exported and that all of this went to Portugal and Portuguese overseas territories. Should the present cargo documentation again purport to show Mozambique origin, it is suggested that the Government of Japan may wish to seek clarification from the Mozambique Cereals Institute about the types of maize produced in Mozambique and confirmation of the origin of the maize on board the 'Lambros M. Fatsis'.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Panama and Greece of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Panamanian-owned, Greek-registered vessel of maize which is suspected to be of Rhodesian origin.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Governments of Greece, Japan and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Japan, the substantive parts of which read as follows:

(1) Note verbale dated 21 November 1970 from Greece

"The Permanent Mission of Greece to the United Nations... has the honour to transmit, attached hereto, (a) photostat copy of the Charter Party and its annexed rider clauses, in which it is stipulated that 'no cargo of Rhodesian origin to be shipped under this Charter Party' (Clause 48), (b) Manifest of Cargo and Bills of Lading showing that the consignment of maize loaded aboard the s/s 'Lambros M. Fatsis' was of Mozambique origin."

^{1/} See S/9844/Add.2, annex VII, (44) Case 39, page 88, para. 3.

(2) Note verbale dated 23 December 1970 from Japan

"The Permanent Representative of Japan to the United Nations... has the honour to inform the Secretary-General of the following:

"The vessel 'Lambros M. Fatsis' entered the port of Shimizu on 30 September and the port of Osaka on 4 October. The Government of Japan made an investigation concerning the maize reported to be on board the vessel and the results are as follows:

"1. Approximately 5,000 tons of maize were unloaded from the vessel at the port of Shimizu and approximately 7,600 tons at the port of Osaka. The consignments were accompanied by import documents, including invoices and certificates of origin issued by Chamber of Commerce of Beira, as well as by quarantine certificates, certificates of fumigation and final certificates of weight issued by the Portuguese Governor's Office in Mozambique, all of which showed that the goods in question were of Mozambique origin.

"2. Mozambique is a producer of maize, and while Japan has been importing maize from Mozambique, she has never imported any from Southern Rhodesia, even before the imposition of economic sanctions.

"3. In view of the above investigations, the goods in question were judged to be of Mozambique origin and were allowed to be imported."

(81) Case No. 106 Maize - "Corviglia": United Kingdom note dated 26 November 1970

1. By a note dated 26 November 1970, the United Kingdom Government reported information concerning a consignment of maize on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant investigation, to the effect that a further consignment of maize for Japan, suspected to be of Rhodesian origin, was exported from the port of Beira aboard the m.v. 'Corviglia' on 10 November.

"The vessel, which is owned by Ocean Shipping S.A. of Coire, is under the management of the Société d'Armement Maritime Suisse-Atlantique S.A. of Lausanne and is of Swiss registry.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of Japan, so as to assist them in their queries regarding the origin of any maize unloaded from the m.v. 'Corviglia' at ports in their territory during her present voyage, either for use in their territory or for trans-shipment.

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"If the importers of the maize in question should claim that it is not of Rhodesian origin, the Government of Japan may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. When investigating the consignments, the Government of Japan may also wish to take into account the fact that Zambia, Malawi and Mozambique have recently had to supplement their home-grown supplies with imported maize. Furthermore, in connection with the documentation which the Japanese Government reported in their reply to the Secretary-General dated 22 December 1969 1/ as being produced during their investigation of shipments of 59,500 tons of maize from Mozambique ports to Japan in the year 1969, they may wish also to take into account the fact that the official Mozambique export statistics for the whole of 1969 now published disclose that only 25,244.3 tons of Mozambique grown maize was exported and that all of this went to Portugal and Portuguese Overseas Territories. Should the present cargo documentation again purport to show Mozambique origin, it is suggested that the Government of Japan may wish to seek confirmation from the Mozambique Cereals Institute about the origin of the maize aboard the m.v. 'Corviglia'. In the event of the documentation showing South African origin, similar confirmation could be sought from the Grain Board of South Africa.

"At the same time, it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Switzerland of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Swiss owned and registered vessel of maize which is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 15 December 1970 to Japan and Switzerland, transmitting a copy of the United Kingdom note and requesting comments thereon.

3. Replies have been received from Switzerland and Japan, the substantive part of which reads as follows:

(1) Note verbale dated 8 February 1971 from Switzerland

"The Permanent Observer of Switzerland to the United Nations... has the honour to refer to his /the Secretary-General's/ note of 15 December 1970 concerning a consignment of maize suspected to be of Rhodesian origin, carried on board the Corviglia, a vessel of Swiss registry which sailed from the port of Beira on 10 November 1970.

"In this connexion, the competent federal authorities have made inquiries of the Swiss Office of Maritime Navigation at Basel and the owner of the vessel, the Société d'armement maritime Suisse-Atlantique S.A.,

1/ See S/9844/Add.2, annex VII, page 93, para. 3.

Lausanne. The owner produced various documents relating to the matter: a charter-party dated 2 October 1970, a bill of lading and a certificate of origin, all enclosed herewith. It will be seen not only that the charterer took every precaution by including the requirements with regard to Rhodesia in clause 48: 'cargo to be of non-Rhodesian origin', but also that the bill of lading and the certificate of origin show that the consignment was not of Rhodesian origin. It was being sent to the Nissho-Twai Co. Ltd., Tokyo, which therefore appears to have the responsibility of furnishing the documents relating to the origin of the goods and their carriage as far as the port of Beira."

(2) Note verbale dated 26 February 1971 from Japan

"The vessel 'Corviglia' entered the port of Osaka on 4 December 1970 and the port of Shimizu on 12 December 1970. The Government of Japan made an investigation concerning the maize reported to be on board the vessel and the results are as follows:

- "1. 7,251 metric tons of maize were unloaded at the port of Osaka and 5,393 metric tons of maize at the port of Shimizu.
- "2. After careful examination of the import documents presented by the importer, consisting of invoices, bills of lading, certificates of origin, issued by the Chamber of Commerce of Beira, certificates of weight and quality, certificates of fumigation and quarantine certificates issued by the Veterinary - Chief of the Overseas Regular Staff and Chief of the Veterinary Bureau of Manica and Sofala Districts, the Government of Japan concluded that the consignments in question were of Mozambique origin and decided to allow the customs clearance."

D. TRADE IN WHEAT

(82) Case No. 75 Supply of wheat to Southern Rhodesia

See annex III.

E. TRADE IN MEAT

(83) Case No. 8 Meat - "Kaapland": United Kingdom note dated 10 March 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, page 96).

(84) Case No. 13 Meat - "Zuiderkerk": United Kingdom note dated 13 May 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, page 97).

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(85) Case No. 14 Beef - "Tabora": United Kingdom note dated 3 June 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 98-99).

(86) Case No. 16 Beef - "Tugelaland": United Kingdom note dated 16 June 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, annex VII, pages 99-100).

(87) Case No. 22 Beef - "Swellendam": United Kingdom note dated 3 July 1969

There is no new information concerning this case in addition to that contained in the third report (pages 100-101).

(88) Case No. 33 Meat - "Taveta": United Kingdom note dated 8 August 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 101-103).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 21 July 1970 has been received from the Federal Republic of Germany to the Secretary-General's note verbale dated 29 April 1970, the substantive part of which reads as follows:

"In reply to a further inquiry from the Foreign Office, the Federal Ministry of Finance pointed out that, according to paragraph 44 a (2) of the Rules and Regulations of Foreign Trade, no special proof that a consignment carried by an FRG vessel does not originate in Southern Rhodesia is required. Nevertheless, the investigation carried out by the Treasury Office in Hamburg has shown that the shipping company under investigation had ordered its agents not to accept any cargo originating in Southern Rhodesia, as no permit would be granted for the transport of such cargo.

"In order to help further investigation, it would be appreciated if the Secretary-General could request the Permanent Observer of Switzerland to the United Nations to transmit copies of the bills of lading presented to Swiss customs authorities, as mentioned in the Secretary-General's note of 29 April 1970."

4. At the Committee's request at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its replies of 5 December 1969 (see S/9844/Add.2, annex VII, page 102, para. 3 (a)) and 21 July 1970 (see para. 3 above) to the Secretary-General's

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notes verbale of 14 August 1969 and 29 April 1970 respectively and inquiring as to whether copies of the ship's papers mentioned in the reply of 5 December 1969, together with any other relevant documentation which might be useful in assisting other Governments in preventing future attempted violations, could be forwarded. At the same time, the Committee requested the Secretary-General to inform the Federal Republic that the Government of Switzerland had been requested to forward copies of the bills of lading mentioned in the Secretary-General's note verbale of 29 April 1970 (see S/9844/Add.2, annex VII, page 103, para. 7) for transmittal to the Federal Republic of Germany and for the information of the Committee.

5. An acknowledgement dated 5 February 1971 has been received from the FRG.

6. Further to S/9844/Add.2, annex VII, page 102, para. 6, at the Committee's request at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Switzerland, referring to its reply dated 16 December 1969 to the Secretary-General's note verbale of 3 December 1969 and inquiring as to whether copies of the bills of lading mentioned in its reply, together with any other relevant documentation, could be forwarded to the Federal Republic of Germany and to the Secretary-General for the information of the Committee. It was pointed out that this documentation would also be useful in assisting other Governments in preventing future attempted violations.

(89) Case No. 42 Meat - "Polana": United Kingdom note dated 17 September 1969

See Annex III.

(90) Case No. 61 Chilled meat: United Kingdom note dated 8 December 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 104-106).

2. At the request of the Committee at its 38th meeting, the Secretary-General sent a note verbale dated 3 February 1971 to Gabon, referring to his previous note verbale dated 29 April 1970 (see annex VII, page 106, para. 6) and seeking comments thereon as soon as possible.

3. An acknowledgement dated 18 February 1971 has been received from Gabon, stating that the Secretary-General's above note verbale dated 3 February 1971 has been transmitted to the Government of Gabon whose observations thereon will be forwarded to the Secretary-General as soon as received.

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(91) Case No. 68 Pork - "Alcor": United Kingdom note dated 13 February 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, page 106).
2. Additional information received by the Committee since the submission of the third report is given below.
3. Replies have been received from the Netherlands and Spain to the Secretary-General's note verbale dated 16 February 1970, the substantive parts of which read as follows:

(1) Note verbale dated 20 May 1970 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... has the honour to inform the Secretary-General that the investigation undertaken by the Netherlands authorities has shown that in January 1970 the m.v. 'Alcor' did indeed carry a shipment of frozen pork from the port of Lourenço Marques to the Canary Islands.

"The captain of the 'Alcor', as well as the representative of the Shipping company in Lourenço Marques, accepted the shipment since it could not be established, either from the documents covering the consignment or in any other way, that the shipment originated in Southern Rhodesia. The shipment was unloaded after its arrival in the Canary Island, in the absence of any objections on the part of the Spanish authorities."

(2) Note verbale dated 7 May 1970 from Spain

"The Permanent Mission of Spain to the United Nations... has the honour to inform the Secretary-General that, after a thorough investigation of its origin, the Spanish authorities have concluded that there is no evidence to support the theory that this shipment was consigned from Rhodesia.

"In this connection I have the honour to enclose photo-copies of the documentation on this shipment from the Customs Office, which includes the following:

"Document No.1 - Cover of manifest of the ship 'Alcor' and pages 2 and 3 which deal with the consignment referred to.

"Page 2 of this manifest covers the cargo shipped at Lourenço Marques (Mozambique) and lists 941 cases of frozen pork with a gross weight of 28,991 kg, consigned to the company 'Puma S.A.'."

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"Page 3, of which like the above sheet a photo-copy is enclosed, covers 897 cases, also of frozen pork, with a gross weight of 25,913 kg, shipped at the port of Durban (Republic of South Africa) and consigned to the company 'Dipa S.L.'.

"Document No.2 - This consists of the shipping documents for the first of the consignments referred to, No.204/70; loose sheet No.3075/70 arising from the above and import licence for goods not free from licence requirements or subject to open and general licensing No.BB 7088138, which gives Mozambique both as the country of consignment and as the country of origin.

"Document No.3 consists of the shipping documents for the second consignment, No.211/70; loose sheet No.3048/70, also arising from the above and the import licence, also for goods not free from licence requirements or subject to open and general licensing No.7088161, which gives South Africa as the country of origin and consignment of goods."

4. At the request of the Committee at its 30th meeting, the Secretary-General sent a note verbale dated 26 May 1970 to the Government of Spain, referring to its reply of 7 May requesting health and veterinary certificates, not only from cold store at port of shipment, but also from the slaughter-house where the meat originated.

5. At the request of the Committee at its 40th meeting, the Secretary-General sent a further note verbale dated 29 January 1971 to Spain, referring to its reply dated 7 May 1970 to the Secretary-General's note verbale of 16 February 1970 and to the Secretary-General's subsequent note verbale of 26 May 1970 and inquiring as to whether copies of the health and veterinary certificates in question could be forwarded for the information of the Committee.

6. An acknowledgement dated 8 February 1971 has been received from Spain, stating that the Secretary-General's above-mentioned note verbale of 29 January 1971 has been transmitted to the competent Spanish authorities for information and any action that may be necessary.

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F. TRADE IN SUGAR

(92) Case No. 28 Sugar - "Byzantine Monarch": United Kingdom note dated 21 July 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 106-109).
2. In accordance with the Committee's decision at its 38th meeting, automatic reminders were sent to Iraq and Norway dated 3 February 1971, referring to the Secretary-General's previous note verbale dated 29 April 1970 (see annex VII, page 109, para. 6) and seeking comments thereon as soon as possible.

(93) Case No. 60 Sugar - "Filotis": United Kingdom note dated 4 December 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 109-111).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 4 May 1970 has been received from Malaysia to the Secretary-General's note verbale dated 29 April 1970 (see annex VII, page 110, para. 6), the substantive part of which reads as follows:

"The Chargé d'Affaires a.i. has the honour to inform the Secretary-General that the custom authority of Malaysia had investigated the consignment of sugar on the vessel in question and was satisfied that the consignment was not of Southern Rhodesian origin."

4. At the request of the Committee at its 30th meeting, the Secretary-General sent a further note verbale dated 26 May 1970 to Malaysia, referring to its above reply of 4 May and requesting details of the evidence on which it based its conclusion that the shipment was not of Southern Rhodesian origin.
5. At the request of the Committee at its 40th meeting, the Secretary-General sent a further note verbale dated 29 January 1971 to Malaysia, referring to his previous note verbale dated 26 May 1970 and inquiring whether copies of the relevant documentation in this case were available and, if so, whether copies could be forwarded for the information of the Committee.

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(94) Case No. 65 Sugar - "Eleni": United Kingdom note dated 5 January 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 111-112).
2. In accordance with the Committee's decision at its 38th meeting, the Secretary-General sent a reminder dated 3 February 1971 to the Republic of Viet-Nam referring to his note verbale dated 20 April 1970 (see annex VII, page 111, para. 3) and seeking comments thereon as soon as possible.

(95) Case No. 72 Sugar - "Lavrentios": United Kingdom note dated 8 April 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 112-113).
2. Additional information received by the Committee since submission of the third report is given below.
3. A reply dated 5 June 1970 has been received from Greece to the Secretary-General's note verbale dated 8 April 1970, the substantive part of which reads as follows:

"The Permanent Mission of Greece... has the honour to forward attached herewith photostat copies of the cargo manifest, bill of lading and certificate of origin, showing that the consignment in question was of Mozambique origin.

"On this occasion, the Greek Mission wishes to refer to its note of 16 February 1970 ^{1/} by which it has suggested that a more thorough scrutiny and appraisal of the information, usually of commercial source, be envisaged in order to limit investigations to those cases for which there is actually sufficient ground to warrant such time consuming and burdensome enquiries.

"The Greek Authorities would be thankful if the results of the investigations carried out by the Authorities of the country of destination were made known to them with a view to facilitating the completion of their own enquiries."

4. At the request of the Committee at its 29th meeting, the Secretary-General sent a note verbale dated 14 May 1970 to the Republic of Viet-Nam, transmitting a copy of the United Kingdom note dated 8 April 1970 (see S/9844/Add.2, annex VII, page 112, para. 1), together with a copy of the note dated 27 April 1970 received from the Permanent Representative of Singapore (annex VII, page 112, para. 3).

^{1/} See S/9844/Add.2, annex VII, Case 63, page 94, para. 3 (a).

5. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Republic of Viet-Nam, referring to his previous note verbale dated 14 May 1970 and requesting a reply thereto as soon as possible.

