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

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^{1/} For annexes I and II, see S/9844/Add.1.

ANNEX III

Southern Rhodesian tobacco in bond

1. In addition to the forty-nine replies to the Secretary-General's note verbale dated 23 January 1969 to all States Members of the United Nations or members of the specialized agencies reported in annex IV of the second report, eight additional replies have been received from the Republic of China, the Federal Republic of Germany, Iran, the Ivory Coast, Lebanon, Sweden, Uganda and the United Arab Republic.

Of the above replies, those from the Republic of China, Iran, the Ivory Coast, Sweden, and the United Arab Republic stated that no tobacco in bond was held in their countries.

The replies from the Federal Republic of Germany, Lebanon and Uganda are summarized below:

(a) In a note verbale dated 4 June, the Federal Republic of Germany stated that an investigation had shown that a total of 535,058.5 kg of tobacco of Southern Rhodesian origin was still being held in bond in the free ports of Hamburg and Bremen. While import formalities on that tobacco had been completed, it had not yet passed customs and would appear as imports in the FRG Foreign Trade Statistics only if and when it was released from bond into the free market of the economic area of the Federal Republic of Germany. Since 18 December 1965, tobacco from Southern Rhodesia required a special authorization to be imported into the Federal Republic of Germany. Hence the 535,058.5 kg of Southern Rhodesian tobacco being held in bond in Hamburg and Bremen originated from the 1965 or earlier crops.

(b) In a note verbale dated 16 June, Lebanon stated that it had received only one case of cigarettes containing forty packages of twenty cigarettes each, originating from Salisbury, Rhodesia. This case was still retained at the Customs Warehouse of the International Airport, Beirut.

(c) In a note verbale dated 8 July, Uganda stated that although no stock of tobacco from Rhodesia was being held in bond in Uganda, the Uganda Government held stocks issued by the Government of Southern Rhodesia before the unilateral

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declaration of independence. Those stocks matured at different times. The Uganda Government had asked the British Government to redeem the stocks on maturity and pay interest thereon, but the British Government had refused to do so on the grounds that that was the responsibility of the Government of Southern Rhodesia. The Uganda Government, however, maintained that it had no dealings with the illegal Government of Southern Rhodesia and that any financial obligations of that Government were the responsibility of the British Government.

2. In a note verbale dated 22 September, the Prime Minister's Office, Government of Mauritius referred to its note dated 3 March (see S/9252/Add.1, annex IV, page 7) and stated that the information given therein referred to importations sent to bond and that the weight of Southern Rhodesian tobacco held in bond at 20 February 1969 was 768.004 kilos.

ANNEX IV

Tobacco exported from Mozambique

1. The following replies have now been received to the Secretary-General's note verbale dated 19 May 1969 reproduced in annex VI of the second report of this Committee:

Argentina	Kuwait
Australia	Laos
Austria	Madagascar
Burma	Malawi
Cambodia	Mauritania
Congo (Democratic Republic of)	Mauritius
Costa Rica	Mexico
Cyprus	Netherlands
Denmark	New Zealand
El Salvador	Norway
Federal Republic of Germany	Pakistan
Finland	Philippines
Greece	Poland
Hungary	Singapore
India	Switzerland
Ireland	Syria
Israel	Thailand
Japan	Togo
Korea (Republic of)	United Arab Republic
	United Kingdom

2. Of the above replies, those from Australia, Congo (Democratic Republic of), El Salvador, Hungary and Mauritania consist of simple acknowledgements only. The replies from Argentina, Burma, Cambodia, Costa Rica, Cyprus, Denmark, Greece, India, Ireland, Israel, Japan, Korea (Republic of), Laos, Malawi, Mexico, Pakistan, the Philippines, Poland, Syria, Thailand and Togo and the United Arab Republic stated that they did not import any tobacco from Mozambique or that they had not imported such tobacco since the period in question, i.e. September 1967.

3. The remaining replies are summarized below:

(a) In a note verbale dated 7 July, Austria communicated the following statistics for Austrian imports of Mozambique tobacco since the period ending September 1967:

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1967 (4th quarter)	0 q	Austrian schillings	0,-
1968 (1st through 4th quarter)	7,179 q	" "	21,829,000,-
1969 (1st quarter)	3,908 q	" "	11,105,000,-

These statistics refer to Mozambique as country of origin and not as trading country.

(b) In a note verbale dated 9 July, the Federal Republic of Germany reported the following official foreign trade statistics for imports of Mozambique tobacco into the Federal Republic of Germany:

September/December 1967	43.3 tons
January/December 1968	28.6 tons
January/March 1969	46.5 tons

(c) In a note verbale dated 27 June, Finland stated that Finnish imports of tobacco from Mozambique during 1968 amounted to 749 metric tons, corresponding to a value of 509,000 dollars. The appropriate Finnish authorities were, by virtue of legislation enacted, controlling the imports into Finland of commodities of Rhodesian origin covered by resolutions 232 (1966) and 253 (1968). Investigations carried out so far had not shown any proof of evasion of the Security Council decisions with respect to imports of tobacco from Rhodesia. The Finnish Government would, however, be ready to consider any further suggestions that might be made by the Committee to tighten national control and improve verification of certificates of origin in order to ensure that Rhodesian tobacco would not be imported disguised as Mozambique tobacco.

In a further note verbale dated 6 August, Finland stated the following:

"The Finnish authorities concerned would like to draw the attention of the Committee on Sanctions to the fact that the observation made in the second paragraph of the note of the United Kingdom, to the effect that trade statistics of many importing countries make no distinction in regard to imports of tobacco genuinely grown and processed in Mozambique itself and tobacco originating in neighbouring territories which is shipped through ports in Mozambique, is not applicable to Finland. The official Finnish trade statistics make special distinction between the country of origin and the country of purchase with regard to all imported commodities. These statistics contain, i.a., a total purchase of 198.6 tons of Mozambique tobacco for the months January to June 1968.

"With regard to tobacco imports from South Africa, Angola and Mozambique, the Finnish authorities require a specific and acceptable certificate as to the origin of these imports. The Finnish authorities consider as acceptable only certificates of origin issued by the proper Chamber of Commerce. These certificates have furthermore to contain a confirmation by the Portuguese authorities that the place of origin stated in the certificate in question is correct.

"As an additional precautionary measure, the Finnish authorities have recently reached an agreement with the Finnish tobacco industry according to which tobacco factories undertake to present to the authorities concerned all documents pertaining to each purchase of tobacco before the actual shipment takes place, in order to facilitate the verification of the correct origin of the tobacco in question in advance.

"The above-mentioned provisions have come into force only by the end of 1968, it is, in the view of the Finnish authorities, not entirely excluded that certain amounts of tobacco imported from Mozambique during 1967 and 1968, labelled as Mozambican in origin, might in fact have originated from outside Mozambique. Investigations to this effect undertaken by the authorities concerned have, however, not so far substantiated any such cases."

(d) In a note verbale dated 16 July, Kuwait reported that it had imported 3,250 kgs of tobacco from Mozambique in 1967; and no such tobacco in 1968.

(e) In a note verbale dated 17 October, Madagascar stated that in 1967 it had imported 46,336 kgs of Malawi tobacco, and in 1968 389,658 kgs of such tobacco. Madagascar does not import tobacco from Mozambique.

(f) In a note verbale dated 29 July, Mauritius stated that Mozambique tobacco from Mozambique was not imported in 1967; 4 kilos of unmanufactured tobacco (valued at Rs.200.00), declared as being of Mozambique origin, were imported in 1968; from January to March 1969, there had been no imports of tobacco from Mozambique.

(g) In a note verbale dated 8 October, the Netherlands stated the following:

"The Netherlands Government wishes to draw the Secretary-General's attention to the fact that statistic material concerning Mozambique tobacco has already been transmitted.

"These statistics, dating from the end of September 1967, are comprised in group 121 of the reports of the Netherlands trade with

Southern Rhodesia and its neighbouring countries, which are submitted to the Secretary-General by the Netherlands Government on a monthly basis.

"The Netherlands Government, however, has trouble in complying with the Secretary-General's request for comments on the note of the United Kingdom of 21 April 1969, since so far no reply has been received to a number of points raised in the Permanent Representative's note of 20 March 1969 No. 1074 with reference to a note of the United Kingdom of 15 November 1968 on this matter. Neither did the note of the United Kingdom of 21 April 1969 refer to the points in question.

"The Permanent Representative's note, for instance, questioned the reliability of the data of the monthly 'Bulletin of Statistics of the province of Mozambique' as cited in the note of the United Kingdom of 15 November 1968. Point 3 of the note of the United Kingdom of 21 April 1969 states as follows:

'The only reliable statistics of exports of tobacco grown in Mozambique which are known to the United Kingdom Government, are those which appear in the official monthly "Bulletin of statistics of the province of Mozambique". There is no reason to suppose that the official statistics do not include almost all exports of Mozambique tobacco.'

"Furthermore, the Netherlands Government wishes to bring the following to the attention of the Secretary-General.

"In annex 1, sub 1, to the note of the United Kingdom of 15 November 1968, it is stated that exports of Mozambique tobacco to 'Metropolitan Portugal' amounted to 908 metric tons in 1967 and to 344 tons during the first six months of 1968. The 'Monthly Digest of Statistics, Province of Mozambique' was indicated as the source of these figures.

"In the same annex, sub 2, however, it is stated that imports in Portugal of Mozambique tobacco totalled 454 metric tons in 1967 and 440 tons in the first half of 1968. The annex mentions the national trade statistics as the source of these figures.

"With regard to France, a similar discrepancy presents itself between export data of the trade statistics of Mozambique compared with import figures as recorded in the national trade statistics.

"Moreover, the Mozambique trade figures of 1967 make no mention at all of exports of tobacco to the Netherlands, whereas the Netherlands trade statistics of that year show an amount of 1101 metric tons of imported Mozambique tobacco.

"In view of the fact that in 1965, at a time when there was no question yet of Rhodesian sanctions, Netherlands imports of tobacco grown in Mozambique already totalled 1118 tons, it seems beyond any doubt that the tobacco imported from Mozambique in 1967 indeed originated in that territory.

"In the light of these facts, the Netherlands Government regrets that it cannot express a definite opinion on the notes of the United Kingdom of 21 April 1969 and 15 November 1968."

(h) In a note verbale dated 24 June, New Zealand stated that its only import of tobacco from Mozambique from September 1967 until 31 March 1969 was in May 1968 when 121,424 lbs of unmanufactured tobacco was registered on the New Zealand import schedules.

(i) In a note verbale dated 23 July, Norway stated that from September 1967 until April 1968, imports of Mozambique tobacco to Norway amounted to 242 metric tons. The total figure for the calendar year 1967 was 288 metric tons. During the whole of 1968, imports of Mozambique tobacco amounted to 81 metric tons. The figure for the first quarter of 1969 is 85 metric tons.

(j) In a note verbale dated 17 June, Singapore forwarded the following statistics for imports of Mozambique tobacco into Singapore since September 1967:

Imports of tobacco unmanufactured from Mozambique
 (Quantity in lb.; value in \$S)

Month	1967		1968		1969	
	Quantity	Value	Quantity	Value	Quantity	Value
January			35,981	39,054	-	-
February			-	-	39,070	36,778
March			14,161	15,271	442,015	721,305
April			43,904	55,771		
May			22,000	23,775		
June			4,400	6,600		
July			226,840	331,241		
August			29,400	30,863		
September	-	-	8,800	13,569		
October	-	-	69,320	76,562		
November	22,991	25,272	21,515	13,538		
December	4,400	6,082	-	-		
	27,391	31,354	476,321	606,244		

Source: Singapore external trade statistics (I and E 3B).

In a further note verbale dated 6 August, Singapore reiterated that imports into Singapore from certain countries, including Mozambique, had to be accompanied by certificates of origin. False declaration in respect of any detail of import, including the origin thereof, was an offence in Singapore and punishable by law. It was considered that existing measures to detect false declaration, coupled with the documentary control in the form of certificates of origin, were sufficient for purposes of the ban on import of Rhodesian goods into Singapore.

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(k) In a note verbale dated 14 August, Switzerland stated that imports of tobacco from Rhodesia and Mozambique for the fourth quarter of 1967, the whole of 1968 and the first three months of 1969 were as follows:

	<u>4th quarter 1967</u>	<u>1968</u>	<u>January-June 1969</u>
Rhodesia	198 tons	959 tons	357 tons
Mozambique	4 tons	198 tons	59 tons

At the beginning of 1967, the Swiss Federal Authorities had established a quota of 1,600 tons per year for imports of tobacco from Rhodesia. Only 61 per cent of that quota (972 tons) was used in 1967 and 60 per cent (959 tons) in 1968. Thus there would be no reason to try to divert the goods via Mozambique. The 198 tons of tobacco imported from Mozambique in 1968 could easily have been covered by the Rhodesian quota of 1,600 tons, more than 600 tons of which was not used.

(1) In a note verbale dated 10 June, the United Kingdom stated that there had been no recorded imports of Mozambique tobacco into the United Kingdom during the period October 1967 to April 1969. Imports of Mozambique tobacco into Hong Kong had been as follows: October to December 1967 - 346 metric tons; January to December 1968 - 348 metric tons; January to April 1969 - 78 metric tons.

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ANNEX V

Southern Rhodesian tobacco exported under false certificates
of origin, and television material

1. In addition to the twenty-one replies to the Secretary-General's note verbale dated 24 January 1969, transmitting two notes from the United Kingdom to all States Members of the United Nations or members of the specialized agencies reported in annex VII of the second report, eight additional replies have been received from Barbados, the Federal Republic of Germany, Ireland, Japan, the Netherlands, New Zealand, Pakistan and Sweden.

2. The substantive parts of those replies are reproduced below:

(1) Note verbale dated 7 July from the Ministry of External Affairs, Barbados

"The Ministry of External Affairs wishes to inform the Secretary-General that:

"(a) importations of manufactured tobacco have been checked for the past year and no entries have been found on which it is claimed that such tobacco was of Malawi origin; and

"(b) the Government will ensure that there is no trade in television material in accordance with the ban imposed on trade with Rhodesia.

"It would be appreciated if the particulars of the official certificate or origin of the Government of Malawi could be made available to this Government."

(2) Note verbale dated 4 June from the Acting Permanent Observer of the
Federal Republic of Germany

"As regards the note dated 15 November 1968 from the representative of the United Kingdom to the United Nations, the Government of the Federal Republic of Germany has duly taken note of its contents. In order to prevent tobacco of Southern Rhodesian origin from being imported under forged certificates, the Government of the Federal Republic of Germany had previously instructed the customs authorities in Hamburg and Bremen on 31 October 1966 to be particularly careful in examining the origin of any tobacco imports. Furthermore, the contents of the British note of 15 November 1968 have been brought to the attention of the said customs authorities.

"Regarding the note dated 16 December 1968 from the representative of the United Kingdom, its contents have also been duly noted. In this connexion the Government of the Federal Republic of Germany wishes to point out that the export to Southern Rhodesia of television material for entertainment purposes according to article 5 (a) of the Foreign Trade Regulation is subject to a special authorization. No such authorization has been or will be issued. No licence is required, however, for exposed and developed film material of informative or documentary character or visual material for medical or teaching purposes to be used in schools and universities."

(3) Note verbale dated 23 June from the Chargé d'Affaires a.i. of Ireland

"The Chargé d'Affaires a.i. of Ireland to the United Nations ... has the honour to refer to ... the note dated 16 December 1968 from the representative of the United Kingdom relating to the supply of television material to Southern Rhodesia.

"The Chargé d'Affaires a.i. wishes to inform His Excellency the Secretary-General that this matter has been brought to the attention of the appropriate Irish authorities."

(4) Note verbale dated 1 July from the Acting Permanent Representative of Japan

"The Acting Permanent Representative of Japan ... has the honour to inform the Secretary-General of the following comments of the Government of Japan:

"1. As is shown by the statistical data available up to May 1969 and since December 1966, when the Security Council adopted its resolution 232 (1966) imposing selective economic sanctions against Southern Rhodesia, Japan has not imported tobacco neither from Malawi nor Mozambique nor from Southern Rhodesia.

"2. With regard to television material, there has been no export of such material from Japan to Southern Rhodesia since January 1967 up to May 1969. Although it is unlikely that Rhodesian television will try to buy such entertainment material in Japan because of linguistic problems involved, the Government of Japan will be careful in not allowing such television material to be exported from Japan to Southern Rhodesia."

(5) Note verbale dated 6 June from the Permanent Representative of the Netherlands

"The Permanent Representative of the Kingdom of the Netherlands ... concerning a note of the United Kingdom relating to certificates of origin covering Malawi tobacco, has the honour to inform the Secretary-General as follows:

"The Netherlands Government attaches great importance to a correct implementation of Security Council sanctions against Southern Rhodesia, and is therefore grateful for the information contained in aforesaid note of the United Kingdom.

"Guided by these informations, the Netherlands Government took the necessary steps to enlighten shipping companies trading to southern Africa, the Netherlands Association of Tobacco Dealers and the Netherlands executive agencies, entrusted with the verification of trade with Southern Rhodesia, on the measures taken by the Government of Malawi in this respect.

"The Netherlands Government expresses its gratitude for the willingness of the Malawi Government to make available particulars, which may facilitate the verification of the authenticity of certificates of origin, covering Malawi tobacco."

(6) Note verbale dated 8 September from the Permanent Representative of New Zealand

"The Permanent Representative has been instructed to inform the Secretary-General that the New Zealand authorities will examine carefully any imports into New Zealand of tobacco from Malawi to try to establish that the country of origin has been stated correctly. The New Zealand authorities will also exercise the greatest care in ensuring that the ban imposed under operative paragraph 3 (d) of Security Council resolution 253 (1968) with regard to the supply of television material to Southern Rhodesia is adhered to."

(7) Note verbale dated 23 June from the Acting Permanent Representative of Pakistan

"The Acting Permanent Representative of Pakistan ... has the honour to state that the Television Corporation of Pakistan does not import or export television films from and to Southern Rhodesia. Further, the Government of Pakistan has issued instructions to all concerned in Pakistan that no import or export of such films and other television material is allowed from or to Southern Rhodesia."

(8) Note verbale dated 22 October from the Permanent Representative of Sweden

"The competent Swedish authorities are still investigating the question of tobacco certificates. As to television material, no Swedish export of such material to Southern Rhodesia is allowed, with the exception of such material which is exclusively intended for educational purposes."

3. The following two communications concerning certificates of origin of tobacco were received from Malawi and Zambia:

- (1) Note verbale dated 14 April 1970 from the Permanent Representative of Malawi

"...the Government of the Republic of Malawi has recently received information that some of the importing countries of Malawi grown tobacco have failed to make use of the Malawi Tobacco Control Commission Certificate of Origin which came into force in January 1969.

"The Malawi Government will be grateful if the Security Council's Committee on Sanctions could draw the attention of those countries concerned to the fact that it is required that all tobacco grown in Malawi and exported must be accompanied by a certificate of origin issued by the Malawi Tobacco Control Commission, a para-Statal body charged with the responsibility for the issue of such certificates. The Malawi Government is anxious to assist all tobacco importing countries in regard to origin of tobacco grown in Malawi. Therefore, it would be appreciated if in future, importers of Malawi tobacco will ensure that a genuine Malawi Tobacco Control Commission Certificate will accompany every consignment received by the importing countries. A specimen of the Malawi Tobacco Control Commission Certificates has already been sent direct to the importing countries."

- (2) Letter dated 9 February 1970 from the Deputy Permanent Representative of Zambia

"I have the honour to inform you, and through you the members of the Sanctions Committee, that my Government has decided to institute new procedures concerning the export of Zambian grown tobacco. These procedures have been introduced to avoid any confusion whatsoever between our tobacco and that exported by the rebels in Rhodesia.

"To this effect, the Tobacco Board of Zambia will automatically supply the British High Commission in Lusaka with copies of Certificates of Origin on all exports of Zambian grown tobacco. The High Commission, in turn, will transmit these copies to the British Consul in Beira, Mozambique, who will thus be in a position to identify Zambian grown tobacco and foil any attempts at forgery on the part of the rebel agents at the port of Beira.

"Without prejudice to its known position as to the efficacy of sanctions policy, my Government is convinced that these measures cannot achieve even limited success unless Governments of importing countries co-operate by insisting on authentic Certificates of Origin."

4. The following observations on these two communications were made by the delegation of the United Kingdom in a Note dated 15 May 1970:

"The United Kingdom note dated 15 November 1968, which was reproduced as Annex II to the Committee's first report of 30 December 1968 (S/8954) described the procedures that the Governments of Malawi and the United Kingdom had decided to take in the light of a recent case of forgery of a certificate of origin. The procedures for the certification of origin by the Governments concerned have now been put in operation by the Governments of Malawi and Zambia, as described in their Notes referred to above. The United Kingdom delegation would like to support the suggestion already made in connexion with the Zambian note by the representative of France - namely that the contents of these notes should be given the wider distribution in accordance with the usual practice agreed at the twenty-fifth meeting with reference to the previous United Kingdom Note of 15 November 1968 on this subject.

"At the same time, the United Kingdom delegation strongly endorses the statement made in the third paragraph of the Zambian note "that these measures cannot achieve even limited success unless the Governments of importing countries co-operated by insisting on authentic certificates of origin". The Committee might wish to ask the Secretary-General of the United Nations to draw particular attention to this point when the Malawi and Zambian notes are circulated.

"The United Kingdom Note of 15 November 1968 referred to the arrangements that have been in force since before the illegal declaration of independence for the issue by the Office of H.M. Consul at Beira of certificates of origin and non-manipulation, covering goods of Zambian and Malawi origin (including tobacco) which are eligible for Commonwealth preference when imported into the United Kingdom or other Commonwealth countries. The Office of the British Consul at Beira will continue to issue certificates of origin and non-manipulation for Zambian and Malawi tobacco shipped through Beira destined for the United Kingdom and other Commonwealth countries, and arrangements have been made with the Zambian and Malawi authorities for copies of their certificates of origin to be sent to the Office of H.M. Consul at Beira in order to provide a double-check on applications which that office receives for certificates of origin and non-manipulation for preference purposes. It sometimes happens that consignments of tobacco covered by certificates of origin and non-manipulation issued by the Office of the British Consul at Beira may, in the normal course of trade, find their way to non-Commonwealth destinations. In such cases, the United Kingdom Government remains willing to respond to any request from the authorities of the importing countries concerned to verify certificates of origin and non-manipulation issued by the Office of H.M. Consul at Beira."

5. At the Committee's request at its thirtieth meeting, the Secretary-General transmitted, by note verbale dated 8 June 1970, the texts of the two communications from Malawi and Zambia, together with the text of the United Kingdom Note (referred to in paragraphs 3-4 above) to all States Members of the United Nations or members of the specialized agencies. In his note verbale, the Secretary-General drew particular attention to the third paragraph of the letter from Zambia.

ANNEX VI

Memorandum on the Application of Sanctions

1. At the Committee's request at its twenty-first meeting, the Secretary-General sent a note verbale dated 18 September 1969 to all States Members of the United Nations or members of the specialized agencies, transmitting a Memorandum on the Application of Sanctions, the text of which is reproduced below:

"It is sometimes difficult to determine the true origin of goods suspected to be of Rhodesian origin, but claimed to originate elsewhere by the commercial companies or agents who seek to import them. Some of the documents currently produced by such importers in support of their claim may amount to no more than declarations by directly interested parties made before non-official bodies, such as Chambers of Commerce. In such cases the addition of further supporting documentation, of both an official and an unofficial nature, could be of value. In the investigation of the origin of suspected goods, the Customs authorities of importing countries may wish to bear the following points in mind:

"(a) Bills of lading and Chamber of Commerce certificates cannot be regarded as sufficient proof of origin. Additional useful documentation could take the form of railway consignment notes and manufacturers' or growers' certificates, or a positive declaration as to the origin of the goods in question by an official authority of the Government of the country in which the goods are said to have originated. In particular, should goods shipped through ports in Mozambique be claimed to be the produce of countries other than Mozambique, importers could reasonably be asked to furnish documentary proof of export from the country of origin by way of Customs bills of entry for export and/or railway consignment notes from the appropriate authorities in the country of original export. In the case of goods shipped through Lourenco Marques, which are claimed to originate elsewhere than Mozambique or Rhodesia, the importers could be asked to produce inter alia a "certificate of origin and transit" from the controller of Customs at Lourenco Marques of the alleged country of origin.

"(b) It has been found that particular attention is required as to the origin of goods exported as the produce of territories in southern and central Africa which, according to their official statistics, are either not produced at all or only produced in limited quantities in the territory concerned. Similar attention has also been necessary to the origin of goods of a kind produced in Rhodesia when these are imported into third countries having been consigned from free ports. This applies in particular to tobacco and cigarettes, meat and chrome, ferro-chrome and lithium ores.

"(c) The following special checks could usefully be made in the case of imports of tobacco from territories in southern and central Africa:

- (i) for the import of Malawi and Zambian tobacco, the production of a certificate issued by the Malawi Tobacco Control Commission and the Tobacco Industry Board of Zambia, respectively;
- (ii) where unmanufactured leaf tobacco of other non-Rhodesian origin has not been consigned by or under the express authority of a recognized tobacco authority of the country concerned, the importers could be asked to produce such authority.

"(d) In the case of maize declared to originate in countries other than Rhodesia, proof could be required that such maize is covered by a certificate issued by an inspector of the Government concerned at the port of export from the originating country, expressly stating that the maize in question is a product of the country other than Rhodesia in which it is claimed to originate."

ANNEX VII

Specific cases of suspected violationsExplanatory note

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

This annex to the third report contains additional information received by the Committee on the thirteen cases previously reported, together with texts of reports and substantive parts of correspondence with Governments, received up to and including 30 April 1970, concerning sixty new cases brought to the Committee's attention since submission of its second 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.

List of specific cases of suspected violations

A. MINERALS

Ferrochrome, chrome ore and chrome sand

<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 - "Massimoemme" 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 Muborakiah" 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 27 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

A. MINERALS (continued)Ferrochrome, chrome ore and chrome sand (continued)

<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 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 - "Castasegna": United Kingdom note dated 17 April 1970

Copper concentrates

(22)	12.	Copper concentrates - "Tjipondok": United Kingdom note dated 12 May 1969
(23)	15.	Copper concentrates - "Eizan Maru": United Kingdom note dated 4 June 1969
(24)	34.	Copper exports: United Kingdom note dated 13 August 1969
(25)	51.	Copper concentrates - "Straat Futami": United Kingdom note dated 8 October 1969

Lithium ores

(26)	20.	Petalite - "Sado Maru": United Kingdom note dated 30 June 1969
(27)	21.	Lithium ores: United Kingdom notes dated 3 July and 27 August 1969
(28)	24.	Petalite - "Abbekerk": United Kingdom note dated 12 July 1969
(29)	30.	Petalite - "Simonskerk": United Kingdom note dated 4 August 1969
(30)	32.	Petalite - "Yang Tse": United Kingdom note dated 6 August 1969
(31)	46.	Petalite - "Kyotai Maru": United Kingdom note dated 24 September 1969
(32)	54.	Lepidolite - "Ango": United Kingdom note dated 24 October 1969

A. MINERALS (continued)

Pig-iron and steel billets

<u>Serial No.</u>	<u>Case No.</u>	
(33)	29.	Pig-iron - "Mare Piceno": United Kingdom note dated 23 July 1969
(34)	70.	Steel billets: United Kingdom note dated 16 February 1970

Graphite

(35)	38.	Graphite - "Kaaoland": United Kingdom note dated 27 August 1969
(36)	43.	Graphite - "Tanga": United Kingdom note dated 18 September 1969
(37)	62.	Graphite - "Trausbad", "Kaaoland", "Shellenbosh" and "Swellendam": United Kingdom note dated 22 December 1969

B. TRADE IN TOBACCO

(38)	4.	"Mokaria": United Kingdom note dated 24 January 1969
(39)	10.	"Mohasi": United Kingdom note dated 29 March 1969
(40)	19.	"Goodwill": United Kingdom note dated 25 June 1969
(41)	26.	Tobacco transactions: United Kingdom note dated 14 July 1969
(42)	35.	"Montaigle": United Kingdom note dated 13 August 1969

C. TRADE IN MAIZE AND COTTON SEED

(43)	18.	Trade in maize: United Kingdom note dated 20 June 1969
(44)	39.	"Fraternity": United Kingdom note dated 27 August 1969
(45)	44.	"Galini": United Kingdom note dated 18 September 1969
(46)	47.	"Santa Alexandra": United Kingdom note dated 24 September 1969
(47)	49.	"Zeno": United Kingdom note dated 26 September 1969
(48)	56.	"Julia L.": United Kingdom note dated 13 November 1969
(49)	63.	"Polyxene C.": United Kingdom note dated 24 December 1969
(50)	53.	"Holly Trader": United Kingdom note dated 23 October 1969

D. TRADE IN MEAT

<u>Serial No.</u>	<u>Case No.</u>	
(51)	8.	"Kaapland": United Kingdom note dated 10 March 1969
(52)	13.	"Zuiderkerk": United Kingdom note dated 13 May 1969
(53)	14.	"Tabora": United Kingdom note dated 3 June 1969
(54)	16.	"Tugelaland": United Kingdom note dated 16 June 1969
(55)	22.	"Swellendam": United Kingdom note dated 3 July 1969
(56)	33.	"Taveta": United Kingdom note dated 8 August 1969
(57)	42.	"Polana": United Kingdom note dated 17 September 1969
(58)	61.	Chilled meat: United Kingdom note dated 8 December 1969
(59)	68.	"Alcor": United Kingdom note dated 13 February 1970

E. TRADE IN SUGAR

(60)	28.	"Byzantine Monarch": United Kingdom note dated 21 July 1969
(61)	60.	"Filotis": United Kingdom note dated 5 December 1969
(62)	65.	"Eleni": United Kingdom note dated 5 January 1970
(63)	72.	"Lavrentios": United Kingdom note dated 8 April 1970

F. TRADE IN FERTILIZERS AND AMMONIA

(64)	2.	Import of manufactured fertilizers from Europe: United Kingdom note dated 14 January 1969
(65)	48.	Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969
(66)	52.	Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969
(67)	66.	"Cérons": United Kingdom note dated 7 January 1970
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G. MOTOR VEHICLES

(69)	9.	Motor vehicles: United States note dated 28 March 1969
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H. TRACTOR KITS

(70)	50.	Tractor kits: United Kingdom note dated 2 October 1969
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I. AIRCRAFT

Serial No. Case No.

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| (71) | 41. | Aircraft spares: United Kingdom note dated
5 September 1969 |
| (72) | 67. | Supply of aircraft: United Kingdom note dated
21 January 1970 |

J. BOOK-KEEPING AND ACCOUNTING MACHINES

- | | | |
|------|-----|---|
| (73) | 58. | Book-keeping and accounting machines: Italian note
dated 6 November 1969 |
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Specific cases of suspected violation

A. MINERALS

Ferrochrome, chrome sand and chrome ore

- (1) Case 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 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 S/9252/Add.1, annex XI, pages 10-13.