(96) Case No. 83 Sugar - "Angelia": United Kingdom note dated 8 July 1970

1. By a note dated 8 July 1970, the United Kingdom Government reported information about a shipment of sugar on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they believe to be sufficiently reliable to warrant further investigation, about a consignment of some of some 10,000 tons of sugar, suspected to be of Southern Rhodesian origin, which is being shipped from Lourenço Marques to the Far East. The sugar is believed to have been loaded on board the s.s. 'Angelia' which is owned by the Concord Navigation Corporation Ltd., Taipei, and managed by E-Hsiang Steamship Company Ltd., 40-42 Kuan and Chien Road, Taipei, Taiwan, and is of Taiwanese registry: the s.s. 'Angelia' sailed from Lourenço Marques on 13 June.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information in the first instance to the attention of the Nationalist Chinese authorities in order to ascertain from the managers or owners of the vessel the ports at which it may call so that the Governments of the countries where the cargo could be discharged may be informed of the foregoing."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 10 July 1970 to the Republic of China, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 13 July 1970 has been received from the Republic of China, the substantive part of which reads as follows:

"The Permanent Representative wishes to inform the Secretary-General that the matter has been immediately investigated by the Chinese authorities in Taipei and that the facts of the case are as follows:

"The s.s. 'Angelia' was under charter to the African Chartering Ltd. through the intermediary of Wallem and Co. Ltd., a British firm in Hong Kong. Under the charter arrangements concluded respectively on 10 April 1970 and 12 May 1970, two consignments of sugar were shipped from Lourenço Marques to

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Saigon (first shipment 9,500 tons, second shipment 10,000 tons). The Concord Navigation Corporation, the owners of the vessel in question, stated that they had no knowledge of the origin of the sugar under consignment, and had no intention of evading the prohibitions in force. As a result of the present investigation, they have undertaken to pay due attention to the origin of the products for consignment from Africa in their future dealings."

4. By a further note dated 4 September 1970, the United Kingdom Government reported additional information, as follows:

"The Government of the United Kingdom, in continuation of their note of 8 July 1970, have now learned that the cargo of sugar aboard the s.s. 'Angelia', which was the subject of the above note, was unloaded at Saigon. They have also received further information, from commercial sources, relating to another consignment of sugar which they consider to be sufficiently reliable to warrant investigation.

"The information is to the effect that a second consignment of some 10,000 tons of sugar, also suspected to be of Rhodesian origin, was loaded aboard the s.s. 'Angelia' at Lourenço Marques for shipment to Saigon. The vessel sailed from Lourenço Marques on 4 August. As stated in the note of 8 July, the s.s. 'Angelia' is a Taiwanese owned and registered vessel.

"The Government of the United Kingdom suggest that the Committee... may wish to ask the Secretary-General of the United Nations to bring the above information, together, if this has not already been done, with the information contained in the United Kingdom note dated 8 July 1970 to the attention of the Government of the Republic of Vietnam so as to enable them to make suitable enquiries into the origin of any sugar which may be or may have been unloaded from the s.s. 'Angelia' at ports in their territory during her last or present voyage, either for use in their territory or for trans-shipment.

"If the importers of the sugar in question should claim that the sugar is not of Rhodesian origin, the Government of the Republic of Vietnam may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of bill notes covering the shipment of the consignments to Lourenço Marques, together with certificates from the producer or refiner of the sugar in question.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Nationalist Chinese authorities of the above report so that they can make further enquiries regarding the carriage aboard a Taiwanese owned and registered vessel of consignments of sugar which, according to the information above, are suspected to be of Rhodesian origin."

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5. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 23 November 1970 to the Republic of China and the Republic of Viet-Nam, transmitting both United Kingdom notes and requesting comments thereon.

6. The following replies have been received from the Republic of China and the Republic of Viet-Nam:

(1) Note verbale dated 2 December 1970 from the Republic of China

"The Permanent Representative of the Republic of China to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note dated 23 November 1970.... The Permanent Representative wishes also to refer to his note dated 13 July 1970, in reply to the Secretary-General's note verbale dated 10 July, concerning a consignment of sugar aboard the same ship.

"Since the above-mentioned note of 13 July 1970 and as a result of continued enquiries, the owners of the s.s. 'Angelia' have furnished letters from the intermediary Wallem and Co. Ltd. and from the African Chartering (Pty) Ltd. stating that the two consignments of cargo on board the s.s. 'Angelia' were not of Southern Rhodesian origin.

"The Permanent Representative takes the opportunity to enclose herewith four photostat copies of the above-mentioned letters for the Secretary-General's reference and for transmittal to the Committee...."

(2) Note verbale dated 25 November 1970 from the Republic of Viet-Nam

"The Permanent Observer of the Republic of Viet-Nam... has the honour to acknowledge receipt of the Secretary-General's note of 23 November 1970, the contents of which have been forwarded to the Government of the Republic of Viet-Nam for consideration and comment."

7. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Republic of Viet-Nam, referring to its above reply dated 25 November 1970 and enquiring as to whether the Government of the Republic of Viet-Nam was now in a position to forward its comments on this matter, for the information of the Committee.

8. A reply dated 8 February 1971 has been received from the Republic of Viet-Nam, the substantive part of which reads as follows:

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"The Permanent Observer of the Republic of Vietnam to the United Nations... has the honour to advise the Secretary-General of the findings of an investigation ordered by the Government of the Republic of Vietnam on two shipments of sugar suspected to be of Southern Rhodesian origin respectively on board S/S Angelia and S/S Philomila, 1/ as follows:

"The two shipments had been put in bond until the consignee, VAN PHAT HANG, Inc., which represented the exporting company, Westerland Trust, produced rail notes by Peritagens E. Conferencias Maritimas, Ltda., certifying that the two shipments had been transported by rail from refineries in Mozambique to Lourenço Marques, the port of embarkation.

"On the other hand, Cong-Ty Duong Vietnam (Vietnam Sugar Corporation) produced both certificates of origin and rail notes which proved that the shipments originated from Mozambique.

"In the meantime, the Ministry of Economic Affairs, Government of the Republic of Vietnam, on 15 September 1970, requested the Customs Services of Mozambique to supply detailed information as to the origin of the two shipments, but did not receive any answer as of 7 January 1971. In view of this refusal to co-operate, a prohibition of sugar imports from Mozambique might be considered by the Government of the Republic of Vietnam."

(97) Case No. 94 Sugar - "Philomila": United Kingdom note dated 28 August 1970

1. By a note dated 28 August 1970, the United Kingdom Government reported information concerning a consignment of sugar on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that a consignment of sugar, suspected to be of Rhodesian origin, was loaded recently at Lourenço Marques aboard the m.v. 'Philomila'.

"The m.v. 'Philomila', which is owned by CIA, Commercial Transatlantica S.A., Panama, and is of Panamanian registry, sailed from Lourenço Marques on 11 July for Saigon.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above

1/ See (97) Case No. 94.

information to the attention of the Government of the Republic of Viet-Nam with a view to assisting them with their enquiries into the origin of any sugar which may be unloaded from the m.v. 'Philomila' during this voyage at ports in their territory, either for use in their territory or for trans-shipment.

"If the importers of the sugar in question should claim that it is not of Rhodesian origin, the Government of the Republic of Viet-Nam may wish to bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September 1969. This could take the form of rail notes covering the despatch of the consignment to Lourenço Marques, as well as certificates from the producers or refiners of the sugar in question.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Panama of the above report so as to enable them to make suitable enquiries regarding the carriage aboard a Panamanian-owned and registered vessel of sugar which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 3 September 1970 to Panama and the Republic of Viet-Nam, transmitting the United Kingdom note and requesting comments thereon.
3. At the Committee's request at its 38th meeting, the Secretary-General sent notes verbale dated 21 January 1971 to those two Governments referring to his previous notes verbale and seeking comments thereon as soon as possible.
4. A reply dated 8 February 1971 has been received from the Republic of Viet-Nam (see (96) Case No. 83, para. 7).

(98) Case No. 112 Sugar - "Evangelos M.": United Kingdom note dated 22 January 1971

1. By a note dated 22 January 1971, the United Kingdom Government reported information about a consignment of sugar on board the vessel "Evangelos M.". The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources which they consider to be sufficiently reliable to warrant investigation concerning a sale of sugar suspected to be of Rhodesian origin.

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"The information is to the effect that several thousand tons of sugar were recently loaded at Lourenço Marques aboard the m.v. 'Evangelos M.' for carriage to Kuwait. The vessel which is owned by the Natalia Shipping Co., S.A. of Panama, and under the management of the Navarino Shipping and Transport Co. Ltd. El-PA Building Akti Miaouli Piraeus and is of Greek registration is reported to have arrived in ballast at Lourenço Marques about 2 January and after uplifting the sugar to have cleared the same port on 7 January.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General to bring the above information to the attention of the Government of Kuwait in order to assist them in their investigations into the origin of any sugar unloaded from the 'Evangelos M.' during her present voyage, either for use in Kuwait or trans-shipment to other ports. If it should be claimed that the sugar is not of Rhodesian origin, the Government of Kuwait may wish to bear in mind the advice relating to the reliability of documentation indicated in the Secretary-General's circular of 18 September 1969.

"At the same time, the Committee may wish to ask the Secretary-General to advise the Governments of Panama and Greece of this report so that they may investigate the circumstances in which this sugar, suspected to be of Rhodesian origin, was loaded on a Panamanian-owned vessel registered in Greece."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 3 February 1971 to Greece, Kuwait and Panama, transmitting the United Kingdom note and requesting comments thereon.
3. A reply dated 23 February 1971 has been received from Kuwait, the substantive part of which reads as follows:

"The transaction for the purchase of seven thousand tons of sugar had been concluded between Messrs. Mustafa and Majed Trading Co. of Kuwait and UNIMER S.A. of 9 rue de Berne, Geneva, Switzerland. Payment for the value and shipment of the goods had been effected by a letter of credit issued by the Moscow Narodny Bank Ltd. in Beirut, Lebanon, in favour of the seller through the Banque pour le Commerce International in Basle, Switzerland.

"It appears from the letter of credit, a copy of which is attached, that this transaction for the purchase and shipment of the sugar consignment was C and F free out of Kuwait.

"It appears from the invoice issued by UNIMER S.A. on 15 January 1971 in Geneva, and certified by the Chamber of Commerce and Industry in Geneva, a copy of which is attached, that the goods are 'exclusively of Malawi origin'.

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Therefore, the Permanent Representative is of the opinion that in the present case it is the responsibility of the seller to ascertain the origin of the goods to make sure that they comply with the relevant UN Resolution pertaining to the embargo imposed on Southern Rhodesia, as specified in the note of the Secretary-General, No. PO 230 SORH (1-2-1).

"The Kuwaiti Buyer accepted in good faith the invoice issued by UNIMER S.A. and certified by the Chamber of Commerce and Industry in Geneva, in which it is clearly stated that the purchased goods are of Malawi origin. Hence he assumed that such an explicit statement could not have been made and duly certified by the Chamber of Commerce and Industry in Geneva unless it were true, and that the document in which it is embodied could be accepted as fully satisfying the requirements of normal practice and the regulations applicable to foreign trade.

"In conclusion the Permanent Representative would like to state that in his opinion the Kuwaiti buyer could not be held responsible for any infraction of the rules pertaining to the embargo on goods originating in Southern Rhodesia, in case there are circumstances which may cast doubt on the origin of the goods. The more so as it is the duty of the seller to ascertain the origin of the goods and it is he who must be held accountable for the invoice he had given, which the purchaser had accepted in good faith."

4. At the request of the Committee at its 43rd meeting, the Secretary-General sent a note verbale dated 22 March 1971 to Malawi, enclosing a copy of the invoice issued by UNIMER S.A., requesting the Government of Malawi to confirm whether the cargo in question was of Malawi origin. Also at the request of the Committee, the Secretary-General, on the same day, sent a similar note verbale and a copy of the enclosure to Switzerland for purposes of information.

G. TRADE IN FERTILIZERS AND AMMONIA

(99) Case No. 2 Import of manufactured fertilizers from Europe

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 113-115).
2. At the request of the Committee at its 41st meeting, the Secretary-General sent a note verbale dated 22 February 1971 to Switzerland, referring to his previous note verbale dated 16 July 1969 [see S/9252/Add.1, annex XI, p. 34, para. 4 (2)] and requesting a reply thereto as soon as possible.

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(100) Case No. 48 Ammonia - "Butaneuve": United Kingdom note dated
24 September 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 115-117).
2. Additional information received since the submission of the third report is given below.
3. The following note verbale dated 3 June 1970 referring to (101) Case 52, (102) Case 66 and (103) Case 69, has been received from France:

"In recent months, this French gas transport company Gazocéan has, among other operations, loaded on ships owned or chartered by it bulk anhydrous ammonia of United States, Portuguese, Australian and Iranian origin.

"In every case, and in some cases after official verification, the shippers have declared that their product was not destined for Rhodesia. Although the carriage of merchandise destined for or originating in Rhodesia is - like export and import operations - prohibited under the terms of resolution 253 (1968), it is obvious that maritime carriers have inadequate possibilities - compared with those available to shippers or consignees - for verifying whether the products they are requested to carry are or are not subject to sanctions.

"Accordingly, when the Committee knows the nationality of the exporters or importers, it has better chances of obtaining accurate information by applying to them rather than to the carrier. This is precisely the case with respect to the supplies of ammonia.

"Furthermore, as the note from the United Kingdom delegation dated 11 November 1969 has given some indication of how the Que Que plant is financed, the Committee might follow this example and systematically investigate the financial links between Rhodesian firms and the foreign companies to which they are affiliated.

"In the case of Sable Chemical, the Permanent Mission of France suggests for example that the Committee established in pursuance of Security Council resolution 253 (1968) might request the Secretariat to bring the present note to the attention of the Government of the United States and the Government of the United Kingdom in order to assist them in their investigation of direct or indirect participation by Union Carbide in the financing of the Que Que plant, and also of the part played by Girdler International and British Oxygen in installing the technical equipment at this industrial complex.

"The Permanent Mission of France also suggests that the Committee might request the Secretariat to bring the present note to the attention

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of the Governments of the United States, Iran, Australia and Portugal in order to assist them in their investigation of possible sales of anhydrous ammonia to Rhodesia by some of their nationals."

4. At the request of the Committee at its 39th meeting, the Secretary-General sent notes verbale dated 28 January 1971 to Australia, Iran and Portugal, transmitting a copy of the above note verbale dated 3 June 1970 from France, in accordance with the suggestion contained in the last paragraph thereof.

(101) Case No. 52 Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 117-122).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply has been received from Canada dated 6 July 1970 to the Secretary-General's note verbale dated 5 December 1969, stating that Canada is not an exporter of bulk anhydrous ammonia.
4. The following further replies have been received to the Secretary-General's note verbale dated 30 April 1970:

(i) Note verbale dated 15 July 1970 from Austria

"The Austrian Mission has not failed to convey the contents of the Secretary-General's note to the competent Austrian authorities for further action."

(ii) Note verbale dated 28 May 1970 from Burma

"The Permanent Representative of Burma to the United Nations... has the honour to say that the Government of the Union of Burma has no comments to offer as it has no trade relations with either Southern Rhodesia or the Union of South Africa."

(iii) Note verbale dated 7 July 1970 from Cambodia

"The Permanent Representative of Cambodia ... has the honour to inform the Secretary-General that Cambodia is not an exporter of bulk ammonia."

(iv) Note verbale dated 2 October 1970 from Cameroon

"The Permanent Representative of Cameroon to the United Nations ... has the honour to inform the Secretary-General that Cameroon has not

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departed from the fundamental position which it adopted at the very outbreak of the Southern Rhodesia crisis.

"Not only has the Cameroonian Government issued decrees prohibiting all relations with the racist minority régime in Salisbury, but it has unceasingly and forcefully reaffirmed the full responsibility of the United Kingdom Government for political development in the Territory.

"Fortified by this conviction, it has been obliged, on numerous occasions, to condemn the tergiversations of the administering Power; it is quite obvious that the measures adopted by the United Nations will remain ineffective as long as the chief trading partners of South Africa and Portugal persist in their policy of overt collusion with these countries.

"Proof of this - if further proof were needed - is to be found in the note dated 9 April 1970 from the United Kingdom Mission, which makes it clearer than ever that the United Kingdom Government must among other measures consider the use of force as a means of putting an end to the resistance and arrogant defiance of the racist minority régime in Salisbury."

(v) Note verbale dated 15 June 1970 from Cyprus

"The Permanent Mission of Cyprus... has the honour to inform the Secretary-General that the Cyprus Government confirms that since the imposition of the embargo, all the necessary measures in respect of trade with Southern Rhodesia are being strictly observed by the appropriate authorities in Cyprus.

"The Permanent Representative further wishes to confirm that no applications for the importation and re-exportation or trans-shipment of equipment for an ammonia synthesis plant will be entertained by the Ministry of Commerce and Industry before ensuring that the final destination of any such goods is not Southern Rhodesia."

(vi) Note verbale dated 5 May 1970 from Colombia

"The Permanent Representative of Colombia acknowledges receipt of the Secretary-General's note dated 30 April 1970 and has the honour to inform him that he has transmitted the contents of the note to his Government and also wishes to report that there is no trade whatsoever between Colombia and Southern Rhodesia."

(vii) Note verbale dated 15 May 1970 from El Salvador

"The Permanent Representative of El Salvador acknowledges receipt of the Secretary-General's note of 30 April transmitting a Note from the United Kingdom concerning the supply of bulk ammonia to Southern Rhodesia.

"The Permanent Representative is grateful for the above information"

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(viii) Note verbale dated 7 May 1970 from the Federal Republic of Germany

"The Permanent Observer of the Federal Republic of Germany to the United Nations... has the honour to acknowledge receipt of the Secretary-General's note of 30 April 1970 concerning arrangements for the supply of ammonia in bulk to Southern Rhodesia.

"The contents of the note have been brought to the attention of the Government of the Federal Republic of Germany."

(ix) Note verbale dated 1 July 1970 from Finland

"The Chargé d'Affaires a.i. of Finland... has the honour to state that the proper Finnish authorities, upon receipt of the information in question, have at once made detailed enquiries with all Finnish enterprises that are in a position to manufacture and furnish equipment of the kind referred to above, whether any offers for the supply of such equipment possibly intended for Rhodesia have been made. The Finnish firms in question have confirmed that no such requests have been made.

"The authorities have furthermore alerted these firms to the possibility that requests based partly on erroneous information might be forthcoming in the future, and advised them to exert necessary caution in this regard."

Note verbale dated 3 June 1970 from France: see (97) Case No. 48

(x) Note verbale dated 21 May 1970 from Guyana

"The Permanent Representative of Guyana to the United Nations... has the honour to inform the Secretary-General that the contents thereof /of his note dated 30 April and enclosure/ have been brought to the attention of the competent authorities for appropriate action."

(xi) Note verbale dated 21 July 1970 from Japan

"No application for license to export to South Africa any plant for the manufacture of fertilizer which could be considered to correspond to the case referred to in the Secretary-General's note has thus far been submitted to the Government.

"The Government notified the interested business circles in Japan of this matter. In turn, the Japan Machinery Exporters Association published an outline of the note verbale of the Secretary-General with enclosure in its bulletin 'The Machinery Trade News', thus bringing this matter to the attention of the interested business circles.

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"The Government will continue to pay close attention to the subject of the Secretary-General's note."

(xii) Note verbale dated 4 September 1970 from Australia

"The Permanent Representative of Australia to the United Nations... has the honour to refer to the Secretary-General's note dated 30 April... The Permanent Representative of Australia has the honour to inform the Secretary-General that, as regards the capacity of Australian industry to supply equipment of the kind referred to, any fertilizer plants set up in Australia in recent years were imported in their entirety from overseas."

(xiii) Note verbale dated 24 August 1970 from Kenya

"It is the view of the Government of Kenya that the Rhodesia Sanctions Committee, established by the United Nations Security Council, should inform all countries which manufacture plants for the production of ammonia to warn the manufacturers in their countries against selling of such plants to South African companies which are known to be planning to set up similar plants in Southern Rhodesia."

(xiv) Note verbale dated 5 May 1970 from Mauritania

"The Permanent Representative of Mauritania... has the honour to acknowledge receipt of the Secretary-General's note dated 30 April 1970, the contents of which have received attention."

"The Permanent Representative of Mauritania... wishes to inform the Secretary-General that the contents of his note have been transmitted to the Government of Mauritania."

(xv) Note verbale dated 22 May 1970 from the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands to the United Nations... has the honour to inform the Secretary-General that the Netherlands Government has taken due note of the contents of his note of 30 April 1970 concerning arrangements for the supply of ammonia in bulk to Southern Rhodesia."

(xvi) Note verbale dated 26 May 1970 from Singapore

"The Permanent Representative of Singapore to the United Nations has the honour to inform the Secretary-General that there are no manufacturers or exporters of plant for the manufacture of synthetic ammonia in Singapore, and that the contents of the above-mentioned

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note /of 9 April 1970/ have been duly noted and brought to the attention of the appropriate authorities in Singapore."

(xvii) Note verbale dated 24 July 1970 from Sweden

"Due to the scarce information given, the Swedish authorities have not been able to establish full proof that no shipment from Sweden has taken place in this connection which might eventually relate to the plant in question. As far as the Swedish authorities have been able to establish, no such shipment has, however, taken place. The Swedish authorities have taken due notice of the Secretary-General's note and the annexed note from the United Kingdom Mission to the United Nations and will continue to give their full attention to the matter. It may be recalled that Swedish legislation prohibits any sale of goods destined for use in Southern Rhodesia, including cases where the actual purchaser resides outside that territory."

(xviii) Note verbale dated 10 July 1970 from Switzerland

"The Swiss Federal Authorities have inquired into this matter and their investigations show that no Swiss enterprise manufactures or exports the equipment needed for an ammonia synthesis plant."

(xix) Note verbale dated 4 May 1970 from the United Kingdom

"The Permanent Representative of the United Kingdom... has the honour to acknowledge receipt of the Secretary-General's note of 30 April concerning arrangements for the supply of ammonia in bulk to Southern Rhodesia."

(xx) Note verbale dated 28 May 1970 from Zambia

"The Permanent Representative of the Republic of Zambia to the United Nations is pleased to inform the Secretary-General of the United Nations that the contents of the above-mentioned note /dated 30 April 1970, and the UK note dated 9 April 1970/ have been brought to the attention of the appropriate authorities of the Government of Zambia."

(102) Case No. 66 Amونيا - "Cérons": United Kingdom note dated 7 January 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, page 123).
2. For additional information received by the Committee since the submission of the third report, see (100) Case No. 48.

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(103) Case No. 69 Ammonia - "Mariotte": United Kingdom note dated 13 February 1970

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, annex VII, pages 123-124).
2. For additional information received by the Committee since the submission of the third report, see (100) Case No. 48.

(104) Case No. 101 Anhydrous ammonia: United States note dated 12 October 1970

1. By a note dated 12 October 1970, the United States Government reported the following information concerning shipments of US origin ammonia in May and July 1969:

"The United States Government wishes to call the attention of the Committee established in pursuance of Security Council resolution 523 (1968) to an action which it has recently taken with respect to a firm in Lourenço Marques, Mozambique. The firm, Armazens De Produtos Quimicos De Mocambique, Limitada, has been denied all United States export privileges for an indefinite period for having failed to account for the disposition of 20,000 tons of United States origin ammonia which was exported in two shipments in May and July of 1969. The Department of Commerce had requested information which would enable it to ascertain whether the ammonia might have been re-exported to Southern Rhodesia in violation of United States export control regulations. A copy of the Department of Commerce press release announcing the suspension is attached.

"The Committee might wish to request that the Secretary-General inform the Governments of nations which are producers or exporters of anhydrous ammonia of the United States action."

United States Department of Commerce Press Release
dated 17 September 1970

"The firm Armazens De Produtos Quimicos De Mocambique, Limitada, of Lourenço Marques, Mozambique, a warehouse and distributor of chemical products, has been denied all US export privileges for an indefinite period for failing to account for the disposition of 20,000 tons of US-origin fertilizer grade ammonia, the US Department of Commerce announced today.

"The material valued in excess of \$600,000 was exported to the firm in two shipments by a US supplier in May and July 1969.

"The Investigations Division of the Office of Export Control in the Department's Bureau of International Commerce (BIC) is conducting an investigation to ascertain the disposition of the material, particularly whether it was re-exported from Mozambique to Southern Rhodesia in violation of the US export control regulations. Since 1966 the United States, in support of a resolution of the UN Security Council, has had strict controls on the shipment of US-origin goods to Southern Rhodesia.

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"Written interrogatories were submitted to the firm in Lourenco Marques enquiring as to the disposition of the material. The firm failed to furnish the information requested and the order was issued in accordance with BIC regulations. The order will remain in effect until the firm answers the interrogatories or shows good cause for such failure.

"Under the terms of the order, all validated licenses in which the firm has an interest have been cancelled and the firm, its agents and employees are prohibited from participating in any transactions involving commodities or technical data exported or to be exported from the United States.

"The United States export control regulations provide that without authorization from the Department of Commerce, no party may trade in commodities or technical data exported from the United States with a party he knows has been denied export privileges."

2. At the request of the Committee at its 37th meeting, the Secretary-General sent notes verbale dated 20 January 1971 to all States Members of the United Nations or members of the specialized agencies, stating that the Committee had considered the United States note of 12 October 1970, and transmitting a copy of that note for their information. Also, at the request of the Committee, the Secretary-General drew attention to the fact that the United States note followed an earlier note from France dated 3 June 1970^{1/} which contained information to the effect that in recent months "Gazocéan", a French gas transport company, had, among other operations, loaded on ships owned or chartered by it, bulk anhydrous ammonia of United States, Portuguese, Australian and Iranian origin.

3. Acknowledgements have been received from Canada (dated 26 January 1971), El Salvador (dated 10 February 1971) and the United Kingdom (dated 27 January 1971). In its acknowledgement, Canada recalled that, in a note of 6 July 1970^{2/}, it was pointed out that Canada was not an exporter of bulk ammonia.

(105) Case No. 113 Anhydrous ammonia - "Cypress" and "Isforn": United Kingdom note dated 29 January 1971

1. By a note dated 29 January 1971, the United Kingdom Government reported information concerning shipments of ammonia on the above vessels. The text of the note is reproduced below:

^{1/} See (100) Case No. 48.

^{2/} See (101) Case No. 52.

"In their notes of 24 September 1969,^{1/} 15 October 1969,^{2/} 10 November 1969,^{3/} 7 January 1970,^{4/} 13 February 1970,^{5/} 2 April 1970,^{6/} and 9 April 1970,^{7/} the Government of the United Kingdom gave information about the supply of anhydrous ammonia to Southern Rhodesia and about the companies involved. The Government of the United Kingdom have now received further information concerning two shipments of anhydrous ammonia believed to be destined for Southern Rhodesia.

"The information is to the effect that the first of the shipments was by the Norwegian motor tanker 'Cypress' which loaded approximately 10,000 tons of anhydrous ammonia at the Japanese port of Sakai from where the ship sailed on 9 November 1970, arriving at Lourenco Marques in early December. The second shipment was by the motor tanker 'Isforn', also of Norwegian ownership, which loaded over 12,000 tons of anhydrous ammonia at Sakai from where the ship sailed on 6 December, arriving at Lourenco Marques on 26 December.

"The information makes clear that the arrangements for both shipments were made by the South African firm National Process Industries (Pty) Ltd., whose involvement with Sable Chemical Industries Ltd. of Southern Rhodesia has been explained in the United Kingdom Government's previous notes referred to above. Having regard to the information in these previous notes, it is likely that the ammonia from both ships was delivered to Armazens de Productos Quimicos de Mozambique Lda. (APROCIL) (there are no other facilities in southern Africa for bulk handling of this type of cargo) and subsequently railed to Sable Chemical Industries.

"The United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring this information to the notice of the Governments of Japan and Norway, with a view to assisting them to investigate the supply and carriage of anhydrous ammonia which, on the information available to the United Kingdom Government, would appear to be destined ultimately for Southern Rhodesia."

^{1/} See S/9844/Add.2, Annex VII, Case 48, page 115, para. 1.

^{2/} See S/9844/Add.2, Annex VII, Case 52, page 117, para. 1.

^{3/} See S/9844/Add.2, Annex VII, Case 52, page 118.

^{4/} See S/9844/Add.2, Annex VII, Case 66, page 123, para. 1.

^{5/} See S/9844/Add.2, Annex VII, Case 68, page 123, para. 1.

^{6/} See S/9844/Add.2, Annex VII, Case 48, page 116, para. 7.

^{7/} See S/9844/Add.2, Annex VII, Case 52, page 122, para. 7.

2. At the request of the Committee at its 41st meeting, the Secretary-General sent a note verbale dated 17 February 1971 to Norway, transmitting the United Kingdom note and requesting comments thereon. The representative of Japan in the Committee took note of the contents of the United Kingdom note.

3. A reply has been received from Japan dated 24 February 1971 which states:

"In accordance with the Export Trade Control Order, a ban is imposed on export of all products destined for Southern Rhodesia, except for the items excluded from the ban by resolution 253 (1968) of the Security Council and it is evident that the shipments in question were not destined for Southern Rhodesia.

10,000 metric tons of anhydrous ammonia were sold to Societe d'Assurances Commerciales, S.A. of Switzerland with the destination for Mozambique and 12,000 metric tons of anhydrous ammonia were sold to Adab. S.A. of Switzerland with the destination for the Republic of South Africa respectively on f.o.b. basis. Therefore, the ownership of those consignments, after their departure from the Japanese port, belonged to those Swiss companies."

4. At the request of the Committee at its forty-third meeting, the Secretary-General sent a note verbale dated 22 March 1971 to Switzerland, requesting the Swiss Government to ascertain where the consignments had subsequently been shipped.

H. MOTOR VEHICLES

(106) Case No. 9. Motor vehicles: United States note dated 28 March 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 124-137).

2. Additional information received by the Committee since the submission of the third report is given below.

3. A reply dated 9 July 1970 has been received from Japan to the Secretary-General's note verbale dated 18 March 1970, the substantive part of which reads as follows:

"The Government of Japan is continuing to investigate this matter but, as an interim measure, drew the attention of Isuzu Motors Ltd. to the note of the Secretary-General and gave that firm directions:

(1) to instruct its agents in South Africa to exercise severest surveillance so as to prevent any possible supply of motor vehicles and motor vehicle kits to Southern Rhodesia from South Africa, and

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(2) to pay closest attention to the export of the products of Isuzu Motors Ltd. which are suspected of being supplied to Southern Rhodesia.

"Accepting these directions, Isuzu Motors Ltd. instructed its agents in South Africa along the lines indicated above and agreed to pay utmost attention to the export of its products."

4. The following further information has been received from France (see S/9844/Add.2, Annex VII, page 137, para. 9) in a note verbale dated 11 January 1971:

"The Permanent Mission of France presents its compliments to the Secretariat of the United Nations and, with reference to the Note from the United Kingdom Mission dated 10 April 1970 [see S/9844/Add.2, Annex VII, page 136, para. 8] concerning the assembly of motor vehicles in Rhodesia, would draw attention to the text of its note of 11 December 1969 [see S/9844/Add.2, Annex VII, page 131 (c)], the content of which it confirms.

"The Permanent Mission would add that French automobile manufacturers not only require of their dealers in countries adjacent to Rhodesia an understanding not to re-export vehicles or parts thereof to that Territory, but also take the precaution of limiting sales to such countries.

"As the French Government has no official representation in Rhodesia and maintains no unofficial agent of any kind there, it is unable to have any checks made locally, much less to verify whether more complete sets of parts than are consigned to South Africa are being dispatched to Rhodesia for the Citroen assembly plant.

"The Permanent Mission would further point out that French enterprises have no branches or agencies locally.

"The French Government refuses to form any conclusion solely on the basis of newspaper cuttings since news items published in the press are unreliable in too many cases to be used as the exclusive basis for judging whether a certain industrial, commercial or tourist activity is going on in Rhodesia.

"The French Government would also observe that, having been informed - of necessity belatedly - through statements by other countries which have apparently maintained sources of information at Salisbury, it had to make some rather lengthy enquiries of French automobile manufacturers, during which time the British Motor Corporation at Umtali, among others, was able to use stocks built up previously with the help of intermediaries, not all of whom are nationals of countries adjacent to Rhodesia.

"The Permanent Mission of France notes that, in any event, Rhodesia does not appear to be experiencing any serious difficulty in satisfying

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its requirements for utility vehicles, such as trucks and trailers, which are far more essential to its economy than private motor vehicles.

"The Permanent Mission of France would again inform the Secretariat that the French Government continues to follow such matters closely and to take steps to ensure that all manufacturers are aware that violations of the provisions of Decree No. 68-759 are subject to the penalties stipulated in the Customs Code."

5. The following note dated 5 October 1970 has been received from the United States Mission:

"The Government of the United States refers to its note submitted on March 28, 1969 1/ drawing the attention of the Committee established in pursuance of Security Council resolution 253 (1968) to reports that new automobiles of foreign manufacture were being assembled and sold in Southern Rhodesia.

"A recent issue (volume 4, No. 18, September 1970) of Rhodesian Commentary, a publication of the Rhodesian Information Office in Washington, states on page 7 that kits for Renault and Alfa Romeo cars have arrived in Rhodesia. It further states that since the end of 1968, French, FRG and Japanese cars have at all times been assembled in Rhodesia from kits. A copy of the page in question is attached.

"The United States Government suggests that the Committee may wish to ask the Secretary-General to request the Governments concerned to investigate these reports with a view to taking appropriate action should they be substantiated."

Extract from Rhodesian Commentary, September 1970
referred to above

"'Kits for Renault and Alfa Romeo cars have arrived in Rhodesia at a time when stocks of certain other models previously assembled were believed to be running low. This latest coup by the Government will bring sighs of relief from harassed potential car buyers faced with second-hand car prices at times far above the new car price outside the country' says a press report.