- (3) Case 5. Trade in chrome ore and ferrochrome: United Kingdom note dated 6 February 1969

1. Previous information concerning this case is contained in S/9252/Add.1, annex XI, pages 13-16.

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

3. The following replies have been received from the Federal Republic of Germany, to the Secretary-General's note verbale dated 20 February (see S/9252/Add.1, para. 2, page 14):

(a) In a note verbale dated 30 June, the Federal Republic of Germany stated that, upon examination, the imports statistics for 1968 did not show any imports of chrome ore or ferrochrome from Southern Rhodesia. As for the Metallgesellschaft AG, Frankfurt/Main, which was named in the United Kingdom note as the sales agent for the FRG of UNIVEX in Johannesburg and/or Handelsgesellschaft AG in Zurich, the former had volunteered the following information: it had no trading relations with either firm and did not possess any financial share in either of them. It had, on the other hand, trade relations with the firm of Arnold Wilhelmi and Co. in Johannesburg which in earlier years had included the import of chrome ore. Those imports had been stopped after the provisions of resolution 253 (1968) had become known to the firm.

(b) In a note verbale dated 10 July 1969, the Federal Republic of Germany stated that the owners of the FRG ships listed in the annex to the United Kingdom note of 6 February 1969 had been questioned and had stated:

Neither the "Tugelaland" nor "Krugerland" of Globus-Reederei GmbH Hamburg, nor the "Palabora" of Deutsche Afrika-Linien GmbH and Co., Hamburg, has carried any such cargo since the embargo against Southern Rhodesia came into force. The agents have strict orders not to accept such cargoes. The "Krugerland" was sold on 11 December 1968 and is now operating under the South African flag.

The "Otto Springorum" of Seereederei "Frigga" AG, Hamburg, was operating from 13 May 1968 to 3 January 1969 under Norwegian charter. It called at various African ports from mid-September to mid-November 1967, including Lourenço Marques. The charter agreement did not allow the carriage of Rhodesian goods.

(4) Case 6. Ferrochrome - "Blue Sky": United Kingdom note dated 12 February 1969

1. Previous information concerning this case is contained in the second report of the Committee (S/9252/Add.1, annex XI, pages 16-23).
2. Additional action taken by the Committee since the submission of the second report is given below.
3. As requested by the Committee at its 17th meeting, the Secretary-General sent notes verbales dated 16 July to Portugal and Spain, in the case of Portugal referring to his previous notes verbales dated 18 March (see S/9252/Add.1, annex XI, page 18, para. 9) and 4 April, and in the case of Spain referring to that Government's acknowledgement of 9 May of the Secretary-General's note verbale of 2 May (see S/9252/Add.1, annex XI, page 23, para. 20).
4. A reply dated 23 July has been received from Spain stating that the "Hierax" arrived at Barcelona on 29 April and there unloaded a quantity of ferrochrome; there was no indication that it might have originated from Southern Rhodesia. The customs and harbour authorities were nevertheless notified of the possibility that it might be of Rhodesian origin in order that they might take appropriate action if any document proved this to be so. When, after some time, no Spanish importer had come forward to claim the ferrochrome, it was sent back

by way of Durban "to its point of origin" which was unknown to the Spanish authorities. Thus, since the ferrochrome was not cleared by the Spanish customs authorities, it was regarded as not having entered Spanish territory.

5. No reply has been received from Portugal.

(5) Case 23. Ferrochrome - "Massimoemee" and Panama vessel "Archon": United Kingdom note dated 8 July 1969

1. By a letter dated 8 July 1969, the United Kingdom Government reported that it had received information to the effect that 1,000 tons of ferrochrome were loaded at Barcelona for Durban on 12 June by the Italian ship "Massimoemee". The United Kingdom Government had also received information that the remaining 3,079 tons of ferrochrome had been loaded at Lisbon for Durban on 12 June on the vessel "Archon" owned by a Panama company. These consignments of ferrochrome were believed to have been unloaded from the "Blue Sky".^{1/}

2. At the request of the Committee at its 17th meeting, the Secretary-General sent notes verbales dated 16 July to Greece, Italy, Panama and South Africa, transmitting the United Kingdom letter and requesting comments thereon.

3. By a further letter dated 22 July, the United Kingdom Government reported that it had now received information to the effect that the "Massimoemee" sailed from Durban on 18 July and arrived at Beira on 21 July, and that the "Archon" sailed from Durban on 20 July bound for Beira. There were indications that the ferrochrome from the two vessels might have been discharged at Durban.

(6) Case 45. Ferrochrome - "Tai Sun" and "Kyotai Maru": United Kingdom note dated 20 September 1969

1. By a letter dated 20 September, the United Kingdom Government reported information about the discharge at Durban of the cargo of ferrochrome which was originally shipped to Europe on the "Blue Sky"^{2/} and returned to southern Africa on the "Massimoemee" and the "Archon" (see case no. (12) above). The text of the United Kingdom letter is reproduced below:

^{1/} See (4) case 6.

^{2/} See (4) case 6 and (5) case 23.

"In his letter of 22 July to the then Chairman of the Committee established in pursuance of Security Council resolution No. 253 (1968), which was subsequently circulated by the Secretariat to all members of the Committee, Mr. Hildyard reported that the Government of the United Kingdom had received information that the Rhodesian ferrochrome which was originally shipped to Europe on the 'Blue Sky' and subsequently returned to southern Africa on the 'Massimoemee' and the 'Archon' might have been discharged at Durban.

"My Government have now received a further report that the ferrochrome concerned was in fact discharged at Durban; that it there changed hands; and that it was subsequently consigned to Japan in two consignments, one aboard the Taiwan vessel 'Tai Sun' and the other on the Japanese vessel 'Kyotai Maru'. The ferrochrome may now be described as 'chrome concentrates' or some other derivative of chrome ore. The former vessel was scheduled to arrive at Kobe on about 13 September and the latter is expected to arrive at the same port on about 27 September.

"My Government would like to suggest that the Committee should consider asking the Secretary-General to bring the above information to the attention of the Government of Japan in order to assist them to investigate the origin of any ferrochrome, however described, which may be discharged from these vessels at ports in their territory.

"The Government of Japan and the authorities in Taiwan might also be invited to make suitable enquiries regarding the carriage of Rhodesian ferrochrome aboard vessels of their registration.

"In view of the fact that one vessel may already have arrived at Kobe, and that the other may do so shortly, I should like to suggest that the views of the Committee on this proposal should be sought in accordance with our normal practice in such cases, by the Secretary by telephone in order that the appropriate action may be taken before our next meeting."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 23 September to Japan, and at the request of the Committee at its 22nd meeting, a note verbale dated 30 September to the Republic of China, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received as follows:

(a) Republic of China dated 8 October, stating that the vessel "Tai Sun", owned by Taiwan Navigation Company of Taipei, had been chartered out to Mitsui Osaka Lines Ltd. of Japan, since March 1969. According to the contract, it was specifically provided that the vessel might only carry lawful merchandise in legal trade between safe ports. The Taiwan Navigation Company has been

instructed to request Mitsui Osaka Lines Ltd. to make an inquiry into the matter referred to in the United Kingdom note of 20 September. As soon as further information was received, the Secretary-General would be informed.

(b) Japan dated 20 November, stating that the "Tai Sun" had entered Kobe on 15 September and the "Kyotai Maru" entered Yokohama on 6 October. A careful investigation was made, with the following results: (i) A cargo of "silico-chrome" (about 2,300 tons) was unloaded from the "Tai Sun" and a cargo of the same mineral (about 1,600 tons) was unloaded from the "Kyotai Maru". Both cargoes were accompanied by the relevant import documents, including invoices, and in particular by the certificates of origin issued by the Chamber of Commerce of Johannesburg, as well as those from the producer of the silico-chrome in question. Those certificates of origin certified the cargoes as goods of South African origin. (ii) The Government of Japan asked the importer to produce rail notes covering the dispatch of the consignments in question. By those rail notes, it was ascertained that the silico-chrome was transported from Clewer to Durban in eighteen shipments, during the period 1 April to 24 June, in a total of 126 freight cars of the South African Railways. (iii) As a result of the above, the Government of Japan judged that the goods in question were of South African origin and not related to those aboard the "Blue Sky" and the goods were allowed to be imported.

(7) Case 7. Ferrochrome - "Catharina Oldendorff": United Kingdom note dated 22 February 1969

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 24-26).
2. Additional information received by the Committee since the submission of the second report is given below.
3. Replies have been received, from Belgium and Denmark, to the Secretary-General's note verbale dated 28 February (see S/9252/Add.1, annex XI, page 25, para. 4) and from the Federal Republic of Germany and Switzerland to the Secretary-General's note verbale of 30 April (see S/9252/Add.1, annex XI, p. 26, para. 7) as follows:

/...

(a) In a note dated 19 June, Belgium stated that the vessel arrived at Antwerp on 5 March. An investigation by the competent authorities revealed no irregularity in its cargo of ferrochrome.

(b) In a note dated 9 July, Denmark stated that import of ferrochrome from Southern Rhodesia seemed never to have taken place. Since 1965 and up to the end of March 1969, there had been no import of ferrochrome into Denmark from any African country and no part of the cargo from the vessel in question seemed therefore to have entered Denmark.

(c) In a note dated 30 June, the Federal Republic of Germany stated that at the time in question the "Catharina Oldendorff" was chartered by the firm Transunion S.P.R.L. at Brussels. The FRG owner of the ship tried to obtain detailed information from this firm concerning the cargo, but these efforts failed because the firm had in the meantime been liquidated after bankruptcy. The FRG owner, Reederei Egon Oldendorff at Lubeck, therefore regretted not to be able to comply with the requests for information contained in the Secretary-General's notes verbales.

(d) In a note dated 30 July, Switzerland stated that its foreign trade statistics had not shown any imports of ferrochrome or silico-chrome either during 1968 or during the period January to April 1969. Thus, the Swiss firm mentioned in the Secretary-General's note must be an intermediary engaged in supplying third countries and not in importing those commodities into Switzerland. In the circumstances, the Swiss authorities were unable to undertake any investigation to discover the origin of the shipments.

(8) Case 11. Ferrochrome - "Al Mubarakiah" and "Al Sabahiah": United Kingdom noted dated 24 April 1969

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, page 27).

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

3. Replies have been received from the Federal Republic of Germany, Kuwait and the Netherlands to the Secretary-General's note verbale dated 2 June (see S/9252/Add.1, annex XI, page 27, para. 4), as follows:

(a) In a note dated 30 June, the Federal Republic of Germany stated that all FRG firms which might have imported ferrochrome from Southern Rhodesia had been

officially approached in connexion with the shipment in question. Up till then, all had stated that they had no knowledge of the shipment or of the two Kuwaiti vessels.

(b) In a note dated 24 June, Kuwait stated that the Kuwait Shipping Company chartered the two ships to a British Company, namely, Sea Group Services Ltd. of London, for the purpose of transporting goods from Indian Ocean ports to Europe. The British Company rechartered the two ships to a company of the FRG, namely, Fisser and Van Dournum of Hamburg. The Kuwaiti Government had conducted an extensive investigation into this matter and had ascertained, beyond any doubt, that the Kuwait Shipping Co. was in no way involved in the freight transactions concerning the two ships and had no knowledge of the nature of the goods shipped or of their origin.

(c) In a note dated 26 June, the Netherlands stated that after the two vessels arrived in the Netherlands, they were cleared respectively on 20 and 24 April. It was ascertained that the cargo of both vessels, originating from South Africa, was declared for transit, partly to Duisburg in the FRG, partly to Liège in Belgium. The commercial documents required for transit proved to be satisfactory. Since all other documents pertaining to those shipments repose with the parties directly concerned, further investigation will of necessity have to be conducted outside the Netherlands.

(9) Case 17. Ferrochrome - "Gasikara": United Kingdom noted dated 19 June 1969

1. By a note dated 19 June, the United Kingdom Government reported on a consignment of ferrochrome loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom in continuation of their notes submitted on 6 February, 22 February and 24 April to the Committee established in pursuance of resolution 253 (1968), have received information concerning a shipment of Rhodesian ferrochrome which they believe to be sufficiently reliable to justify further investigation.

"The information is to the effect that consignments of Rhodesian ferrochrome totalling about 6,000 metric tons were recently loaded at Lourenço Marques on the Malagasy vessel 'Gasikara': that at least part

/...

of the ferrochrome in the consignments was produced by Rhodesian Alloys (pvt) Ltd: and that part of the consignment may be destined for Czechoslovakia. The destination of the remainder of the Rhodesian ferrochrome is not known.

"The 'Gasikara' sailed from Lourenço Marques on 30 May 1969 and is expected to call at Antwerp and Rotterdam soon after 21 June. The vessel is owned by the Société Malgache de Transports Maritimes, Tamatave.

"The United Kingdom Government suggest that the Committee may wish, as in the previous cases referred to in paragraph 1 of this note, to ask the Secretary-General of the United Nations to bring the above information to the notice of the Governments of Belgium and the Netherlands with a view to assisting them to ensure that the origin of any ferrochrome which may be unloaded from the 'Gasikara' at ports in their territories during its present voyage is carefully investigated. They may also wish to suggest to the Government of Czechoslovakia that the origin of any ferrochrome on the 'Gasikara' consigned to Czechoslovakia should be carefully investigated. It is suggested that the importers should be asked to produce copies of the relevant invoices and rail notes covering the despatch of the consignments to Lourenço Marques, with a certificate from the producer of the ferrochrome in question. Should it be claimed that the ferrochrome is of South African origin, the importers should be asked to produce a certificate of origin and transit from the South African controller of customs at Lourenço Marques in support of their claim. Such certificates are issued under the authority of the South African Government for all South African goods exported through Lourenço Marques.

"The Committee may further wish to ask the Secretary-General to notify the Government of the Malagasy Republic of the above report so that they may make similar inquiries about the origin of this ferrochrome which is being carried on a Malagasy ship and which according to the information referred to above is of Rhodesian origin."

2. As requested by the Committee, following informal consultations, the Secretary-General sent a note verbale dated 25 June to the Netherlands and notes verbales dated 26 June to Belgium and Madagascar, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from all three Governments, as follows:

(a) In a note dated 25 August, Belgium stated that, from information provided by the customs authorities at Antwerp, the vessel in question had not yet appeared in that port.

(b) In a note dated 1 July, Madagascar stated that the vessel belonging to the Société Malgache de Transports Maritimes had been chartered by a firm of the FRG and that the merchandise taken on board at Lourenço Marques had been the subject of eleven regular investigations.

(c) A further reply dated 17 July from Madagascar transmitted various documents relating to this shipment.

(d) In a note dated 28 August, the Netherlands stated that the vessel arrived at Rotterdam on 23 June and that the part of its cargo which consisted of silico-chrome, ferrochrome and chrome ore was declared for transit to France and the Federal Republic of Germany. In accordance with the relevant decisions of the Security Council, the Netherlands authorities undertook a close examination of the documents required for transit. This examination yielded no evidence of the consignment in question having originated in Southern Rhodesia.

4. A note verbale dated 20 June 1969 was also received from Czechoslovakia stating that the Czechoslovak Socialist Republic had been fulfilling all the provisions of Security Council resolution 253 (1968) and that the Government of Czechoslovakia would take the necessary steps to clarify the substance of the information contained in the United Kingdom note of 19 June 1969.

5. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbales dated 30 September to the Federal Republic of Germany, pursuant to the information contained in the Netherlands reply dated 28 August, and to the Netherlands, requesting further information on documentation.

6. An acknowledgement dated 6 October has been received from the Federal Republic of Germany.

7. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales to the Federal Republic of Germany and the Netherlands dated 3 December, in the case of the Federal Republic of Germany requesting whether any of the chrome carried on this vessel was imported into its territory and, if so, the results of its investigation into the origin of the chrome; and, in the case of the Netherlands, requesting a reply to the Secretary-General's previous note verbale dated 30 September and also requesting specification of the documents required for goods in transit through the Netherlands.

8. In a note dated 19 January 1970, the Federal Republic of Germany stated that it had not so far been able to trace any silico-chrome, ferrochrome or chrome ore suspected to be of Southern Rhodesian origin which might have been imported into the Federal Republic of Germany by way of the Netherlands. The FRG customs authorities had stated that further investigations could be

ted successfully only if additional information, such as address of the importer, place and date of importation into the Federal Republic, means of transportation, etc. was made available.

9. In a letter dated 2 December 1969, France stated that it had been cited in error in this case since neither the vessel nor its cargo had either a French origin, a French destination or a French consignee.

10. In a note dated 25 November, the Netherlands Government drew attention to the information contained in its note of 28 August (see para. 3 (d) above) and stated that it would appreciate knowing if the results of investigations undertaken by the FRG and France had been found to be contrary to the findings of the Netherlands authorities that the shipment was not of Southern Rhodesian origin. It further wished to emphasize that permission for transit had been granted only after it had been established on the basis of the certificates of origin that the cargo had not originated in Southern Rhodesia.

11. In a note verbale dated 30 April 1970, the Permanent Mission of France referred to the note verbale dated 25 November from the Netherlands and stated that an inquiry into the final destination and actual origin of the ferrochrome and chrome transported by the "Gasikara" could not be undertaken unless specific information was provided concerning the means of transport from Rotterdam, the destination, the name of the importing company, and the date or dates of internal transport.

12. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 5 May 1970 to the Netherlands Government, stating that the Committee had taken note of the replies from the Netherlands relating to consignments of ferrochrome on board the vessels "Gasikara", "Gunvor" and "Ville de Reims", dated 25 November 1969, 21 January 1970 (see (15) case 55, para. 3 (a)) and 22 January (see para. 6 (14) case 40) respectively and informing it that it would be very helpful if, in the case of cargoes passing through the Netherlands which were brought to its notice as suspected of being of Southern Rhodesian origin, the address of the consignee, together with the details of the route and mode of transport by which the goods left the Netherlands could be provided so that the Secretary-General could pass the information on to the other Governments concerned.

(10) Case 25. Ferrochrome - "Batu": United Kingdom note dated 14 July 1969

1. By a note dated 14 July 1969, the United Kingdom Government reported that it had received information suggesting a further attempt to export ferrochrome suspected to be of Southern Rhodesian origin. The text of the note is reproduced below:

"In continuation of their note of 6 February 1969, describing arrangements for the export of Rhodesian chrome ore and ferrochrome, the Government of the United Kingdom wish to inform the Committee that they have received information suggesting a further attempt to export ferrochrome suspected to be of Rhodesian origin. The Government of the United Kingdom consider that the new information is sufficiently reliable to merit further investigation.

"The information is to the effect that a shipment of suspected Rhodesian ferrochrome was recently loaded at Lourenco Marques on the Dutch vessel 'Batu'; and that the shipment included consignments totalling approximately 200 tons for importers in Milan, Turin and Madrid.

"The 'Batu', which is owned by Nederland N.V. Stoomvaart Maatschappij sailed from Lourenco Marques on 23 June declared for Beira. The vessel sailed from Beira on 29 June and was scheduled to call at Mtwara on 30 June, Dar-es-Salaam on 1 July, Mombasa on 5 July, Genoa on 7 August, Leghorn on 8 August, Marseilles on 10 August, Barcelona on 12 August, Antwerp on 18 August, Rotterdam on 20 August, Bremen on 24 August and Hamburg on 26 August.

"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 Governments of Tanzania, Kenya, Italy, France, Spain, Belgium, the Netherlands and the Federal Republic of Germany with a view to assisting them to ensure that the origin of any ferrochrome which may have been or may be unloaded from this vessel during the course of its present voyage is carefully investigated. It is suggested that the importers should be asked to produce copies of the relevant invoices and rail notes covering the despatch of the consignments to Lourenco Marques, together with certificates from the producers. Should it be claimed that the ferrochrome is of South African origin the importers should be asked to produce a certificate of origin and transit from the South African controller of Customs at Lourenco Marques in support of their claim. Such certificates are issued under the authority of the South African Government for South African goods exported through Lourenco Marques.

"The Committee may also wish to ask the Secretary-General to invite the Government of the Netherlands to make similar enquiries in respect of the reported carriage of this ferrochrome in a Dutch ship."

2. At the request of the Committee at its 18th meeting, the Secretary-General sent notes verbales dated 22 July to Belgium, the Federal Republic of Germany, Kenya, Italy, the Netherlands, Spain and the United Republic of Tanzania, transmitting the United Kingdom note and requesting comments thereon.

3. The following replies have been received:

(a) Belgium dated 2 December stated that an investigation had been carried out and no irregularities found.

(b) Federal Republic of Germany dated 26 November, stating that the vessel had berthed at Hamburg on 19 August and that an investigation by the customs authorities had proved that the vessel did not carry ferrochrome or any other merchandise of Southern Rhodesian origin on its arrival.

(c) Kenya dated 18 September, stating that immediate investigations into the matter had revealed that the Kenya Government had not imported any ferrochrome between 1 June and 18 September 1969. The Government wished to assure the Secretary-General that it would maintain constant vigilance over activities at Mombasa harbour to ensure that the ferrochrome in question, or any other like consignment, was neither imported into Kenya nor shipped elsewhere through the harbour.

(d) Italy dated 23 July, stating that the Italian authorities had been instructed to keep under strict surveillance any unloading of ore from the "Batu".

(e) Netherlands dated 25 September, stating that the "Batu" berthed at Rotterdam on 17 August. An inquiry by the Netherlands authorities proved that the vessel did not carry ferrochrome on its arrival. The "Batu" sailed from Rotterdam on 19 August.

4. The following information was also received from France, in a letter dated 3 September: an inquiry made by the French authorities showed that the "Batu", proceeding from Livorno, reached Marseilles on 7 August. Its cargo included 100 tons, 235 kgs. of ferrochrome which was not unloaded as it was not intended for shipment to a French port.

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 3 December to Belgium, Italy, the Netherlands and Spain: in the case of Belgium and Spain requesting information about the cargo on board the vessel; in the case of Italy inquiring whether any ferrochrome from the vessel was imported into its territory and, if so, the results of its

inquiries into the origin thereof; and in the case of the Netherlands inquiring whether it had any indication where the vessel last called before entering Rotterdam and requesting specification of the nature of the documents on the basis of which it had decided that the cargo had not originated in Southern Rhodesia.

6. A reply dated 5 December has been received from Italy stating that the Italian authorities have been informed of the contents of the Secretary-General's note verbale.

7. At the request of the Committee at its 25th meeting, the Secretary-General sent a note verbale dated 31 December to Belgium, referring to its reply of 2 December (see paragraph 3 (a) above) and to the Secretary-General's previous note verbale of 3 December (see paragraph 5 above) and requesting information about the cargo on board the vessel and about the relevant documents.

8. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 29 April to Belgium, again requesting information concerning this shipment and the documents pertaining thereto.

(11) Case 31. Chrome ore and ferrochrome - "Ville de Nantes": United Kingdom note dated 4 August 1969

1. By a note dated 4 August 1969, the United Kingdom Government reported information about a cargo of chrome ore and ferrochrome on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, which they consider to be sufficiently reliable to merit further investigation, concerning a further exportation of chrome ore and ferrochrome of Rhodesian origin.

"The information is to the effect that a cargo of approximately 5,000 tons of Rhodesian chrome ore and approximately 2,000 tons of Rhodesian ferrochrome was recently loaded at Lourenco Marques on the French vessel 'Ville de Nantes'. The destination of the chrome ore and ferrochrome is not known.

"The 'Ville de Nantes', which is owned by Compagnie Havraise et Nantaise Peninsulaire, Paris sailed from Lourenco Marques on 17 July, declared for Antwerp and Rotterdam.

"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 Governments of Belgium and of the Netherlands with a view to assisting them to ensure that the origin of any

chrome ore and/or ferrochrome which may be unloaded at ports in their territories from this vessel during the course of its present voyage is carefully investigated. It is suggested that importers should be asked to produce copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenco Marques, with certificates from the producers of the chrome ore and ferrochrome in question.

"The Committee may further wish to ask the Secretary-General to notify the French Government of the above report to enable them to make suitable enquiries regarding the carriage aboard a vessel of French registry of chrome ore and ferrochrome which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 19th meeting, the Secretary-General sent notes verbales dated 8 August to Belgium and the Netherlands, transmitting the United Kingdom note and requesting comments thereon and also transmitting extracts from the book Standard Methods of Chemical Analysis for such use as they might deem appropriate.^{1/}

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

(a) Belgium dated 3 September, stating that the Customs authorities had been informed of the cargo and requested, if the vessel passed through Antwerp, to ensure that the measures adopted to prevent trade with Southern Rhodesia were strictly observed. In a further reply dated 28 November Belgium stated that no irregularity was found concerning this shipment.

(b) Netherlands dated 25 September, stating that the vessel had arrived at Vlaardingen on 8 August. Part of its cargo consisted of chrome ore and ferrochrome. The consignment was declared for transit to the Federal Republic of Germany and Norway. A close examination by the Netherlands authorities of the documents required for transit did not produce any evidence of the consignment having originated in Southern Rhodesia.

4. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to the Netherlands, requesting (1) specification of the nature of the documents on the basis of which it had decided that the cargo had not originated in Southern Rhodesia, and (2) copies of those documents and as much information as possible about the consignments trans-shipped from the vessel, i.e. details of the ships and barges or trains, etc., in which the ore and ferrochrome were forwarded to Norway and the Federal Republic of Germany respectively. It was pointed out that this information would

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

enable the Committee to make suitable inquiries into the origin of any of the suspect goods which might have been imported into Norway and the Federal Republic of Germany.

5. A reply dated 2 April 1970 has been received from the Netherlands stating that the Netherlands Government had conducted its customary thorough search of the consignment of ores unloaded from the vessel after its arrival at the port of Vlaardingen. The investigation, however, produced no evidence of an evasion of the measures decided upon by the Security Council in resolution 253 (1968), nor did it yield any proof of the validity of the observations contained in the United Kingdom note of 4 August 1969. Consequently, the Netherlands Government was of the opinion that any further investigation should be undertaken outside the Netherlands, and it suggested that the Secretary-General might wish to contact the authorities of the countries to which the consignment in question had been trans-shipped and where the relevant documents might be located. The Netherlands Government stated that it would appreciate being informed of the results of inquiries made by the Secretary-General of the Governments mentioned in the United Kingdom note of 4 August 1969 and in the Secretary-General's note verbale of 3 December 1969. Annexed to the note was a summary of the means of transportation used for the trans-shipment of the ores in question, as well as of the countries of destination. Since the investigation yielded no proof of the validity of the observations contained in the United Kingdom note of 4 August, the Netherlands Government could not justify any publicity resulting in complications which might affect the conveyors who were in no sense a party to the contracts governing the supply of the goods in question. It was confident, therefore, that the annex would be regarded as confidential.

6. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 29 April to the Netherlands stating that (a) since the information provided to and by the Committee was not accusatory but was intended to assist Governments concerned to investigate suspected evasions of sanctions, there should be, in the opinion of the Committee, no objection to the information contained in the annex to its reply being published in the Committee's report to the Security Council, and (b) that the Committee had decided that the Netherlands Government should be given an opportunity to comment on its opinion before the annex was included in the report. Also at the request of the

Committee at the same meeting, the Secretary-General sent notes verbales dated 29 April to the Federal Republic of Germany and Norway, transmitting a copy of the United Kingdom note of 4 August 1969, together with a copy of the Netherlands reply dated 2 April, and requesting comments thereon.

(12) Case 36. Ferrochrome - "Ioannis": United Kingdom note dated 27 August 1969

1. By a note dated 27 August 1969, the United Kingdom Government reported information about a cargo of ferrochrome loaded on the above vessel. The text of the note is reproduced below:

"The United Kingdom Government has recently received information about a suspected breach of sanctions in the export of Rhodesian ferrochrome which they believe to be sufficiently reliable to warrant further investigation.

"2. The information is to the effect that the Liberian vessel 'Ioannis' loaded at Lourenco Marques before sailing from that port on 28 July, a quantity of about 600 tons of ferrochrome which is suspected to be of Rhodesian origin. The vessel, which is owned by Euroshipping Corporation of Monrovia, Liberia, is declared for Santander.

"3. 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 Spain with a view to assisting them to ensure that the origin of any ferrochrome unloaded in the course of its present voyage is carefully investigated. It is suggested that importers should be asked to produce copies of the relevant invoices, shipping documents and rail notes covering the despatch of the consignment to Lourenco Marques, with a certificate of manufacture from the producers of the ferrochrome in question.

"4. The Committee may further wish to ask the Secretary-General to notify the Liberian Government of the above report to enable them to make suitable enquiries regarding the carriage aboard a vessel of Liberian registry of ferrochrome, which according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 21st meeting, the Secretary-General sent notes verbales dated 8 September to Liberia and Spain, transmitting the United Kingdom note and requesting comments thereon.

3. Replies from those Governments have not yet been received.

(13) Case 37. Ferrochrome - "Hallaren": United Kingdom note dated 27 April 1969

1. By a note dated 27 August 1969, the United Kingdom Government reported information about a cargo of ferrochrome loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information which they consider to be sufficiently reliable to merit further investigation concerning a further exportation of Ferrochrome of Rhodesian origin.

"2. The information is to the effect that a cargo of approximately 100 tons of Rhodesian ferrochrome, packed in drums, was recently loaded at Lourenco Marques on the Swedish vessel 'Hallaren'. The destination of the ferrochrome is believed to be Finland.

"3. The 'Hallaren', which is owned by Red A/B Transatlantic Gothenburg, sailed from Lourenco Marques on 20 July, destined for North European ports including Helsinki.

"4. 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 Finland with a view to assisting them to ensure that the origin of any ferrochrome which may be unloaded at ports in their territory from this vessel during the course of its present voyage is carefully investigated. It is suggested that importers should be asked to produce copies of the relevant invoices, shipping documents and rail notes covering the despatch of the consignment to Lourenco Marques with a certificate of manufacture from the producers of the ferrochrome in question.

"5. The Committee may further wish to ask the Secretary-General to notify the Swedish Government of the above report to enable them to make suitable enquiries regarding the carriage aboard a vessel of Swedish registry of ferrochrome which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 21st meeting, the Secretary-General sent notes verbales dated 8 September to Finland and Sweden, transmitting the United Kingdom note and requesting comments thereon.

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

(a) Finland dated 12 March 1970, stating that a thorough investigation into the origin of the shipment concerned had been concluded and that the authorities were considering, on the basis of the evidence obtained, the possibility of instituting legal proceedings against the importer of the goods in question.

(b) Sweden dated 22 October 1969, stating that the matter was being investigated by the Swedish authorities and a detailed reply would be furnished on completion of the investigation.