"The news is generally hailed as yet another victory against sanctions. Some relief was given by tax changes in the Budget in July, but now the reasonably low-priced new cars are expected to reduce second-hand prices even further. Since the end of 1968, French, German and Japanese cars have at all times been assembled in Rhodesia from kits."

1/ S/9844/Add.2, Annex VII, page 125.

6. The following note dated 23 October 1970 has also been received from the United Kingdom Mission:

"In continuation of their notes of 8 August, 2/ 20 August 3/ and 6 October 1969 4/ and 11 March 5/ and 10 April 1970 6/ about the supply of motor car assembly kits to Rhodesia, the Government of the United Kingdom wish to bring to the attention of the Committee further information which they consider warrants investigation.

"The information is in the form of numerous detailed reports published in the press of various countries concerning the assembly in Rhodesia of Renault, Peugeot, Citroen, B.M.W. and Alfa-Romeo cars. Attached are articles which appeared in two Rhodesian newspapers, 'The Rhodesia Herald' of 21 July, which gives the changes in prices of certain models, and 'The Sunday Mail' of 23 August, which concerns the assembly of the Renault R 10 and the Alfa-Romeo 1750. Other reports appeared in such papers as 'Le Monde' of Paris (22 August), 'The Financial Times' of London (21 and 24 August) and other papers published in South Africa and Mozambique. These reports are to the effect that assembly kits have been railed secretly to Rhodesia over the past six months and that the vehicles, reported to be sufficient for a year's sales, are being assembled by Willowvale Motor Industries (Pvt) Ltd. at their factory near Salisbury. Confirmation of the assembly by this firm has come from commercial sources.

"This information is supported by a statement on 19 August in the Rhodesia House of Assembly made by the so-called Minister of Commerce and Industry, Mr. Jack Musset, when he stated that supplies of a new small family car would be available to the public by the end of August.

"It will be recalled that in their note of 10 April, the Government of the United Kingdom indicated that Citroen vehicle kits intended for assembly in Rhodesia (although ostensibly consigned to South Africa) differ from kits to be assembled in South Africa in that certain components, such as upholstery, seats, carpets, roof linings, etc. are included. Such components are manufactured locally in South Africa and are therefore not included in kits destined for assembly in the Republic of South Africa. A similar difference may be revealed by further investigation in the export of kits of the vehicles mentioned in paragraph 2.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may

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- 1/ S/9844/Add.2, annex VII, page 126.
 - 2/ S/9844/Add.2, annex VII, page 128.
 - 3/ S/9844/Add.2, annex VII, page 129.
 - 4/ S/9844/Add.2, annex VII, page 134.
 - 5/ S/9844/Add.2, annex VII, page 136, para. 8.

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wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of France, Italy and the Federal Republic of Germany with a view to assisting them in their further investigations into the supply of vehicle kits now being assembled in Rhodesia."

7. The following information has been received from Italy in a note verbale dated 18 January 1971, the substantive part of which reads as follows:

"Following an appropriate enquiry, the competent authorities in Italy have ascertained that no motor vehicle kit has been supplied, directly or indirectly, by Alfa Romeo to Southern Rhodesia.

"Alfa Romeo is present in nearly all African markets with commercial agents. All the contracts between Alfa Romeo and its foreign agents contain a clause which forbids the agents to sell Alfa Romeo products, directly or indirectly, outside their own area.

"Alfa Romeo has no factory nor any commercial agent in Southern Rhodesia. No foreign agents of Alfa Romeo are authorized to sell Alfa Romeo products in Southern Rhodesia."

8. By a note dated 8 January 1971, the United Kingdom Government reported information concerning the importation into Southern Rhodesia of fully assembled Toyota Corolla motor cars. The text of the note is reproduced below:

"In their notes of 8 August 1969, 1/ 20 August 1969, 2/ 6 October 1969, 3/ 11 March 1970, 4/ 10 April 1970, 5/ and 23 October 1970, 6/ the Government of the United Kingdom drew the attention of the Committee to information concerning the supply of motor vehicles to Southern Rhodesia. They have now received further information on the same subject from commercial sources which they consider warrants investigation.

"The information is to the effect that up to 800 fully assembled Toyota Corolla motor cars were imported into Southern Rhodesia during the months of September and October 1970. It has also been reported that the selling price of the Toyota Corolla was 1505 Rhodesian dollars plus tax and that dealers had said the model was selling well. The Government of the United Kingdom consider that the information received is sufficiently reliable to justify the Committee set up in pursuance of Security Council resolution 253 (1968) asking the Secretary-General of the United Nations to bring this information to the attention of the

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- 1/ See S/9844/Add.2, annex VII, page 126.
2/ See S/9844/Add.2, annex VII, page 128.
3/ See S/9844/Add.2, annex VII, page 129.
4/ See S/9844/Add.2, annex VII, page 134, para. 5.
5/ See S/9844/Add.2, annex VII, page 136, para. 8.
6/ See para. 6 above.

Japanese Government with a view to assisting them in their investigations into the reported supply to Southern Rhodesia of a large quantity of motor vehicles manufactured in Japan."

9. The following information has been received from Japan in a note dated 26 February 1971, the substantive part of which reads as follows:

"In accordance with the Export Trade Control Order, a ban is imposed on the exportation of all products destined for Southern Rhodesia, except for the items excluded from the ban by resolution 253 (1968) of the Security Council.

As a result of a searching investigation into the alleged importation into Southern Rhodesia of Japanese Motor cars, the Government of Japan has ascertained that Japanese exporters of automobiles, in accordance with the existing regulations, have not supplied any motor cars or parts or parts thereof to Southern Rhodesia, although they are engaged in such export to the neighbouring countries of the territory. The Government has further ascertained that all contracts between the Japanese automobile exporters and their overseas distributors contain a strict territorial clause forbidding the distributors to sell outside their own areas. Furthermore, the Japanese automobile exporters frequently caution their distributors regarding the prohibition against re-exporting Japanese motor cars to Southern Rhodesia. Also, the Japanese automobile exporters, through their distributors, instruct overseas dealers in Japanese cars to make every effort to ensure that the end user will not be an inhabitant of Southern Rhodesia.

It has been ascertained that the Toyota Auto Sales Co. Ltd., which engages in the exportation of Toyota cars to countries which are neighbours of Southern Rhodesia, strictly observes the practices mentioned above."

I. CYCLE ACCESSORIES

(107) Case No. 88 Cycle accessories: United Kingdom note dated 13 August 1970

1. By a note dated 13 August 1970, the United Kingdom Government reported information concerning the supply to Rhodesia of cycle accessories. The text of the note is reproduced below:

"The Government of the United Kingdom has received information from commercial sources about the supply to Rhodesia of cycle accessories which they believe to be sufficiently reliable to justify investigation.

"The information is in the form of an invoice issued by Mozambique Railways (C.F.M. - Caminhos de Ferro de Mocambique) and covering the consignment of twelve packages of cycle accessories, manufactured in Czechoslovakia, sent by rail from Beira in Mozambique to Salisbury in Southern Rhodesia. The packages were forwarded to Theo Spinarolis Lda.

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of Beira (who were the subject of the Government of the United Kingdom's note dated 5 September 1969 1/) to Crown Cyclo Co., Pvt., Ltd., P.O. Box 1245, Salisbury, on or about 26 December 1969.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to invite the United Nations Secretary-General to bring this information to the attention of the Government of Czechoslovakia with a view to assisting them to investigate how a supply of cycle accessories apparently manufactured in Czechoslovakia came to be delivered to a firm in Salisbury."

2. At the request of the Committee following informal consultations the Secretary-General sent a note verbale dated 19 August 1970 to Czechoslovakia, transmitting the United Kingdom note and requesting comments thereon.
3. At the Committee's request at its 38th meeting, the Secretary-General sent a note verbale dated 21 January 1971 to Czechoslovakia referring to his previous note verbale dated 19 August 1970 and seeking comments thereon as soon as possible.

J. TRACTOR KITS

(108) Case No. 50 Tractor kits: United Kingdom note dated 2 October 1969

1. Previous information concerning this case is contained in the third report (S/9844/Add.2, Annex VII, pages 137-139).
2. Additional information received by the Committee since the submission of the third report is given below.
3. A reply dated 26 August 1970 has been received from the Federal Republic of Germany to the Secretary-General's note verbale of 1 April 1970, the substantive part of which reads as follows:

"The Acting Permanent Observer of the Federal Republic of Germany to the United Nations ... has the honour to inform the Secretary-General that Klockner-Humboldt-Deutz A.G., Cologne, have stated that they have not supplied tractors or tractor kits to Southern Rhodesia. They have neither met a representative of Univex of which they have no knowledge, nor concluded an agreement with that firm on the supply of Deutz tractors to Southern Rhodesia. At present, Klockner-Humboldt-Deutz are delivering tractors in c.b.u. and, to some extent, in c.k.d. form to East Africa, South West Africa and Mozambique. However, Klockner-Humboldt-Deutz are not aware of the final destination of these tractor kits nor are they in a position to control possible transshipment of their products to Southern Rhodesia."

1/ See S/9844/Add.2, Annex VII, page 139, Case 41, para. 1.

4. At the request of the Committee at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its reply of 26 August 1970 to the Secretary-General's note verbale dated 1 April 1970 (see S/9844/Add.2, Annex VII, page 139, para. 5) and (1) pointing out that in similar cases of tractor kits, motor vehicles, etc., most manufacturers required in their franchise arrangements with their distributors in southern African and East African territories that there should be no re-sale nor trans-shipment to Southern Rhodesia, (2) asking if the Federal Republic of Germany Government could ascertain from the firm mentioned in its reply whether their franchise arrangements with their own distributors in those territories contained similar provisions which would prohibit any re-sale or trans-shipment to Southern Rhodesia of tractor kits and, in particular, if it could give information about the firm in question's arrangements with the firm mentioned in the United Kingdom note of 26 March 1970 (see S/9844/Add.2, Annex VII, page 138, para. 4)

"Consortio de Maquinas a Electridade Lda" of Lourenço Marques.

5. An acknowledgement dated 8 February 1971 has been received from the Federal Republic of Germany stating that the contents of the above-mentioned Secretary-General's note of 28 February 1971 have been brought to the attention of the Federal Republic of Germany Government.

6. Further information has been received from the Federal Republic of Germany Government dated 27 February 1971, the substantive part of which reads as follows:

"The German Federal Government has taken note of the Secretary-General's reference to the prohibition of re-sale or trans-shipment of tractor kits, motor vehicles etc. to Southern Rhodesia arranged for by most manufacturers with their distributors in Southern and East African territories.

"Recent information obtained by the German Federal Government from Klöckner-Humboldt-Deutz AG has confirmed the company's policy which has been to make similar arrangements with their distributors in Southern and Eastern African territories, including "Consortio de Maquinas e Electricidade Lda" of Lourenço Marques? The passage contained in the Permanent Observer's note to the Secretary-General of 26 August 1970 to the effect that "Klöckner-Humboldt-Deutz are not ... in a position to control possible trans-shipment of their products to Southern Rhodesia" should therefore be merely interpreted as the company's inability to exercise factual control over re-sale or trans-shipment of their products to Southern Rhodesia."

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K. AIRCRAFT

(109) Case No. 41 Aircraft spares: United Kingdom note dated 5 September 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, pages 139-141).

(110) Case No. 67 Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

See Annex II.

L. DIESEL ELECTRIC LOCOMOTIVES

(111) Case No. 111 Traction equipment for diesel electric locomotives: United Kingdom note dated 15 January 1971

1. By a note dated 15 January 1971, the United Kingdom Government reported information about efforts to obtain traction equipment for incorporation in diesel electric locomotives to be built for Rhodesia Railways. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources about the efforts being made to obtain traction equipment for incorporation in diesel electric locomotives to be built for Rhodesia Railways.

"The information is to the effect that Rhodesia Railways are endeavouring to obtain up to sixty new diesel electric locomotives to supplement their existing stock and that they have approached the Union Carriage and Waggon Co. (Pty) Ltd. of South Africa to undertake the manufacture. The locomotives would need to incorporate diesel-electric traction equipment obtained from elsewhere since it is not produced in South Africa. There is reason to think that approaches have been made for the supply of this machinery to suppliers in other countries, particularly the United Kingdom, United States of America, the Federal Republic of Germany and France, and possibly others.

"The Government of the United Kingdom have been informed by the Government of the United States of America that they have refused United States firms permission to supply the traction equipment. Parallel action has been taken with British firms by the Government of the United Kingdom. The latter consider that the information is sufficiently reliable to warrant the Committee set up in pursuance of Security Council resolution 253 (1968) asking the Secretary-General of the United Nations to bring this information to the attention of the Governments of the countries which are believed to produce diesel-electric traction machinery, i.e. Austria, Belgium, Canada, France, Italy, Japan, Romania, Spain, Sweden, Switzerland, the USSR and the

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Federal Republic of Germany, in order to assist them should any of their manufacturers or exporters of such machinery receive enquiries or orders from South Africa which might be made for the purposes referred to above. The Governments concerned might wish to bear in mind that the locomotives and their component parts are likely to be custom built to meet Rhodesia Railways' specific requirements, thus leaving manufacturers no grounds for claiming ignorance of the ultimate destination of equipment being sent to South Africa."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbale dated 25 January 1971 to Austria, Canada, the Federal Republic of Germany, Romania, Spain, Sweden and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

The representatives of Belgium, France, Italy, Japan and the USSR in the Committee took note of the contents of the United Kingdom note.

3. The following information has been received from Italy in a note verbale dated 26 January 1971:

"The Permanent Representative of Italy to the United Nations ... referring to the British memorandum of 15 January 1971 concerning attempts of the Rhodesia Railways to buy abroad diesel electric locomotives, circulated among members of the Committee ..., has the honour to assure him /the Secretary-General/ that the Italian Government has brought the above-mentioned memorandum to the attention of Italian manufacturers of locomotives and railway equipment."

4. An acknowledgement dated 4 February 1971 has been received from the Federal Republic of Germany, stating that the Secretary-General's note of 25 January 1971 has been brought to the attention of the Federal Republic of Germany Government.

5. A reply dated 23 February 1971 has been received from Romania to the Secretary-General's note dated 25 January 1971, the substantive part of which reads as follows:

"The Government of the Socialist Republic of Romania wishes to reaffirm once more its position in favour of the application in full, as a matter of urgency, of the Declaration on the Granting of Independence to Colonial Countries and Peoples and its strong condemnation of the policy of colonialism and racial discrimination practised by the authorities in Southern Rhodesia and the Republic of South Africa. It supports the legitimate struggle of the people of Zimbabwe to win their freedom and independence.

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"The Government of the Socialist Republic of Romania does not recognize the illegal racist régime of Southern Rhodesia and maintains no relations of any kind - diplomatic, consular, economic, trade or other - with the authorities at Salisbury.

"The position of the Socialist Republic of Romania with regard to the question of Southern Rhodesia, manifested in non-recognition of the racist régime of Ian Smith and in full respect for the provisions of all the resolutions adopted by the United Nations General Assembly and the Security Council on this question, has been maintained consistently through the years and has repeatedly been made known to the Secretary-General of the United Nations and, through him, to Member States, notably in the notes from the Permanent Mission addressed to the Secretary-General on 7 December 1965 (S/7015, 15 December 1965), 13 February 1967 (S/7744, 15 February 1967), 27 August 1968 (S/8786/Add.1, 25 September 1968) and 22 February 1969 (S/8786/Add.7, 19 March 1969).

"In the same spirit, on the occasion of the arbitrary act committed on 2 March 1970 by the Salisbury authorities, the Romanian Government made public a statement dated 12 March 1970 distributed as an official document of the Security Council (S/9705, 16 March 1970), which included the following paragraph:

'The Socialist Republic of Romania consistently supports respect for the right of each people to decide its own destiny in accordance with its interests and aspirations, and to choose freely its path of development, with no outside intervention, and considers that any act which ignores that right can have no legal effect. For this reason, the Romanian Government declares that it does not recognize the so-called "republic of Rhodesia".'

"It would also be appropriate to recall the consistent position of the Government of the Socialist Republic of Romania with regard to the policy of colonialism and apartheid of the Government of the Republic of South Africa, which has likewise been repeatedly brought to the attention of the Secretary-General of the United Nations and Member States. The Socialist Republic of Romania, as has likewise been indicated in the past, maintains no relations of any kind, including trade relations, with the Republic of South Africa.

"Faithful to this position and to the principles of its foreign policy, the Government of the Socialist Republic of Romania has taken all the necessary steps to ensure that all Romanian institutions having relations with foreign countries should respect without fail the resolutions adopted over the years by the United Nations General Assembly and the Security Council with regard to the illegal régime of Southern Rhodesia and the colonialist and racist policy of the Republic of South Africa, including Security Council resolution 253 (1968) of 29 May 1968, in which it was decided that certain sanctions should be applied against the Southern Rhodesian régime."

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M. BOOK-KEEPING AND ACCOUNTING MACHINES

(112) Case No. 58 Book-keeping and accounting machines: Italian note dated 6 November 1969

There is no new information concerning this case in addition to that contained in the third report (S/9844/Add.2, Annex VII, page 143).

N. SHIRTS

(113) Case No. 93 Shirts: United Kingdom note dated 21 August 1970

1. By a note dated 21 August 1970, the United Kingdom Government reported information concerning shirts manufactured in Southern Rhodesia. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information from commercial sources, which they consider to be sufficiently reliable to warrant further investigation.

"The information is to the effect that shirts bearing the trade marks 'Old Gold' which are manufactured by the Concorde Clothing (Pty) Ltd. of Salisbury, have been imported into the Democratic Republic of the Congo for the retail trade.

"The Government of the United Kingdom suggest that the Committee ... may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Government of the Democratic Republic of the Congo in order to assist them in their investigations into this matter."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 25 August 1970 to the Government of the Democratic Republic of the Congo, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 28 August 1970 has been received from the Democratic Republic of the Congo (see (65) Case 92).

4. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to the Democratic Republic of the Congo, referring to its reply dated 28 August 1970 to the Secretary-General's notes verbale dated 25 August and 21 August 1970, concerning cigarettes and shirts respectively, expressing gratitude therefor and enquiring as to whether any further information was available concerning the enquiry mentioned in paragraph 4 of that reply.

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5. A reply dated 11 February 1971 has been received from the Democratic Republic of the Congo, the substantive part of which reads as follows:

"The Permanent Representative of the Democratic Republic of the Congo has the honour to refer to the Secretary-General's note of 29 January 1971 relating to the sale in the Democratic Republic of the Congo of cigarettes and shirts believed to be of Rhodesian manufacture.

"The Permanent Representative ... wishes to inform the Secretary-General that he has just reapprised his Government of the above-mentioned cases and will not fail to keep him informed at the appropriate time of any further information which is received."

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ANNEX II

Transactions conducted without the knowledge of reporting Governments

Case 67. Supply of aircraft to Southern Rhodesia: United Kingdom note dated 21 January 1970

1. By a note dated 21 January 1970, the United Kingdom Government reported information to the effect that Air Rhodesia was seeking to acquire second-hand Viscount aircraft and that its activities to that end were likely to be directed particularly towards airlines owning Viscount aircraft which, as a result of re-equipment with more modern aircraft, had now become, or were likely to become, surplus to such airlines' requirements. It was likely that any transaction would be arranged through third parties, probably based in a country in southern Africa, so that any sales would appear ostensibly as legitimate transactions to non-Rhodesian organizations. In order to avoid a breach of sanctions, it was considered desirable that appropriate steps should be taken to ensure that adequate inquiries were made by any persons disposing of such aircraft in order to make sure that they would not ultimately be acquired by Air Rhodesia.
2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 9 February 1970 to Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.
3. The following replies have been received:

Canada	Hungary
Colombia	Malawi
Congo (Democratic Republic of)	Mauritania
Federal Republic of Germany	Netherlands
France	the Philippines
	Poland

Of the above replies, those from Canada, Colombia, the Democratic Republic of the Congo, the Federal Republic of Germany, Hungary and Mauritania stated that the Secretary-General's note verbale had been or was being transmitted to their respective Governments. The reply dated 31 March 1970 from the Netherlands stated that no aircraft of the Viscount type were listed in the Netherlands aircraft

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registration. Poland stated that it had no trade relations of any kind with Southern Rhodesia. The reply dated 14 April from Malawi stated that it was not the intention of Air Malawi to dispose of any of their Viscounts in the immediate future. Should the planes be disposed of, the Government of Malawi had given an indication that they would not be sold to Southern Rhodesia. The Philippines stated in its reply dated 5 May 1970 that no Viscount aircraft had been registered in the Philippines in the previous five years, and that the Philippine authorities would take the note from the United Kingdom into consideration whenever any sale of such aircraft was made in the future.

4. In a note verbale dated 30 April, France stated that all sales of aircraft in France had to be authorized by the "Comité inter-ministériel d'études et d'exportations de matériel" which excluded all direct sales to Southern Rhodesia. In addition, sales were generally subject to a clause prohibiting re-exportation, a clause which was mandatory in the case of sales to southern Africa.

5. By a note dated 23 July 1970, the United Kingdom Government reported further information concerning the acquisition by Air Rhodesia of second-hand Viscount aircraft. The text of the note is reproduced below:

"The Government of the United Kingdom in continuation of their note of 21 January 1970 [see S/9844/Add.2, annex VII, page 141] and the Secretary-General's communication of 9 February based thereon, wish to bring to the attention of the Committee information about Air Rhodesia seeking to acquire second-hand Viscount aircraft, which they have received and which they believe to be sufficiently reliable to warrant investigation.

"The information is to the effect that Middle East Airlines recently disposed of a Viscount aircraft registered in the Lebanon as number OD-ADD and that this aircraft has now been registered in Southern Rhodesia by Air Rhodesia under the number VP YTE.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Lebanese Government in order to assist them to investigate the alleged disposal by Middle East Airlines of an aircraft which, according to the above information, has subsequently been acquired by Air Rhodesia."

6. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 29 July 1970 to the Lebanon, transmitting the United Kingdom note and requesting comments thereon.

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7. At the request of the Committee at its 38th meeting, an automatic reminder was sent to the Lebanon on 3 February 1971.

8. A reply dated 9 February 1971 has been received from the Lebanon, the substantive part of which reads as follows:

"The Permanent Representative of Lebanon to the United Nations... has the honour to bring to his /the Secretary-General's/ attention the following:

"1. Following receipt of the Secretary-General's note verbale dated 29 July 1970, the Lebanese Government undertook an investigation concerning the possibility of a breach of sanctions in the supply of aircraft to Southern Rhodesia.

"2. The 'Middle East Airlines Air Liban SAL' informed the Lebanese Ministry for Foreign Affairs that on 14 April 1970 it contracted for the sale of a commercial plane of the type VISCOUNT, registered in the records of the Lebanese Civil Aviation under the serial number OD-ADD, to Mr. Mervyn Edward Eyett, an aircraft agent, whose headquarters are located in Lourenço Marques, Mozambique.

"3. Middle East Airlines Air Liban also informed the Ministry that the agreement signed with Mr. Eyett specified that the delivery of the plane was to take place in Nampula in Mozambique, and that it did take place in that city on 22 April 1970.

"4. Middle East Airlines Air Liban SAL stated that the first time it learned that the plane had 'subsequently been acquired by Air Rhodesia' was when it received the enquiry from the Ministry for Foreign Affairs. It also stated that it had no knowledge whatsoever of the intentions and motives of the purchaser.

"5. Middle East Airlines Air Liban SAL also stated that it contracted for the sale of the aircraft in good faith, and that it had nothing to conceal about this commercial deal. It has requested and obtained from the countries lying on the route of delivery (Saudi Arabia, South Yemen, Somalia and Kenya) the necessary permits for overflight and landing.

"6. Furthermore, Middle East Airlines Air Liban SAL stated that it has always complied with the recommendations of the League of Arab States and of the United Nations, and that had it suspected that the plane would ultimately reach Southern Rhodesia, it would have refrained from consummating the sale to Mr. Eyett.

"The Lebanese Government, by imparting this information to the Secretary-General, wishes to assure him that Lebanon reiterates its already declared position to abide by Security Council resolution 253 (1968), particularly regarding its obligation to apply economic sanctions against Southern Rhodesia. This obligation applies to both the public and private sectors without distinction."

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ANNEX III

Cases of transactions conducted with the knowledge
of reporting Governments

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Case 43 - "Tanga": United Kingdom note dated 18 September 1969.
Case 62 - "Transvaal", "Kaapland", "Stellenbosch" and "Swellendam":
United Kingdom note dated 22 December 1969.

1. By a note dated 27 August 1969, the United Kingdom Government reported information about a consignment of graphite loaded on the vessel "Kaapland". The text of the note is reproduced below:

"The Government of the United Kingdom wish to draw to the attention of the Committee the following information about a possible evasion of sanctions in the export of Rhodesian graphite which they consider to be sufficiently reliable to merit further investigation.

"The information is to the effect that a consignment of approximately 3,000 bags of graphite was recently loaded at Beira on the South African vessel 'Kaapland': that the graphite was produced in Rhodesia by a company known as Rhodesian German Graphite Ltd. and that the graphite is consigned to Graphitwerk Kropfmuehl A.G., Munich.

"The 'Kaapland', which is owned by South African Liners Ltd., sailed from Beira on 21 July and is expected to arrive in Hamburg on about 9 September.

"The United Kingdom Government suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of the Federal Republic of Germany with a view to assisting them to ensure that the origin of any graphite which may be unloaded from the 'Kaapland' at ports in their territory during the course of its present voyage is carefully investigated.

"The Committee may further wish to ask the Secretary-General to notify the Government of the Republic of South Africa of the above report to enable them to make suitable enquiries regarding the carriage aboard a South African ship of graphite which according to the information mentioned above is of Rhodesian origin."

2. At the request of the Committee at its twenty-first meeting, the Secretary-General sent notes verbale dated 8 September 1969 to the Federal Republic of Germany and South Africa, transmitting the United Kingdom note and requesting comments thereon (for reply of FRG, see para. 7 below).

3. By a note dated 18 September 1969, the United Kingdom Government reported information about a consignment of graphite loaded on the vessel "Tanga". The text of the note is reproduced below:

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"The Government of the United Kingdom, in continuation of their note of 27 August 1969, wish to bring to the attention of the Committee the following information about a further exportation of Rhodesian graphite which they consider to be sufficiently reliable to merit further investigation.

"The information is to the effect that a consignment of 3,000 bags of graphite was recently loaded at Beira on the FRG vessel 'Tanga': that the graphite was produced in Rhodesia by a company known as Rhodesian German Graphite Ltd. and that the graphite is consigned to Graphitwerk Kropfmuehl A.G., Munich.

"The 'Tanga', which is owned by DAL Deutsche-Afrika Linien G.M.B.H. and Co., Hamburg, sailed from Beira on 10 August and is expected to arrive in Hamburg on 19 September.

"The United Kingdom Government suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Government of the FRG with a view to assisting them to ensure that the origin of any graphite which may be unloaded from the 'Tanga' at ports in their territory during the course of its present voyage is carefully investigated; and to enable them to make suitable enquiries regarding the carriage aboard an FRG vessel of graphite which, according to the information above, is of Rhodesian origin."

4. At the request of the Committee at its twenty-second meeting, the Secretary-General sent a note verbale dated 30 September to the FRG, transmitting the United Kingdom note and requesting comments thereon (for reply of FRG, see para. 7 below).

5. By a note dated 22 December 1969, the United Kingdom Government reported information about four consignments of graphite loaded on the vessels "Transvaal", "Kaapland", "Stellenbosch" and "Swellendam". The text of the note is reproduced below:

"The Government of the United Kingdom in continuation of their Notes of 27 August and 18 September 1969 wish to bring to the attention of the Committee the following information, which they consider to be sufficiently reliable to justify further investigation, concerning possible evasions of sanctions in the export of graphite suspected to be of Rhodesian origin.

"The information is to the effect that four consignments of graphite, probably totalling some 1,000 tons, destined for Graphitwerke Kropfmuehl, A.G., Munich, were shipped from Lourenco Marques on the m.v. 'Transvaal' on 30 October; on the m.v. 'Kaapland' on 8 November; on the m.v. 'Stellenbosch' on 23 November, and on the m.v. 'Swellendam' on 2 December.

/...

"The only countries in southern Africa which produce and export graphite are South Africa and Rhodesia. South African exports of graphite are negligible, amounting to only 8 tons in 1968 and 20 tons in the first six months of 1969.

"The Government of the United Kingdom suggests therefore that the Committee may wish to ask the Secretary-General of the United Nations to bring this information to the notice of the Government of the Federal Republic of Germany, with a view to assisting them in their investigations into the origin of any graphite from the vessels named in paragraph 2 above which may be unloaded at ports in their territory. If it should be claimed the graphite is not of Rhodesian origin, the Government of the Federal Republic of Germany will no doubt bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's Note PO 230 SORH (1-2-1) of 18 September 1969. This could take the form of the relevant invoices and rail notes covering the despatch of the consignments to Lourenço Marques, together with certificates from the producers of the graphite in question."

6. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 5 January 1970 to the Federal Republic of Germany, transmitting the United Kingdom note of 22 December and requesting comments thereon.

7. A reply dated 16 January 1970 has been received from the Federal Republic of Germany^{1/}, the substantive part of which reads as follows:

"The Government of the Federal Republic of Germany has successfully endeavoured to implement United Nations sanctions against Southern Rhodesia and has taken all necessary legislative measures. It has scrupulously investigated all alleged violations brought to its attention by the Committee ... or by the British Government and has not failed to take the appropriate measures in cases of confirmed violations.

"Consequently trade between the Federal Republic of Germany and Southern Rhodesia has declined to less than 10% of its former volume and is now almost exclusively confined to commodities which are not included in the sanctions provisions, or are covered by so-called 'old contracts'. All but one of these contracts - this one covering the importation of Southern Rhodesian graphite - have expired. Investigations of the Government of the Federal Republic of Germany have established that the alleged shipments of Southern Rhodesian graphite to the Federal Republic of Germany on the vessels mentioned in the Secretary-General's notes are covered by this last pending contract.

^{1/} This reply also refers to Cases 38 and 43.

"In this connection, however, the Government of the Federal Republic of Germany wishes to make the following observations: The above-mentioned contract had been concluded in 1964 and provided for long-term imports of raw graphite from a Southern Rhodesian graphite mine. The importing company is the only one operating a graphite mine in Germany. This company has made increasing efforts to substitute raw graphite from the USSR, Czechoslovakia, the People's Republic of China, Madagascar and Norway, in place of graphite from Southern Rhodesia. It has not been possible, however, to eliminate Southern Rhodesian sources completely. The imported crystalline raw graphites must be similar to the graphite mined by the German company because they have to be reworked and refined structurally. The company depends on the imports mentioned above as only this Southern Rhodesian material which is not found in any other country can be mixed with the German graphite.

"The Federal Government will continue its efforts to help the importing company reduce or even discontinue imports from Southern Rhodesia. The significance of this case, however, is negligible if compared with the positive general result which efforts of the Government of the Federal Republic of Germany to implement UN sanctions have had so far."

8. At the request of the Committee at its twenty-seventh meeting, the Secretary-General sent a note verbale dated 29 April 1970 to the Government of the Federal Republic of Germany, referring to its reply dated 16 January and, in connexion with the fourth paragraph thereof, requesting confirmation that the Government of the Federal Republic intended to comply fully with the provisions of resolution 253 (1968).

9. A reply dated 16 September 1970 has been received from the Federal Republic of Germany to the Secretary-General's note verbale of 29 April 1970, the substantive part of which reads as follows:

"As already stated on a previous occasion, the FRG-Rhodesian graphite mining company 'Rho-German Graphite (Pvt) Ltd. in Salisbury was established in May 1965, that is six months before the Rhodesian declaration of independence. At the time, the participation of Kropfmuhl A.G. was welcomed by the Federal Government.

"One inseparable part of the establishing contract is a contract of sale under which Kropfmuhl are obliged to accept the total production of the new company, which is approximately 5,000 tons a year. The product mined in Rhodesia is crystalline natural graphite which is obtainable in only a few countries in quantities sufficient for purposes of large-scale industry, which means that world supplies are limited. Although Kropfmuhl are looking for other sources, their negotiations have shown that it is at present not possible, nor will it be possible for the foreseeable future, to obtain the

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necessary quantities elsewhere. There are already signs of a bottleneck on the world market, so it is not without good reason that in the United States a stockpile of some 30,000 tons of natural graphite is prescribed by law on strategic grounds. A further point is that Kropfmuhl cannot mix their own product with any other kinds of graphite - insofar as they are at all available - on account of their different qualities, especially with regard to flake structure, grain size, softness and ash composition. Nor can amorphous graphite be substituted for crystalline graphite, both for technical reasons and because they are used for different purposes.

"Kropfmuhl are one of the world's largest producers of natural graphite; hence, as previously explained, any embargo on their imports of Rhodesian graphite would not only lead to the closure of the Federal Republic's only graphite mine but would also have world-wide repercussions.

"The Federal Ministry of Economics will continue to carefully watch the import of Rhodesian graphite in the light of the resolution adopted by the Security Council in 1968."

10. At the request of the Committee at its thirty-ninth meeting, the Secretary-General sent a note verbale dated 28 January 1971 to the Federal Republic of Germany, referring to its reply of 16 September 1970 and informing that Government that the Committee would be making a further report to the Security Council in the near future and would have to include in that report the contents of the above-mentioned reply which indicated that, for the reasons stated, import of the graphite in question had been permitted. The Committee wished the FRG Government to have the opportunity to make any comments it might wish on the matter and to send any such comments to the Secretary-General within three weeks for transmittal to the Committee.