(14) Case 40. Ferrochrome - "Ville de Reims": United Kingdom note dated 28 August 1969

1. By a note dated 28 August 1969, the United Kingdom Government reported information about a cargo of ferrochrome and chrome ore loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, which they consider to be sufficiently reliable to merit further investigation, concerning a further exportation of chrome ore and ferrochrome of Rhodesian origin.

"2. The information is to the effect that a cargo of approximately 2,000 tons of Rhodesian ferrochrome and approximately 4,000 tons of Rhodesian chrome ore was recently loaded at Lourenco Marques on the French vessel 'Ville de Reims'. This vessel which is owned by Compagnie Havraise et Nantaise Peninsulaire, Paris, sailed from Lourenco Marques on 6 August declared for Antwerp.

"3. Although the vessel in question is at present declared for Antwerp, as stated above, it is possible that the suspect cargo may be unloaded at some other European port. In the circumstances the United Kingdom Government suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the above information not only to the notice of the Government of Belgium but also to that of the Governments of the Netherlands, the Federal Republic of Germany and Italy with a view to assisting them to ensure that the origin of any chrome ore and ferrochrome which may be unloaded at ports in their territory from this vessel during the course of its present voyage is carefully investigated. It is suggested that the importers should be asked to produce copies of the relevant invoices, shipping documents and rail notes covering the despatch of the consignment to Lourenco Marques with certificates from the producers of the chrome ore and ferrochrome in question.

"4. The Committee may further wish to ask the Secretary-General to notify the French Government of the above report to enable them to make suitable enquiries regarding the carriage aboard the vessel of French registry of chrome ore and ferrochrome which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 21st meeting, the Secretary-General sent notes verbales dated 8 September 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 as follows:

(a) Belgium dated 5 November, stating that the vessel in question had not passed through the port of Antwerp.

(b) Federal Republic of Germany dated 18 December, stating that the FRG authorities, acting on the information available, had not been able to trace any ferrochrome from the vessel which might have been imported into the FRG by way of Belgium. The Government was still in contact with the British Embassy in Bonn regarding the matter. If any new information was received, further notification would be made to the Secretary-General.

(c) Italy dated 24 November, stating that an investigation conducted by the competent Italian authorities had produced the following results: (1) the vessel arrived in the port of Cagliari on 23 October, where it took on barytes destined for Madagascar; (2) from 27 July to 6 August the vessel had lain at anchor in Lourenço Marques where it had taken on the following goods: (a) 164,060 kg of silico-chrome (410 bars), (b) 4,071,573 kg of chrome ore, (c) 1,003,298 kg of ferrochrome ore, (d) 502,259 kg of silico-chrome, ((e) 449,998 kg of silico-chrome. The goods listed under (a), (c) and (e) were shipped by the Mocambican Limitada Company. The goods listed under (b) were shipped by Freight Services Ltd. of Lourenço Marques; (3) the goods taken on at Lourenço Marques were unloaded in Rotterdam on 24 August. Since the goods had been sent on consignment, it was not possible to ascertain the buyers' names; (4) When the vessel called at Cagliari, it had aboard only 5,623,112 metric tons of assorted goods which had been loaded at Rotterdam from 24 to 30 August, at Priolo from 4 to 10 September, at Sète from 12 to 14 September and at Marseilles from 15 to 19 September.

4. The following information was also received from France in a letter dated 6 October: from the investigation which the French authorities had carried out, it appeared that the vessel, after having called at Rotterdam on 30 August, arrived at Sète on 12 September and at Marseilles on 15 September. While it was in these two French ports, it did not carry any cargo of African origin and notably no

chrome ore, ferrochrome or other minerals. No unloading took place, but cargo was loaded for delivery to Madagascar. The French communication concluded by pointing out that only the Netherlands was in a position to specify the exact origin of the cargo.

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to the Netherlands, reminding that Government that the Committee would be interested to hear the results of its investigations into this shipment, as requested by the Secretary-General in his previous note verbale dated 8 September.

6. A reply dated 22 January 1970 has been received from the Netherlands stating that after arrival of the vessel at Rotterdam on 24 August 1969, its cargo of ferro-silico-chrome, ferrochrome and chrome ore was declared for transit to the Federal Republic of Germany. Since the inquiries conducted by the Netherlands authorities produced no indication of the cargo in question originating in Southern Rhodesia, no objections were raised to its transit through the Netherlands.

7. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 5 May 1970 to the Netherlands Government [see (9) case 17, para. 11].

(15) Case 55. Ferrochrome - "Gunvor": United Kingdom note dated 10 November 1969

1. By a note dated 10 November 1969, the United Kingdom Government reported information about a consignment of ferrochrome loaded on the above vessel. 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 merit further investigation, concerning a possible evasion of sanctions in the export of ferrochrome suspected to be of Rhodesian origin.

"2. The information is to the effect that a consignment of approximately 3,000 tons of Rhodesian ferrochrome was recently loaded at Lourenco Marques on the vessel 'Gunvor' which sailed from Lourenco Marques on 19 October declared for Rotterdam, where it is expected to arrive on about 9 November. The vessel is on charter to Otavi Minen und Eisenbahn-Gesellschaft, Frankfurt/Main through their agents Fisser and V. Doornum, Hamburg and it is understood that the charter party contains the following clause: 'Charterers certify that all goods intended to be shipped under this charter party are of origin of the Republic of South Africa'.

"3. 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 the Netherlands with a view to assisting them in their investigations into the origin of any ferrochrome which may be unloaded from the 'Gunvor' at Rotterdam or any other port in the Netherlands during the course of its present voyage. Although the 'Gunvor' is declared only for Rotterdam, it may, of course, call at other ports in Northern Europe and the Committee may therefore wish to consider asking the Secretary-General to bring the above information to the attention of Governments other than the Government of the Netherlands. If the importers of the ferrochrome in question should claim that it is not of Rhodesian origin the Government concerned will, no doubt, bear in mind that 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 copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenço Marques, together with a certificate from the producer of the ferrochrome in question.

"4. The Committee may further wish to ask the Secretary-General to notify the Governments of Norway and the Federal Republic of Germany of the above report in order to assist them in their enquiries into the carriage aboard a vessel of Norwegian registry and under charter to a company registered in the Federal Republic, of ferrochrome which, according to the information mentioned above, is suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 19 November to the Federal Republic of Germany, the Netherlands and Norway, transmitting the United Kingdom note and requesting comments thereon.

3. The following replies have been received:

(a) The Netherlands in a note verbale dated 21 January 1970 stated that the "Gunvor" berthed at Rotterdam on 11 November 1969, carrying among other things a consignment of ferrochrome and ferro-silico-chrome. The consignment was declared for transit to Belgium and the Federal Republic of Germany. A careful inquiry was made into the origin of the ferrochrome and ferro-silico-chrome. Since this investigation produced no indication of the consignment having originated in Southern Rhodesia, the Netherlands authorities did not object to its transit through the Netherlands.

(b) The Federal Republic of Germany in a note verbale dated 22 April stated that "Otavi-Minen-und Eisenbahn-Gesellschaft", Frankfurt, had declared that the vessel had been chartered for transportation of raw material, from Lourenço Marques

to Rotterdam, which had been produced by Otavi Mining Company (Pty) in South Africa. However, 3,000 tons of the "Gunvor's" cargo had been sub-chartered to another company, with no information available as to the kind and origin of the cargo transported for that company.

4. An aide-memoire dated 18 November was received from Norway, stating that the vessel had been cleared from Lourenço Marques to Rotterdam and that it had left Rotterdam on 18 November, after having unloaded its entire cargo there.

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 26 November to the Netherlands, transmitting a copy of the Norwegian aide-memoire.

6. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 22 May 1970 to the Netherlands Government (see (9) case 17, para. 11).

(16) Case 57. Chrome ore - "Myrtidiotissa": United Kingdom note dated 17 November 1969

1. By a note dated 17 November 1969, the United Kingdom Government reported information about a cargo of chrome ore loaded on the above vessel. The text of the note is reproduced below:

"1. 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 merit further investigation, concerning a possible evasion of sanctions over the export of chrome ore suspected to be of Rhodesian origin.

"2. The information is to the effect that a cargo of over 10,000 tons of Rhodesian chrome ore was recently loaded at Lourenço Marques aboard the m.v. 'Myrtidiotissa'. Part of the cargo is consigned to the Austrian firm Veitscher Magnesitwerke A.G., Vienna, and part to the Austrian firm Osterreichisch-Amerikanische Magnesit A.G., Radenthein.

"3. The 'Myrtidiotissa', which is owned by Compania Salaminia de Nav. S.A., Panama, and is of Greek registry, sailed from Lourenço Marques on 27 October and is believed to be destined for a Yugoslav port.

"4. 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 Yugoslavia with a view to

assisting them in their investigations into the origin of any chrome ore which may be unloaded from the 'Myrtidiotissa' at ports in their territory 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 Government of Austria with a view to assisting them in their investigations into the origin of chrome ore on the 'Myrtidiotissa' consigned to the two Austrian firms referred to in paragraph 2 above. If it should be claimed that the chrome ore in question is not of Rhodesian origin the Governments concerned 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 copies of the relevant invoices and rail notes covering the despatch of the consignments to Lourenco Marques, together with certificates from the producers of the chrome ore in question.

"5. The Committee may further wish to ask the Secretary-General to notify the Governments of Panama and Greece of the above report in order to assist them in their enquiries into the carriage aboard a vessel of Panamanian ownership and Greek registry of chrome ore which, according to the information mentioned above, is suspected of being of Rhodesian origin."

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 26 November to Austria, Greece, Panama and Yugoslavia, transmitting the United Kingdom note and requesting comments thereon.

3. By a further note dated 2 December, the United Kingdom Government reported further information to the effect that it now had reason to believe that the master of this vessel might have been warned that this cargo would be investigated on arrival at a Yugoslav port; that according to Lloyds, the vessel had been at Trieste since 23 November and that Lloyds had no information that the vessel had called at any Yugoslav port. The Secretary-General was requested to transmit the original United Kingdom note dated 17 November, together with the above information, to the Government of Italy, as a matter of urgency.

4. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 10 December to Italy, transmitting the above-mentioned United Kingdom note dated 17 November with the information contained in the further United Kingdom note dated 2 December.

5. By a letter dated 12 December 1969, the United Kingdom Government suggested that urgent replies should be requested from Austria, Italy and Yugoslavia, since it appeared that the vessel was still attempting to unload its cargo in that area.

6. At the request of the Committee, following informal consultations, the Secretary-General sent reminders dated 15 December to Austria, Italy and Yugoslavia.

7. Replies from all three Governments have been received as follows:

(a) Austria dated 23 December 1969 stating that the cargo of chrome ore in question was purchased by the Oesterreichisch-Amerikanische Magnesit A.G. Radenthein and the Veitscher Magnesitwerke AG Vienna from a Swiss firm. The contract covering the purchase specified that the chrome ore was not of Southern Rhodesian origin. That fact had been confirmed by supplementary investigation by the Austrian authorities.

(b) Italy dated 5 January 1970 stating that the vessel arrived in Trieste from Lourenço Marques on 24 November 1969, with a cargo of chrome ore of 13,576,987 tons, of which 2,676 tons were contained in eight barrels as samples. According to the certificate of origin, the chrome was of South African origin and had been loaded at Lourenço Marques. The cargo was to be consigned to Austrian firms. After checking the original documents with other documents provided by the transport firm A. Billitz, the police authorities were satisfied that the documentation was not falsified and therefore allowed the cargo to be shipped to Austria by railway on 6 December 1969. Copies of the documents have been sent to the central customs authorities for further examination.

(c) Yugoslavia dated 17 December 1969, stating that the necessary measures had been undertaken, in conformity with the Yugoslav Law prohibiting the Establishment and Maintenance of Economic Relations with Southern Rhodesia of 11 February 1969, to prevent the vessel from entering Yugoslav ports. Furthermore, the vessel had been prohibited from entering the port of Rijeka on 22 November. The vessel then sailed for Trieste, Italy.

8. By a letter dated 2 January 1970, the United Kingdom Government reported that it had received additional information to the effect that the sale of the chrome ore in question had been arranged through a Swiss firm "RIF Trading Company" of Zurich. It was also understood that part of the suspect cargo from the vessel might have reached Czechoslovakia.

9. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 14 January 1970 to Czechoslovakia and Switzerland, transmitting the two previous United Kingdom notes dated 17 November and 2 December 1969 (see paragraphs 1 and 3 above), together with the letter dated 2 January 1970.

10. Replies have been received from Czechoslovakia and Switzerland as follows:

(a) Czechoslovakia dated 30 April 1970 stated that an investigation had shown that the assumption contained in the United Kingdom note that a part of the cargo of chrome ore on the vessel in question was allegedly destined for Czechoslovakia did not correspond to facts; on the contrary, the investigation had proved that there was no violation of Security Council resolution 253 (1968) on the part of Czechoslovak trade organizations. The Czechoslovak Socialist Republic did not maintain any diplomatic, commercial or other relations with the illegitimate régime in Southern Rhodesia and had consistently implemented all provisions of resolution 253 (1968).

(b) Switzerland dated 17 April stated that, from an investigation ordered by the federal authorities, it appeared that official statistics on Swiss foreign trade made no mention, either for the whole of 1969 or for the two first months of 1970 (for which data were already available) of any imports of chromium ore or ferrochrome from Southern Rhodesia. The Swiss company mentioned in the documents attached to the Secretary-General's note, namely, the RIF Trading Company, had appeared on the trade register of Zurich since 1947. It was capitalized at 100,000 Swiss francs. According to its stated aims, the company was concerned with "trade in merchandise of all kinds, holding stock in commercial and industrial enterprises, as well as representing export agencies and supplying commodities". Consequently, if the company was implicated in the affair in question, it had at most merely participated in a transaction conducted outside Swiss territory. The federal authorities therefore could not undertake any investigations to determine the origin of the alleged Southern Rhodesian exports. Since it appeared that the merchandise in question was unloaded at a Yugoslav or Italian port and was destined for Austrian or possibly Czechoslovak enterprises, the Swiss Government considered that the most appropriate course would be to approach the authorities of those countries in order to establish the origin of the chromium ore.

11. At the request of the Committee at its 27th meeting, the Secretary-General sent notes verbales dated 20 April to Austria, Czechoslovakia and Italy, in the case of Austria and Italy requesting further results of the investigations referred to in their replies of 23 December 1969 and 5 January 1970 (see paragraph 7 (a) and (b) above) respectively and copies of the relevant documents; and in the case of Czechoslovakia requesting a reply to the Secretary-General's note verbale of 14 January.

(17) Case 59. Shipments of ferrochrome to various countries: United Kingdom note dated 4 December 1969

1. By a note dated 4 December 1969, the United Kingdom Government reported information about shipments to Brazil of ferrochrome, believed to be of Southern 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 merit further investigation, suggesting a possible breach of sanctions in the export of ferrochrome suspected to be of Rhodesian origin.

"The information is to the following effect: earlier this year the Brazilian firm of Acos Villares S.A., São Paulo, agreed to purchase from Hochmetals (Africa) (Pty) Ltd. Johannesburg 210 tons and 105 tons of ferrochrome, under contracts numbered 1427 and 1427/B respectively. This ferrochrome which was described by Hochmetals (Africa) (Pty) Ltd. as being of South African origin, was in fact obtained by them from Rhodesian Alloys Ltd. Gwelo, Rhodesia. The ferrochrome supplied under these contracts was despatched in separate shipments of thirty-five tons each from Lourenço Marques on the following vessels:

"Under contract 1427

<u>Vessel</u>	<u>Date of shipment from Lourenço Marques</u>
'Ditte Skou'	4 June
'Mexico Maru'	21 July
'Merian'	21 August
'Ditte Skou'	10 October

"Under contract 1427/B

<u>Vessel</u>	<u>Date of shipment from Lourenço Marques</u>
'Ditte Skou'	10 October

"Two further consignments of Rhodesian ferrochrome of thirty-five tons each, under these contracts were recently loaded at Lourenço Marques on the m.v. 'Rosario Maru'. The 'Rosario Maru' which is expected to arrive in Santos on about 13 December, is owned by Mitsui O.S.K. Lines Ltd., Tokyo. The m.v. 'Ditte Skou' is owned by Ove Skou Rederi, Copenhagen, the m.v. 'Merian' by Befrachtungskontor K.G., Hamburg and the m.v. 'Mexico Maru' by Mitsui O.S.K. Lines Ltd., Tokyo.

"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 Brazil with a view to assisting them in their investigations into the true origin of all imports of ferrochrome purchased by Acos Villares S.A. from Hochmetals (Africa) (Pty), Ltd. during the course of 1969, and in particular the two consignments which are at present being carried on the 'Rosario Maru'. If it should be claimed that the ferrochrome is not of Rhodesian origin the Government of Brazil 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 Lourenco Marques, together with certificates from the producers of the ferrochrome in question.

"The Committee may further wish to ask the Secretary-General to notify the Governments of Japan, Denmark and the Federal Republic of Germany of the above report in order to assist them in their inquiries into the carriage aboard vessels of their registry of ferrochrome which, according to the information mentioned above, is of Rhodesian origin.

"As it is believed that Hochmetals (Africa) (Pty) Ltd. may be selling Rhodesian ferrochrome to importers in various parts of the world, the Committee may also wish to ask the Secretary-General of the United Nations to transmit a copy of this note to all other States Members of the United Nations and of the specialized agencies for their information and so that they may supply to the Committee any further available information regarding trade of this nature by the firm in question."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 10 December 1969 to Brazil, Denmark, the Federal Republic of Germany and Japan, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Denmark dated 18 March 1970 (see para. 15 (a) below) and from the Federal Republic of Germany dated 17 December 1969 stating that the contents of the Secretary-General's note verbale had been brought to the attention of the Government of the Federal Republic.

4. At the request of the Committee at its 25th meeting, the Secretary-General sent notes verbales dated 13 January 1970 to all Member States of the United Nations with the exception of Brazil, Denmark and the Federal Republic of Germany (see para. 2 above), or members of the specialized agencies, transmitting the United Kingdom note of 4 December and requesting comments thereon.

5. The following replies have been received:

Burma	Mauritania
Cambodia	Nauru
Canada	New Zealand
Congo (Democratic Republic of)	Nicaragua
Cyprus	Poland
El Salvador	Singapore
France	Somalia
Greece	Swaziland
Hungary	Thailand
Lesotho	Togo
Madagascar	Trinidad and Tobago
	USSR

6. Of the above replies, those from Burma, Cambodia, Hungary, Nauru, Poland, Somalia, Togo and the USSR stated that they had no trade or any other relations with Southern Rhodesia. In their replies, Hungary and Togo also stated that they considered that the provisions of Security Council resolution 253 (1968) should be consistently implemented. The Togolese Government believed that it would be desirable for the Secretary-General and all countries capable of doing so to assist the Committee in determining responsibilities in this matter and that such further action as might be required should be taken by the Security Council.

7. The replies from the Democratic Republic of the Congo, El Salvador, Mauritania, New Zealand, Nicaragua stated that the Secretary-General's note verbale and enclosure had been transmitted to their respective Governments. A summary of the remaining replies is given below:

(a) Canada dated 27 February 1970 stated that extensive inquiries undertaken had revealed no evidence that Hochmetals Africa (Pty) Ltd. had exported ferrochrome to Canada during 1968. Furthermore, the Canadian Government had no information concerning that company.

(b) Cyprus dated 5 March 1970 stated that all the necessary measures had been taken by the appropriate authorities so that trans-shipments via Cyprus of the commodity in question would not take place.

(c) France dated 9 March 1970 stated that France, which was itself a producer of ferrochrome, restricted its imports according to a quota. No quota had been given to South Africa, nor to Southern Rhodesia with whom such trade is prohibited by the decree dated 23 August 1968.

(d) Greece dated 24 March 1970 stated that no licence had been issued to Hochmetals Africa (Pty) Ltd. for the import into Greece of ferrochrome suspected to be of Southern Rhodesian origin.

(e) Lesotho dated 16 January 1970 stated that, upon inquiry, the Lesotho Government was convinced that there was no trade between Lesotho and the firm in question.

(f) Madagascar dated 16 April 1970 stated that its sole supplier of ferro-alloys was France. Total imports in thousands of Malagasy francs were in 1968 - 1,987 and in the first eleven months of 1969 - 1,340.

(g) Singapore dated 19 February 1970 stated that an investigation was being conducted into trade carried on by the firm in question and that any information received would be transmitted to the Secretary-General.

(h) Swaziland dated 4 March 1970 stated that the Swaziland Government did not know of any dealings between the firm in question and the Brazilian company, nor did Swaziland have any dealings with Rhodesian Alloys Ltd. in Gwelo.

(i) Thailand dated 10 March 1970 stated that according to the results of investigations carried out by the Thai authorities, the port of Bangkok had no record of the five vessels in question having entered that port from 1 June 1969 to 9 February 1970.

(j) Trinidad and Tobago dated 3 March 1970 stated that no ferrochrome from Hochmetals Africa (Pty) Ltd. had been imported, but that in 1969 Trinidad and Tobago had imported 4,700 pounds of ferrochrome from the United Kingdom.

7. By a further note dated 24 December 1969, the United Kingdom Government reported additional information to the effect that two of the vessels referred to in the previous note dated 4 December (see para. 1 above) carried additional consignments of Rhodesian ferrochrome from Hochmetals Africa (Pty) Ltd. to firms in Brazil. This ferrochrome, although described by Hochmetals Africa (Pty) Ltd. as being of South African origin was, in fact, obtained by them from Rhodesian Alloys Ltd., Gwelo, Rhodesia. Details of these additional consignments are as follows:

On the m.v. "Merian" which sailed from Lourenço Marques on 22 August 1969:

(a) 35 tons of ferrochrome under contract no. 1415 for Acos Villares S.A., São Paulo;

(b) 35 tons of ferrochrome under contract no. 1461 for Acos Villares S.A., São Paulo;

(c) 35 tons of ferrochrome under contract no. 1434 for Sussel Industria e Comercio S.A., Rio de Janeiro.

On the m.v. "Ditte Skou" which sailed from Lourenço Marques on 10 October 1969:

(a) 35 tons of ferrochrome under contract no. 1511 for Brasimet Comercio e Industria S.A., São Paulo.

The m.v. "Merian" was owned by Komrowski Befrachtungskontor K.G., Hamburg, and the m.v. "Ditte Skou" by Ove Skou Rederi A/S, Copenhagen.

The Government of the United Kingdom suggested that the Committee might 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 investigations into the true origin of any of the consignments of ferrochrome referred to above which might have been imported by Acos Villares S.A., Sussel Industria e Comercio S.A. or Brasimet Comercio e Industria S.A. If it should be claimed that ferrochrome was not of Rhodesian origin, the Government of Brazil would no doubt 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 the relevant invoices and rail notes covering the dispatch of the consignments to Lourenço Marques, together with certificates from the producers of the ferrochrome in question.

The United Kingdom Government also suggested that the Committee might wish to ask the Secretary-General to notify the Governments of Denmark and the Federal Republic of Germany of the above report in order to assist them in their inquiries into the carriage aboard vessels of their registry of these consignments of ferrochrome which, according to the information above, are of Southern Rhodesian origin.

8. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 5 January 1970 to Brazil, Denmark and the Federal Republic of Germany, transmitting the United Kingdom note dated 24 December and requesting comments thereon.

9. Replies have been received from Denmark dated 18 March (see para. 15 (a) below) and from the Federal Republic of Germany dated 23 March. In its reply, the FRG stated that the owners of the vessel "Merian", Komrowski Befrachtungskontor K.G., had declared that they were unable to provide information as to the shipment of ferrochrome suspected to be of Southern Rhodesian origin from Lourenco Marques on board the vessel. At the time in question, the vessel was under charter to a Brazilian enterprise. Komrowski Befrachtungskontor K.G., however, had consented to further investigate the matter and to report their eventual findings.

10. By a note dated 8 January 1970, the United Kingdom Government reported additional information to the effect that Hochmetals Africa (Pty) Ltd. of Johannesburg had agreed to supply to the Mexican firm of Aceros Anglo S.A., Toluca, 10 tons of ferrochrome under contract No. 1509. That ferrochrome, which was described by Hochmetals Africa (Pty) Ltd. as being of South African origin was in fact, obtained by them from Rhodesian Alloys Ltd., Gwelo, Southern Rhodesia. The first consignment of the ferrochrome, comprising 5 tons, was shipped from Lourenco Marques in October 1969. The United Kingdom Government suggested that the Committee might wish to ask the Secretary-General to bring this information to the attention of the Government of Mexico with a view to assisting them in their investigations into the true origin of any ferrochrome supplied under contract No. 1509 which might have been purchased or imported by Aceros Anglo S.A. from Hochmetals Africa (Pty) Ltd. If it should be claimed that any such ferrochrome was not of Southern Rhodesian origin, the Government of Mexico would no doubt 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 the relevant invoices and rail notes covering the dispatch of the consignments to Lourenco Marques, together with certificates from the producer of the ferrochrome in question.

11. Following informal consultations, at the request of the Committee, the Secretary-General sent a note verbale dated 14 January 1970 to Mexico, transmitting the United Kingdom note of 8 January and requesting comments thereon.

12. A reply dated 20 February 1970 has been received from Mexico (see para. 15 (c) below).

13. By a note dated 15 January 1970, the United Kingdom Government reported the following additional information:

"During the course of 1969, Hochmetals Africa (Pty) Limited, Johannesburg continued to make arrangements for the sale and shipment of Rhodesian minerals using false descriptions of origin. The Rhodesian minerals in question were sent by Hochmetals (Pty) Limited for shipment to their destinations by various routes. Some consignments were railed direct from Rhodesia for shipment from Lourenco Marques and Beira. Other routings were also used in order to disguise the Rhodesian origin of the goods. For example, Rhodesian beryl and lepidolite were stored temporarily at Uppington, Cape Province: Rhodesian petalite was railed to Bloemfontein in the first instance before being redirected for shipment through the South African ports of East London and Port Elizabeth. Other Rhodesian minerals were shipped through ports in South West Africa.

Certain reported shipments by Hochmetals Africa (Pty) Ltd. are detailed in the annex to this note.

The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring the information contained in paragraphs 1 to 3 of this note and in the annex to the attention of the Governments which received copies of the previous United Kingdom notes referred to in the first paragraph of this note, and in particular to the Governments of Japan, Belgium, Brazil and Spain, with a view to assisting the latter in their investigations into the true origin of the consignments of Rhodesian materials referred to in the annex to this note which may have been purchased or imported by any of their nationals. If it should be claimed that the materials in question are not of Rhodesian origin, the investigating Governments 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 copies of the relevant invoices and rail notes covering the despatch of the consignments to the respective ports of shipment and, more important, certificates from the producers of the materials in question.

The Committee may further wish to ask the Secretary-General to notify the Governments of the Netherlands and of Norway of the contents of this note and its annex in order to assist them in their enquiries into the carriage aboard vessels of their registry of goods which are suspected to be of Rhodesian origin."

Annex to above United Kingdom note

SUPPLY OF RHODESIAN MINERALS AND MATERIALS
BY HOCHMETALS AFRICA (PTY) LTD

"In November 1968 Hochmetals Africa (Pty) Ltd., Johannesburg, arranged, under contract No. 1333, to supply the Maruku Trading Co., Ltd., Tokyo with approximately 80 tons of copper concentrates per month for a period of one year, the shipments to be made between February 1969 and January 1970. These copper concentrates were obtained by Hochmetals Africa (Pty) Ltd., from the P and O Copper Mine, Chiredzi, Rhodesia.

In May, 1969 Hochmetals Africa (Pty) Ltd., Johannesburg, under contract No. 1422, supplied Colmar Industrial Base Mineral Co. (Pty) Ltd., Johannesburg with approximately 327 tons of Rhodesian petalite. The latter company in turn supplied the petalite obtained under this contract to Kanematsu-Gosho, Box 209, Osaka, in June 1969.

In April 1969, Hochmetals Africa (Pty) Ltd., arranged to supply the firm of Sicomet S.A. Brussels, under contract No. C 1414, with approximately 12 tons of copper materials and 55 tons of gunmetal. These materials, which were of Rhodesian origin, having been obtained by Hochmetals Africa (Pty) Ltd., from the firm of Metal Sales (Pvt) Co., Ltd., Salisbury, were shipped from Beira to Antwerp on board the Dutch vessel "Nijkerk" in May 1969.

Under contract No. 1431 Hochmetals Africa (Pty) Ltd., supplied 35 tons of Rhodesian ferrochrome to Prometal Productos Metalurgicos S.A. Sao Paulo. This ferrochrome was obtained by Hochmetals Africa (Pty) Ltd., from Rhodesian Alloys Ltd., Gwelo, Rhodesia and was shipped on the Norwegian vessel "Black Eagle" which sailed from Lourenco Marques on 8 September 1969.

In July 1969 Hochmetals Africa (Pty) Ltd., Johannesburg arranged, under contract No. 1472, to supply 700 tons of ferro silicon chrome to the firm of Ferroaleaciones Espanolas S.A., Madrid, through the intermediary of Confina S.A. Madrid. This ferro silicon chrome, although described by Hochmetals Africa (Pty) Ltd., as being of South African origin, was in fact obtained by them from Rhodesian Alloys Ltd., Gwelo, Rhodesia. The ferro silicon chrome in question was to be shipped from Lourenco Marques in November or December, 1969."

14. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 20 January 1970 to Brazil, Denmark, the Federal Republic of Germany, Japan, Mexico, the Netherlands, Norway and Spain, and a note verbale dated 22 January to Belgium, transmitting the United Kingdom note and requesting comments thereon.

15. The following replies have been received:

(a) Denmark dated 18 March, stating that the owners of the vessel "Ditte Skou" had informed the Danish authorities that they had no knowledge that the vessel had been engaged in transports from Lourenco Marques to Brazil of ferrochrome suspected to be of Southern Rhodesian origin. By virtue of a time charter party of 29 October 1968, the vessel was time chartered by the shipping company Lloyd Brasileiro, Rio de Janeiro. The vessel was placed at the disposal of the charterer on 27 January 1969 and was still being operated under the said charter party which laid down that the vessel was only to be employed "in carrying lawful merchandise... in such lawful trades... as the charterers or their agents shall direct".

(b) Federal Republic of Germany dated 4 February, stating that the contents of the Secretary-General's note verbale had been communicated to the Government of the Federal Republic.

(c) Mexico dated 20 February, stating that the Mexican firm Aceros Anglo S.A., after steps had been taken by the Mexican Government, had cancelled the transaction in question.

(d) Norway dated 17 February, stating that the vessel "Black Eagle" had been, since September 1969, under time charter from its owners Messrs. Sig. Herlofson and Co., Oslo, to the Government-owned Brazilian Shipping Co., Lloyd Brasileiro. Contracts relating to carriage of goods in the vessel were thus beyond the control of the Norwegian owners as they were entered into by the Brazilian company as time charterers and shippers.

16. At the Committee's request at its 25th meeting, the Secretary-General sent a note verbale dated 16 February 1970 to Brazil enclosing extracts from the book Standard Methods of Chemical Analysis by Wilfred W. Scott, describing the method of chemical analysis used by the United States in analysing all ferrochrome imported into that country.

17. At the request of the Committee at its 27th meeting, the Secretary-General sent notes verbales dated 29 April 1970 to the Governments of Brazil and Mexico, in the case of Brazil, bringing to its attention the relevant parts of the replies from Denmark (see para. 15 (a) above) and Norway (see para. 15 (d) above) and requesting comments thereon; and in the case of Mexico, referring

to its reply of 20 February (see para. 15 (c) above) and expressing the Committee's appreciation for the frustration by the Mexican Government of an attempt to evade sanctions against Southern Rhodesia.

(18) Case 64. Chrome and ferrochrome - "Birte Oldendorff": United Kingdom note dated 24 December 1969

1. By a note dated 24 December 1969, the United Kingdom Government reported information about several consignments of chrome ore and ferrochrome, suspected to be of Southern Rhodesian origin, on board the vessel "Birte Oldendorff". 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 justify further investigation, concerning a possible evasion of sanctions in the export of chrome ore and ferrochrome suspected to be of Rhodesian origin.

The information is to the following effect: several consignments of Rhodesian chrome ore and ferrochrome, amounting in total to more than 4,000 tons, were recently loaded at Lourenco Marques aboard the m.v. "Birte Oldendorff", which sailed from that port on 30 November 1969, declared for Rotterdam. The chrome ore and ferrochrome in question is consigned to various destinations in the Federal Republic of Germany. The "Birte Oldendorff", which is owned by Egon Oldendorff, Funfhausen 1, Lubeck, is under charter to Otavi Minen Und Eisenbahn - Gesellschaft, Frankfurt/Main, which firm was also the charterer of the m.v. "Gunvor", which also carried ferrochrome suspected to be of Rhodesian origin, and was referred to in the United Kingdom Government's note of 10 November, 1969.

The Government of the United Kingdom suggest that the Committee may wish to ask the Secretary-General of the United Nations to bring this shipment 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 chrome ore or ferrochrome from the "Birte Oldendorff" which may be either unloaded at ports in their territory or imported into their territory from a neighbouring country, and into the carriage aboard a vessel of FRS registry and under charter to a company in the Federal Republic of chrome ore and ferrochrome which, according to the information mentioned above is suspected to be of Rhodesian origin.

The Committee may further wish to ask the Secretary-General to bring this report to the notice of the Government of the Netherlands with a view to assisting them in any investigations they may make in accordance with paragraph 3 (c) of resolution No. 253 (1968) into the origin of any chrome ore or ferrochrome which may be unloaded from the "Birte Oldendorff" at Rotterdam or any other Dutch port for trans-shipment or transit to the Federal Republic of Germany.

"If it should be claimed that the consignments of chrome ore or ferrochrome in question are not of Rhodesian origin, the Governments concerned 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 copies of the relevant invoices and rail notes covering the despatch of the consignments to Lourenco Marques, together with certificates from the producers."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 5 January 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 both those Governments as follows:

(1) Federal Republic of Germany dated 3 April 1970, stating that the vessel had been chartered by Otavi-Minen und Eisenbahngesellschaft, Frankfurt/Main, for a voyage from Lourenco Marques to Rotterdam in November 1969. The vessel carried 7,500 tons of cargo for Otavi and 7,400 tons of ore for three other companies to whom part of the vessel had been sub-chartered. Otavi have declared their satisfaction that the entire cargo carried aboard the vessel under sub-charter was of South African origin. An examination of the certificates of origin and of other documents relating to the shipment in question by the competent FRG Finance and Customs Authorities did not produce any indication that the cargo was of Southern Rhodesian origin.

(2) Netherlands dated 17 March 1970, stating that the vessel berthed at Vlaardingen on 24 December 1969. Part of its cargo consisted of chrome ore, ferrochrome and silicon chrome. The shipment was declared for transit to Belgium and the Federal Republic of Germany. After a careful investigation by the Netherlands authorities, which yielded no indication whatsoever of the consignment in question having originated in Southern Rhodesia, no objection was made to its transit through the Netherlands.

(19) Case 71. Ferrochrome - "Disa": United Kingdom note dated 2 April 1970

By a note dated 2 April 1970, the United Kingdom Government reported information about a consignment of ferrochrome, in addition to other minerals, loaded on the above vessel. The text of the note is reproduced below:

/...

"The Government of the United Kingdom have received information from commercial sources to the effect that, in addition to other minerals, a consignment of ferrochrome suspected to be of Rhodesian origin was loaded recently at Lourenco Marques aboard the m.v. "Disa".

The m.v. "Disa", which is owned by Messrs. Lars Brodin of Stockholm, and is of Swedish registry, sailed from Lourenco Marques on 10 March for ports in Belgium, Holland and the Federal Republic of Germany.

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 Belgium, the Netherlands and the Federal Republic of Germany with a view to assisting them in their investigations into the origin of any ferrochrome which may be unloaded from the m.v. "Disa" during her present voyage at ports in their territory whether such ferrochrome is for use in their territory 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 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 Lourenco Marques together with certificates from the producer.

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 Sweden so as to enable them to make enquiries into the carriage aboard a Swedish vessel of mineral 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 verbales dated 8 April to Belgium, the Federal Republic of Germany, the Netherlands and Sweden, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 15 April has been received from the Federal Republic of Germany stating that the contents of the Secretary-General's note had been brought to the attention of the Government of the Federal Republic of Germany.

(20) Case 73. Chrome ores - "Selene": United Kingdom note dated 13 April 1970

1. By a note dated 13 April 1970, the United Kingdom Government reported information about a shipment of chrome ores and chrome concentrates loaded 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 ores and chrome concentrates suspected to be of Rhodesian origin to northern Adriatic ports which they consider sufficiently reliable to warrant investigation.

This information is to the effect that under arrangements made by Univex, the organisation set up by the illegal Rhodesian régime to co-ordinate the evasions of sanctions and in particular, as stated in the United Kingdom Government's note of 6 February 1969, to arrange for the sale of Rhodesian chrome ore and ferrochrome, consignments of chrome ores and chrome concentrates suspected to be of Rhodesian origin were loaded recently at Lourenco Marques aboard the m.v. "Selene".

The m.v. "Selene", which is owned by Kirno Hill Corporation of Panama, and is of Liberian registry, sailed from Lourenco Marques on 20 March for northern Adriatic 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 of the United Nations to bring the above information to the notice of the Governments of Yugoslavia and Italy, with a view to assisting them in their investigations into the origin of any ferrochrome which may be unloaded at ports in their territory during the present voyage of the vessel, either for use in their territory or for forwarding 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 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 Lourenco Marques together with certificates from the producer.

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 Governments of Panama and Liberia so as to enable them to make enquiries into the carriage aboard a Panamanian owned, Liberian registered vessel of minerals which, according to the information above, are suspected to be of Rhodesian origin."

2. At the request of the Committee at its 26th meeting, the Secretary-General sent notes verbales dated 20 April to Italy, Liberia, Panama and Yugoslavia, transmitting the United Kingdom note and requesting comments thereon.

3. A note verbale dated 22 April has been received from Italy, stating that the Secretary-General's note had been brought to the attention of the proper authorities in Italy. The Secretary-General would be informed as soon as possible concerning the results of the inquiry undertaken by the authorities.

(21) Case 74. Chrome ores - "Castasegna": United Kingdom note dated
17 April 1970

1. By a note dated 17 April 1970, the United Kingdom Government reported information concerning consignments of chrome ores and chrome concentrates, at least one of which was suspected to be of Southern Rhodesian origin, 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 chrome ores and concentrates which they consider to be sufficiently reliable to warrant investigation.

The information is to the effect that consignments of chrome ores and concentrates were recently loaded at Lourenco Marques aboard the m.v. "Castasegna", and that at least one such consignment was of Rhodesian origin.

The m.v. "Castasegna", which is owned by Suisse-Atlantique, Soc. d'Armement Maritime SA of Lausanne and is of Swiss registry, sailed from Lourenco Marques on 22 March for Santander.

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 Spain with a view to assisting them in their investigations into the origin of any minerals unloaded from the m.v. "Castasegna", at ports in their territory during her present voyage, either for use in the territory or 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 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.

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 Switzerland so as to enable them to make enquiries into the carriage aboard a Swiss 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 at its 27th meeting, the Secretary-General sent notes verbales dated 29 April to Spain and Switzerland, transmitting the United Kingdom note and requesting comments thereon.

Copper concentrates

(22) Case 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).

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

3. Three further replies, from Japan, Malaysia and the Netherlands, have been received to the Secretary-General's note verbale dated 13 May (see S/9252/Add.1, annex XI, page 29, para. 2), as follows:

(a) In a note dated 17 June, Japan stated that the vessel entered Kobe on 26 May. Results of the Japanese Government's investigations of the cargo aboard the vessel were (a) copper concentrates of approximately 500 tons in bags were unloaded at Kobe and this consignment was accompanied by a certificate of origin issued by the Chamber of Commerce of Beira, which stated that the goods were of Mozambique origin; (b) the Government of Japan was suspending customs clearance of the consignment in question and was asking the importer to produce further evidence that the goods are not of Southern Rhodesian origin.

(b) In a note dated 9 June, Malaysia stated that the vessel in question did not call at Port Swettenham on 14 May as reported.

(c) In a note dated 25 June, the Netherlands stated that the investigation undertaken by that Government proved that a consignment of copper concentrates was loaded on board the vessel at the port of Beira. This consignment was destined to Japan. It was furthermore established that the consignor had no reason to suspect that shipment of the goods would constitute an infringement of Security Council resolution 253 (1968).

4. A note dated 28 May was received from the United Kingdom, containing a report from the Government of Hong Kong, giving details of the cargo on board the "Tjipondok" and stating that continuous surveillance was kept on the vessel while in port to ensure that the copper concentrates were not unloaded. The vessel sailed on 22 May for Japan.

5. At the Committee's request at its 22nd meeting, the Secretary-General sent a note verbale dated 30 September to Japan, referring to its reply of 17 June (para. 3 (a) above).

6. A reply was received from Japan dated 21 October stating that as a result of thorough investigations of all the documents concerning the shipment in question, the consignment was judged to be of Mozambique origin.

7. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to Japan, bringing the following information to its attention:

"... as was pointed out in the original United Kingdom note of 12 May, the statistics published in the official monthly bulletin of statistics of the province of Mozambique indicated that no copper or copper concentrates are produced in that Territory. On the other hand, as reported in the United Kingdom note of 13 August /transmitted on 17 September/, the Edmundian copper mine in Mozambique has recently been reopened to provide a cover for Rhodesian copper exports; its own production was expected to restart before August 1969 - long after the shipment on the 'Tjipondok'."

Details of the Mozambique producer's certificate covering the copper concentrates in question were also requested.

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

1. By a note dated 4 June 1969, the Government of the United Kingdom reported that it had received information that a further consignment of copper concentrates, also believed to be of Southern Rhodesian origin, was loaded at Beira on 23 May on the above vessel. The text of this note is reproduced below:

"The Government of the United Kingdom, in continuation of their note of 12 May 1969 about the shipment of bags containing copper concentrates believed to be of Rhodesian origin on the Dutch vessel 'Tjipondok', wish to inform the committee that they have subsequently received information that a further consignment of copper concentrates, also believed to be of Rhodesian origin, was loaded at Beira on 23 May 1969 on the Japanese vessel 'Eizan Maru'. The description of the bags in which this second consignment of copper concentrates was packed, corresponds almost exactly with that of the bags on the 'Tjipondok', as reported by the Hong Kong Government, i.e. they measured 24x18 inches with three parallel purple stripes.

"The 'Eizan Maru' which is owned by Tokyo Senpaku K.K. Tokyo, sailed from Beira on 23 May. The vessel is believed to be calling at ports in Tanzania, Kenya, Singapore, Hong Kong and Japan.

/...

"The United Kingdom Government suggest that the committee may wish, as in the case of the United Kingdom's report on the copper concentrates on board the 'Tjipondok', to ask the Secretary-General of the United Nations to bring the above information to the notice of the Governments of Tanzania, Kenya, Singapore and Japan with a view to their investigating the nature and origin of the contents of any bags corresponding to the above description which may be unloaded from the 'Eizan Maru' at ports in their territories during the course of her present voyage. It is suggested that if such bags are off-loaded and are found to contain copper concentrates, and if the importers claim that they are not Rhodesian, they should be required to produce documentary evidence in support of their declaration as to its origin. This could take the form of copies of all relevant invoices, the rail notes covering the carriage of the bags to Beira and a certificate of origin from the actual producer or manufacturer of the contents of the bags. The importer might also be asked to obtain a certificate as to its origin from the Customs authorities of the country from which it is claimed that the consignment was first exported."

2. At the request of the Committee at its 13th meeting, the Secretary-General sent notes verbales dated 9 June to Japan, Kenya, Singapore and the United Republic of Tanzania, transmitting the United Kingdom note and requesting their comments thereon.

3. A reply was received from Singapore dated 1 July stating that the vessel had arrived in Singapore on 21 June and had left the following day for Hong Kong and Japan. No copper concentrates were off-loaded at Singapore, although an examination of the vessel's cargo manifest revealed that a consignment of copper concentrates was on board destined for Japan. The copper concentrates were in bags bearing three parallel purple stripes.

4. A report from the Government of Hong Kong, which was transmitted with a letter dated 7 July from the United Kingdom, gave details of the consignment in question and stated that continuous surveillance was kept on the vessel while in port to ensure that the copper concentrates were not off-loaded. The vessel sailed on 28 June for Japan.

5. At the request of the Committee at its 17th meeting, the Secretary-General sent a note verbale dated 16 July to Japan, transmitting the report from the Government of Hong Kong and requesting comments thereon as soon as possible.

6. A reply dated 8 September was received from Japan stating that the vessel had entered Yokohama on 7 July. Results of the investigation carried out by the

Government of Japan were as follows: (a) no cargo of copper concentrates was found on board the vessel nor was unloaded at any port in Japan; (b) a cargo of copper mats (about 200 tons in bags) designated as of Mozambique origin was unloaded at Yokohama. As the goods were suspected to be of Southern Rhodesian origin and as no sufficient evidence was submitted proving that the goods were of Mozambique origin, the Government of Japan suspended customs clearance of the cargo in question. Later, the cargo was sent back to the original shipper in Beira aboard the vessel "Tjibanjet" which left Yokohama on 29 August.

7. At the request of the Committee at its 22nd meeting, the Secretary-General sent a note verbale dated 30 September to Japan expressing appreciation for the action taken.

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

1. By a note dated 13 August 1969, the United Kingdom Government reported information concerning a possible evasion of sanctions in the export of Southern Rhodesian copper. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information which they wish to draw to the attention of the Committee concerning a possible evasion of sanctions in the export of Rhodesian copper. The information is to the following effect.

"2. Some time in 1968 a Johannesburg Company purchased the Edmundian Copper Mine in Mozambique. The Edmundian Mine has not been worked for six or seven years and an expert who inspected it last year pronounced it to be a completely uneconomic proposition. Nevertheless, work has begun to reopen the mine and production is due to start early in August 1969.

"3. The purpose of this activity is understood to be to provide a cover for Rhodesian copper exports. Copper may be shipped by rail to Beira and Lourenço Marques where it may be redocumented as originating from the Edmundian Mine: the actual production from the Edmundian Mine may amount to only a small proportion of the volume of copper exported and declared as originating from that mine.

"4. According to the same information production has not yet begun at the Edmundian Mine, but a shipment of Rhodesian copper has already been falsely documented and described as originating from that mine.

"5. The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council Resolution No. 253 (1968) might consider asking the Secretary-General to bring the above information to the attention of States Members of the United Nations and Specialized Agencies in order to alert them to the danger of Rhodesian copper being imported into their territories under false description as being of Mozambique origin, on the alleged basis of having been produced at the Edmundian Mine."

2. At the request of the Committee at its 21st meeting, the Secretary-General sent notes verbales dated 17 September to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note.

3. Replies were not requested but acknowledgements have been received from Canada, Colombia, the Federal Republic of Germany, Hungary, Mauritania, Netherlands and New Zealand. In the reply from the Netherlands dated 30 January 1970, it was stated that the information contained in the United Kingdom note had been transmitted to shipping companies operating in southern Africa. In the reply from New Zealand dated 7 October 1969, the Secretary-General was informed that New Zealand's imports of unmanufactured copper were drawn principally from the United Kingdom, the United States, Australia and Norway. Mozambique was not a source for New Zealand imports of copper.

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

1. By a note dated 8 October 1969, the United Kingdom Government reported information about a shipment of copper concentrates on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information, which they consider to be sufficiently reliable to merit investigation, concerning a possible evasion of sanctions in the export of copper concentrates suspected to be of Rhodesian origin.

"The information is to the effect that a consignment of Rhodesian copper concentrates was recently loaded at Lourenço Marques on the Dutch vessel 'Straat Futami'. The vessel, which is owned by Royal Interocean Lines, Amsterdam, sailed from Lourenço Marques on 12 September bound for ports in Japan, where it is expected to arrive early in October.

"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 Japan with a view to assisting them to ensure that the origin of any copper concentrates which may be unloaded from the 'Straat Futami' at ports in their territory is carefully investigated. It is suggested that if the importers of the copper concentrates should claim that they are not of Rhodesian origin they should be asked to produce documentary proof of the kind suggested in the Secretary-General's Note PO 230 SORH (1-2-1) of 18 September. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenço Marques, together with a certificate from the producer of the copper concentrates in question.

"The Committee may further wish to ask the Secretary-General to notify the Government of the Netherlands of the above report so that they may make suitable enquiries about the carriage aboard a vessel of Dutch registry of copper concentrates which, according to the information mentioned above, are suspected of being of Rhodesian origin."

2. At the request of the Committee following informal consultations, the Secretary-General sent notes verbales dated 14 October to Japan and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

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

(a) Japan dated 6 November, stating that the vessel entered Kobe on 20 October and that an investigation of the cargo was made, with the following results: a cargo of copper concentrates (about 84 tons in bags) was unloaded at Kobe. The cargo was accompanied by all the relevant import documents, including invoices which certified the cargo as goods of South African origin, as well as by a certificate of origin issued by the Chamber of Commerce, Johannesburg. It was also pointed out that Japan had been importing a great deal of copper ores, as well as copper from South Africa. The consignment in question was thus judged to be of South African origin and was allowed to be imported;

(b) Netherlands dated 23 December, stating that a careful inquiry had yielded no indications which might lead to the assumption that the consignment in question had originated in Southern Rhodesia. The Netherlands Government would appreciate being informed of the investigation conducted in Japan, in the event that it brought to light any doubt about the non-Southern Rhodesian origin of the consignment.

4. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to Japan, requesting further information based on a manufacturer's certificate, as well as a certificate of origin and transit from the Controller of Customs at Lourenço Marques, of the alleged country of origin. The attention of the Japanese Government was also drawn to the Memorandum on the Application of Sanctions dated 2 September (see annex VI) which had been specifically referred to in the United Kingdom note of 8 October.

5. At the request of the Committee at its 27th meeting, the Secretary-General sent notes verbales dated 29 April to the Governments of Japan and the Netherlands, in the case of Japan referring to the Secretary-General's note verbale dated 3 December and requesting a reply thereto; in the case of the Netherlands, referring to its reply dated 23 December (see para. 3 (b) above) and transmitting the information received from Japan in its reply dated 6 November (see para. 3 (a) above).

Lithium ores

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

1. By a note dated 30 June 1969, the United Kingdom Government reported on a possible evasion of sanctions in the export of Southern Rhodesian minerals. The text of the note is reproduced below.

"The Government of the United Kingdom have received information pointing to a possible evasion of sanctions in the export of Rhodesian minerals which they believe to be sufficiently reliable to justify further investigation.

"The information is to the effect that a consignment of petalite (a lithium ore), suspected to be of Rhodesian origin, was loaded on the Japanese vessel 'Sado Maru' at Lourenço Marques on 31 May 1969. The petalite is believed to be destined for Nagoya, Japan.

"The 'Sado Maru', which is owned by Nippon Yusen, Kaisha, Tokyo, sailed from Lourenço Marques on 31 May and, after calling at other southern African ports, is scheduled to call at Singapore, Hong Kong and ports in Japan.

"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 Governments of Singapore and Japan with a view to assisting them to ensure that the origin of any petalite which may be unloaded from the 'Sado Maru' during its present voyage is carefully investigated, and to enabling the Government of Japan to make suitable inquiries regarding the carriage aboard a Japanese vessel of petalite which, according to the information mentioned above, is of Rhodesian origin. It is suggested that the importers should be asked to produce copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenço Marques, with a certificate from the Producer of the petalite in question."

2. At the request of the Committee at its 17th meeting, the Secretary-General sent notes verbales dated 16 July to Japan and Singapore, transmitting the United Kingdom note and requesting comments thereon.

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

(a) In a note verbale dated 8 January 1970, Japan stated that the vessel in question entered the port of Nagoya on 10 July 1969, where a cargo of about 200 tons of petalite was unloaded. In view of the notice received from the Committee, the Government of Japan suspended customs clearance of the cargo in question and made a careful investigation into its origin. The cargo was accompanied by a certificate of origin issued by a Controller of Customs of South Africa (at Lourenço Marques). Also, resulting from the examination of all other relevant documents, including invoices and rail notes, it was judged that the goods in question were of South African origin and they were accordingly permitted to be imported.

(b) In a note dated 22 July 1969, Singapore stated that the vessel arrived in Singapore on 2 July and left the same day. No cargo was unloaded. The vessel's through cargo manifest plan and cargo plan indicated a consignment of 4,000 bags of petalite shipped at Lourenço Marques for Japan. Other cargo sighted aboard were copper anodes, chrome ore and chrome sand, all destined for Japan.

4. A report from the Government of Hong Kong, which was transmitted by a letter dated 11 July from the United Kingdom Government, gave details of the consignment which had been obtained from the relevant shipping documents and stated that continuous surveillance had been kept on the vessel while in port to ensure that the petalite was not off-loaded. The vessel sailed on 6 July.

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

1. By a note dated 3 July 1969, the United Kingdom Government gave information about the production of lithium ores in Southern Rhodesia in particular, and in southern Africa in general. 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 the production of lithium ores in Southern Rhodesia in particular, and in southern Africa in general. Such ores are found in the form of petalite, lepidolite, spodumene, eucryptite and amblygonite.

"Southern Rhodesia is by far the largest source of lithium ores in southern Africa, the production being centred on the mines of Bikita Minerals Limited. The entire Rhodesian output of lithium ores is normally exported as there is no domestic industrial user of lithium ores in Rhodesia. All the lithium ores produced by Bikita Minerals Limited are exported through Beira, where special arrangements exist to prevent their contamination with other minerals exported through that port.

"Of the lithium ores produced in southern Africa petalite is by far the most important in terms of quantity. Its production in southern Africa is confined to Rhodesia and South West Africa. In 1967 about 40,000 tons of petalite were produced in Rhodesia, compared with between 1,000 and 2,000 tons produced in South West Africa. As stated above, all the petalite produced in Southern Rhodesia is exported through Beira while the petalite produced in South West Africa is normally exported through Walvis Bay.

"Prior to the adoption of Security Council Resolution No. 253 of 29 May 1968, prohibiting the import of all Rhodesian commodities and goods into the territories of UN member states, considerable stocks of Rhodesian petalite were accumulated at Beira. Shipments of this legally exported ore have continued until recently. The Government of the United Kingdom are now satisfied that the stockpile at Beira of legally exported Rhodesian petalite was exhausted by the end of May this year. Consequently, any exports of petalite from Beira after that date may be assumed to be in breach of sanctions. Since petalite is not produced either in Mozambique or in the Republic of South Africa, any petalite shipped from any ports in the territories of those two countries after 21 May 1969 is also likely to have been produced in Rhodesia and its origin should therefore be carefully investigated before it is permitted to be imported into the territories of any UN member state.

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"The production of spodumene in southern Africa is confined to Southern Rhodesia and the Republic of South Africa. The production in South Africa is, however, negligible. According to South African published statistics, none was produced in 1967 and only 40 tons in 1968. In 1967, 5,971 tons of spodumene was produced by Bikita Minerals Limited. No figures are available for production in 1968 and the first six months of 1969. Rhodesian spodumene, like Rhodesian petalite, is exported through Beira where, as stated above, special arrangements exist to prevent its contamination with other minerals.

"The Government of the United Kingdom are satisfied that the stockpile of Rhodesian spodumene exported to Beira before 29 May 1968 was exhausted by the end of May this year. Any shipments of spodumene after 31 May 1969 through Beira may therefore be assumed to be in breach of sanctions. Given the insignificant quantity of this ore produced in the Republic of South Africa, any spodumene shipped from any other ports in southern Africa after 31 May 1969 is also likely to be Rhodesian, and a thorough investigation into its origin by the authorities at the port of import would seem to be required if a possible evasion of sanctions is to be prevented.

"Of the other lithium ores produced in southern Africa, lepidolite is the only one with any significant production. This ore is produced only in Southern Rhodesia and Mozambique. Production of lepidolite in Mozambique is at Alto Ligonha, some 160 miles west of the port of Mozambique and 400 miles north of Beira. According to Mozambique official statistics, production of lepidolite in Mozambique amounted to 480 tons in the first ten months of 1968; no later figures are available. Southern Rhodesian production in 1967 was approximately 6,000 tons; no figures are available for production in 1968, or for the first six months of 1969. As the production of lepidolite in Southern Rhodesia greatly exceeds that in Mozambique, most lepidolite exported from ports in southern Africa after 31 May 1969 is likely to be of Rhodesian origin and to have been exported in breach of sanctions.

"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 to the notice of the States Members of the United Nations and of the specialized agencies with a view to assisting them to ensure that none of their nationals purchases or imports Rhodesian petalite, spodumene or lepidolite, whether or not described as originating in Rhodesia; that no ships of their registries carry Rhodesian petalite, spodumene or lepidolite from ports in southern Africa, whether or not described as originating in Rhodesia; and that any imports into their territories from southern Africa of petalite, spodumene or lepidolite, which are claimed to be of non-Rhodesian origin, are accompanied by documentary proof of their origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignments to a southern African port, together with a certificate from the producer of the petalite, spodumene or lepidolite in question."

2. At the request of the Committee at its 17th meeting, the Secretary-General sent notes verbales dated 29 July to all 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:

Austria	Netherlands
Burma	New Zealand
Cambodia	Norway
Cameroon	Pakistan
Colombia	Philippines
Congo (Dem. Rep. of)	Poland
Cyprus	Singapore
Denmark	Somalia
Federal Republic of Germany	Sweden
Greece	Switzerland
Jamaica	Thailand
Laos	Uganda
Mauritania	USSR
Mexico	

4. Of the above replies, those from Congo (Democratic Republic of), the Federal Republic of Germany and Mauritania stated that the Secretary-General's note and enclosure had been transmitted to their respective Governments.

The reply from Cameroon dated 26 January 1970 stated it had ceased all trade with Southern Rhodesia and that it would maintain that position until a just and lasting solution was found to the racial problem in that country. Cameroon considered that the United Kingdom should adopt coercive measures in order to subdue the illegal Salisbury régime.

The reply from the Netherlands dated 17 February stated that the information contained in the United Kingdom note dated 3 July 1969 had been transmitted to shipping companies operating in southern Africa, as well as to the importers of lithium ores in the Netherlands.

The replies from the remaining States either stated that they were not importers of lithium ores from Southern Rhodesia or that they had no trade relations of any kind with that country.

5. By a further note dated 27 August, the United Kingdom Government transmitted additional information which it had received about the production of lepidolite in the area. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note of 3 July 1969 concerning the production and export of certain lithium ores in southern Africa, wish to draw to the attention of the Committee the following additional information which it has received about the production of lepidolite in that area.

"2. This information is to the effect that lepidolite is also produced in South West Africa and not only in Southern Rhodesia and Mozambique, as stated in the United Kingdom Government's note of 3 July. According to the annual report of the Inspector of Mines, Windhoek, production of this lithium ore in South West Africa amounted to 1,361 tons in 1967 and 1,134 tons in 1968.

"3. The United Kingdom Government understands that the only producer of lithium ores in South West Africa is S.W.A. Lithium Mines (Pty) Ltd. at Akamshe, near Karibib, which is owned by Kloeckner-Ferromatik (S.A.) (Pty) Ltd., of Johannesburg.

"4. 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 to the notice of those States Members of the United Nations and of the specialized agencies to whom copies of the United Kingdom Government's note of 3 July were sent."

6. At the request of the Committee at its 21st meeting, the Secretary-General sent further notes verbales dated 18 September to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.

7. The following replies have been received:

Canada	Mauritania
Central African Republic	Netherlands
Colombia	New Zealand
Cyprus	Niger
Denmark	Singapore
Federal Republic of Germany	Swaziland
Gabon	Sweden
Hungary	USSR
Jamaica	Upper Volta
Laos	

8. Of the above replies, those from Colombia, Cyprus, Denmark, the Federal Republic of Germany, Mauritania, Netherlands, New Zealand, Singapore, Sweden and the USSR repeated the information contained in their previous replies (see paragraph 4 above). A summary of the remaining replies is given below:

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(a) In a note dated 6 January 1970, Canada stated that the Canadian trade statistics did not list the import of lithium ore as a separate item. Nevertheless, the sum total of imports from South Africa, Angola and Mozambique for the item under which lithium was included was so small as to be insignificant for the years 1967 and 1968 and for the first five months of 1969. Although the Canadian authorities remained confident that the control procedures in force in Canada were adequate to enforce sanctions against Southern Rhodesia, it welcomed the continuing information supplied by the Committee.

(b) In notes dated 5 January 1970, 30 December 1969 and 23 December 1969 from the Central African Republic, Laos and Niger respectively, those Governments stated that they had no particular comments.

(c) In notes dated 7 October, 1 October and 23 December 1969, from Gabon, Swaziland and Upper Volta respectively, those Governments stated that the minerals in question were not imported into those States.

(d) In a note dated 23 September 1969, Hungary stated that the Secretary-General's note had been forwarded to the Hungarian Government for information.

(e) In a note dated 28 November, Jamaica stated that the matter was being given careful attention.

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

1. By a note dated 12 July 1969, the United Kingdom Government reported that it had received information about a consignment of petalite on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note submitted on 3 July 1969, about the production of lithium ores in southern Africa, wish to draw to the attention of the Committee the following information about a possible evasion of sanctions in the export of petalite, which they believe to be sufficiently reliable to justify further investigation.

"The information is to the effect that a consignment of petalite (a lithium ore) was loaded recently at Lourenço Marques on the Dutch vessel 'Abbekerk'. The petalite is believed to be destined for Rotterdam.