11. A note verbale dated 8 February 1971 has been received from the Federal Republic of Germany, stating that the contents of the Secretary-General's above note dated 28 January 1971 have been brought to the attention of the FRG Government.

12. Further information concerning the matter has been received from the Federal Republic of Germany in a note dated 24 February 1971, the substantive part of which reads as follows:

"... with reference to the Secretary-General's note dated 28 January 1971, Case 62,... the Permanent Observer of the Federal Republic of Germany to the United Nations has the honour to reply as follows:

/...

"1. Since the immediate and total discontinuation of imports of natural graphite from Southern Rhodesia would endanger the existence of Kropfmühl A.G. and result in the closing down of the Federal Republic of Germany's only graphite mine, Kropfmühl A.G. have been continuing their efforts to reduce graphite imports from Southern Rhodesia. Despite increasing difficulties to obtain natural graphite from other sources they have to a certain degree succeeded in buying such graphite from other countries. Though considerable increase in the company's production costs will result, imports from Southern Rhodesia in 1972 will most likely decrease by about 20 per cent.

2. In assessing the Government of the Federal Republic of Germany's stand on the question of graphite imports, the Committee established in pursuance of Security Council resolution 253 (1968) is again urgently requested to take into account the general results which the efforts of the Government of the Federal Republic of Germany in implementing the United Nations sanctions against Southern Rhodesia have had so far. As the following statistical data demonstrate trade between the Federal Republic of Germany and Southern Rhodesia has practically come to an end:

	Imports from Southern Rhodesia (in \$US)	Exports to Southern Rhodesia (in \$US)
1965	37.9 million	12.17 million
1966	32.96 "	12.39 "
1967	17.25 "	13.5 "
1968	14.36 "	14.22 "
1969	1.18 "	1.43 "
1970	0.6 "	1.24 "

Whereas imports shown in the statistics mainly consist of natural graphite, exports comprise commodities not covered by sanctions, such as pharmaceutical products.

3. The Government of the Federal Republic of Germany considers the significance of the Kropfmühl case, compared to the general results of German implementation of the United Nations sanctions, to be negligible. It will, however, continue its efforts to eliminate even this last remaining element of trade between the Federal Republic of Germany and Southern Rhodesia.

Case 42. Meat - "Polana"

1. By a note dated 17 September 1969, the United Kingdom Government reported information about a consignment of meat on the above vessel. The text of the note is reproduced below:

/...

"The Government of the United Kingdom have received information from commercial sources that a consignment of Rhodesian meat is being carried from southern Africa to Europe aboard the vessel 'Polana'.

"The 'Polana', which is owned by DAL Deutsche Afrika-Linien G.M.B.H. and Co., Hamburg, is scheduled to call at Leghorn about 17 September and thereafter at Genoa, Marseilles, Antwerp, Rotterdam, Bremen and Hamburg.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the notice of the Governments of Italy, France, Belgium, the Netherlands and the Federal Republic of Germany, with a view to assisting them to ensure that the origin of any meat which may be unloaded from the 'Polana' at ports in their territories is carefully investigated: and, in the case of the FRG, so that they can make suitable enquiries about the carriage in a vessel of the FRG of meat which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbale dated 30 September 1969 to Belgium, the Federal Republic of Germany, Italy and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from the Federal Republic of Germany and the Netherlands as follows:

(a) FRG in a note dated 26 November 1969 stated that, according to investigations made by the customs authorities, no meat was unloaded from the vessel in question during its calls at Bremen and Hamburg. Furthermore, the owners of the vessel, Deutsche Afrika-Linien GmbH. and Co., Hamburg, pointed out that their agencies had strict orders not to accept any cargo originating in Southern Rhodesia;

(b) Netherlands in a note dated 18 November 1969 stated that the vessel had berthed at Rotterdam on 6 October. An inquiry by the Netherlands authorities had proved that the vessel did not carry meat on its arrival.

4. The following information was also received from France in a note verbale dated 9 March 1970: the vessel belonging to the FRG Company, DAL Deutsche Afrika-Linien G.M.B.H. (Hamburg) called at Marseilles on Saturday, 20 September 1969. It was carrying no goods destined for France. It unshipped in transit by sealed wagons to Switzerland 50 tons of frozen tongue and beef liver.

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5. At the request of the Committee at its 25th meeting, the Secretary-General sent notes verbale dated 31 December 1969 to Belgium and Italy, requesting a reply to his previous note verbale dated 30 September.
6. Replies from Italy dated 5 and 12 January 1970 stated that no consignment of meat by the vessel in question had been made at either Leghorn or Genoa.
7. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 29 April 1970 to Switzerland, transmitting the information received from France (See para. 4 above) and requesting any further information which the Swiss Government might have concerning this shipment.
8. A reply dated 2 June 1970 has been received from Switzerland to the Secretary-General's note verbale of 29 April 1970, the substantive part of which reads as follows:

"The cargo in question, namely 48.6 gross tons of beef tongue and liver was in fact imported into Switzerland. It was part of the limited trade explained in the note which the Permanent Observer addressed to the Secretary-General on 13 February 1967 /see para. 9 below/. This merchandise is of Rhodesian origin according to the bills of lading submitted to the Swiss customs authorities."

9. The text of the Swiss note dated 13 February 1967, referred to above, is reproduced below /it may also be found in document S/7781, Security Council O.R. 22nd year, Suppl. for January to March 1967, pages 117-118/:

"In his notes of 17 December 1966^{1/} and 13 January 1967^{2/}, the Secretary-General invited Switzerland to conform with the selective and mandatory economic sanctions taken against Rhodesia and to supply information on the measures taken to supplement resolution 232 (1966) adopted by the Security Council on 16 December 1966, which is specifically addressed to all States. Resolution 217 (1965) of 20 November 1965, which merely recommended economic measures, is thus strengthened, since the mandatory sanctions provided for in Chapter VII of the United Nations Charter are applied for the first time.

"The Federal Council has considered the problems which this poses for our country. It has concluded that, for reasons of principle, Switzerland, as a neutral State, cannot submit to the mandatory sanctions of the United Nations. The Federal Council will, however, see to it that Rhodesian trade

^{1/} See S/7781, Security Council O.R. 22nd year, Suppl. for Jan. to Mar. 1967, section II, page 75, para.5.

^{2/} Ibid., section II, para.6, page 76.

is given no opportunity to avoid the United Nations sanctions policy through Swiss territory. It is for that reason that it decided, as early as 17 December 1965, independently and without recognizing any legal obligations to do so, to make imports from Rhodesia subject to mandatory authorization and to take the necessary measures to prevent any increase in Swiss imports from that territory.

"During the preceding years, those imports represented only 1 per cent of total Rhodesian exports, while Swiss exports amounted to only 0.7 per cent of Rhodesian imports. These figures show that as far as the United Nations sanctions policy against Rhodesia is concerned, the traditional trade relations between Switzerland and Rhodesia are of little importance, being insignificant as far as that Territory's economy is concerned.

"However, as a result of the new measures taken by the United Nations, the Federal Council has decided to restrict imports from Rhodesia even further, limiting them to a level not exceeding the average of the last three years. The import restrictions are thus strengthened. Any possibility of increasing these imports is excluded and the United Nations sanctions policy cannot be contravened.

"In addition, the ban on exports of war material imposed at the end of 1965 is being maintained. Similarly, the National Bank continues to block funds deposited with it by the Rhodesian Reserve Bank.

"Furthermore, it should be noted that with regard to the goods placed under embargo by the Security Council, Switzerland possesses no oil and consequently does not export oil or oil products to Rhodesia, either directly or indirectly. Moreover, it does not export to that Territory lorries, aircraft or spare parts for their maintenance."

10. At the Committee's request at its 39th meeting, the Secretary-General sent a note verbale dated 28 January 1971 to Switzerland, referring to its reply dated 2 June 1970 to the Secretary-General's note verbale of 29 April 1970 and enquiring as to whether copies of the bills of lading mentioned in that reply, together with any other relevant documentation, could be forwarded for transmittal to the Federal Republic of Germany and for the information of the Committee. It was pointed out that this documentation would also be useful in assisting other Governments in preventing future attempted violations. The Committee also requested the Secretary-General to inform Switzerland that it would be making a further report to the Security Council in the near future and would have to

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include in that report the contents of its above-mentioned reply dated 2 June 1970. The Committee wished the Government of Switzerland to have the opportunity to make any comments it might wish on the matter, and to send any such comments to the Secretary-General within three weeks for transmittal to the Committee.

11. A reply dated 22 February 1971 has been received from Switzerland to the Secretary-General's note verbale dated 28 January 1971 (see para. 10), the substantive part of which reads as follows:

"The Permanent Observer of Switzerland to the United Nations... has the honour to refer to the communication of 28 January 1971 in which the Secretary-General reverts to the case of a shipment of meat of Rhodesian origin bound for Switzerland on board the vessel 'Polana', which was the subject of an earlier exchange of notes dated 29 April and 2 June 1970.

"In reply to the request for additional information made by the Secretary-General in his latest note, dated 28 January 1971, the Permanent Observer, while emphasizing the insignificance of the case in question, wishes to reaffirm Switzerland's position of principle as stated in the Declaration of the Federal Council, the text of which was transmitted to the Secretary-General on 13 February 1967 [see para. 9]:

'The Federal Council has concluded that, for reasons of principle, Switzerland, as a neutral State, cannot submit to the mandatory sanctions of the United Nations. The Federal Council will, however, see to it that Rhodesian trade is given no opportunity to avoid the United Nations sanctions policy through Swiss territory. It is for that reason that it decided, as early as 17 December 1965, independently and without recognizing any legal obligation to do so, to make imports from Rhodesia subject to mandatory authorization and to take the necessary measures to prevent any increase in Swiss imports from that territory.

'During the preceding years, those imports represented only 1 per cent of total Rhodesian exports, while Swiss exports amounted to only 0.7 per cent of Rhodesian imports. These figures show that as far as the United Nations sanctions policy against Rhodesia is concerned, the traditional trade relations between Switzerland and Rhodesia are of little importance, being insignificant as far as that Territory's economy is concerned.

'However, as a result of the new measures taken by the United Nations, the Federal Council has decided to restrict imports from

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Rhodesia even further, limiting them to a level not exceeding the average of the last three years. The import restrictions are thus strengthened. Any possibility of increasing these imports is excluded and the United Nations sanctions policy cannot be contravened.

'In addition, the ban on exports of war material imposed at the end of 1965 is being maintained. Similarly, the National Bank continues to block funds deposited with it by the Rhodesian Reserve Bank.'"

12. Subsequent to the statement concerning this case made by the representative of Belgium at the Committee's 42nd meeting on 24 February 1971, further information has been received from the Permanent Representative of Belgium to the United Nations in a note dated 26 February 1971, the substantive part of which reads as follows:

"With regard to Case No. 42 (meat - 'Polana'), which is referred to in document S/9844/Add.2, my authorities felt it unnecessary to reply to your notes verbale of 30 September and 31 December 1969, 1/ in view of the fact that in the meantime the reply of France, dated 9 March 1970, made it clear that the cargo of that vessel was discharged at Marseilles."

13. In a statement concerning this case made at the Committee's 43rd meeting on 18 March 1971 the representative of France wished it to be clearly put on record in the Committee's report that the cargo in question had been unloaded at Marseilles merely in order to be transported elsewhere.

Case No. 75 Supply of wheat by Australia

1. At the request of the Committee at its 29th meeting, the Secretary-General sent the following note verbale dated 14 May 1970 to the Permanent Representative of Australia:

1/ See S/9844/Add.2, annex VII para. 2, page 103 and para. 5, page 104.

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Australia to the United Nations and, at the request of the Committee established in pursuance of Security Council resolution 253 (1968), has the honour to refer to press reports concerning the sale of Australian wheat to Southern Rhodesia.

"At its 29th meeting held on 8 May 1970, the Committee, having regard to the provisions of Security Council resolution 253 (1968), decided to ask the Secretary-General to request His Excellency's Government for information concerning the reported supply of wheat to Southern Rhodesia, including terms of sale and quantities involved.

"The Secretary-General would appreciate receiving the comments of His Excellency's Government concerning this matter as soon as possible."

2. A reply dated 10 July 1970 has been received from Australia, the substantive part of which reads as follows:

"The Permanent Representative of Australia has the honour to inform the Secretary-General that exports of wheat from Australia to Rhodesia under the provisions of paragraphs 3 (d) of resolution 253 (1968) are set out below:

	Quantities (Long tons)	Value (Dollars '000)
1965/66	61,597	3,246
1966/67	52,782	2,990
1967/68	78,958	4,225
1968/69	76,715	4,191
1969/70	56,118	2,943

"(Note: Increase in exports in 1967/68 and 1968/69 due to drought conditions in southern Africa.)

"All the quantities listed above have been sold on normal commercial terms."

3. At the request of the Committee at its 40th meeting, the Secretary-General sent a note verbale dated 29 January 1971 to Australia, referring to its above reply of 10 July 1970 and informing the Permanent Representative that the Committee would shortly be making a further report to the Security Council on this matter and would have to include in that report the above-mentioned reply. Before doing so, the Committee wished the Secretary-General to enquire as to whether the Australian Government had any further observations to make on the supply of wheat to Southern Rhodesia, particularly with respect to the applicability of paragraph 3 (d) of resolution 253 (1968).

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4. At the 41st meeting of the Committee, the representative of the United Kingdom reported the following information concerning Rhodesian wheat imports:

"There are no separate figures for Southern Rhodesian imports of wheat during the years 1953-1963. However, according to what information there is available during that period, Australia and the United States regularly exported wheat to the Federation at a rate of about 80,000 to 100,000 tons a year. In each of the calendar years 1964 and 1965, imports by Southern Rhodesia from Australia amounted to about 65,000 tons, a further 10,000 tons coming from the United States. The annual rate of imports from Australia has maintained about the same average since then, as the Australian note of 10 July 1970 reveals, American supplies have ceased.

"Consumption of wheat in Rhodesia is estimated to amount to approximately 90,000 tons a year. The urban African population (700,000) according to an official survey of some 12 years ago have a per capita wheat consumption of 150 pounds per year - a total of some 50,000 tons. The 250,000 Europeans, assuming a per capita consumption of 145 pounds per head (this figure is based on consumption in the UK) would account for roughly 16,000 tons a year. The rural African population (4,250,000), consuming an estimated 10-12 pounds per head per year would absorb the remaining 24,000 tons.

"Most if not all the wheat not imported from Australia is now produced in Rhodesia and it is estimated that in five years' time, domestic production should be enough to meet Rhodesian needs."

5. A reply dated 19 February 1971 has been received from Australia to the Secretary-General's note of 29 January 1971, the substantive part of which reads as follows:

"The Permanent Representative of Australia to the United Nations... has the honour to refer to the Secretary-General's note, Case 75, of 29 January 1971, conveying an invitation from the Committee... to the Government of Australia to make further observations on the supply of wheat to Southern Rhodesia, particularly with respect to the applicability of paragraph 3 (d) of Security Council resolution 253 (1968).

"The Permanent Representative of Australia has the honour to inform the Secretary-General of the United Nations that it is the Australian Government's view that the application of sanctions was never intended to deprive the Rhodesian population - of whom the overwhelming majority are black Rhodesians - of basic foodstuffs.

"Wheat is an important part of the diet of the majority of the black population of Rhodesia and it is no part of the Australian Government's policy to inflict hardship on the indigenous population through its application of sanctions against the illegal Smith régime.

"Australia supports the application of sanctions against Rhodesia. It has permitted the export of wheat to that country on humanitarian grounds, as provided for in paragraphs 3 (d) of Security Council resolution 253 (1968)."

ANNEX IV

The automobile industry in Southern Rhodesia

I. Introduction

At its 37th meeting held on 18 January 1971, the Committee established in pursuance of Security Council resolution 253 (1968) considered among other questions the question of the local assembly of motor vehicles in Southern Rhodesia. The question, which already constituted part of the Committee's agenda, having been carried over from the Committee's third report as Case No. 9, was discussed under the agenda item dealing with replies sent by Governments since the publication of the third report, as well as two other notes on that case subsequently received from the United Kingdom and the United States, giving reports to the effect that motor vehicles were being locally assembled in Southern Rhodesia from kits imported from abroad. As a result of the discussion that followed, the Committee decided to request the Secretariat to make a study of such information as was available on the automobile industry in Southern Rhodesia, with a view to ascertaining whether, in spite of action by various Governments to prevent this, motor vehicles and their parts continued to be imported into or assembled in Southern Rhodesia from imported kits, in violation of the sanctions in force against that country.