"The 'Abbekerk', which is owned by Vereenigde Nederlandsche Scheepvaartmaatschappij N.V., The Hague, sailed from Lourenço Marques on 18 June. After calling at other southern African ports it is scheduled to call at Antwerp on 12 July, Rotterdam on 15 July, Amsterdam on 18 July, Bremen on 20 July and Hamburg on 23 July.

"As pointed out in the United Kingdom Government's note of 3 July referred to above, petalite is not produced either in Mozambique or in the Republic of South Africa. The presumption is, therefore, that the petalite in question is of Rhodesian origin. The United Kingdom Government therefore suggest that the Committee may wish to ask the United Nations Secretary-General to bring this shipment to the notice of the Governments of Belgium, the Netherlands and the Federal Republic of Germany with a view to assisting them to ensure that the origin of any petalite which may be unloaded from the 'Abbekerk' during its present voyage is carefully investigated and to enable the Government of the Netherlands to make suitable enquiries regarding the carriage aboard a Dutch vessel of petalite suspected to be of Rhodesian origin. If the importers of the petalite should claim that it is not of Rhodesian origin it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenço Marques, together with a certificate from the producer of the ore in question."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 16 July 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 the Federal Republic of Germany and the Netherlands, as follows:

(a) In a note dated 6 October, the Federal Republic of Germany stated that the "Abbekerk" berthed at Bremen from 24 to 31 July and at Hamburg from 31 July to 5 August. No petalite (lithium ore) was unloaded, or any similar cargo, from the vessel. According to investigations made by the Hamburg port authorities, the vessel had no cargo of petalite aboard during its stay in the Federal Republic.

(b) In a note dated 9 September, the Netherlands stated that the "Abbekerk" berthed at Rotterdam on 16 July. Part of its cargo consisted of 75.030 kilogrammes of petalite, destined for import into the Netherlands. Acting upon the suggestion contained in the United Kingdom note, the Netherlands authorities conducted a careful investigation of the petalite in question. The importer furnished the customs authorities with sufficient evidence that the petalite was not of Southern Rhodesian origin.

4. At the request of the Committee at its 22nd meeting, the Secretary-General sent a further note verbale dated 30 September to the Netherlands referring to its reply of 9 September and stating the following:

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"At its meeting on 26 September, the Committee's attention was drawn to the possibility of Rhodesian petalite, which has been subjected simply to a process of washing and grinding in certain countries, being re-exported as the produce of those countries. The Committee therefore expressed interest in knowing the grounds on which the importer claimed the petalite on board the 'Abbekerk' to be of non-Rhodesian origin, and requested the Secretary-General to make enquiries of His Excellency's Government as to what the evidence was."

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to the Netherlands, reminding that Government of the inquiry contained in his previous note verbale dated 30 September.

6. In a note dated 23 December, the Netherlands drew attention to the fact that the statement made in its note of 9 September (see para. 3 (b) above) that the petalite in question was not of Southern Rhodesian origin had not been based solely on evidence furnished by the importer. Inquiries conducted by the Netherlands Customs Authorities had also led to the same conclusion. Those inquiries moreover had been conducted along the lines suggested in the United Kingdom note of 12 July. The non-Rhodesian origin of the petalite had also been deduced from a certificate of origin and transit which had been furnished by the importers and issued by the customs authorities of the country of origin, and from correspondence with the owner of the mine where the ore had been extracted. Furthermore the petalite had not been processed as indicated in the Secretary-General's note verbale of 30 September (see para. 4 above).

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

1. By a note dated 4 August 1969, the United Kingdom Government reported information about a possible evasion of sanctions in the export of petalite suspected to be of Rhodesian origin. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note submitted on 3 July 1969 about the production of lithium ores in southern Africa, wish to draw to the attention of the Committee the following information, which they consider to be sufficiently reliable to justify further investigation, about a possible evasion of sanctions in the export of petalite thought to be of Rhodesian origin.

"2. The information is to the effect that a consignment of petalite was loaded recently at Lourenco Marques on the Netherlands vessel 'Simonskerk'. This vessel, which is owned by Vereenigde Nederlandsche Scheepvaartmaatschappij N.V., Rijswijk Z.H., Holland, sailed from

Lourenco Marques on 3 July, declared for Hamburg. The 'Simonskerk' was scheduled to call at Dunkirk on 27 July, at Antwerp on 28 July, at Rotterdam on 31 July, at Amsterdam on 4 August, at Bremen on 6 August and at Hamburg on 9 August.

"3. As pointed out in the United Kingdom Government's note of 3 July referred to above, the production of petalite in southern Africa is confined to Rhodesia and South West Africa, and the relatively small South West African production is normally exported via Walvis Bay on the west coast of Africa. There is a strong presumption therefore that petalite shipped from Lourenco Marques is of Rhodesian origin. The United Kingdom Government therefore suggest that the Committee may wish to ask the United Nations Secretary-General to bring this shipment to the notice of the Governments of France, Belgium, the Netherlands and the Federal Republic of Germany with a view to assisting them to ensure that the origin of any petalite which may have been or may be unloaded from the 'Simonskerk' during its present voyage is carefully investigated and to enable the Government of the Netherlands to make suitable enquiries regarding the carriage aboard a Dutch vessel of petalite suspected to be of Rhodesian origin. If the importers of the petalite should claim that it is not of Rhodesian origin it is suggested that they should be asked to produce documentary proof of this. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenco Marques, together with a certificate from the producer of the petalite in question."

2. At the request of the Committee at its 19th meeting, the Secretary-General sent notes verbales dated 8 August 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 those Governments as follows:

(a) Belgium dated 22 August, stating that the Belgian authorities had undertaken an investigation of the matter. The vessel in question arrived at Antwerp on 19 July and departed on 31 July for Rotterdam, Bremen and Hamburg. It apparently returned to Antwerp on 18 August, but merely to take on cargo. Since the information was transmitted after the vessel's departure from the port of Antwerp, it was too late to conduct an investigation. The Belgian Government, however, had taken and was applying all necessary measures to comply fully with the provisions of resolution 253 (1968).

(b) Federal Republic of Germany dated 17 November, stating that the vessel called at Bremen on 6 August and at Hamburg on 9 August. According to information received from the customs authorities, no petalite was unloaded from the vessel during its calls at those ports.

(c) Netherlands dated 29 September, stating that the vessel arrived at Rotterdam on 1 August. Part of its cargo consisted of 268.119 kilogrammes of petalite ore, destined for import into the Netherlands. Acting upon the information transmitted by the Secretary-General, the Netherlands authorities made a careful inquiry regarding the origin of the petalite in question. The importer furnished the customs authorities with sufficient proof that the petalite was not of Southern Rhodesian origin.

4. The following information was also received from France in a letter dated 3 September: an inquiry made by the French authorities showed that the vessel had called at Dunkirk on 26 July, i.e. before the United Kingdom note was received. It had been established by the French customs, which identified no lithium ore, that the goods unloaded were not of Rhodesian origin. The vessel had continued to Antwerp with 7,602 tons of miscellaneous goods.

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to the Netherlands, requesting that Government to specify the documentation which was furnished to it in connexion with this shipment and to forward copies thereof for the information of the Committee.

6. A reply dated 17 March 1970 has been received from the Netherlands stating that the inquiry referred to in its reply of 29 September (see para. 3 (c) above), had in fact been conducted on the basis of confidential information received from another source. In conducting the investigation, the Netherlands authorities had taken into account the comments in the United Kingdom note of 29 July concerning additional documents establishing the origin of lithium ores shipped from southern African ports. The fact, however, that at the various dates of delivery and of import, neither the conveyor nor the importer were aware or could have been aware of having these additional documents at their disposal, had also been taken into consideration. The investigation had proved that the consignment of petalite ore in question was delivered by an exporter residing outside Southern Rhodesia. The delivery was made f.o.b. Lourenco Marques under a contract barring shipments of Southern Rhodesian ore. The documents produced, which included a certificate of origin, had not in any way led to the assumption that an evasion of sanctions, established by resolution 253 (1968), had been committed. Accordingly, permission for import of the consignment was

granted. Subsequently, the Netherlands authorities also took note of the Secretary-General's two notes of 18 September, one concerning the production of lepidolite in southern Africa (referred to in (27) case 21, para. 6) and the other enclosing a copy of the Memorandum on the Application of Sanctions (referred to in annex VI) and the importers of the ores in question, as well as the officials concerned with the control of imports, had been advised of their contents.

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

1. By a note dated 6 August, the United Kingdom Government reported information about a consignment of petalite loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note submitted on 3 July, 1969 about the production of lithium ores in southern Africa, wish to draw to the attention of the Committee the following information, which they consider to be sufficiently reliable to justify further investigation, about a possible evasion of sanctions in the export of petalite thought to be of Rhodesian origin.

"The information is to the effect that a consignment of petalite (lithium ore) was loaded recently at Lourenco Marques on the French vessel 'Yang Tse'. The destination of the petalite is not known.

"The 'Yang Tse' which is owned by the Compagnie des Messageries Maritimes, Paris, sailed from Lourenco Marques, on 16 July declared for Dunkirk. It is not known at what other ports outside southern Africa the vessel will be calling during the course of its present voyage, but it is understood that, in addition to Dunkirk the 'Yang Tse' usually calls at Bordeaux, Le Havre and Antwerp. The vessel is expected to reach Dunkirk in about the middle of August.

"As pointed out in the United Kingdom Government's note of 3 July referred to above, the production of petalite in southern Africa is confined to Rhodesia and South West Africa. There is, therefore, a strong presumption that the petalite in question is of Rhodesian origin, the South West African production being relatively small and normally exported through Walvis Bay on the west coast of Africa. The United Kingdom Government accordingly suggest that the Committee may wish to ask the United Nations Secretary-General to bring this shipment to the notice of the Governments of France and Belgium with a view to assisting them to ensure that the origin of any petalite which may be unloaded from the 'Yang Tse' during its present voyage is carefully investigated, and to enabling the French Government to make suitable enquiries regarding the carriage aboard a French vessel of petalite suspected to be of Rhodesian origin.

"If the importers of the petalite should claim that it is not of Rhodesian origin, it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenco Marques, together with a certificate from the producer of the petalite in question."

2. At the request of the Committee at its 20th meeting, the Secretary-General sent a note verbale dated 14 August to Belgium, transmitting the United Kingdom note and requesting comments thereon.

3. The following replies from Belgium have been received:

(a) Letter dated 4 September, stating that from the inquiry on this matter carried out by the Belgian authorities, it did not seem certain that the vessel was bound for Antwerp. However, the Belgian authorities had been warned, in case the vessel should enter Antwerp and unload there. It was pointed out that, in operative paragraph 3 of resolution 253 (1968), the Security Council had decided that the States Members of the United Nations should prevent the import into their territory or the transport through their territory or by their nationals of commodities or products originating in Southern Rhodesia. Belgium complied with this decision, taking into account the legislation and regulations in force. However, it could not undertake a procedure which would exceed the scope of the provisions of resolution 253 (1968) and which would be incompatible with its internal regulations.

(b) Letter dated 6 November, stating that after an inquiry by the Belgian authorities into the matter, no irregularities had been found in connexion with the vessel's cargo.

(c) Information was also received from France in a note verbale dated 28 April to the effect that the lithium ore unloaded from the vessel in question at Le Havre was accompanied by a certificate of origin and of transit from the Controller of Customs of South Africa at Lourenco Marques and had been recognized as being of South African origin.

4. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to Belgium, requesting specification of the documents provided in connexion with this cargo, bearing in mind the suggestions about documentation in the Secretary-General's previous note verbale of 18 September, and also asking whether the Belgian Government would be prepared

to forward copies of those documents. In connexion with that part of the reply dated 4 September from Belgium (see para. 3 (a) above) concerning compliance with resolution 253 (1968), paragraphs 20 (b) and 22 of that resolution were drawn to that Government's attention and the hope expressed that it would have no difficulty, in the light of those two paragraphs, in providing the information requested.

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

1. By a note dated 24 September 1969, the United Kingdom Government reported information about two consignments of petalite loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note of 3 July 1969 concerning the production of lithium ores in southern Africa, wish to bring to the attention of the Committee the following information which they consider to be sufficiently reliable to justify further investigation, concerning a possible evasion of sanctions in the export of petalite thought to be of Rhodesian origin.

"The information is to the effect that two consignments of petalite were loaded recently at Lourenco Marques on the Japanese vessel 'Kyotai Maru'. The 'Kyotai Maru', which is owned by Shin Yei Senpaku K.K., Tokyo, Japan, sailed from Lourenco Marques on 1 September and was scheduled to call at Singapore on 19 September, Hong Kong on about 22 September and at various ports in Japan from 27 September onwards.

"As pointed out in the United Kingdom Government's note of 3 July referred to above, the production of petalite in southern Africa is confined to Rhodesia and South West Africa and the relatively small South West Africa production is normally exported via Walvis Bay on the west coast of Africa. There is a strong presumption therefore that petalite shipped from Lourenco Marques is of Rhodesian origin. The Government of the United Kingdom suggest therefore that the Committee may wish to ask the Secretary-General of the United Nations to bring this shipment to the notice of the Governments of Singapore and Japan with a view to assisting them to ensure that the origin of any petalite which may have been or may be unloaded from the 'Kyotai Maru' during its present voyage is carefully investigated and to enable the Government of Japan to make suitable enquiries regarding the carriage aboard a Japanese vessel of petalite suspected to be of Rhodesian origin.

"If the importers of the petalite should claim that it is not of Rhodesian origin it is suggested that they should be asked to produce documentary proof of this. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment from the mine to Lourenco Marques, together with a certificate from the owner of the mine.

"The Government of the United Kingdom have already notified the Government of Hong Kong and will report separately the results of their investigation into any petalite offloaded from the 'Kyotai Maru' at that port."

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbales dated 30 September to Japan and Singapore, transmitting the United Kingdom note and requesting comments thereon.

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

(a) In a note dated 8 January 1970, Japan stated that the vessel entered the port of Nagoya on 4 October 1969, where a cargo of about 260 tons of petalite was unloaded. The Government of Japan asked the importer to produce relevant documents certifying that the goods were not of Southern Rhodesian origin. Pending the submission of such documents, the goods in question are being kept in storage in a bonded area.

(b) In a note dated 7 October 1969, Singapore stated that the vessel arrived in Singapore on 17 September and left for Hong Kong and Yokohama on 19 September. According to the manifest in the possession of the Singapore Government, there was no trace of any consignment of petalite on board the vessel.

4. On 26 September 1969, the United Kingdom Government reported that, according to the authorities in Hong Kong, the vessel arrived at that port on 23 September with a consignment of petalite on board destined for Nagoya.

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 3 December to Japan and Singapore, in the case of Japan requesting that Government whether it was yet in a position to reply to the Secretary-General's previous note verbale of 30 September and, in the case of Singapore, informing it of the information contained in the United Kingdom report of 26 September (see para. 4 above).

6. A reply dated 23 December has been received from Singapore stating that since the ship had left Singapore on 19 September before receipt of the Secretary-General's note of 30 September, the customs authorities had had to depend on the manifest in their possession to verify whether there was such a consignment of petalite on board the vessel as there was no other means of verification. According to that manifest, there was no trace of any petalite on board, but the possibility could not be excluded that there might have been such a consignment on board which might have been falsely manifested.

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

1. By a note dated 24 October, the United Kingdom Government reported information about a consignment of lepidolite loaded on the above vessel. 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 of lithium ores in southern Africa, wish to bring to the attention of the Committee the following information which they consider to be sufficiently reliable to justify further investigation, concerning a possible evasion of sanctions in connection with the export of lepidolite (a lithium ore) suspected to be of Rhodesian origin.

"The information is to the effect that a consignment of lepidolite was recently loaded at Lourenco Marques on the French vessel 'Ango' for an unknown destination in France. Lepidolite is a polysilicate and may be so described in the accompanying documents. The 'Ango', which is owned by Compagnie Maritime des Chargeurs Reunis S.A. Paris, sailed from Lourenco Marques on 28 September declared for Dunkirk.

"As pointed out in the United Kingdom Government's notes of 3 July and 27 August referred to above, the production of lepidolite in southern Africa is confined to Rhodesia, South West Africa and Mozambique. As the relatively small production of South West Africa is normally exported via Walvis Bay on the west coast of Africa and as the production of Mozambique is very small, amounting to only 480 tons in the first ten months of 1968, there is a strong possibility that any lepidolite shipped from Lourenco Marques is of Rhodesian origin.

"The Government of the United Kingdom suggest therefore that the Committee may wish to ask the Secretary-General of the United Nations to bring this shipment to the notice of the French Government with a view to assisting them to ensure that the origin of any lepidolite which may be unloaded from the 'Ango' at French ports during the course of its present voyage is carefully investigated. It is suggested that, if the importers of the lepidolite should claim that it is not of Rhodesian origin, they should be asked to produce documentary proof of the kind suggested in the Secretary-General's note PO 230 SORH (1-2-1) of 18 September 1969. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenco Marques, together with a certificate from the producer of the lepidolite in question."

2. In a letter dated 24 November 1969, the representative of France reported that the 'Ango' had indeed unloaded at Dunkirk, in addition to 269 cases of crayfish, 151 sacks of chrome ore on 25 October and 1,328 sacks of the same mineral during a second stop on 30 October. However, the French customs

authorities had found the certificates of origin to be in order and had allowed the ore to be imported as goods of South African origin arriving from Mozambique.

Pig-iron and steel billets

(33) Case 29. Pig-iron - "Mare Piceno": United Kingdom note dated 23 July 1969

1. By a note dated 23 July 1969, the United Kingdom Government reported that it had received information about a possible evasion of sanctions in the export of Rhodesian pig-iron. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information about a possible evasion of sanctions in the export of Rhodesian pig-iron, which they believe sufficiently reliable to justify further investigation.

"The information is to the effect that a consignment of pig-iron was recently loaded at Lourenco Marques on the Italian vessel 'Mare Piceno': that the pig-iron is probably of Rhodesian origin and that it is destined for Japan.

"The 'Mare Piceno' sailed from Lourenco Marques on 9 July declared for the high seas. She was subsequently reported to have made a brief call at Durban for repair. The vessel is owned by Fratelli d'Amico, Rome, but is believed to be under charter at present to an unknown party.

"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 Japan with a view to assisting them to ensure that the origin of any pig-iron which may be unloaded from the 'Mare Piceno' at ports in Japan is carefully investigated. It is suggested that the importers should be asked to produce copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenco Marques, with a certificate from the producer of the pig-iron in question.

"The Committee may further wish to ask the Secretary-General to notify the Government of Italy of the above report to enable them to make suitable enquiries regarding the carriage aboard a vessel of Italian registry of pig-iron which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 19th meeting, the Secretary-General sent notes verbales dated 8 August to Italy and Japan, transmitting the United Kingdom note and requesting comments thereon.

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

(a) Japan dated 9 December, stating that the vessel had entered the port of Mizushima on 3 August, and the port of Chiba on 14 August, and that an investigation of the cargo revealed that 13,600 tons of pig-iron had been unloaded at each of those ports. The consignments were accompanied by the certificates of origin issued by the Chamber of Commerce of Johannesburg which certified that the goods in question were of South African origin. The other import documents, including invoices, were also examined and as the goods were judged to be of South African origin they were allowed to be imported. It was ascertained from the relevant documents and from the captain's testimony that the loading port of the cargo in question was not Lourenco Marques but Durban.

(b) Italy, dated 24 November, stating that as a result of the investigation conducted by the competent authorities in Italy, the following facts had been established: (1) the vessel, owned by the Fratelli D'Amico Company, had been temporarily freighted by the Impala Transport Co. (Pty) Ltd; (2) the freight contract contained a clause prohibiting the transport of goods of Southern Rhodesian origin; (3) the Fratelli D'Amico Company had informed the competent authorities that it was not in a position to provide information on the nature of the cargo loaded on the vessel at Lourenco Marques by the Impala Transport Co. (Pty) Ltd. on 9 July. The competent administrative authorities had referred the matter to the Procurator of the Republic so that the judicial authorities might pursue the investigation.

4. At the request of the Committee at its 25th meeting, the Secretary-General sent a note verbale dated 31 December to Japan, referring to its reply dated 9 December (see paragraph 3 (a) above) and inquiring whether it would be possible to receive the documents referred to therein.

5. At the request of the Committee at its 27th meeting, the Secretary-General sent notes verbales dated 29 April to the Governments of Italy and Japan, in the case of Italy referring to its reply of 24 November (see para. 3 (b) above) and requesting further information; and in the case of Japan referring to the Secretary-General's note verbale dated 31 December and requesting copies of the documents referred to in the reply dated 9 December from Japan (see para. 3 (a) above).

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(34) Case 70. Steel billets: United Kingdom note dated 16 February 1970

1. By a note dated 16 February 1970, the United Kingdom Government reported information concerning arrangements for the export of Southern Rhodesian steel products. 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 merit further investigation, concerning arrangements for the export of Rhodesian steel products.

The information is to the effect that the firm of Getraco Finmetal S.A., Paris, in conjunction with Leo Raphaely and Sons, Johannesburg, are promoting the sale outside Southern Rhodesia of the products of the Rhodesian Iron and Steel Company Limited (RISCO), Salisbury. In particular, Getraco Finmetal S.A. have now made arrangements to supply to the Iranian Rolling Mills Company, Tehran, approximately 30,000 tons of steel billets. These billets are to be produced by the Rhodesian Iron and Steel Company Limited and to be shipped to Iran in a series of monthly consignments during the course of 1970. The commercial documents accompanying the shipments are likely to describe the billets as being of South African origin.

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 arrangements whereby steel billets, which according to the above information are of Southern Rhodesian origin, are to be imported into Iran for supply to one of their nationals. If it is claimed that steel billets imported from southern Africa are of non-Rhodesian origin the Iranian Government may wish to bear in mind the suggestions contained in the Secretary-General's note PO 230 SORH (1-2-1) 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 Government of France with a view to assisting them in their investigations into the part played by a French firm in arrangements to promote the export, contrary to the provisions of paragraph 3 (b) of Security Council resolution No. 253 (1968), of goods which according to the above information are of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 18 February 1970 to Iran, 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. Information has been received from France in a note verbale dated 30 April 1970 to the effect that a note would be addressed to the Secretary-General

on this question but that, in the meantime, the firm "Getraco" had declared that it was unaware of the existence of the Iranian Rolling Mills Company and therefore could not have participated in any arrangement whatever between that company and the firm "Risco".

Graphite

(35) Case 38. Graphite - "Kaapland": United Kingdom note dated 27 August 1969

1. By a note dated 27 August, the United Kingdom Government reported information about a consignment of graphite loaded on the above vessel. 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.

"2. 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.

"3. 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.

"4. 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.

"5. 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 21st meeting, the Secretary-General sent notes verbales dated 8 September to the Federal Republic of Germany and South Africa, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 16 January 1970 has been received from the Federal Republic of Germany to the above-mentioned Secretary-General's note dated 30 September 1969 and to the Secretary-General's notes dated 30 September 1969 concerning the vessels "Tanga" (see (36) case 43. para. 2) and 5 January 1970 concerning the vessels "Kaapland", "Transvaal", "Stellenbosch" and "Swellendam" (see (37) case 62. para. 2). In this reply, the Federal Republic of Germany stated that it had successfully endeavoured to implement United Nations sanctions against Southern Rhodesia and had taken all necessary legislative measures. Consequently, trade between the Federal Republic of Germany and Southern Rhodesia had declined to less than 10 per cent of its former volume and was now almost exclusively confined to commodities which were not included in the sanctions provisions, or were covered by so-called "old contracts". All but one of those contracts, the one involving the importation of Southern Rhodesian graphite, had expired. Investigations had established that the alleged shipments of Southern Rhodesian graphite on the vessels mentioned above were covered by that last pending contract. The Government of the FRG, however, wished 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 was the only one operating a graphite mine in the FRG. This company had 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. However, it had not been possible to eliminate Southern Rhodesian sources completely. The imported crystalline raw graphites had to be similar to the graphite mined by the FRG company since they had to be reworked and refined structurally. The company depended on the imports mentioned above as only that Southern Rhodesian material, which was not found in any other country, could be mixed with the FRG graphite. The Federal Government would continue its efforts to help the importing company reduce or even discontinue imports from Southern Rhodesia.

4. At the request of the Committee at its 27th 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 requesting confirmation that the Government of the Federal Republic intended to comply fully with the provisions of resolution 253 (1968) (see also (37) case 62.).

(36) Case 43. Graphite - "Tanga": United Kingdom note dated 18 September 1969

1. By a note dated 18 September 1969, the United Kingdom Government reported information about a consignment of graphite loaded on the above vessel. The text of the note is reproduced below:

"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 German 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 Company, 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 Federal Republic of Germany 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 a German vessel of graphite 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 a note verbale dated 30 September to the Federal Republic of Germany transmitting the United Kingdom note and requesting comments thereon.

3. A reply has been received from the Federal Republic of Germany dated 6 October (see (35) case 38., para. 3).

(37) Case 62. Graphite - "Transvaal", "Kaapland", "Stellenbosch" and "Swellendam": United Kingdom note dated 22 December 1969

1. By a note dated 22 December 1969, the United Kingdom Government reported information to the effect that four consignments of graphite, suspected to be of Southern Rhodesian origin, probably totalling some 1,000 tons, destined for Graphitwerk Kropfmuehl A.G., Munich, were shipped from Lourenco Marques on the vessel "Transvaal" on 30 October, on the "Kaapland" on 8 November, on the

"Stellenbosch" on 23 November and on the "Swellendam" on 2 December. It was pointed out that the only countries in southern Africa which produced and exported graphite were South Africa and Southern Rhodesia, and that South African exports of graphite were negligible, amounting to only eight tons in 1968 and twenty tons in the first six months of 1969. The United Kingdom Government therefore suggested that the Committee might wish to ask the Secretary-General to bring the information to the notice of the Government of the Federal Republic of Germany, with a view to assisting it in its investigations into the origin of any graphite from the above-mentioned vessels which might be unloaded at ports in its territory. If it should be claimed that the graphite was not of Southern Rhodesian origin, the Government of the FRG would no doubt bear in mind the suggestions relating to documentary proof of origin contained in the Secretary-General's note of 18 September. This could take the form of the relevant invoices and rail notes covering the dispatch of the consignments to Lourenco Marques, together with certificates from the producers of the graphite in question.

2. 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.

3. A reply dated 16 January 1970 has been received from the Federal Republic of Germany (see (35) case 38., para. 3).

4. At the request of the Committee at its 27th 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 (see para. 3 above) 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).

B. TRADE IN TOBACCO

(38) Case 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).

(39) Case 10. "Mohasi": United Kingdom note dated 29 March 1969

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 41-42).
2. Since the submission of the second report, a further reply to the Secretary-General's note verbale of 3 April (see annex XI, page 42, para. 2) has been received from Switzerland, containing the following information: the Bill of Entry for the export of goods from open stocks of Zambia, on which the certificate issued by the Swiss Consulate at Lourenco Marques on 10 March for this shipment was based, indicated that the twenty-five tons of unprocessed tobacco were of Zambian origin. Following inquiries made at the Office of the High Commissioner of Zambia in London concerning the purpose of the Bill of Entry, it appeared that Zambia had been issuing such documents ever since Rhodesia's unilateral declaration of independence. That practice was intended to avoid any confusion between tobacco of Zambian origin and tobacco of Rhodesian origin. According to the view expressed by officials of the Tobacco Board of Zambia, the Bill of Entry for the export of goods from open stocks of Zambia might be considered as an authentic certificate of origin. The Customs Department of Zambia has explained that the term "open stocks" is defined in customs legislation as embracing any goods which have been released in Zambia after the requirements of the law have been satisfied, and it covers, for export purposes, any commodity which has been cultivated, produced or manufactured in Zambia. The Bill of Entry on which the aforementioned certificate issued by the Swiss Consulate was based, was moreover stamped by the Zambian customs authorities.

(40) Case 19. "Goodwill": United Kingdom note dated 25 June 1969

1. By a note dated 3 July 1969, the United Kingdom Government reported information about a shipment of tobacco on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information about a suspected shipment of Rhodesian tobacco which they believe to be sufficiently reliable to merit investigation. The information is to the effect that the Cypriot vessel 'Goodwill' loaded at Beira before sailing on 31 May a quantity of Rhodesian tobacco amounting to about 1,100 tons packed in about 4,400 cases and 50 hogsheads.

"The vessel is owned by the Goodwill Shipping Company Limited of Nicosia and is declared for Europe. It is believed that the tobacco is destined for a North European port, possibly Rotterdam (the Dutch firm Transimex N.V. of Rotterdam is said to have taken some part in the transaction).

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council resolution 253 (1968) might consider bringing the above information to the attention of the Governments of France, Belgium, the Netherlands, Germany, Denmark, Sweden, Norway and Finland in order to assist them to investigate the origin of any tobacco that may be unloaded from the 'Goodwill' at ports in their territories: and in the case of the Government of the Netherlands to assist them also to ascertain whether, as has been suggested, Messrs. Transimex N.V. have in fact played any part in an attempted evasion of sanctions over this shipment. The Committee might also wish to bring the matter to the attention of the Government of Cyprus, in order to assist them to ascertain whether this is in fact a case of the carriage of Rhodesian tobacco in a Cypriot vessel."

2. At the request of the Committee at its 16th meeting, the Secretary-General sent notes verbales dated 3 July to Belgium, Cyprus, Denmark, the Federal Republic of Germany, Finland, the Netherlands, Norway and Sweden, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Cyprus, the Federal Republic of Germany, the Netherlands, Norway and Sweden. A summary of these replies is given below:

(a) Cyprus dated 29 July and 16 October, stating that the Government of Cyprus had realized that owing to lack of technical facilities, it met with difficulties in ascertaining the facts and effectively controlling cases such as the "Goodwill" and therefore the competent Government authority was studying the possibility of amending the relevant legislation with a view to ensuring a more effective application of sanctions.

(b) Federal Republic of Germany dated 8 October, stating that according to information received from the Bremen and Hamburg customs authorities, the Cypriot vessel "Goodwill" did not call at any port in the Federal Republic of Germany.

(c) Netherlands dated 25 July, stating that the "Goodwill" did indeed arrive in the Netherlands on 13 July. It docked at Schiedam for the sole purpose of undergoing regular dock inspection. Inspection by the Netherlands authorities proved that the vessel did not carry goods of any kind at the time of arrival in the Netherlands.

(d) Norway dated 17 September, stating that according to reports received from the authorities concerned, the vessel was not seen to have called at any port in Norway.

(e) Sweden dated 19 August, stating that the vessel had not called at any Swedish port.

4. By a further note dated 3 July 1969, the United Kingdom Government reported that when the "Goodwill" passed Land's End, England, on the morning of 3 July, she declared herself to the shore station as being bound for Rostock. The United Kingdom Government suggested that the Government of Denmark be invited to consider requesting A.H. Basse of Copenhagen to order the vessel to put in to Copenhagen or any other Danish port, with a view to investigations being made into the vessel's cargo.

5. At the request of the Committee, following informal consultations, the Secretary-General sent a further note verbale dated 3 July to Denmark, transmitting the United Kingdom note and requesting comments thereon.

6. A reply dated 9 July was received from Denmark stating that as no provision existed in Danish legislation for ordering the vessel to put into a Danish harbour, the Danish authorities had inquired whether the charterer of the vessel, A.H. Basse and Co. of Copenhagen, would let the vessel call at a Danish harbour on a voluntary basis. The charterer was not in a position to do so due to extra costs involved and possible claims for damages. A.H. Basse and Co. submitted the following information and documentation to the Danish authorities:

(1) On 28 April 1969, A.H. Basse and Co. was approached about a cargo of tobacco from Beira to a harbour in the Baltic. The firm had at that time the vessel "Goodwill" available in Jeddah and considered the size and position of that vessel convenient for the cargo in question.

(2) According to the time charter party concluded between the owner of the vessel and A.H. Basse and Co. (a copy of which was enclosed), carriage of goods to and from Rhodesia was excluded.

(3) When the cargo was quoted on the market, it was especially mentioned that it was non-Rhodesian. Before entering into negotiations with the charterers of the goods, A.H. Basse and Co. stipulated a "charterer's guarantee that tobacco is of non-Rhodesian origin" and requested a clause to this effect included in the

charter party. Certificates of origin for the whole cargo were placed at the disposal of A.H. Basse and Co. (copies enclosed). A.H. Basse and Co. had also made available copies of all the bills of lading and of the manifest of cargo to show that it was not of Rhodesian origin.

(4) Finally, A.H. Basse and Co. informed the Danish authorities that due to congestion in the harbour of Rostock, the destination of the "Goodwill" was changed to Szczecin, Poland, on 5 July.

7. A further letter dated 10 July 1969 was received from the United Kingdom Government stating that it had now received information to the effect that the "Goodwill" had arrived in the port of Szczecin on 8 July.

8. The contents of the above letter were transmitted to Poland and an aide memoire dated 7 August in reply was received from Poland, stating that the shipment of tobacco in question passed through Szczecin in transit. The vessel that carried it (the "Goodwill") was originally to have called at the harbour of Rostock, Federal Republic of Germany, but in view of the congestion in that harbour, its destination had been changed to Szczecin by its Danish owners, A.H. Basse and Co. The vessel arrived in Szczecin on 8 July and departed on 10 July. Its cargo of tobacco was discharged and then sent to its original destination. The manifest of cargo and the bills of lading indicated that the tobacco was of Zambian and Malawi origin. Copies of the relevant documents were enclosed.

9. A letter dated 11 July was received from the United Kingdom Government reporting information to the effect that certificates of origin existed which purported to show that the tobacco in question came from Zambia and Malawi, but that the authenticity of those certificates was open to question. The United Kingdom Government stated that information received from the Governments of Denmark and Poland which might clarify the origin of the tobacco in question might be transmitted to the Governments of Zambia and Malawi, with a request that they advise whether the tobacco concerned originated from their countries.

10. At the request of the Committee at its 18th meeting the Secretary-General sent notes verbales dated 23 July to Malawi and Zambia, transmitting a note prepared by the Secretariat containing the information received to date on this shipment (as outlined in paragraphs 1-9 above), and requesting information as to whether the tobacco concerned originated from Malawi or Zambia respectively.

11. At the request of the Committee at its 21st meeting, the Secretary-General sent a note verbale dated 8 September to Poland, seeking additional information as to when the tobacco was unloaded at Szczecin and when it was removed therefrom and shipped to the Federal Republic of Germany.

12. A reply dated 15 September was received from Poland, stating that the unloading of the cargo of tobacco from the "Goodwill" took place between 8 and 10 July and that the vessel left Szczecin on 10 July. The details of the ship's entry into the port, the time of unloading and the departure of the ship were included in the checking card enclosed with the aide memoire of 7 August. As concerns shipping of the tobacco from Szczecin to its destination, the consignee's representative came to receive it upon the entry of the vessel into Szczecin and arranged for its transport by barge to the Federal Republic of Germany. Transport was concluded on 24 July.

13. At the request of the Committee also at its 18th meeting, the Secretary-General sent notes verbales dated 8 September to Malawi and Zambia, forwarding to those Governments a copy of the aide memoire dated 7 August from Poland, together with copies of the relevant documents.

14. An acknowledgement dated 2 October was received from Zambia, stating that the matter had been drawn to the attention of the appropriate authorities in Zambia.

15. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 3 December to Malawi and Zambia, requesting an early reply to the further questions contained in the Secretary-General's note of 23 July (see para. 10 above), particularly with regard to the questions concerning the certificates of origin provided by the Government of Denmark.

(41) Case 26. Transactions in Southern Rhodesian tobacco: United Kingdom note dated 14 July 1969

1. By a note dated 14 July 1969, the United Kingdom Government reported information about suspected transactions in Rhodesian tobacco. The text of the note is reproduced below:

"The United Kingdom Government have received information about suspected transactions in Rhodesian tobacco which they believe to be sufficiently reliable to justify further investigation.

"The information is to the effect that substantial quantities of tobacco owned and controlled by the Salisbury Tobacco Export Company (PVT) Limited, of Salisbury, Southern Rhodesia, are held by the firm of Verafumos Limited, Porto Alegre, Brazil; that these two firms have been jointly engaged in seeking to make arrangements for the sale of this tobacco in various parts of the world; and that amongst transactions currently being negotiated are possible sales to the Austrian Tobacco Monopoly and to the Direction Générale du Service d'Exploitation Industrielle de Tabacs et des Alouettes, Paris - to whom the origin of the tobacco is presumably being represented as other than Rhodesian.

"The United Kingdom Government suggest that the Committee might consider asking the Secretary-General of the United Nations to bring the above information to the notice of the Governments of Austria, France and Brazil in order to assist them in investigating the origin of these tobacco stocks."

2. At the request of the Committee at its 18th meeting, the Secretary-General sent notes verbales dated 22 July to Austria and Brazil, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 31 March 1970 has been received from Austria, stating that according to the information available to the Austrian authorities, a quantity of thirty-eight tons of Rio Grande Virgin Tobacco had been purchased from Verfumos Ltd., Porto Alegre, Brazil, during the early part of 1969. The Austrian authorities had no other information as to the origin of the tobacco in question. It might be added that no other tobacco had been purchased from this company.

4. In a letter dated 3 September, the Permanent Representative of France to the United Nations reported that an inquiry made by the French authorities showed that SEITA, France's only tobacco importer, while indeed having done business with the Verafumo Company, did not import into France any of the products manufactured, sold or re-exported by that company.

(42) Case 35. "Montaigle": United Kingdom note dated 13 August 1969

1. By a note dated 13 August, the United Kingdom Government reported information about consignments of tobacco loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have recently received information which they believe to be sufficiently reliable to justify further investigation, pointing to a possible evasion of sanctions in the export of tobacco suspected to be of Rhodesian origin.

"2. The information is to the effect that the Belgian vessel 'Montaigle' loaded at Beira on the 17 and 18 July, 1969 the following consignments of tobacco:

- (a) 150 hogsheads of tobacco for Antwerp, bearing the marking TE 9/A1/Antwerp/Nos 87/10, TE 9/A2 Antwerp Nos 1/25, TE/9/Antwerp Nos 1/2 5, TE/9/A1 Antwerp Nos 1/43 44/86
- (b) 7 bales of tobacco, marked 'PFO'
- (c) 50 bales of tobacco, marked 'TE 1969 NE Antwerp'
- (d) an unknown number of hogsheads of tobacco, marked 'TT 103'
- (e) approximately 75 cases of tobacco, the markings on which are not known.

"3. The consignments listed at (a), (b) and (c) of the preceding paragraph are known to be of Malawi origin but consignments (d) and (e) are believed to be of Rhodesian origin.

"4. The 'Montaigle', which is owned by the Compagnie Maritime Belge (Lloyds Royal) S.D. Antwerp sailed from Beira on 19 July. The vessel is expected to arrive in Antwerp on 15 August and then to proceed to Rotterdam and Hamburg.

"5. 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 Governments of Belgium, the Netherlands and the Federal Republic of Germany with a view to assisting them to ensure that a careful investigation is made of the origin of any tobacco, other than that forming part of the three consignments described at (a), (b) and (c) of paragraph 2 above, which may be unloaded from the 'Montaigle' at ports in their territories during the course of its present voyage and to enable the Government of Belgium to make suitable enquiries regarding the carriage aboard a Belgian vessel of tobacco suspected to be of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 15 August 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 Netherlands as follows:

- (a) Belgium dated 5 November, stating that the Belgian authorities had found no irregularities in connexion with the cargo carried by this vessel.

/...

(b) Netherlands dated 31 October, stating that the "Montaigle" berthed at Rotterdam on 22 August. The Netherlands authorities had conducted a careful inquiry into the cargo aboard the vessel the results of which proved that the vessel did not carry tobacco as described in the United Kingdom note.

4. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 3 December to Belgium, the Federal Republic of Germany and the Netherlands: in the case of Belgium, requesting it whether the vessel carried any tobacco when it arrived at a Belgian port and what documentation was submitted to the Belgian authorities; in the case of the Federal Republic of Germany, inquiring whether any tobacco from the vessel was imported into the Federal Republic of Germany and, if so, the results of its investigations into the origin of the tobacco; and in the case of the Netherlands, inquiring whether its reply of 31 October should be interpreted to mean that there was no tobacco on board the vessel when it first arrived at a Netherlands port and, if not, what markings and weights were involved.

5. Replies have been received from the Federal Republic of Germany and the Netherlands as follows:

(a) Federal Republic of Germany dated 19 January 1970, stating that, according to investigations conducted by the FRG customs authorities, no tobacco had been unloaded from the vessel in Hamburg.

(b) Netherlands dated 17 March 1970, reiterating the information contained in its previous note of 31 October (see para. 3 (b) above) and stating that, in the circumstances and in view of Netherlands and foreign commercial and shipping interests, the Netherlands Government did not consider itself entitled to furnish information concerning the nature of the cargo actually carried by the vessel in question.

6. At the request of the Committee at its 27th meeting, the Secretary-General sent notes verbales dated 29 April to Belgium and the Netherlands, in the case of Belgium referring to the Secretary-General's previous note of 3 December (para. 4 above) and asking whether the vessel in question carried a cargo of tobacco, as indicated in the United Kingdom note of 13 August, and, if so, where and when the cargo was unloaded; and in the case of the Netherlands, asking whether its reply of 17 March meant that no tobacco, as described in the United Kingdom note of

13 August, was loaded on the vessel at Beira or carried by it on its voyage from southern Africa to Western Europe in July and August 1969, or whether it related only to such tobacco as was on board or off-loaded from the vessel when it arrived at Rotterdam.

C. TRADE IN MAIZE AND COTTON SEED

(43) Case 18. Trade in maize: United Kingdom note dated 20 June 1969

1. By a note dated 20 June 1969, the United Kingdom Government reported information concerning maize crops in Southern Rhodesia. The text of the note is reproduced below:

"1. Southern Rhodesia has traditionally been a net exporter of maize. Since IDI, as a result of the régime's attempts to encourage agricultural diversification, to compensate for the reduction in tobacco exports due to sanctions, there has been a substantial increase in the acreage under maize. According to information received by the United Kingdom Government, considerable quantities of Rhodesian maize were exported in 1967 and 1968, mainly to countries in the Near and Far East. As the 1968-69 Rhodesian maize crop was exceptionally good, it is likely that substantially greater quantities of maize will be available for export in 1969, and that attempts will be made to sell this to the same countries, although the import of this commodity into the territories of United Nations Member States and its carriage in ships of their registration has been prohibited since the adoption of Security Council resolution No. 253 of 29 May 1968.

"2. The United Kingdom Government have reason to believe that as in the case of Rhodesian tobacco, much of Rhodesia's surplus maize has been exported under false description as being of Mozambique origin. Support for this would appear to be given by the substantial discrepancy between the exports of Mozambique maize as shown in the official Mozambique statistics, and imports of Mozambique maize as recorded in the trade statistics of certain importing countries.

"3. The United Nations FAO Production Year Book for 1967 estimates Mozambique's annual production of maize over the period of 1964-1966 to have averaged about 150,000 tons. In a good year, such as 1967, this could have risen to perhaps 175,000 tons or 200,000 tons. According to the Mozambique Monthly Digest of Statistics (Boletim Mensal) Mozambique exported 15,673 metric tons of maize in 1967, all of which went to Portugal, and 74,599 metric tons in the first six months of 1968. Of the latter figure Portugal took 51,774 metric tons, the Netherlands 10,861 metric tons and the United Arab Republic 11,964 metric tons. However, the official Japanese trade statistics show that 144,903 metric tons of Mozambique maize

were imported into Japan during 1967, and 130,914 metric tons during the first six months of 1968. Similarly, the official statistics of the United Arab Republic show that 104,703 metric tons of maize were imported from Mozambique during 1967 and 186,598 metric tons over the period July 1967 to June 1968 (no figures for imports of Mozambique maize into the United Arab Republic for the first six months of 1968 are at present available).

"4. The Government of the United Kingdom suggest that the Committee established in pursuance of the Security Council resolution No. 253 (1968) should consider asking the Secretary-General to bring to the attention of States Members of the United Nations or specialized agencies the discrepancy between the exports of Mozambique maize as shown in the official Mozambique figures, and the imports of such maize as recorded in the trade statistics of certain importing countries, as set out above, in order to alert them to the danger of Rhodesian maize being imported into their territories under false description as being of Mozambique origin.

"5. The Government of the United Kingdom suggest that the Committee may also wish to consider inviting the Secretariat to make a study of the exports of maize from countries in southern Africa, as recorded in their published statistics, and the imports of maize from such countries, as shown in the statistics of importing countries, to determine whether Rhodesian maize is still being exported, contrary to sanctions, and, if so, the extent of this trade."

2. At the request of the Committee at its 16th meeting, the Secretary-General sent notes verbales dated 10 July to all Member States or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.

3. The following replies have been received:

Argentina	Mauritania
Australia	Mexico
Austria	Netherlands
Brazil	New Zealand
Burma	Philippines
Cambodia	Poland
Canada	Sierra Leone
Colombia	Sudan
Cyprus	Sweden
Denmark	Switzerland
Federal Republic of Germany	Thailand
Ireland	Trinidad and Tobago
Jamaica	Venezuela
Kenya	USSR

Of the above replies, those from Argentina, Australia, Brazil, Burma, Canada, Colombia, Cyprus, Denmark, Jamaica, Kenya, Mexico, New Zealand,

the Philippines, Poland, Sweden, Thailand, Trinidad and Tobago, Venezuela and the USSR have stated that they either do not import maize or that they do not maintain trade relations of any kind with Southern Rhodesia. The replies from Ireland and Mauritania acknowledged the Secretary-General's note verbale. Cambodia stated that it had no comments on the Secretary-General's note verbale.

A summary of the remaining replies is given below:

(a) Austria in a note dated 2 October stated that the official trade statistics of Austria showed that 246.5 tons of maize had been imported from Mozambique in 1968, but that no such maize had been imported in 1969. As a result of the measures taken by the Austrian Government in pursuance of resolution 253 (1968), the import of maize from Mozambique had sharply declined so that no further action seemed necessary in this matter.

(b) Federal Republic of Germany in a note dated 2 December stated that no maize had been imported from Southern Rhodesia during the period 1966-1969, and imports of maize from Mozambique were now almost negligible, particularly compared to the total volume of maize imports into the FRG. The assumption that Southern Rhodesian maize might have been imported under false description as being of Mozambique origin could therefore, for all practical purposes, be ruled out.

(c) Netherlands in a note dated 10 September stated that no maize had been imported from Mozambique in 1965 and 1966, nor in the first six months of 1969: 5,623 tons had been imported in 1967 and 11,564 tons in 1968. In spite of some minor differences between these figures and those reported in the United Kingdom note, there was no reason to assume that Netherlands imports of maize from Mozambique might in fact have been of Rhodesian origin. Rhodesian maize has never been imported into the Netherlands, neither since the coming into force of resolution 253 (1968), nor during previous years when such import was not yet prohibited. Of the total imports of maize to the Netherlands, totalling more than 2 million tons annually, only a small fraction was made up of so-called white maize which is the type grown in Southern Rhodesia.

(d) Sierra Leone in a note dated 29 September stated that it had taken appropriate steps to alert the relevant authorities to look out for any infringement or violation of sanctions by subtle means and to bring such instances to the Committee's attention immediately.

(e) Sudan in a note dated 8 August stated that the United Kingdom Government must endeavour, together with other Members of the United Nations, to find an adequate remedy for the situation in Rhodesia. It was now patently apparent that the application of sanctions had been of no avail. It was therefore immaterial to draw the attention of Members of the United Nations to the discrepancy between the exports of Mozambique maize as shown in the official Mozambique figures and the imports of such maize as recorded in the trade statistics of certain importing countries. The illegal Rhodesian régime was bound, in the circumstance that the application of sanctions excludes South Africa, to find some means to satisfy all its needs. The Sudan Government has repeatedly stated that the remedies to the situation are provided for in Articles 41 and 42 of the Charter. The Sudan Government is under an obligation to aid the people of Zimbabwe materially and otherwise in their struggle for self-determination and the attainment of majority rule.

(f) Switzerland in a note dated 14 August stated that Switzerland had imported 1,195 tons of maize from South Africa in 1967, 699 tons in 1968 and none in the first six months of 1969; it had imported no maize from Rhodesia in 1967, 1968 nor the first six months of 1969, and it had imported 106 tons of maize from Mozambique in 1967, 827 tons in 1968, and none in the first six months of 1969. Total imports of maize from Switzerland in 1967 amounted to 229,000 tons, of which 171,000 tons came from France, 40,000 tons from Argentina and 13,000 tons from Romania. The balance of the imports was insignificant and was divided among four countries, including South Africa and Mozambique. The latter's share of total maize imports thus amounted to 0.05 per cent. In 1968, Switzerland imported 180,000 tons of maize. The main supplying countries were France (146,000 tons), Argentina (23,000 tons) and the USA (7,000 tons). The very small balance of maize imports was divided among four supplying countries, including South Africa and Mozambique. Mozambique supplied 0.46 per cent of total Swiss maize imports in 1968.

4. At the 27th meeting of the Committee, the representative of the United Kingdom made a statement concerning discrepancies between recorded figures for Mozambique's exports of maize and its estimated production, and the imports of other countries. These discrepancies were to some extent brought out in

paragraphs 17-21 of the Statistical note dated 9 January 1970 (see annex I). On the basis of the figures in that note, it appeared that Mozambique's maize production had increased from 150,000 tons in 1965 to 322,000 tons in 1968 (of which, in both cases, the estimated home consumption was 200,000 tons). Such an increase of 100 per cent over four years might be reasonable, given the high yields obtainable from new strains of hybrid maize seed. However, this would not account for the fact that the total shown for imports from Mozambique by the importing countries during 1968 was 509,000 tons - i.e. nearly 400,000 tons more than the recorded exports from Mozambique. It was possible that the Mozambique trade figures were not entirely accurate since, for example, they showed no exports of maize at all to Japan, but it hardly seemed possible that Mozambique maize production could itself have increased so rapidly as to allow an export surplus of the magnitude indicated by the importing countries' imports shown in table VI of the statistical note.

5. At the request of the Committee at the 27th meeting, the Secretary-General sent notes verbales dated 7 May 1970 to those countries listed in table VI from whom replies had not been received to the Secretary-General's previous note verbale dated 10 July 1969 (i.e. Belgium, Japan, Italy, Luxembourg, Portugal and the United Arab Republic), transmitting a copy of the statement made by the United Kingdom representative (see para. 4 above) together with a copy of table VI of the statistical note (see annex I), requesting observations and inquiring what investigations were made, if any, to verify the origin of the maize in question.

6. Also at the Committee's request at the 27th meeting, the Secretary-General sent a note verbale dated 7 May 1970 to the Director-General of the Food and Agriculture Organization, transmitting a copy of the United Kingdom statement and of the statistical note dated 9 January, and requesting information about the extent to which new strains of hybrid maize had been introduced into Mozambique.

(44) Case 39. "Fraternity": United Kingdom note dated 27 August 1969

1. By a note dated 27 August 1969, the United Kingdom Government reported information about a consignment of maize loaded on the above vessel. The text of the note is reproduced below:

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"The Government of the United Kingdom, in their note of 20 June, reported their reasons for believing that much of Rhodesia's surplus maize in 1967 and 1968 had been exported under false description and suggested that attempts would probably be made to export part of the surplus of the 1969 Rhodesian maize crop to countries outside Southern Africa under false description.

"2. The Government of the United Kingdom have now received information from commercial sources to the effect that a consignment of maize suspected to be of Rhodesian origin was recently loaded at Beira on the M.V. FRATERNITY. This vessel, which is owned by Fraternity Shipping Corporation, Monrovia, Liberia, is due in Japanese Ports in early September.

"3. The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 to ensure that the origin of any maize which may be unloaded from the M.V. FRATERNITY at ports in their territory is carefully investigated. At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of Liberia of the above report so that they can make enquiries about the carriage in a Liberian vessel of maize which, according to the information mentioned above, is suspected of being of Rhodesian origin.

"4. If the importers of the maize should claim that it is not of Rhodesian origin it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to the port of loading, together with a certificate from the producer of the maize in question and appropriate health and phytosanitary certificates."

2. At the request of the Committee at its 21st meeting, the Secretary-General sent notes verbales dated 8 September to Japan and Liberia, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 22 December has been received from Japan stating that the vessels "Fraternity", "Galini", "Santa Alexandra" and "Zeno" arrived and unloaded at the ports of Kobe, Kinuura (Nagoya), Shimizu, Yokkaichi and Nagoya. Results of the investigations made by the Government of Japan were as follows:

(1) At the above-mentioned ports, 14,000 tons of maize were unloaded from the "Fraternity", 15,000 tons from the "Galini", 15,000 tons from the "Santa Alexandra" and 15,500 tons from the "Zeno". All the consignments were accompanied by import documents including invoices, certificates of origin issued by the Chamber of Commerce of Beira, health certificates and final certificates of weight and quantity issued by the Portuguese Governor's Office in Mozambique, all of which showed that the goods were of Mozambique origin;

(2) While Japan has been importing maize from Mozambique, it has never imported any from Southern Rhodesia, even before the imposition of economic sanctions;

(3) In view of the above, the goods were judged to be of Mozambique origin and were allowed to be imported.

4. See (47) case 49, para. 3, for reply from Liberia.

(45) Case 44. "Galini": United Kingdom note dated 18 September 1969

1. By a note dated 18 September 1969, the United Kingdom Government reported information about a consignment of maize loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their note submitted on 27 August, have recently received information which they consider to be sufficiently reliable to merit investigation, concerning a further exportation of maize of Rhodesian origin.

"The information is to the effect that a consignment of such maize was recently loaded at Beira on the m.v. 'Galini'. The vessel, which is owned by Galini Cia., S.A., of Panama and is of Greek registry, sailed from Beira on 3 September for Japan.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 to ensure that the origin of any maize which may be unloaded from the m.v. 'Galini' at ports in their territory is carefully investigated. 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 that they may make enquiries about the carriage in a vessel of Panamanian ownership and Greek registry of maize which, according to the information mentioned above, is suspected of being of Rhodesian origin.

"If the importers of the maize should claim that it is not of Rhodesian origin, it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to the port of loading, together with a certificate from the producer of the maize in question and appropriate health and phytosanitary certificates."

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbales dated 30 September to Greece, Japan and Panama transmitting the United Kingdom note and requesting comments thereon.

/...

3. Replies have been received from Greece and Japan as follows:

(a) Greece, in a note dated 26 November, forwarded copies of the relevant Bill of Lading, as well as of a Certificate of Origin certifying that the consignment in question was of Mozambique origin.

(b) Japan dated 22 December (see (44) case 39, para. 3).

(46) Case 47. "Santa Alexandra": United Kingdom note dated 24 September 1969

1. By a note dated 24 September 1969, the United Kingdom Government reported information about a consignment of maize loaded on the above vessel. 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 have recently received information which they consider to be sufficiently reliable to merit investigation, concerning a further exportation of maize of Rhodesian origin.

"The information is to the effect that a consignment of such maize was recently loaded at Beira on the M.V. Santa Alexandra. The vessel, which is owned by Shipping Developments Corp., S.A., Panama and is of Greek registry, sailed from Beira on 8 September to Japan.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 to ensure that the origin of any maize which may be unloaded from the M.V. Santa Alexandra at ports in their territory is carefully investigated. 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 that they may make enquiries about the carriage in a vessel of Panamanian ownership and Greek registry of maize which, according to the information mentioned above, is suspected of being of Rhodesian origin.

"If the importers of the maize should claim it is not of Rhodesian origin, it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to the port of loading, together with a certificate from the producer of the maize in question and appropriate health and phyto-sanitary certificates."

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbales dated 30 September to Greece, Japan and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Japan as follows:

(a) Greece, in a note dated 6 October, stated that the Secretary-General's

note and enclosure had been brought to the attention of the Greek authorities who were investigating the matter.

(b) Japan dated 22 December (see (44) case 39, paragraph 3).

(47) Case 49. "Zeno": United Kingdom note dated 26 September 1969

1. By a note dated 26 September 1969, the United Kingdom Government reported information about a consignment of maize loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom in continuation of their previous notes about the shipments of Rhodesian maize on the M.V. 'Fraternity', 'Galini' and 'Santa Alexandra' desire to inform the Committee that they have recently received information which they consider to be sufficiently reliable to merit investigation, concerning the export of a further consignment of maize believed to be of Rhodesian origin.

"The information is to the effect that a consignment of such maize was recently loaded at Beira on the M.V. Zeno. The vessel, which is owned by Malaya Cia. Nav. S.A., of Panama and is of Liberian registry sailed from Beira on 16 September declared for Japanese ports.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 to ensure that the origin of any maize which may be unloaded from the M.V. Zeno at ports in their territory is carefully investigated. At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Panama and Liberia of the above report so that they may make enquiries about the carriage in a vessel of Panamanian ownership and Liberian registry of maize which, according to the information mentioned above, is suspected of being of Rhodesian origin.

"If the importers of the maize should claim that it is not of Rhodesian origin, it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to the port of loading, together with a certificate from the producer of the maize in question and appropriate health and phytosanitary certificates."

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 26 November to Japan, Liberia and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Japan dated 22 December (see (44) case 39, para. 3) and from Liberia dated 15 April stating that a full inquiry had been made into the allegations concerning shipment of maize on Liberian vessels and further investigation was continuing. Attention was drawn to the Rider clauses to the Charter Agreement (which was attached) of the vessel "Zeno" which stated specifically that no cargo of Southern Rhodesian origin should be loaded under the charter. The Secretary-General would be kept informed of any additional information received.

(48) Case 56. "Julia L": United Kingdom note dated 13 November 1969

1. By a note dated 13 November 1969, the United Kingdom Government reported information about a consignment of maize loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom, in continuation of their previous notes about the shipments of Rhodesian maize on the m.v. 'Fraternity', 'Galini', 'Santa Alexandra' and 'Zeno' wish to bring to the attention of the Committee the following information, which they consider to be sufficiently reliable to justify investigation, concerning a possible evasion of sanctions in connection with the export of a further consignment of maize suspected to be of Rhodesian origin.

"2. This information is to the effect that a consignment of such maize was recently loaded at Beira on the m.v. 'Julia L'. This vessel, which is owned by Elmotores Inc. of Monrovia, Liberia, sailed from Beira on 28 October declared for Japanese ports.

"3. The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 any maize which may be unloaded from the m.v. 'Julia L' at ports in their territory.

"4. If the importers of the maize in question should claim that it is not of Rhodesian origin the Government of Japan will no doubt bear in mind the suggestions relating to the production of documentary proof contained in the Secretary-General's note PO 230 SORH (1-2-1) of 18 September 1969.

"5. It is suggested that the Committee may at the same time wish to ask the Secretary-General to notify the Government of Liberia of the above

report so as to assist them in their enquiries about the carriage in a Liberian vessel of maize which, according to the information above, is suspected to be of Rhodesian origin."

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 26 November to Japan and Liberia, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 22 December has been received from Japan stating that the vessel entered the port of Kinuura (Nagoya) on 20 November and the port of Yokkaichi on 26 November. Results of an investigation made by the Government of Japan were as follows:

(1) Approximately 10,000 tons of maize were unloaded from the vessel at Kinuura, and approximately 14,000 tons at Yokkaichi. The consignments were accompanied by import documents, including invoices, certificates of origin issued by the Chamber of Commerce of Beira, as well as by health certificates and certificates of fumigation issued by the Portuguese Governor's Office in Mozambique, all of which showed that the goods in question were of Mozambique origin.

(2) While Japan has been importing maize from Mozambique, it has never imported any from Southern Rhodesia, even before the imposition of economic sanctions.

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

4. See (47) case 49, paragraph 3, for reply from Liberia.

(49) Case 63. "Polyxene C": United Kingdom note dated 24 December 1969

1. By a note dated 24 December 1969, the United Kingdom Government reported information to the effect that consignments of Southern Rhodesian maize and cotton seed were recently loaded at Portuguese East African ports aboard the vessel "Polyxene C", which is owned by Atlanta Maritima S.A., Panama, and is of Greek registry. The vessel sailed from Beira on 13 December for Lourenco Marques, whence it sailed on 17 December declared for Japan. The Government of the United Kingdom suggested that the Committee might wish to ask the Secretary-General to bring the above information to the attention of the Government of Japan, with a

view to assisting it with their inquiries into the origin of any maize or cotton seed which might be unloaded from the vessel at ports in its territory during the present voyage of the vessel. If the importers of the maize and cotton seed in question should claim that it was not of Southern Rhodesian origin, the Government of Japan would no doubt have in mind the suggestions relating to the production of documentary proof contained in the Secretary-General's note of 18 September 1969. At the same time, it was suggested that the Committee might wish to ask the Secretary-General to notify the Governments of Greece and Panama of the above report so as to assist them in their inquiries concerning the carriage aboard a Panama-owned, Greek-registered vessel, of maize and cotton seed which was suspected to be of Southern Rhodesian origin.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 5 January 1970 to Greece, Japan and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Japan as follows:

(a) Greece, in a note verbale dated 16 February 1970, stated that, according to the documents submitted to the Greek authorities, the consignment of maize and cotton seed on board the vessel was of Mozambique origin. The Greek Government wished to point out that the inquiries carried out with regard to recent similar cases have not so far revealed any breach of the existing national regulations, prohibiting inter alia the shipment aboard Greek vessels of commodities or products originating in Southern Rhodesia. The Greek authorities felt that a more thorough scrutiny and appraisal of the information communicated to the Committee should be envisaged in order to limit investigations to those cases for which there was sufficient evidence to warrant such inquiries. Furthermore, the Greek authorities would appreciate it 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 them in completing their own investigations.