II. Southern Rhodesia's automobile imports

(a) General remarks

Prior to UDI Southern Rhodesia obtained virtually all its motor vehicles from abroad the major exporting countries being the United Kingdom, Japan, France and the Federal Republic of Germany. In 1965, the last calendar year for which complete trade figures for this group of commodities are available for Southern Rhodesia, it was reported^{1/} that 2,287 cars and 264 trucks or buses were imported from the United Kingdom, 673 and 376 respectively from Japan, 937 and 88 from France and 1,073 and 110 from the Federal Republic of Germany. The total number

^{1/} Annual Statement of External Trade, 1965, Central Statistical Office, Salisbury, Southern Rhodesia.

of motor vehicles imported from all countries that year was given as 6,390 cars and 987 trucks or buses, amounting to 7,377 vehicles altogether.^{1/}

International trade statistics of the reporting countries show virtually no automobile exports to Southern Rhodesia since UDI. However, according to Automobile International, a publication by Johnson Publications of New York, the total number of registered and licensed motor vehicles in use in Southern Rhodesia (vehicles in use means the number of vehicles carrying current registrations for the year under consideration. Since all vehicles must by law be registered, a count of the motor vehicles in use is tantamount to a census of the motor vehicles in the country) stood at a higher level in 1969 than that reported at the end of 1965. Then, the figure was given as altogether 135,000 motor vehicles. At the end of 1968 and 1969 the figures were given as 153,200 and 160,000 motor vehicles respectively.

There appears to be a strong possibility that Southern Rhodesia may be receiving motor vehicles and their parts through neighbouring countries. This possibility is strengthened by the fact that Southern Rhodesia is maintaining its exporting pattern of this commodity group to its neighbouring countries. Malawi, for instance, reported annual imports of \$0.5 million from Southern Rhodesia of motor vehicles and their parts during 1967-1968 and \$0.3 in 1969, (compared with \$1.3 million in 1965). For this reason, an analysis was made (in terms of value^{2/})

^{1/} According to the official respective figures of the major exporters of motor vehicles to Southern Rhodesia for the year 1965, the United Kingdom exported to Southern Rhodesia a total of 10,588 cars (of which 2,271 were assembled and 8,317 were assembly kits) and 2,852 commercial vehicles; France exported 1,078 cars and 158 commercial vehicles; Japan 1,001 and 1,283 respectively, and the Federal Republic of Germany 945 and 154. It would appear that the figures for cars imported from the United Kingdom by Southern Rhodesia refer to assembled cars only and that assembly kits are included in the Southern Rhodesian figures for motor vehicle parts.

Another publication, The Motor Industry of Britain, 1966, issued annually by the Society of Motor Manufacturers and Traders Ltd., U.K., states that during the year ended 31 December 1965 the United Kingdom alone exported to Southern Rhodesia 10,608 cars (as compared to 9,289, including exports to Malawi and Zambia, in 1964) and 3,213 commercial vehicles (2,260).

^{2/} It is not possible to make a comprehensive study in terms of quantities because of the heterogeneous nature of this group of commodities. Countries use different units of quantity to express the physical volume of imports and exports.

/...

of the exports of the reporting countries^{1/} to South Africa and also to Mozambique, Angola, Malawi and Zambia together with the corresponding imports by the above-mentioned countries from the reporting countries. The results of the analysis are shown in tables I and II below.

Table II

Trade of South Africa in motor vehicles and their parts with reporting countries which provided about 93 per cent of imports of motor vehicles and their parts by Southern Rhodesia in 1965

(in million US dollars)

	All reporting countries	U.K.	FRG	U.S.	Canada	Japan	France	Italy	Australia
Exports to South Africa									
1965	289	128	56	38	25	16	9	8	5
1966	288	120	60	43	23	16	10	8	6
1967	310	112	67	54	17	27	12	11	7
1968	331	96	84	50	20	30	17	11	13
1969	444	121	106	67	16	63	19	16	28
1970 Jan-June	251	68	62	27	14	29	15	11	19
Imports of South Africa									
1965	289	130	55	38	21	18	9	9	5
1966	273	111	56	44	21	15	10	8	5
1967	305	104	64	55	20	27	11	11	7
1968	318	93	79	51	18	29	13	12	14
1969	402	105	91	68	13	60	15	16	26
1970 Jan-June	230	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

^{1/} For list of reporting countries, see Annex III to S/9844/Add.3.

Table II

Trade of Angola, Malawi, Mozambique and Zambia in motor vehicles and their parts with the reporting countries

(in million US dollars)

	<u>Exports of reporting countries to Angola, Malawi, Mozambique and Zambia</u>	<u>Imports of Angola, Malawi, Mozambique and Zambia from reporting countries</u>
1965	48	49
1966	73	62
1967	90	84
1968	104	94
1969	95	86
1970 Jan-June	54	44 ^{a/}

a/ Estimate.

It may be noted from the tables above that in the year 1965 exports agree well with the corresponding imports. However, in the years 1966, 1967, 1968 and 1969 exports by some reporting countries to South Africa and to the four countries of Angola, Malawi, Mozambique and Zambia exceeded the corresponding imports reported by those five countries. The total discrepancies were as follows (in million US dollars):

	1966	1967	1968	1969	1970 (Jan-Jun)
South Africa	15	5	13	42	21
The four countries	11	6	10	9	10
Total	26	11	23	51	31

South Africa (not a reporting country) traditionally exported a substantial amount of motor vehicles and their parts to Southern Rhodesia (\$2.2 million was reported by Southern Rhodesia for 1965). Although South Africa has not released a meaningful analysis by country of destination for this commodity group since 1964, a study of its partner countries' data makes it possible to estimate an approximate amount that Southern Rhodesia may have received from South Africa.

Table III

South African exports of motor vehicles and their parts
(in million US dollars)

	1965	1966	1967	1968	1969	Jan-June 1970
Total exports ^{a/}	12.2	17.3	22.0	24.4	20.0	10.1
(of which re-exports ^{a/})	(4.7)	(7.3)	(10.5)	(16.1)	(13.4)	(7.1)
to reporting countries ^{a/}	1.8	2.1	3.3	3.4	4.2	2.0 ^{e/}
to neighbouring countries other than Southern Rhodesia ^{c/}	4.4	5.4	5.1	3.4	3.8	1.8 ^{e/}
to Southern Rhodesia	2.2 ^{d/}	6.0 ^{b/}	8.5 ^{b/}	12.0 ^{b/}	7.0 ^{b/}	4.0 ^{b/}
unknown destination ^{f/}	3.8	3.8	5.1	5.6	5.0	2.3 ^{e/}

^{a/} South African figures.

^{b/} Estimated amount believed to have been exported to Southern Rhodesia

^{c/} Reported by partner countries.

^{d/} Reported by Southern Rhodesia.

^{e/} Estimated.

^{f/} Residue.

There is evidence of a substantial discrepancy between the export figures and the import figures. This, together with the increase in recorded South African imports and the high level of estimated South African exports to Southern Rhodesia, leads to the conclusion that... 253 (1968), mainly through South Africa. Because... that motor vehicles are reaching Southern Rhodesia in breach of Security Council resolution 253 (1968), because of differences in classification

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and differences by which imports into South Africa are attributed to countries of origin and consignment, it is not possible to give quantitative precision as to the values involved, although there is every indication that they are substantial.

(b) Specific cases brought to the attention of the Committee

Up to the time of the issuance of its third report, the Committee had considered a number of cases involving possible exportation of motor vehicles to Southern Rhodesia in violation of the sanctions. The factual account of those cases and the Committee's decisions concerning them are contained in the third report.^{1/} Since the issuance of the third report, a new case has been brought to the attention of the Committee.

By a note dated 8 January 1971 the United Kingdom Mission reported information to the effect that up to 800 fully assembled Toyota Corolla motor cars were imported into Southern Rhodesia during the months of September and October 1970. The United Kingdom Government suggested in its note that the attention of Japan, itself already a member of the Committee, should be drawn to this information.

In a note dated 26 February 1971, Japan informed the Committee that, as a result of a searching investigation into the alleged importation into Southern Rhodesia of Japanese motor cars, the Government of Japan had ascertained that, in accordance with the existing regulations, no Japanese automobile exporters had supplied any motor cars or their parts to Southern Rhodesia, although they engaged, in such exports to countries neighbouring that territory. In particular, it had been ascertained that the contracts between the Toyota Auto Sales Co. Ltd., and its overseas distributors contained a strict clause forbidding them to sell Toyota cars outside their own areas, and that the Company instructed its overseas dealers to make every effort to ensure that the end user would not be an inhabitant of Southern Rhodesia.

III. Local assembly of motor vehicles:

(a) General remarks

The Rhodesia Directory for 1965 lists four firms that were already assembling or manufacturing cars prior to IDI, namely: the Ford Motor Company of Rhodesia

^{1/} S/9844/Add.2, p. 124.

(Private) Ltd., located near Salisbury, the Austin Motor Company (Rhodesia) (Private) Ltd., the British Motor Corporation and the Morris Motors (Rhodesia) (Private) Ltd., all located at Umtali. All the firms were dealing in car models of British manufacture, but no official figures are available as to the number of cars assembled locally before or since IDI.^{1/} However, at the Committee's 38th meeting on 18 January 1971, the representative of the United Kingdom reminded the Committee that the British Motor Corporation in Southern Rhodesia was, despite its name, an enterprise now exclusively controlled by the Government of the illegal régime and no longer had any connexion with the British firm, and that the British firm, now called the British Leyland Motor Corporation, had, on instructions from the United Kingdom Government, ceased to have any dealings with the Umtali firm.

(b) Specific cases brought to the attention of the Committee

Since IDI information was received from the United Kingdom and the United States containing reports which indicated that as many as thirteen models of cars, and probably some commercial vehicles, were being locally assembled from kits imported into Southern Rhodesia via South Africa from the Federal Republic of Germany, France, Italy and Japan. The decisions of the Committee concerning those reports are contained in the Committee's third report.^{2/}

Since the issuance of the Committee's third report, further information concerning the local assembly of cars has been received from the United States and the United Kingdom Governments. In a note dated 5 October 1970, the United States Mission quoted a recent issue of Rhodesia Commentary,^{3/} a publication of the Rhodesia Information Office in Washington, to the effect that kits from Renault and Alfa Romeo cars had arrived in Rhodesia. The report further stated that since the end of 1968, French, German and Japanese cars had at all times been assembled in Rhodesia from kits.

^{1/} Official figures (Annual Statement of the Trade of the United Kingdom for the year 1965) indicate that the United Kingdom exported to Southern Rhodesia assembly kits for 8,317 cars. It is not known how many, if any, of the cars exported to Southern Rhodesia by the other exporting countries were assembly kits (See foot-note 1, p. 2).

^{2/} S/9844/Add.2, p. 124.

^{3/} Volume 4, No. 4, September 1970.

The note from the United Kingdom Mission dated 23 October 1970 contained information about the local assembly of cars gathered from various world press reports. The note added that the information was supported by a statement on 19 August in the Rhodesia House of Assembly made by the so-called Minister of Commerce and Industry when he stated that supplies of a new family car would be available to the public by the end of August 1970.

The note also recalled information from an earlier note from the United Kingdom to the effect that Citroen vehicle kits intended for assembly in Rhodesia (although ostensibly consigned to South Africa) differed from kits to be assembled in South Africa in that certain components such as upholstery, seats, carpets, roof lining, etc., were included; such components were already locally manufactured in South Africa and would therefore not be included in kits to be assembled in that country.

Further international information media^{1/} gave reports that towards the end of 1968 two Rhodesian car assembly plants that had closed down after IDI, owing to the refusal of Britain and Canada to supply kits were reopened and had started assembling French, Italian, German and Japanese cars. The same sources indicated that since the end of August 1970 five new models of cars, all assembled locally in defiance of the United Nations sanctions, had rolled onto the Rhodesian market and are currently available to the public. They are said to be the Peugeot 304, the Renault R4 and R10 from France, the Alfa Romeo 1750 from Italy and the Toyota Corolla from Japan. If so, the new cars would be in addition to the BLW models from the Federal Republic of Germany and the Citroen models from France, already reported available to the public before August 1970.

Two replies were received from the Governments of France and Italy concerning the reports that cars were being assembled in Southern Rhodesia from kits imported from their countries. In a reply dated 11 January 1971^{2/} the Government of France, while expressing some doubt as to the reliability of press reports in general stated, among other things, that French automobile manufacturers not only required

1/ The Star, Johannesburg, 30 June 1970; The Financial Times, London, 21 August 1970; UPI and AFP, various dates; The Guardian, London, 21 August 1970 and Southern Africa, 5 September and 17 October 1970.

2/ Already circulated in S/AC.1-/WP.1, Case 9/Add.1.

of their dealers in countries adjacent to Southern Rhodesia to give an undertaking not to re-export vehicles or their parts to that territory, but also to take the precaution of limiting sales to such countries. The note further stated that as France no longer maintained any representation in Southern Rhodesia, it was unable to make any local checks on the reports supplied to the Committee.

By a note dated 18 January 1971,^{1/} Italy stated that, after appropriate inquiries, the competent authorities in Italy had ascertained that no motor vehicle kits had been supplied to Southern Rhodesia directly or indirectly by Alfa Romeo, which had no factory nor commercial agent there, and that all contracts between Alfa Romeo and its foreign agents forbade them to sell its products, directly or indirectly, outside their own area or in Southern Rhodesia.

IV. Concluding observations

It appears that, in spite of the United Nations sanctions in force against it, and in spite of the efforts of various Governments to prevent the supply of vehicles or kits to it, Southern Rhodesia has been able to satisfy its essential requirements for motor vehicles, though probably at a high cost and great inconvenience.^{2/} From the foregoing, there are ample grounds to conclude that new motor vehicles and assembly kits are still reaching Southern Rhodesia via the neighbouring countries, particularly South Africa.

^{1/} The contents of the note were communicated to the Committee at its 38th meeting by the representative of Italy, and later circulated to all members.

^{2/} Press reports indicate that there is a booming trade in second-hand cars in Southern Rhodesia, probably caused by a scarcity of new motor vehicles in stock. Incidences have been reported where second-hand cars have sold at prices higher than those for new cars of the same model.

ANNEX V

Imports of ammonia into Southern Rhodesia
as a basic element for fertilizers

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I. Introduction

1. According to statistics transmitted to the Committee by the Government of the United Kingdom, Rhodesia, before the UDI, imported from a dozen countries fertilizers such as ammonium sulphates, urea, nitrogenous fertilizers, superphosphates, phosphatic fertilizers and potassic fertilizers in a quantity which, in the year 1965, amounted to a total of more than 5 million centals. Ammonia being used as a raw material for manufacturing fertilizers, it could be expected that the Southern Rhodesian régime would try to continue importing this commodity from whatever source available.
2. As already reported,^{1/} the attention of the Committee was drawn to this matter on several occasions. At its 39th meeting on 21 January 1971, the Committee again examined various cases of imports of anhydrous ammonia. In the course of the discussion, some members noted with concern that according to information received, ammonia had been delivered to a Southern Rhodesian enterprise through a Mozambique company. Considering that in view of the importance of fertilizers to the Southern Rhodesian economy the question deserved special attention, the Committee decided to request the Secretariat to undertake a short study of the matter, which might be used to inform Governments of that situation in order that both suppliers and carriers might make sure of the final destination of the goods before accepting any sales or transport contracts.
3. In the present note prepared in accordance with this request, special attention has been given to provide information specifically on ammonia whenever available. Southern Rhodesia, however, does not publish statistics concerning this commodity. The present note reviews briefly the various cases examined by the Committee with regard to fertilizers in general and recalls the relevant information presently available to the Secretariat.

^{1/} Second Report: S/9252/Add.1, annex XI, pp. 30-37.

Third Report: S/9844, para. 70, p. 23 and S/9844/Add.2, annex VII, pp. 109-124.

II. Cases concerning shipments of fertilizers examined by the Committee

(a) Case included in the Second Report^{2/}

Case No. 2

4. On 14 January 1969, the United Kingdom Government submitted a note drawing the attention of the Committee to the existence of a rather elaborate Southern Rhodesian plan to import manufactured fertilizers from Europe in bulk on a regular basis. According to available information, it appeared that since about 1968, the Rhodesian importers of fertilizers had been required by the régime to obtain their supplies through one channel, Univex (i.e. Universal Exports Limited), a company set up specifically to co-ordinate the evasion of trade sanctions. Accordingly, Univex would place orders with a Swiss Company, Nitrex A.G. of Zurich, which would then place orders with individual manufacturers in Europe. Deliveries appeared to be co-ordinated by a third company, Fertex of Vlaardingen in the Netherlands, which would arrange for the shipping. Shipments were made ostensibly to the order of one of the South African associates of the main importers of fertilizers in Southern Rhodesia, the cargoes being normally, but not invariably, consigned to agents in Beira (Mozambique).

5. At the request of the Committee, the United Kingdom note was transmitted to all Member States of the United Nations or members of the specialized agencies for their information and comments. Twenty-five replies were received which are reported in the Second Report of the Committee.