In a further note verbale dated 17 March 1970, Greece transmitted Bills of Lading showing that the consignments in question were of Mozambique origin, together with the text of "Rider Clauses" under which the charterers had agreed that no cargo of Southern Rhodesian origin should be loaded aboard the vessel.

(b) Japan, in a note verbale dated 13 February 1970, stated that the vessel had entered the port of Chiba on 13 January and had subsequently called at

Yokohama, Hokkaichi and Osaka. An investigation was undertaken concerning the consignments of maize and cotton seed reported to be on board the vessel, with the following results:

(1) Approximately 2,000 tons each of cotton seed were unloaded from the vessel at Chiba and Yokohama respectively, about 3,500 tons of cotton seed at Osaka and about 1,300 tons of maize at Yokkaichi. The consignments were accompanied by import documents, including invoices and the certificates of origin issued by the Chamber of Commerce of Beira, as well as the quarantine certificates issued by the Portuguese Governor's Office in Mozambique, all of which proved that the goods in question were of Mozambique origin.

(2) Mozambique is a producer of cotton seed and maize, as shown by statistics annexed to the note, and while Japan has been importing cotton seed and maize from Mozambique, none has ever been imported from Southern Rhodesia, even before the adoption of the Security Council resolutions.

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

(50) Case 53. "Holly Trader": United Kingdom note dated 23 October 1969

1. By a note dated 23 October 1969, the United Kingdom Government reported information about a consignment of cotton seed on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources to the effect that a consignment of cotton seed suspected to be of Rhodesian origin is being carried from Lourenco Marques to Japan aboard the M.V. 'Holly Trader'.

"The M.V. 'Holly Trader' which is owned by Compania de Navigacion Buena S.A. of Panama left Lourenco Marques on 2 October declared for Japanese ports.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 to ensure that the origin of any cotton seed which may be unloaded from the M.V. 'Holly Trader' at ports in their territory is carefully investigated. It is suggested that, if the importers of the cotton seed should claim that it is not of Rhodesian origin, they should be

asked to produce documentary proof of the kind suggested in the Secretary-General's note PO 230 SORH (1-2-1) 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 Panama of the above report so that they can make suitable enquiries about the carriage in a Panamanian vessel of cotton seed which, according to the information mentioned above, is suspected of being of Rhodesian origin."

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 26 November to Japan and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 11 December has been received from Japan stating that the vessel in question entered the port of Osaka on 10 November. Results of an investigation made by the Government of Japan were as follows:

(1) A total of about 4,000 tons of cotton seed was unloaded, about 2,000 tons at the port of Osaka, and another 2,000 tons at the port of Chiba. The consignments were accompanied by import documents, including invoices and the certificates of origin issued by the Chamber of Commerce of Lourenco Marques, as well as the quarantine certificates issued by the Portuguese Governor's Office in Mozambique, all of which certified that the goods in question were of Mozambique origin.

(2) While Japan has been importing cotton seed from Mozambique, it has never imported any from Southern Rhodesia, even before the adoption of the Security Council resolution on economic sanctions.

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

D. TRADE IN MEAT

(51) Case 8. "Kaaoland": United Kingdom note dated 10 March 1969

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 43-44).

2. Since the submission of the second report, a reply to the Secretary-General's note verbale dated 18 March (see S/9252/Add.1, annex XI, page 43, para. 2) has been received from Belgium, stating that the vessel was at Antwerp between 8 and 27 March. The investigation carried out revealed no irregularity in the vessel's cargo.

(52) Case 13. "Zuiderkerk": United Kingdom note dated 13 May 1969

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 44-45).

2. Since the submission of the second report, replies to the Secretary-General's note verbale dated 20 May (see S/9252/Add.1, annex XI, page 45, para. 2) have been received from Belgium, the Federal Republic of Germany and the Netherlands. A summary of these replies is given below:

(a) Belgium in a note dated 20 August, stated that the Belgian authorities had undertaken an investigation of this matter. The vessel was in Antwerp on 29 May. Goods other than meat were discharged. No irregularities were found as regards the origin of these goods. Consequently, their discharge was authorized.

(b) Federal Republic of Germany in a note dated 14 November stated that this shipment together with those on the vessels "Tugelaland", "Swellendam" and "Taveta" was effected by an importer in Hamburg under a long-term contract which had been concluded before the adoption of resolution 253 (1968). Although the Government of the Federal Republic of Germany was therefore not in a position to interfere with these imports, it obliged the importer to store the beef imported from Southern Rhodesia in free ports and to sell it only to vessels leaving port. As the contract has now come to an end, no further imports of beef from Southern Rhodesia into the Federal Republic of Germany will be carried out.

(c) Netherlands in a note dated 26 June stated that during the stay of this vessel in Rotterdam, no meat was unloaded. The vessel did not call at Amsterdam on its voyage from southern Africa to Europe.

3. In a letter dated 15 May, the Permanent Representative of France to the United Nations stated that the information contained in the United Kingdom note had been brought to the notice of the French Government and, should it be necessary, further particulars would be transmitted to the Committee in connexion with this case.

4. In a letter of 4 June 1969, the representative of France reported that the vessel had called at Dunkirk on 28 May and had left the same day without unloading. It had 26 quarters of frozen beef on board, loaded at Lourenco Marques and routed to Hamburg.

(53) Case 14. "Tabora": United Kingdom note dated 3 June 1969

1. By a note dated 3 June 1969, the United Kingdom Government reported information about a consignment of beef on board the above vessel. The text of the note is reproduced below:

"1. The Government of the United Kingdom, in their earlier notes to the Committee concerning the m.v. Kaapland and the m.v. Zuiderkerk, have referred to the continuing export of Rhodesian beef to Europe and to further shipments being arranged by the Rhodesia Cold Storage Commission.

"2. The Government of the United Kingdom have now received information from commercial sources to the effect that a consignment of Rhodesian beef is being carried from Southern Africa to Europe aboard the m.v. Tabora: part, at least, of the consignment being for delivery to Heinrich Plambeck, Hamburg.

"3. The m.v. Tabora is owned by Dal Deutsche Afrika-Linien, G.M.B.H. and Company, Hamburg. The ship is due in Antwerp, Rotterdam, Bremen, and Hamburg between 10 June and 18 June.

"4. The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 Belgium, the Netherlands, and the Federal Republic of Germany with a view to assisting them to ensure that the origin of any beef which may be unloaded from the Tabora at ports in their territories is carefully investigated, and to enabling the Government of the Federal Republic of Germany to make suitable enquiries regarding the carriage aboard a German vessel of beef which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 13th meeting, the Secretary-General sent notes verbales dated 9 June to Belgium, the Federal Republic of Germany and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

3. A summary of the replies received from those Governments is given below:

(a) Belgium in a note dated 25 August stated that the vessel put in at Antwerp on 15 June and left on 16 June. To the knowledge of the Antwerp customs authorities, the vessel did not unload any beef of Southern Rhodesian origin.

(b) Federal Republic of Germany in a note dated 5 February 1970 stated that the shipment of beef in question was unloaded in Hamburg on 24 June 1969.

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It had been effected under a long-term contract concluded before the adoption of Security Council resolution 253 (1968). As regards the special use of the meat in question (consumption on outgoing vessels only), reference was made to the FRG note of 3 July 1969 [this should read "13 November 1969" as it refers to (52) case 13, para. 2 (b)7] in which it was explained that the above-mentioned contract had almost completely been executed at that time and was to expire on 30 September 1969. No further shipments of meat from Southern Rhodesia to the FRG would be effected in the future.

(c) Netherlands in a note dated 26 June stated that the vessel berthed at Rotterdam on 13 June, carrying a consignment of 20 tons of meat. After it had been established that the meat was of Rhodesian origin, permission for unloading was refused. The vessel thereupon sailed from Rotterdam carrying with it the meat in question.

(54) Case 16. "Tugelaland": United Kingdom note dated 16 June 1969

1. By a note dated 16 June 1969, the United Kingdom Government reported information about a shipment of beef on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom are increasingly concerned at what appears to be a continuing trade in Rhodesian beef in breach of the provisions of Security Council resolution No. 253 (1968).

"The Government of the United Kingdom have already brought to the attention of the Committee established in pursuance of Security Council resolution No. 253 (1968) cases of shipments of beef suspected to be of Rhodesian origin in the vessels 'Kaapland', 'Zuiderkerk' and 'Tabora'. The Committee is investigating those cases but has not so far reached conclusions in the absence of replies to all its enquiries.

"A further shipment has now come to the attention of the Government of the United Kingdom. According to information from commercial sources, another consignment of Rhodesian beef is to be carried to Europe from southern Africa in the m.v. 'Tugelaland'. It is understood that this shipment has been arranged by the Rhodesia Cold Storage Commission, and part of the consignment is for delivery to Heinrich Plambeck, Hamburg.

"The m.v. 'Tugelaland', which is owned by Globus-Reederei G.M.B.H., Hamburg, is due in European ports in early July and is likely to call at Antwerp, Rotterdam, Bremen and Hamburg. 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 Belgium, the Netherlands and the Federal Republic of Germany with a view to assisting them to ensure that the origin of any beef which may be unloaded from the 'Tugelaland' at ports in their territories is carefully investigated, and to enabling the Government of the Federal Republic of Germany to make suitable enquiries regarding the carriage aboard a German vessel of beef which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 25 June to the Netherlands and notes verbales dated 26 June to Belgium and the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

3. A summary of the replies received from those Governments is given below:

(a) Belgium in a note dated 4 September stated that the investigation carried out by the Customs and Excise Duties Administration showed that this vessel entered Antwerp, but that no meat was unloaded there.

(b) Federal Republic of Germany (see case (52) case 13, para. 2 (b)).

(c) Netherlands in a note dated 3 September stated that it had been ascertained by the Netherlands authorities that no beef was unloaded from the vessel in Rotterdam, where it called on 7 July.

(55) Case 22. "Swellendam": United Kingdom note dated 3 July 1969

1. By a note dated 3 July 1969, the United Kingdom Government reported information about a consignment of beef on the above vessel. The text of the note is reproduced below:

"1. The Government of the United Kingdom, in their note of 16 June about the carriage of Rhodesian beef in the m.v. 'Tugelaland', expressed their increasing concern about the apparent continuation of trade in Rhodesian beef in breach of the provisions of Security Council Resolution No. 253 (1968), and referred to their earlier notes in which reports of shipments of Rhodesian beef in the vessels 'Kaapland', 'Zuiderkerk' and 'Tabora' were brought to the attention of the Committee established in pursuance of Security Council Resolution No. 253 (1968).

"2. According to information from commercial sources a further consignment of Rhodesian beef is presently being carried from southern Africa to Europe in the m.v. 'Swellendam'. It is understood that this shipment was arranged by the Rhodesia Cold Storage Commission, and that part of the consignment is for delivery to Heinrich Plambeck, Hamburg.

"3. The m.v. 'Swellendam', which is owned by Cape Continent Shipping Company (Pty) Limited, Johannesburg, is due in Antwerp, Rotterdam, Bremen and Hamburg between 9 July and 19 July.

"4. 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 Belgium, the Netherlands, and the Federal Republic of Germany, with a view to assisting them to ensure that the origin of any beef which may be unloaded from the 'Swellendam' at ports in their territories is carefully investigated. At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of the Republic of South Africa of the above report so that they can make suitable enquiries about the carriage in a South African vessel of beef which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 17th meeting, the Secretary-General sent notes verbales dated 16 July to Belgium, the Federal Republic of Germany, the Netherlands and South Africa, 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) Federal Republic of Germany (see (52) case 13, para. 2 (b)).

(b) Netherlands dated 3 September, stating that the vessel called at Rotterdam on 16 July. However, it had been established by the Netherlands authorities that no beef was unloaded from the vessel during its stay in the port.

(56) Case 33. "Taveta": United Kingdom note dated 8 August 1969

1. By a note dated 8 August 1969, the United Kingdom Government reported information about a consignment of meat on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources to the effect that a consignment of Rhodesian meat is being carried from southern Africa to Europe aboard the m.v. 'Taveta'. It is understood that this shipment was arranged by the Rhodesian Cold Storage Commission.

"The m.v. 'Taveta', which is owned by DAL Deutsche Africa-Linien GMBH and Company, Hamburg, is due in Genoa and Marseilles in mid-August.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 and France

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with a view to assisting them to ensure that the origin of any meat which may be unloaded from the m.v. 'Taveta' at ports in their territories is carefully investigated. At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Government of the Federal Republic of Germany of the above report so that they can make suitable enquiries about the carriage in a German vessel of meat which, according to the information mentioned above, is of Rhodesian origin."

2. At the request of the Committee at its 20th meeting, the Secretary-General sent notes verbales dated 14 August to the Federal Republic of Germany and Italy, transmitting the United Kingdom note and requesting comments thereon.

3. A summary of the replies received from those Governments is given below:

(a) Federal Republic of Germany dated 5 December, stating that, according to investigations carried out, the vessel in question carried ox tongues and liver from Mozambique to Marseilles in July 1969. There was no meat aboard destined for Genoa. No proof could be found in the ship's papers that the meat was of Southern Rhodesian origin. Furthermore, the FRG ship-owners pointed out that their agents were under strict orders not to accept any cargo originating in Southern Rhodesia (see also (52) case 13, para. 2 (b) concerning meat off-loaded at FRG ports).

(b) Italy dated 15 August, stating that the competent Italian authorities had been apprised of the information submitted by the Committee.

4. In a letter dated 23 September, the Permanent Representative of France to the United Nations stated that it had been found, on investigation by the French authorities, that the vessel called at Marseilles on 19 August. It unloaded, in transit to Switzerland by sealed wagons, 17,037 kg (gross) of goods which, according to the accompanying documents were of South African origin.

5. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 3 December to Switzerland, transmitting the United Kingdom note of 8 August, together with the information received from France (para. 4 above), and requesting the Swiss Government to make inquiries about the destination of this consignment of meat.

6. A reply dated 16 December has been received from Switzerland stating that the shipment of meat in question - 17,037 kg. gross - was consigned to Switzerland. It was imported under the limited trading arrangements, details of which were given

in the Permanent Observer's note dated 13 February 1967.^{1/} These goods were, according to the bills of lading presented to the Swiss Customs Authorities, of Southern Rhodesian origin.

7. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 29 April to the Federal Republic of Germany transmitting the information contained in the Swiss reply (para. 6 above) and requesting particulars of the documents in question, together with copies thereof if possible. The representative of France in the Committee noted the information in the Swiss reply, from which it appeared that the documents inspected by the FRG and French authorities were either counterfeit or fraudulently issued.

(57) Case 42. "Polana": United Kingdom note dated 17 September 1969

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 No. 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 Federal Republic of Germany, so that they can make suitable enquiries about the carriage in a vessel of the Federal Republic of Germany 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 verbales dated 30 September to Belgium, the Federal Republic of Germany, Italy and the Netherlands, transmitting the United Kingdom note and requesting comments thereon.

^{1/} See S/7781, Security Council O.R. 22nd year, Suppl. for January to March 1967, pp. 117-118.

3. Replies have been received from the Federal Republic of Germany and the Netherlands, as follows:

(a) Federal Republic of Germany in a note dated 26 November 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 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.

5. At the request of the Committee at its 25th meeting, the Secretary-General sent notes verbales dated 31 December 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 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.

(58) Case 61. Chilled meat: United Kingdom note dated 8 December 1969

1. By a note dated 8 December 1969, the United Kingdom Government reported information to the effect that supplies of Southern Rhodesian chilled meat were being regularly exported from Salisbury to Libreville for the retail meat trade in Gabon, and it suggested that the Committee might wish to ask the Secretary-General to bring this information to the attention of the Government of the Gabon, at the same time asking for any available information regarding this alleged trade.

The Secretary-General might also suggest to the Gabonese authorities that their verification of the origin of consignments of meat imported by air would be assisted by the production to them of the documents covering the meat in question, in particular the normal public health and veterinary certificates as supplied by the officials of the slaughter house from which the meat was being obtained.

2. At the request of the Committee at its 25th meeting, the Secretary-General sent a note verbale dated 31 December to Gabon, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 15 January 1970 has been received from Gabon stating that there was no trade of any kind between Gabon and Southern Rhodesia and that national statistics proving this may be examined by all those who so desire. Moreover, it was not in Gabon's interest to be supplied by Southern Rhodesia with a food-stuff such as meat since the national market was fully covered by imports from France and certain member States of the "Organization Commune Africaine et Malgache". Accordingly, Gabon categorically denied such rumours.

4. By a further note dated 6 February 1970, the United Kingdom Government stated that it had noted the reply dated 15 January from Gabon and reported further information to the effect that in August 1969, Harold Raymond Thomas Oxley, in Libreville, and in conjunction with one Garnier, had made arrangements for the supply by the Rhodesia Cold Storage Commission of Rhodesian meat by air to certain persons in Libreville and Port Gentil. The first shipment was made in the second week of October and consisted of some twenty tons of meat for Boucherie Gabonaise, Boucherie Parisienne, Boucherie du Marche, Boucherie Nombakele in Libreville and another consignee in Port Gentil. Further consignments of Rhodesian meat were flown in to Libreville and Port Gentil in the second week of November, the last week of December, and the first and second weeks of January. Aircraft belonging to Air Trans-Africa, a Rhodesia-based company, transported the meat. Before IDI, H.R.T. Oxley was a senior member of the Rhodesian Ministry of External Affairs and had previously come to the attention of the United Kingdom Government for his work in connexion with sanctions breaking. It was understood that Mr. Oxley was still resident in Libreville in the early part of January and might still be living there. The United Kingdom suggested that the Committee might wish to invite the Secretary-General to bring this additional information to the attention of the Government of Gabon, with a view to assisting it to

investigate further this possible evasion of sanctions in the import of meat, suspected to be of Rhodesian origin, into its territory.

5. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 12 February to Gabon, referring to its reply of 15 January and transmitting the United Kingdom note of 6 February, with a request for comments thereon.

6. At the request of the Committee at its 27th meeting, the Secretary-General sent a further note verbale dated 29 April to Gabon, referring to the Secretary-General's note dated 12 February and requesting a reply thereto.

(59) Case 68. "Alcor": United Kingdom note dated 13 February 1970

1. By a note dated 13 February 1970, the United Kingdom Government reported information about a shipment of frozen pork on the above vessel which had been loaded recently at a Mozambique port for consignees in the Canary Islands. The "Alcor", which was owned by Messrs. Van Nievelt, Goudriaan and Co's Stommy, Maats, NV, of Rotterdam, and was of Netherlands registry, sailed from Beira on 12 January. The Government of the United Kingdom suggested that the Committee might wish to ask the Secretary-General to bring the above information to the notice of the Spanish and Netherlands Governments.

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 13 February 1970 to the Netherlands and Spain, transmitting the United Kingdom note and requesting comments thereon.

E. TRADE IN SUGAR

(60) Case 28. "Byzantine Monarch": United Kingdom note dated 21 July 1969

1. By a note dated 21 July 1969, the United Kingdom Government reported information about a consignment of sugar on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources to the effect that a consignment of sugar suspected of being of Rhodesian origin is being carried aboard the Greek registered vessel 'Byzantine Monarch'.

"The m.v. 'Byzantine Monarch' which sails under the Greek flag and is owned by Pyxis Compania Naviera, S.A., Panama, left Lourenco Marques on 13 July declared for Basra.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 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 Iraq with a view to assisting them to ensure that the origin of any sugar which may be unloaded from the 'Byzantine Monarch' at a port in their territory is carefully investigated. At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Greece and Panama of the above report so that they can make suitable enquiries about the carriage in a vessel owned by a Panamanian Company, registered in Greece, of sugar which, according to the information mentioned above, is of Rhodesian origin. If the importers of the sugar should claim that it is not of Rhodesian origin, it is suggested that they should be asked to produce documentary proof of its non-Rhodesian origin. This could take the form of copies of the relevant invoices and rail notes covering the despatch of the consignment to Lourenco Marques, together with a certificate from the producer of the sugar in question."

2. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 23 July to Greece, Iraq and Panama, transmitting the United Kingdom note and requesting comments thereon.

3. Replies have been received from Greece and Iraq as follows:

(a) Greece:

(1) In a note dated 6 October, Greece stated that inquiries concerning the vessel had revealed that it had been chartered through Clarkson, London.

(2) In a further note dated 25 November, Greece stated that the voyage from Lourenco Marques to Iraq was performed whilst the vessel was on time charter to Messrs. S.A. Hildechristen K. Gran of Bergen, Norway. The relevant time charter was negotiated through Messrs. H. Clarkson and Co. Ltd., brokers of high repute in London. The time charter contract (copy of which was enclosed) provided, inter alia, that the vessel should be employed in lawful trade for the carriage of lawful merchandise only and that it should not be exposed in any way to any risks or penalties whatsoever consequent upon the imposition of sanctions, nor carry any goods that might in any way expose the vessel to any risks or penalties. Furthermore, the owner, once the Greek authorities drew his attention to the information received by the United Kingdom authorities, informed the time charterers of the allegation and asked for an explanation. The latter have rejected the allegations and have stated emphatically that no cargo of Southern Rhodesian

origin was on board the vessel. In corroboration of the above, the owner submitted to the Greek authorities a letter received from Clarkson and Co. Ltd. (copy of which was attached) stating that they were deeply perturbed to hear of the allegation as it had been their practice to check with the various agents through whom they did business concerning East African ports, that the cargoes involved were not of Southern Rhodesian origin, as had been done in the case in question. They had advised the time charterers that they would be held responsible for all consequences in the event that the vessel loaded unlawful cargo in breach of charter party, and had been again assured that the cargo was not of Southern Rhodesian origin.

(b) Iraq, in a note dated 12 August, stated that, according to information and documents available, the consignment of sugar in question was of Ugandan origin. This was attested to by the Bill of Origin issued by the Swiss Chamber of Commerce and duly endorsed by the Iraqi Embassy at Berne.

4. At the request of the Committee at its 21st meeting, the Secretary-General sent a further note verbale dated 8 September to Iraq, requesting the following additional information: (1) documentary evidence of the origin of the sugar in question; (2) how the sugar came to be shipped from Uganda to Lourenco Marques; (3) the names of the Uganda producers and suppliers thereof.

5. At the 27th meeting of the Committee, the representative of the United Kingdom reported the following further information concerning this matter:

"H. Clarkson and Company Ltd. is a major international shipbrokers' firm which arranges ships' charters for shippers in most parts of the world. The ship concerned was put out on a uniform time-charter from 27 June to S.A. Hilde-Christen K. Gran, shippers of Bergen, Norway. The ship is owned by Pyxis Compania Naviera S.A. of Panama, flies the Greek flag and is operated by Proteus Shipping Ltd., shipping agents, a UK firm headed by a Mr. Dim. Hadjantonakis. Proteus Shipping have supplied a copy of the cargo manifest for the voyage in question. This confirms that the sugar was loaded at Lourenco Marques. Proteus Shipping have told the UK authorities that the bills of lading were apparently signed on behalf of the charterers in accordance with clause 39 of the charter party and that the Master was not asked to sign any bills of lading, nor was he given copies of them. In view of the terms of clause 39 of the charter party which permits either super cargo or the charterer's agents to sign bills of lading and does not specifically provide for the owners or their agents to receive copies, it is doubtful that any such copies will be in the possession of any person or body within UK jurisdiction. In any event, since clause 39 also indemnifies the owner and Master, and presumably their agents also, against all consequences arising from either the charterer's agents or the super cargo signing bills of lading, it would seem that Proteus Shipping Ltd. can disclaim responsibility

for the consequences of the possibility that, when the bills of lading were signed, it was obvious that the cargo had originated in Rhodesia."

6. At the request of the Committee at its 27th meeting, the Secretary-General sent notes verbales dated 29 April 1970 to the Government of Iraq transmitting the above information; and to the Government of Norway, transmitting the United Kingdom note of 21 July, together with the above information, and requesting comments thereon.

(61) Case 60. "Filotis": United Kingdom note dated 4 December 1969

1. By a note dated 4 December 1969, the United Kingdom Government reported a consignment of sugar on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources, which they believe to be of sufficient reliability to warrant investigation by the authorities concerned, to the effect that a large consignment of sugar, suspected to be of Rhodesian origin, was loaded recently at Lourenco Marques aboard the M.V. Filotis. According to the information, the sugar is consigned to the Singapore branch of the firm of Kuok Singapore Ltd. The head office of this firm is reported to be in Jahore with branches at Penang, Malacca and Singapore.

"2. The M.V. Filotis, which is owned by Filotis Cia. Nav. S.A., Panama and is of Greek registry, sailed from Lourenco Marques on 22 November declared for Singapore (where she is expected to arrive on 9 December).

"3. The Government of the United Kingdom suggest that the Committee Established in Pursuance of Security Council resolution No. 253 (1968) may wish to ask the Secretary-General of the United Nations to bring the above information to the attention of the Governments of Singapore and Malaysia with a view to assisting them in their investigations into the origin of any sugar which may be unloaded from the M.V. Filotis at any port in their territories. If the importers of the sugar in question should claim that the sugar is not of Rhodesian origin, the Governments of Singapore and Malaysia will no doubt have in mind the suggestions relating to the production of documentary proof contained in the Secretary-General's note PO 230 SORH (1-2-1) of 18 September 1969.

"4. 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 assist them in their enquiries concerning the carriage on a Panamanian owned, Greek 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 verbales dated 10 December to Greece, Malaysia, Panama and Singapore, transmitting the United Kingdom note and requesting comments thereon.

3. Replies from Greece and Singapore have been received as follows:

(a) In a note verbale dated 21 January 1970, Greece stated that, according to the certificate of origin, the consignment of sugar (23,680,940 lbs.) loaded at Lourenco Marques on 11 November 1969 was of Mozambique origin (Mozambique Raw/Sugar 1969 crop).

By a further note verbale dated 17 March 1970, Greece transmitted the bill of lading, showing that the consignment was of Mozambique origin.

(b) In a note verbale dated 13 January 1970, Singapore stated that, according to the Singapore Comptroller of Customs and Excise, the vessel did not arrive in Singapore on 9 December 1969 as indicated in the UK note. So far, all inquiries had failed even to establish the identity of the local agents of the vessel. A further report would be made to the Secretary-General depending on the results of further investigation in Singapore.

4. By a further note dated 5 January 1970, the United Kingdom Government reported that, from Lloyds Shipping Index, it appeared that the vessel did not call at Singapore but had arrived at Penang on 9 December and left on 25 December bound for Bangkok.

5. At the request of the Committee, following informal consultations, the Secretary-General sent a note verbale dated 9 January 1970 to Thailand, transmitting the United Kingdom note dated 4 December, as well as the note dated 5 January 1970, requesting comments thereon.

5. A reply dated 13 February 1970 has been received from Thailand, stating that legislation has already been enacted to apply sanctions to trade with Southern Rhodesia in accordance with United Nations resolutions and that there has since been no direct trade of any kind between Thailand and Southern Rhodesia. According to the result of investigations by the Thai authorities, the vessel in question had docked at godown No.SSW2 of the port of Bangkok and had been found to be empty and without import or transit merchandise of any kind.

6. At the request of the Committee at its 27th meeting, the Secretary-General sent a note verbale dated 29 April 1970 to the Government of Malaysia,

referring to the Secretary-General's note dated 10 December and requesting a reply thereto. The Malaysian Government was also informed that, according to information received from Greece, the sugar in question was consigned to the Malaysian port of Prai.

(62) Case 65. "Eleni": United Kingdom note dated 5 January 1970

1. By a note dated 5 January 1970, the United Kingdom Government reported information to the effect that the vessel "Eleni", which is owned by Cia. de Nav. Andria S.A., of Panama, and is of Greek registry, sailed from Lourenco Marques on 16 December for Singapore and Saigon. The United Kingdom Government suggested that the Committee might wish to ask the Secretary-General to bring the above information to the attention of the Governments of Singapore and the Republic of Viet-Nam, with a view to assisting them in their investigations into the origin of any sugar which might be unloaded from the vessel at ports in their territories. If the importers of the sugar in question should claim that it was not of Southern Rhodesian origin, Governments would no doubt have in mind the suggestions relating to the production of documentary proof contained in the Secretary-General's note of 18 September 1969. It was also suggested that the Committee might wish to ask the Secretary-General to notify the Governments of Greece and Panama of the above report so as to assist them in their inquiries concerning the carriage aboard a Panamanian owned and Greek registered vessel, of sugar which was suspected to be of Southern Rhodesian origin.

2. Following informal consultations, at the request of the Committee, the Secretary-General sent notes verbales dated 9 January to Greece, Panama and Singapore, transmitting the United Kingdom note and requesting comments thereon.

3. At the request of the Committee at its 26th meeting, the Secretary-General sent a note verbale dated 20 April 1970 to the Republic of Viet-Nam, transmitting the United Kingdom note and requesting comments thereon.

4. Replies have been received from Greece and Singapore as follows:

(a) By a note verbale dated 17 March 1970, Greece transmitted copy of a letter dated 21 January 1970 from SOMARCO (London) Ltd. certifying that the sugar cargo loaded at Lourenco Marques was of Mozambique origin.

(b) In a note verbale dated 27 January 1970, Singapore stated that the vessel was in Singapore's port for bunkering from 10 to 11 January. The 10,500

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metric tons of bagged sugar on board was declared through cargo. The next port of call and final destination was declared as Saigon.

(63) Case 72. "Lavrentios": United Kingdom note dated 8 April 1970

1. By a note dated 8 April 1970, the United Kingdom Government reported information concerning a consignment of sugar loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received information from commercial sources to the effect that a consignment of sugar, suspected to be of Rhodesian origin, was loaded recently at Lourenco Marques aboard the s.s. 'Lavrentios'.

"The s.s. 'Lavrentios', which is owned by Messrs. Astroleal Cia. Nav. S.A. of Panama and is of Greek registry, sailed from Lourenco Marques on 11 March for Singapore and 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 information to the notice of the Governments of Singapore and of the Republic of Viet-Nam, with a view to assisting them in their investigations into the origin of any sugar which may be or may have been unloaded from the s.s. 'Lavrentios' at ports in their territories during the present voyage.

"If the importers of the sugar in question should claim that it is not of Rhodesian origin, the Governments concerned may wish to refer to the suggestions about documentary proof of origin contained in the Secretary-General's Note PO 230 SORH (1-2-1) of 18 September 1969. These could take the form of rail notes and certificates from the producers and packers of the sugar.