6. It appeared from these replies that Nitrex was a sales company in which European exporters of nitrogenous fertilizers had joined together. Most of the Governments concerned indicated in their communications that appropriate steps had been taken against possible violations of the sanctions imposed on Southern Rhodesia. Switzerland, however, stated that while the Nitrex company was registered in the commercial register of the city of Zurich, most of its capital was in foreign hands; that, moreover, the fertilizers exported to Rhodesia were not manufactured in Switzerland and did not enter the Swiss customs area even in transit; and that accordingly, the Swiss authorities had "no way in law, or even in practice, of proceeding against Nitrex A.G."

^{2/} S/9252/Add.1, annex XI, pp. 30-37.

(b) Cases included in the Third Report^{3/}

(i) Case No. 2 (continued)

7. Additional replies were subsequently received from seven Governments and were reported in the Third Report. Among them, the Netherlands Government stated that investigations into that matter had not furnished any proof that the Fertex Company, mentioned in the United Kingdom note, had forwarded fertilizers to Southern Rhodesia.

8. The Committee then requested the Legal Counsel of the United Nations to give an opinion as to the position taken by Switzerland in its reply referred to above. Following the Legal Counsel's advice that further information should be requested from Switzerland, the Committee asked the Secretary-General to secure from the Swiss Government further information (i) on the legal effect of the Nitrex Company's registration in the commercial register of the city of Zurich; (ii) on whether the company was organized under Swiss law and whether it had Swiss nationality; and (iii) on whether the Swiss Government was contemplating taking steps within the context of the "Swiss legal order" to enable it to exercise the requisite jurisdiction and control over Nitrex A.G.

9. The Secretary-General's note verbale was dated 16 July 1969. No reply had been received from Switzerland when the Third Report was submitted to the Security Council. Since then, at the request of the Committee, the Secretary-General sent another note verbale dated 22 February 1971 to Switzerland, referring to his previous communication and requesting a reply thereto as soon as possible.

(ii) Cases Nos. 48, 66 and 69

10. The Committee examined also three cases in which, according to the information provided by the Government of the United Kingdom, vessels owned by or chartered to a French company had already transported or were on their way to deliver anhydrous ammonia from Lisbon, Portugal (in two cases) or Bandar Shapur, Iran (in the other) to ports in Mozambique. These shipments, the United Kingdom notes stated, were scheduled to be subsequently railed to Sable Chemical Industries Limited at Que Que, Southern Rhodesia.

^{3/} S/9844/Add.2, annex VII, pp. 113-124.

11. The United Kingdom notes having been transmitted to the Governments concerned for their comments, a reply dated 3 June 1970 was received from the French Government. It confirmed that in recent months the French gas transport company referred to in those cases had loaded on its ships bulk anhydrous ammonia of United States, Portuguese, Australian and Iranian origin. In every case (and in some of these cases, after official verification) the shippers had declared that their product was not destined for Southern Rhodesia. The French Government then pointed out that maritime carriers have inadequate possibilities - compared with those available to shippers or consignees - for verifying whether the products they are requested to carry are or are not subject to sanctions. Accordingly, the note stated, as in these cases concerned, when the Committee knows the nationality of the exporters or importers, it would have better chances of obtaining accurate information by applying to them rather than to the carrier. The French Government also expressed the view that in those specific cases the Committee might investigate the financial links between Rhodesian firms and the foreign companies to which they are affiliated. Finally, it suggested that the French note be specifically brought to the attention of the Governments of the United States and the United Kingdom in order to assist them in their investigation of direct or indirect participation by American and British companies in the financing of the Que Que plant and in installing the technical equipment at that industrial complex, and to the attention of the Governments of the United States, Iran, Australia and Portugal in order to assist them in their investigation of possible sales of anhydrous ammonia to Southern Rhodesia by some of their nationals. In the course of its 39th meeting the Committee decided to request the Secretary-General to communicate to the Governments concerned the note of the French delegation dated 3 June 1970.

(iii) Case No. 52

12. The Committee was also informed of further arrangements for the supply of ammonia in bulk to Southern Rhodesia. In a note dated 15 October 1969, the United Kingdom stated in that regard that Sable Chemical Industries Limited of Que Que, Southern Rhodesia, which had recently established a plant to produce nitrogenous fertilizer, using ammonia as a raw material, was seeking to conclude a long-term

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contract for the supply of bulk ammonia from, among others, the National Iranian Petro-Chemical Company of Teheran. The supply estimated to reach 60,000 tons per annum was scheduled to be imported into Rhodesia through Lourenço Marques where special facilities had been constructed to handle and store bulk ammonia before the goods were railed on to Que Que. It appeared, the United Kingdom note continued, that the inquiries relating to the proposed contract had been made through intermediaries and that the ultimate destination of the ammonia might not have been declared to prospective suppliers.

13. Replying to a request for comments on the contents of that note, the Government of Iran stated that although there was nothing in the contract signed in that regard by the National Iranian Petro-Chemical Company, which could be construed as a violation of the ban imposed by the Government of Iran, in compliance with Security Council resolution 253 (1968), the Iranian company had been asked to obtain, as a precautionary measure, a written assurance from the purchasing company that the latter would not re-export to Southern Rhodesia the ammonia purchased from Iran.

(c) Recent case

14. Case No. 113 - By a note dated 29 January 1971, the United Kingdom Government reported to the Committee information concerning two other shipments of anhydrous ammonia believed to be destined to Southern Rhodesia. According to the information received, those shipments were made by two Norwegian motor tankers which loaded the cargo in Japan and unloaded it in Lourenço Marques. The United Kingdom note added that the information made it clear that the arrangements for both shipments were made by the South African firm, National Process Industries (Pty) Limited, known to be closely involved with Sable Chemical Industries Limited of Southern Rhodesia. Having regard to the information already submitted to the Committee, the note continued, it was likely that the ammonia from both ships was delivered to Armazens de Productos Quimicos de Mozambique Lda, since there are no other facilities in Southern Africa for bulk handling of this type of cargo, and subsequently railed to Sable Chemical Industries.

15. Replying by a note dated 24 February 1971 to a request for comments addressed to the Governments of Japan and Norway respectively, the Governments of Japan

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and Norway respectively, the Government of Japan informed the Committee that the shipments in question were not destined for Southern Rhodesia. It further indicated that "10,000 metric tons of anhydrous ammonia were sold to Societe d'Assurances Commerciales, S.A. of Switzerland with the destination for Mozambique and 12,000 metric tons of anhydrous ammonia were sold to Adab, S.A. of Switzerland with the destination for the Republic of South Africa respectively on f.o.b. basis. Therefore the ownership of those consignments, after their departure from the Japanese port, belonged to those Swiss companies".

III. Statistics and general information

(a) Statistics

16. As already indicated in the Introduction to the present note, ammonia being used in Southern Rhodesia essentially in connexion with the manufacturing of fertilizers, it has not been possible to find statistics dealing specifically with the imports of ammonia into Southern Rhodesia before or after UDI.

17. The following information may, however, be of interest in that regard.

18. By its note of 14 January 1969, the United Kingdom Government transmitted to the Committee, extracts of statistics on general imports into Rhodesia in the years 1964 and 1965 concerning fertilizers. These tables which were included in the Second Report of the Committee^{4/} are reproduced as Annex I at the end of the present note for easy reference.

19. Also, while Southern Rhodesia has not published statistics on its imports of ammonia, South Africa, in its Foreign Trade Statistics for 1964-1969, has done so with regard to its own transactions concerning this specific commodity. These tables are reproduced as Annex II hereafter.

20. According to information provided by the United Kingdom Government (UK Note of 13 February 1970) the only territories in southern Africa, apart from Southern Rhodesia, who have a requirement for bulk ammonia are South Africa and Mozambique. South Africa's production of ammonia is normally sufficient for its domestic needs, while Mozambique requires, as a maximum, some 20,000 tons of ammonia per annum.

^{4/} S/9252/Add.1, Annex XI, p.33.

21. According to further information received by the Committee, between May 1969 and April 1970 alone, 70,000 tons of bulk ammonia was delivered by sea to Mozambique, and another two consignments, totalling 22,000 tons, was reported by the United Kingdom Government (United Kingdom Note of 29 January 1971) to have arrived at Lourenço Marques in November/December 1970. According to subsequent information one of these consignments (12,000 tons) was declared for South Africa.

22. Therefore, quite apart from information received by the United Kingdom Government that these consignments were destined for Southern Rhodesia, it is clear to the Committee on statistical evidence alone that in the cases brought to the attention of the Committee, ammonia arriving in Mozambique or declared for South Africa is far in excess of both territories' requirements and can only be intended for Southern Rhodesia.

(b) General information

23. In connexion with Case No. 52, the Committee received a further note from the United Kingdom dated 10 November 1969 which provided useful details on the arrangements made by the Southern Rhodesia régime to receive and handle ammonia. Extracts from this note which, at the request of the Committee, was communicated on 5 December 1969 to Member States of the United Nations or members of the specialized agencies^{5/} are reproduced hereafter:

24. "The information is to the effect that the ammonia storage facilities at Lourenço Marques ... are located in Vila Salazar, Matola and are operated by Armezem de Productors Quimicos de Mozambique Ida, (APROCIL). From Matola imported ammonia is railed in specially constructed tank wagons direct to the Sable Chemical Industries' fertilizer plant at Que Que in Southern Rhodesia. ...

25. "According to the Mozambique Register of Companies, APROCIL is owned equally by National Process Industries (Pty) Ltd., (N.P.I.) and National Process Industries Holdings (Pty) Ltd., both of Johannesburg. According to the South African Register of Companies, National Process Industries has a 48 per cent share holding in C and I/Girdler International, Southern, Eastern and Central Africa (Pty) Ltd., (CIGI-SECA).

26. "CIGI-SECA was awarded the contract to build the Sable fertilizer plant and it is common knowledge that it still retains a financial interest in Sable Chemical Industries Ltd. According to a published statement by Mr. J.H. Hahn, Chairman

^{5/} S/9844/Add.2, Annex VII, pp. 118 and 119.

and Managing Director of CIGI-SECA, who is also a Director of N.P.I., the first phase of the Sable project (which has now been completed) involved the construction of the biggest ammonium nitrate plant in southern Africa: it is to produce 180,000 tons of ammonium nitrate annually and have an eventual capacity of 90,000 tons of nitrogen and 270,000 tons of ammonium nitrate. We understand, however, that the initial capacity of the Sable fertilizer plant is a minimum of 60,000 tons of 100 per cent nitrogen per annum to be produced as solid prilled ammonium nitrate of 34 per cent nitrogen. At present the nitric acid and ammonium nitrate units are operating on imported anhydrous ammonia. It is proposed to construct an ammonia synthesis plant in due course and when this has been completed Sable will operate on locally produced ammonia."

27. The Committee was also informed by the Government of the United States of an action which this Government had taken with regard to a firm in Mozambique (Case No. 101).

28. The firm, Armazem de Productos Quimicos de Mocambique Ida, of Lourenço Marques, Mozambique, a warehouse and distributor of chemical products, had been denied all United States export privileges for an indefinite period for failing to account for the disposition of 20,000 tons of United States-origin fertilizer grade ammonia. The material valued in excess of \$600,000 had been exported to the firm in two shipments by a United States supplier in May and July 1969.

29. The United States note further stated that the Investigations Division of the Office of Export Control in the Department's Bureau of International Commerce (BIC) was conducting an investigation to ascertain the disposition of the material, particularly whether it was re-exported from Mozambique to Southern Rhodesia in violation of the United States export control regulations.

30. Written interrogatories had been submitted to the firm in Lourenço Marques inquiring as to the disposition of the material. The firm having failed to furnish the information requested, the order was issued in accordance with BIC regulations. The order would remain in effect until the firm answers the interrogatories or shows good cause for such failure.

31. Under the terms of the order, all validated licenses in which the firm had an interest had been cancelled and the firm, its agents and employees had been prohibited from participating in any transactions involving commodities or technical data exported or to be exported from the United States.

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IV. Observations

32. It is clear from this paper that manufactured fertilizers are probably continuing to reach Southern Rhodesia, and that bulk ammonia is certainly reaching there through arrangements made by National Process Industries (Pty) Limited, and by Armazen de Productos Quimicos de Mocambique Lda. (APROCIL) who handle the cargoes and facilitate their delivery to Sable Chemical Industries. In view of South Africa's and Mozambique's limited import requirements for ammonia, it is evident that a very high proportion of ammonia arriving in southern Africa is in fact destined for Sable's plant in Southern Rhodesia.

33. The Committ-e suggests that Governments should bring the information in this paper to the notice of their nationals, whether they be suppliers, shippers, or intermediaries engaged in trade in ammonia, all of whom have a responsibility to ensure that they are not involved directly or indirectly in transactions with Southern Rhodesia, contrary to the provisions of Security Council resolution 253 (1968).

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Annex IImports of fertilizers into Rhodesia
in 1964 and 1965(Table communicated to the Committee
by the United Kingdom Government, on
14 January 1969) 1/

Article and country of origin	1964		1965	
	Quantity	Value	Quantity	Value
		£		£
56110 Ammonium sulphate: centals				
United Kingdom	2,500	1,626	1	3
Republic of South Africa	1,078	743	981	937
Belgium	64,880	41,848	95,000	65,038
Federal Republic of Germany	303,212	167,961	574,105	406,357
Netherlands	778,532	420,949	767,135	514,690
Portugal	106,425	55,496	-	-
Italy	-	-	20,960	15,843
Total	1,256,627	688,623	1,458,182	1,002,867
56112 Urea: centals				
Republic of South Africa	746	900	420	759
Pakistan	12,661	15,584	-	-
Belgium	-	-	43,416	67,160
France	-	-	60,000	87,150
Federal Republic of Germany	30,000	38,475	87,100	133,915
Netherlands	265,128	344,523	439,701	664,706
Italy	84,583	109,594	88,928	138,231
Norway	135,000	186,714	116,400	189,015
Total	528,118	695,790	835,965	1,280,936
56119 Nitrogenous fertilizers, n.e.s.: centals				
Republic of South Africa	800	1,060	100	100
Belgium	111,410	79,972	409,719	403,552
Federal Republic of Germany	773,251	522,372	238,869	196,688
Netherlands	269,312	173,469	235,729	187,811
Italy	20,000	18,592	106,000	86,157
Norway	50,000	46,381	66,184	78,454
Portugal	228,852	156,841	55,544	27,452
France	-	-	30,005	21,497
United States	-	-	640,585	455,456
Other countries	18	33	-	-
Total	1,453,643	998,720	1,782,735	1,457,167

1/ Already reproduced in the Second Report of the Committee S/9252/Add.1,
p. 33. /...

Article and country of origin	Quantity	1964	Quantity	1965
		Value		Value
		£		£
56120 Superphosphates: centals				
Republic of South Africa	1,110	858	53,215	60,271
Belgium	28,130	26,265	-	-
Netherlands	99,191	97,567	-	-
Other countries	40	51	80	69
Total	128,471	124,741	53,295	60,340
56129 Phosphatic fertilizers, n.e.s.: centals				
Republic of South Africa	58,108	18,004	22,560	10,529
Belgium	28,000	11,894	22,510	30,748
Federal Republic of Germany	-	-	10,000	19,216
Italy	-	-	400	474
United States	50,329	64,982	186,638	33,478
Other countries	-	-	4	100
Total	136,437	94,880	242,112	94,545
56130 Potassic fertilizers: centals				
Republic of South Africa	118	259	46	47
Belgium	63,504	34,817	-	-
France	301,625	188,433	312,033	224,488
Federal Republic of Germany	470,921	289,552	252,140	157,610
Italy	-	-	40,007	31,342
Spain	-	-	49,986	27,542
Israel	7,000	5,404	3,000	2,294
Total	843,168	518,465	657,212	443,323
56190 Fertilizers, n.e.s.: centals				
United Kingdom	266	1,952	546	2,997
Republic of South Africa	525	265	464	325
Rhodesia	4,403	6,044	2,711	4,222
Italy	11,025	11,817	-	-
Mozambique	1,767	546	23	4
United States	5,528	7,963	1,607	2,038
Other countries	33	35	1	4
Total	23,547	28,622	5,352	9,590

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Annex II

Trade of South Africa in ammonia^{1/}

(Quantity in 100 lbs., value in thousands dollars)

<u>Imports</u>			<u>Exports</u>	
	<u>Quantity</u>	<u>Value</u>	<u>Quantity</u>	<u>Value</u>
1964	79	3.4	-	-
1965	46	1.3	5,575	58.9
1966	10	0.6	8,192	76.5
1967	10	0.3	13,546	89.6
1968	17	0.9	65,663	208.7
1969	79	3.0	199,466	811.7

^{1/} Foreign trade Statistics, Republic of South Africa, Calendar Years 1964-1969.