"At the same time it is suggested that the Committee may wish to ask the Secretary-General to notify the Governments of Panama and of Greece of the above report so as to assist them in their enquiries concerning the carriage aboard a Panamanian-owned and Greek 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 verbales dated 10 April to Greece, Panama and Singapore; and, at the request of the Committee at its 26th meeting, to the Republic of Viet-Nam dated 20 April, transmitting the United Kingdom note and requesting comments thereon.

3. A reply dated 27 April has been received from Singapore, stating that the vessel arrived at Singapore on 31 March 1970 at 1110 hours. The vessel discharged

149 packages of the ship's stores, comprising mainly paints, oxygene acetylene, freon, CO2 cylinders and heavy cargo hooks. No other commercial cargo was off-loaded in Singapore waters. The ship left Singapore for Saigon on the same day at 1740 hours with 10,415,760 tons of bagged sugar still on board.

F. TRADE IN FERTILIZERS AND AMMONIA

(64) Case 2. Import of manufactured fertilizers from Europe

1. Previous information concerning this case is contained in the second report (S/9252/Add.1, annex XI, pages 30-37).

2. Seven further replies to the Secretary-General's note verbale dated 5 March (see S/9252/Add.1, annex XI, page 33, para. 5) have been received as follows:

- (1) Cyprus
- (2) Italy
- (3) Netherlands
- (4) New Zealand
- (5) Norway
- (6) Poland
- (7) Sweden

In their replies, Cyprus and New Zealand stated that they were not exporters of fertilizers; Poland stated that it did not maintain any political, economic or commercial relations with Southern Rhodesia.

A summary of the replies from Italy, the Netherlands, Norway and Sweden is given below:

(a) Italy received on 12 June, stating that exports of fertilizers to Southern Rhodesia had ceased since 1966 when sanctions were applied. Exports of fertilizers to Switzerland, although slightly increased following an expansion of trade with Switzerland, had stayed within the limits of previous exports before the application of sanctions. The Italian authorities had taken all necessary measures to control the final destination of Italian exports of fertilizers. However, it must be realized that they did not have the power to prevent the re-exportation of fertilizers to third countries by individuals or foreign firms.

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(b) Netherlands dated 10 September, stating that the Fertex Company mentioned in the United Kingdom note acted as a shipping agent for a number of manufacturers of fertilizers in several European countries. Shipments of those goods were arranged through Rotterdam to the order of customers outside Europe. Consequently, the firm acted exclusively under orders of its principals, namely the respective European manufacturers of fertilizers. Investigations into the matter in question had not furnished any proof that the Fertex Company had forwarded fertilizers to Southern Rhodesia.

(c) Norway, dated 23 July, stating that the Norwegian authorities had specifically investigated the possibility that the rules concerning the embargo of trade between Southern Rhodesia and Norway had been contravened with regard to export of fertilizers. The Norwegian authorities had ascertained that no such infractions had occurred, and that no fertilizer had been made available from Norway for export to Southern Rhodesia through the firm Nitrex A.G. of Zurich.

(d) Sweden dated 22 October, stating that according to the stipulations of the Swedish Act on sanctions, Swedish citizens were prohibited from exporting or importing commodities, including fertilizers, out of or into Southern Rhodesia. As far as transport of fertilizers was concerned, there was one case when an investigation was undertaken to find out whether the transport was destined for Southern Rhodesia. In that case, a Swedish vessel, during 1968, transported fertilizers from a European port destined for a firm in South Africa. Since there was some suspicion that the cargo was in fact destined for Southern Rhodesia, the Swedish authorities made a thorough investigation, which revealed nothing to corroborate suspicion and the Swedish Company involved had discontinued all transports of that kind.

3. At its 7th meeting, the Committee requested the Legal Counsel of the United Nations to give an opinion as to the position taken by Switzerland in its note of 24 February (see S/9252/Add.1, annex XI, page 34, para. 4 (2)) concerning the transaction undertaken by Nitrex A.G. as reported in the United Kingdom note of 14 January.

4. Following receipt of the opinion from the Legal Counsel by which it was suggested that further information be requested from Switzerland, the

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Secretary-General, at the request of the Committee at its 17th meeting, sent a note verbale dated 16 July to Switzerland referring to its reply of 24 February and requesting the following further information (a) explaining the legal effect of the Nitrex Company's registration in the commercial register of the city of Zurich; (b) advising whether the Company is organized under Swiss law and whether it has Swiss nationality; (c) advising whether the Swiss Government is 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.

5. No reply has yet been received from Switzerland.

(65) Case 48. Ammonia - "Butaneuve": United Kingdom note dated 24 September 1969

1. By a note dated 24 September 1969, the United Kingdom Government reported information about a cargo of bulk ammonia on board the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received certain information from commercial sources about the supply of bulk ammonia to Rhodesia, which they believe to be sufficiently reliable to merit investigation.

"The information is to the effect that the motor tanker 'Butaneuve' which is owned by Butano S.A. of Madrid, arrived at Lourenco Marques recently and delivered a cargo of bulk ammonia to Terminal Operators Limited an organization specially set up to receive and forward bulk ammonia required for the manufacture of fertilizers at the Sable Chemical Industries Plant.

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council resolution No. 253 (1968) may wish to notify the Spanish Government of the above information to enable them to make suitable enquiries regarding the origin of this ammonia which is destined for Rhodesia and its carriage on a vessel of Spanish registry. The Committee may also wish to suggest to the United Nations Secretary-General that he should draw the attention of all United Nations Member States of this example of the supply of bulk ammonia to Rhodesia contrary to sanctions so as to enable them to take the necessary steps to prevent their national engaging in this trade."

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent a note verbale dated 30 September to Spain, transmitting the United Kingdom note and requesting comments thereon.

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3. A reply dated 9 October has been received from Spain, stating that the information transmitted by the Secretary-General had been received with the greatest interest, since it would be of assistance in the fulfilment of the international obligations deriving from United Nations resolutions which are being scrupulously observed by the Spanish Government. The vessel "Butaneuve" was on charter to the French Company "Gas Ocean" which, on its own initiative and without the knowledge of the Spanish authorities, who had no possibility of taking action, carried a cargo of French ammonia from Lisbon to Lourenco Marques.

4. In a letter dated 8 December, the Permanent Representative of France stated that the vessel in question had been chartered to the French Company "Gas Ocean" which specialized in the transport of gas on request throughout the world and was responsible for fifty or so vessels of various nationalities, including the Spanish vessel "Butaneuve". In the present case, the gas loaded at Lisbon was delivered by the producing company FERTIBERIA. Consigned to the "National Process Industries" of Johannesburg, it was placed in bond at Lourenco Marques, the only port in this region equipped to handle liquified ammonia gas at -33 degrees. The accompanying documents in the possession of the transporter gave no indication of any possible re-exportation to Southern Rhodesia. Moreover, the shipment in question was not the only one which the "Gas Ocean" had carried for the same consignee to the same port. In particular, the company had transported gas from the United States to Lourenco Marques on board the Norwegian ships "Gaslion" and "Isfoon".

5. At the request of the Committee at the same meeting, the Secretary-General also sent notes verbales dated 6 October to all Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note.

6. Replies were not requested but acknowledgements have been received from Burma, Canada, the Federal Republic of Germany, the Netherlands and New Zealand.

7. By a further note dated 2 April 1970, the United Kingdom Government reported information to the effect that the Spanish motor tanker "Butaneuve"

"which was the subject of the United Kingdom's note of 24 September 1969, recently called at Lisbon to load some 9,000 tons of anhydrous ammonia.

This was supplied by the Portuguese company Petroquimicia S.A.R.L. Sociédada Portuguesa. The vessel left Lisbon on 8 March declared for Lourenco Marques.

"Having regard to the information contained in the United Kingdom Government's previous notes referred to above, it would seem likely that the ammonia recently loaded at Lisbon on the 'Butaneuve' will be delivered to Armazed de Productos Quimicos de Mocambique Ida, (APROCIL), and subsequently railed to Sable Chemical Industries Limited at Que Que, Southern Rhodesia. In this case the shipments of bulk anhydrous ammonia to Lourenco Marques since May 1969 will have totalled nearly 70,000 tons.

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council resolution 253 (1968) may wish to invite the United Nations Secretary-General to bring to the notice of the Governments of Portugal and Spain this latest shipment of ammonia to Lourenco Marques with a view to assisting them to investigate the supply by a Portuguese company and the carriage in a vessel of Spanish registry of bulk anhydrous ammonia, which on the information available to the United Kingdom, would appear to be destined ultimately for Southern Rhodesia."

8. At the request of the Committee, following informal consultations, the Secretary-General sent notes verbales dated 8 April 1970 to Portugal and Spain, transmitting the United Kingdom note and requesting comments thereon.

9. A reply dated 30 April 1970 has been received from Spain, reiterating that the vessel was still on lease to the French company "Gas Ocean" which, on its own account and without the knowledge of the Spanish authorities, had contracted for the vessel's freight during the term of the lease. The Spanish Government was not in a position to prevent such commercial operations, of which it learned only post facto.

(66) Case 32. Bulk ammonia: United Kingdom notes dated 15 October and 10 November 1969

1. By notes dated 15 October and 10 November 1969, the United Kingdom Government reported information about arrangements for the supply of ammonia in bulk to Southern Rhodesia. The texts of these two notes are reproduced below:

United Kingdom note dated 15 October 1969

"The Government of the United Kingdom, in continuation of their note of 24 September have received further information which they believe to be sufficiently reliable to merit investigation about arrangements for the supply of ammonia in bulk to Southern Rhodesia."

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"The information is to the effect that Sable Chemical Industries Ltd. of Que Que, Southern Rhodesia, which has recently established a plant to produce nitrogenous fertiliser using ammonia as a raw material, is seeking to conclude a long term contract for the supply of bulk ammonia from, among others, the National Iranian Petro-Chemical Company of Tehran. The hope is that supply should begin early in 1970 and that the quantity involved, of the order of 60,000 tons per annum, should be imported into Rhodesia through Lourenco Marques where, as stated in the note referred to above, special facilities have been constructed to handle and store bulk ammonia before this is railed on to Que Que in Rhodesia. It appears that the enquiries relating to the proposed contract have been made through intermediaries and the ultimate destination of the ammonia may not have been declared to prospective suppliers.

"The Government of the United Kingdom suggest that the Committee established in pursuance of Security Council resolution No. 253 (1968) may wish to consider asking the Secretary-General of the United Nations to notify the Government of Iran of this information so as to assist that Government to investigate the matter and to take any steps which may be necessary to prevent the supply by an Iranian company of bulk ammonia to Rhodesia. At the same time the Committee may further wish to ask the Secretary-General to bring this information to the attention of all States Members of the United Nations and specialized agencies with a view to assisting them to ensure that any manufacturers, exporters and shippers of ammonia in their countries, are aware that enquiries for bulk supplies of ammonia for shipment to Lourenco Marques should be examined closely to ensure that they are not in fact intended for Rhodesia."

United Kingdom note dated 10 November 1969

"The Government of the United Kingdom have received further information about companies involved in the supply of bulk anhydrous ammonia to Rhodesia which supplements the information contained in the United Kingdom Governments notes of 24 September and 15 October.

"The information is to the effect that the ammonia storage facilities at Lourenco Marques (referred to in the United Kingdom Government's note of 15 October) are located in Vila Salazar, Matola and are operated by Armazed de Productos Quimicos de Mocambique Lda, (APROCIL). From Matola imported ammonia is railed in specially constructed tank wagons direct to the Sable Chemical Industries' fertiliser plant at Que Que in Southern Rhodesia. According to information received by the United Kingdom Government subsequent to their notes of 24 September and 15 October some 28,000 tons of bulk ammonia has been delivered by sea to APROCIL at Vila Salazar since May 1969. Of this some 20,000 tons has already been railed to Rhodesia: the remainder is still in bond in APROCIL's storage tanks.

"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% share holding in C and I/Girdler International, Southern, Eastern and Central Africa (Pty) Ltd., (CIGI-SECA).

"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 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% nitrogen per annum to be produced as solid prilled ammonium nitrate of 34% 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.

"The United Kingdom Government have also information that Terminal Operators Ltd. (which was referred to in the United Kingdom Government's Note of 24 September) is registered in Liechtenstein.

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council resolution No. 253 (1968) may wish to ask the United Nations Secretary-General to bring the above information to the attention of all States Members of the United Nations and the specialized agencies with a view to assisting them in any enquiries they may make with regard to bulk anhydrous ammonia to be supplied by their nationals to the storage facilities at Vila Salazar, Matola, referred to above or on the orders of the associate of the operators of the facilities or with regard to the carriage of bulk anhydrous ammonia in vessels of their registry to Lourenco Marques."

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 26 November to Iran, transmitting the United Kingdom notes and requesting comments thereon.

3. A reply dated 11 February 1970 has been received from Iran stating that an investigation into the matter had established that although there was nothing in the contract of 18 July 1969 between the National Iranian Petro-Chemical Company and the Terminal Operators Ltd. which could be construed as a violation of the ban imposed by the Government of Iran (see S/8786/Add.6) in compliance

with Security Council resolution 253 (1968), the National Iranian Petro-Chemical Company was asked to obtain, as a precautionary measure, an assurance from the purchasing company that the latter would not re-export to Southern Rhodesia the ammonia purchased from Iran. Accordingly, a written undertaking had been given by the Terminal Operators Ltd. to the effect that the ultimate destination of the ammonia purchased under the above contract would not be Southern Rhodesia.

4. Also at the request of the Committee at its 23rd meeting, the Secretary-General sent notes verbales dated 5 December 1969 to Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom notes and requesting comments thereon.

5. The following replies have been received:

Cambodia	Kuwait
Congo (Democratic Republic of)	Malawi
Cyprus	Mauritania
Denmark	Netherlands
El Salvador	Poland
Ethiopia	Singapore
Federal Republic of Germany	Somalia
Guyana	Sweden
Hungary	USSR
Italy	Upper Volta

6. Of the above replies, those from the Democratic Republic of the Congo and Mauritania acknowledged receipt of the Secretary-General's note verbale and enclosures; and those from El Salvador, the Federal Republic of Germany and Italy stated that the Secretary-General's note and enclosures had been brought to the attention of their respective Governments. The replies from Cambodia, Hungary, Kuwait, Malawi, Poland, Somalia, the USSR and Upper Volta stated that either they complied with the provisions of Security Council resolution 253 (1968) or that they had no trade relations with Southern Rhodesia or with the particular company mentioned in the United Kingdom notes. A summary of the substantive parts of the remaining replies is given below:

(a) Cyprus dated 16 February 1970 stated that the necessary measures had been taken by the appropriate authorities to ensure that no export licence, covering the export, re-export or trans-shipment to Lourenco Marques of bulk ammonia, was issued.

(b) Denmark dated 6 February 1970 stated that the Danish authorities had not knowledge of nor any reason to suspect any illicit export of ammonia from Denmark.

That commodity was imported into Denmark in large quantities. Danish exports were insignificant and most were sold to another Scandinavian country. The figures were as follows: imports: in 1967: 50 million kroner; in 1968: 58 million kroner; in 1969 (nine months): 60 million kroner; exports to non-Scandinavian countries: in 1967: 64,000 kroner; in 1968: 3,000 kroner; in 1969 (nine months): 3,000 kroner. There was nothing to suggest that exports of ammonia from Denmark could reach Southern Rhodesia via third countries in any significant quantity.

(c) Ethiopia dated 1 April 1970 stated that if the mandatory comprehensive sanctions were to show any results, it was necessary to put an end to all such arrangements designed to frustrate the measures decided upon by the Security Council. The Ethiopian Government believed that the disclosure, with as wide publicity as possible of all such violations could discourage commercial concerns from engaging in such practices. In the view of the Ethiopian Government, it was the skilful evasions by business concerns, acting through intermediaries in Mozambique and South Africa, that have enabled the régime in Southern Rhodesia to survive with impunity the impact of sanctions. The Ethiopian Government did not therefore consider the arrangements for the supply of ammonia to Southern Rhodesia as an isolated case of bypassing the formal requirements of the Security Council resolutions. The Ethiopian Government was of the opinion that the Committee should address itself specifically to the problem of sanctions evasions and should make known to the international community at large all violations of sanctions, as well as what is being done in order to deal with them. Ethiopia of course had severed all economic, trade and any other form of contact with Southern Rhodesia.

(d) Guyana dated 10 April 1970 stated that since neither Guyanese nationals nor companies were involved in the manufacture or shipment of bulk ammonia, the Secretary-General's note did not have any immediate relevance to Guyana. However, the Government of Guyana undertook to scrutinize any applications for re-exports of that commodity to ensure that such shipments were not destined for Southern Rhodesia.

(e) Netherlands dated 29 April 1970 stated that during 1968 and 1969 no dehydrated ammonia was exported from the Netherlands to Mozambique.

(f) Singapore dated 13 January 1970 stated that the Singapore Government would not fail to investigate the sources of any shipments of ammonia in bulk if

such commodities were imported from or exported to the Territories mentioned in the United Kingdom notes.

(g) Sweden dated 1 April 1970 stated that although Swedish exports of anhydrous ammonia were made only to user countries in the vicinity of Sweden, the Swedish authorities had been directed to keep in mind the contents of the Secretary-General's note.

7. By a further note dated 9 April 1970, the United Kingdom Government reported that further information had been received in connexion with the construction of the ammonia synthesis plant at Que Que, referred to in the note of 10 November 1969, which was believed to be sufficiently reliable to warrant investigation. The information was to the effect that the South African companies CIGI-SECA and National Process Industries (Pty) Ltd. (NPI, as explained in the United Kingdom note of 10 November 1969, has a 48 per cent holding in CIGI-SECA) were seeking offers for the supply of equipment for an ammonia synthesis plant to be constructed at Que Que in Southern Rhodesia. Efforts were being made to obtain the equipment needed from suppliers in France, Japan, Switzerland and the Federal Republic of Germany, to whom it might be or might have been presented as a requirement for a project outside Southern Rhodesia. The United Kingdom Government suggested that the Committee might wish to ask the Secretary-General to bring the above information to the attention of those countries which received copies of the previous United Kingdom note referred to above, in order to assist them should any of their manufacturers and exporters of plant for the manufacture of synthetic ammonia receive any inquiry or orders from the South African companies named above which might relate to the plant of Sable Chemical Industries Ltd. at Que Que in Southern Rhodesia.

8. At the request of the Committee, at its 26th meeting, the Secretary-General sent notes verbales dated 30 April to Member States of the United Nations or members of the specialized agencies, transmitting the United Kingdom note and requesting comments thereon.

(67) Case 66. "Cerons": United Kingdom note dated 7 January 1970

1. By a note dated 7 January 1970, the United Kingdom Government reported information to the effect that the motor tanker "Cerons", which is owned by Cie. Havraise et Nantaise Peninsulaire of Paris, was due to sail in the very near future from Bandar Shapur with a cargo of bulk anhydrous ammonia, loaded at that port for shipment to Lourenco Marques. Having regard to the information contained in the United Kingdom notes of 15 October and 10 November (see case (54), paragraph 1), it might be anticipated that this shipment was destined for ultimate delivery to Sable Chemical Industries Ltd. in Southern Rhodesia for the manufacture of fertilizers. The United Kingdom Government suggested that, since there was occasion for making investigations before the vessel sailed, the Committee might wish to ask the Secretary-General to give urgent notice to the Governments of France and Iran of the above information to assist them in their investigations into the true ultimate destination of the ammonia.

2. Following informal consultations, at the request of the Committee, the Secretary-General sent a note verbale dated 9 January 1970 to Iran, transmitting the United Kingdom note and requesting comments thereon.

3. The representative of France in the Committee took note of the information transmitted in the United Kingdom note.

(68) Case 69. "Mariotte": United Kingdom note dated 13 February 1970

1. By a note dated 13 February 1970, the United Kingdom Government reported information concerning a cargo of bulk ammonia loaded on the above vessel. The text of the note is reproduced below:

"The Government of the United Kingdom have received further information about the supply of bulk anhydrous ammonia to Southern Rhodesia which supplements the information contained in the United Kingdom Government's notes of 24 September, 15 October and 10 November 1969 and 7 January 1970 and that contained in the note from the Permanent Representative of France dated 8 December 1969. They believe the information is sufficiently reliable to warrant further investigation.

"The information is to the effect that under arrangements made by the French firm Gazocean and National Process Industries (Pty) Limited (NPI) of South Africa, the French motor tanker 'Mariotte' recently loaded at Lisbon a cargo of about 10,000 tons of bulk anhydrous ammonia. The vessel left Lisbon on 19 January declared for Lourenco Marques.

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"According to the United Kingdom Government's information the shipment on the 'Mariotte' is the sixth shipment of bulk ammonia to Lourenco Marques since May 1969. All these shipments to a total of about 60,000 tons have been made under arrangements between Gazocean and NPI or its associated companies.

"According to the United Kingdom Government's information Quimica Geral is the only company in Mozambique whose operations involve the use of bulk ammonia as a feed-stock or raw material. This company's plant has a maximum requirement of 20,000 tons of ammonia per annum. The only other two Territories in southern Africa with a requirement for bulk ammonia are South Africa and Southern Rhodesia. It is understood that South African production of ammonia is normally sufficient for its own domestic needs. Indeed, according to South African published statistics for the first five months of 1969, the latest available, South Africa exported about 5,000 tons of ammonia over that period. Southern Rhodesia has no domestic production of ammonia but following the construction of the Sable fertilizer plant at Que Que has at present a requirement for the import of up to 60,000 tons of ammonia per annum as feed-stock. In the light of the above information there is a strong presumption that the greater part of the bulk ammonia imported into Mozambique since May 1969 must have been destined for the Sable fertilizer plant at Que Que which is known to be producing ammonium nitrate fertilizer.

"The United Kingdom Government 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 French Government so as to assist them in their inquiries into the carriage on a French vessel of ammonia which may be destined for ultimate delivery to Southern Rhodesia. The Committee established in pursuance of Security Council resolution 253 (1968) may also wish to ask the French Government to inform the Committee of the name of the supplier of the ammonia so that the United Nations Secretary-General may in turn pass this information to the Government concerned so as to assist them in inquiries into the ultimate destination of the cargo in question."

2. The representative of France in the Committee took note of the information contained in the United Kingdom note.

G. MOTOR VEHICLES

(69) Case 9. Motor vehicles: United States note dated 28 March 1969

1. At the request of the Committee at its 25th meeting, the Secretary-General sent a note verbale dated 15 January 1970 to all Member States of the United Nations or members of the specialized agencies, transmitting the following note dated 19 December 1969 incorporating the information received by the Committee at that date:

"1. As of 19 December 1969, four Reports concerning the local assembly of motor vehicles in Southern Rhodesia have been received, one from the United States Government and three from the United Kingdom Government. A summary of the Notes and of the action taken thereon, is given below:

"1. Note dated 28 March 1969 from the United States Government

"2. In a note dated 28 March, the United States Government drew the attention of the Committee to reports that new automobiles of foreign manufacture were being assembled and sold in Southern Rhodesia. Those reports indicated that thirteen models of cars were being assembled in plants in Salisbury and Umtali from kits that had been imported into Southern Rhodesia via South Africa from the Federal Republic of Germany (BMW), France (Citroen and Peugeot), Italy (Alfa Romeo) and Japan (Daihatsu and Isuzu). There were also indications that some commercial vehicles were being assembled in the territory. It was possible that kits might pass through several intermediaries before reaching Southern Rhodesia.

"3. At the request of the Committee, the Secretary-General brought the above information on 30 April to the attention of the Governments of the Federal Republic of Germany, Italy and Japan. The representative of France in the Committee took note of the United States communication. The following replies have been received:

(a) In a note verbale dated 2 May, the Acting Permanent Representative of Italy stated that the information contained in the note from the United States Government had been conveyed to the proper authorities in Italy.

(b) In a letter dated 12 May, the Permanent Representative of France informed the Secretary-General that the French Government had prohibited the sale to Rhodesia of any automobiles, whether assembled or in the form of separate parts. No export license for such products had been issued since sanctions had gone into effect. The French Government was not of course in a position to determine the final destination of all separate parts exported by French companies or their foreign affiliates.

(c) In a note verbale dated 9 June, the Acting Permanent Observer of the Federal Republic of Germany stated that in 1967 the Bavarian Motor Works (BMW) had acquired the Hans Glas Motor Cars Ltd. and had subsequently developed the '1800 GL' car especially for assembly abroad. The kits were offered for sale in numerous countries, including South Africa. In 1967, an assembly and import agreement had been concluded between BMW and the Euro-Republic Automobile Distributors (Pty) Ltd. in Pretoria. All partners of that firm were citizens of South Africa. BMW had no influence on the business activities of that firm. BMW delivered machine tools from the former Glas plant and, in addition, kits. Assembly in South Africa had been started on 1 July 1968. With all deliveries, the accompanying documents, including the bills of lading, bore the proper description

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'BMW RHD CKD sets'. The Bavarian Motor Works had not delivered any parts of kits to Southern Rhodesia.

(d) In a note verbale dated 14 July, the Permanent Representative of Japan informed the Secretary-General of the following comments of the Government of Japan:

(1) Since December 1966, when the Security Council adopted its resolution 232 (1966) imposing selective economic sanctions against Southern Rhodesia, there had been no Japanese export destined for Southern Rhodesia of any automobiles, whether assembled or in the form of kits or parts (including such products as Daihatsu and Isuzu). A ban on the export of such products was assured by existing Japanese regulations, necessary revisions of which had been made in order to implement the above-mentioned resolution, as well as Security Council resolution 253 (1968);

(2) The authorities concerned carefully examined each final destination which appeared on applications for export licenses for such products and no license had been or would be granted for exports destined for Southern Rhodesia;

(3) Although it was possible that importing countries might resell to Southern Rhodesia automobiles or their parts exported from Japan, such resales were beyond the control of the Government of Japan.

"II. Note dated 8 August from the United Kingdom Government

"4. In a note dated 8 August, the United Kingdom Government drew the attention of the Committee to information concerning the local assembly of motor vehicles in Southern Rhodesia, to the effect that:

(a) In 1967, in contravention of the provisions of Security Council resolution 232 (1966), Isuzu Vehicles Ltd. of Salisbury made arrangements with Isuzu Motors Ltd. of Tokyo for the supply to Rhodesia of Isuzu motor vehicles; and with (or with the knowledge of) a Director of Société Automobiles Citroen of Paris, for the supply to Rhodesia of Citroen motor vehicles. Under those arrangements, vehicles (in assembled form) were ostensibly consigned to various companies in Mozambique and South Africa, including Stanley Motors Ltd. of Johannesburg and Lourenco Marques, Auto Commercial Limitada of Lourenco Marques, Technical Industrial Limitada of Lourenco Marques and CICAL (Consoxia Importados de Damioes E. Automoveis) of Beira. Those 'consignees' transferred their title to the vehicle concerned to the Lourenco Marques Forwarding Co. Ltd., which then took delivery and forwarded the vehicles to Rhodesia. Among the deliveries effected under those arrangements was a small consignment of fully assembled 'Florian' motor cars which were shipped by Isuzu Motors Ltd. of Tokyo on the 'Straat Florida' in March 1969, consigned to Auto Commercial Limitada of Lourenco Marques;

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(b) In 1968 there was a further development in that vehicles in CKD form (i.e. 'completely knocked down' for subsequent local assembly) were consigned to Stanley Motors Ltd., either at Johannesburg, Lourenco Marques or Durban, ostensibly for assembly at Stanley Motors' plants in South Africa, but in fact for delivery to Southern Rhodesia. Among the deliveries effected in that way were a consignment of about thirty crates of CKD vehicles kits from Isuzu Motors Ltd. of Tokyo, that had been shipped to Durban on the Dutch vessel 'Straat Florida' in March 1969, and two consignments each of over 100 CKD vehicles that had been consigned by Citroen of Paris to Stanley Motors, Johannesburg, on the French vessel 'Forbin' in April 1969 and 'Ango' in May 1969;

(c) In June 1969, Mr. Treger, the Managing Director of Isuzu vehicles Ltd., Salisbury, visited Japan where he had discussions with Isuzu Motors Ltd. of Tokyo. He subsequently visited Paris where he was known to have made contact with Société Automobiles Citroen of Paris.

"5. At the request of the Committee, the Secretary-General brought the above information on 14 August to the attention of the Government of Japan. The Secretary-General also drew the United Kingdom Note to the attention of the Governments of the Federal Republic of Germany, Italy, the Netherlands, Portugal, Spain and Sweden, as States with motor car export industries, and to the Governments of Kenya, Malawi, the United Republic of Tanzania and Zambia as States whose ports might be used by would-be sanctions breakers. The representative of France in the Committee took note of the United Kingdom communication.

"6. On 18 August, the Federal Republic of Germany acknowledged receipt of the United Kingdom Note and stated that it had been transmitted to the Government of the Federal Republic of Germany. On 9 September, the Permanent Mission of France transmitted a reply, which is summarized below (see paragraph 9). On 18 September, the Permanent Representative of Italy sent a reply (see paragraph 10). In a note verbale dated 17 October, the Permanent Representative of the Netherlands stated that the Netherlands Government had taken due note of the fact that the United Kingdom Note dated 8 August had acknowledged that the consignments of motor vehicles and motor parts on the Netherlands vessel 'Straat Florida' were shipped to South Africa and Mozambique and that its consignees did not reside in Southern Rhodesia. The Netherlands Authorities nevertheless had made an enquiry into those shipments which corroborated the aforementioned information. However, the Netherlands Government pointed out that the shipping company in question, having delivered the shipments, could not be aware of their final destination, the services of such companies being terminated with the delivery of the goods. The Netherlands Government regretted that the name of a Netherlands vessel had been mentioned in the matter since that might have resulted in Netherlands interests being damaged unnecessarily.

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"III. Note dated 20 August from the United Kingdom Government

"7. In a note dated 20 August, the United Kingdom Government drew the attention of the Committee to the following information, supplementing that contained in its previous note of 8 August, concerning future supplies to Rhodesia of vehicle kits from France, Italy and Japan:

(a) France: Following the visit of Mr. Treger, the Managing Director of Isuzu Vehicles Ltd. of Salisbury, to Paris in June, the supply of Citroen vehicle kits to Isuzu Vehicles Ltd. of Salisbury was to be continued and the range of supply was to be extended to include Citroen model AMI 8.

(b) Italy: Arrangements were being made for the supply of FIAT motor vehicle kits, through a European intermediary, to Southern Rhodesia for assembly there and the first shipment of about 500 FIAT vehicles, in kit form, might be shipped in the near future. Mr. G. Treger had recently visited Italy.

(c) Japan: Isuzu Vehicles Ltd. at Salisbury were continuing to obtain Isuzu commercial vehicles from Japan. Some Isuzu vehicles were also assembled from imported kits in South Africa. Both the kits intended for Southern Rhodesia and those intended for South Africa were consigned to South Africa. The kits intended for Southern Rhodesia were ostensibly addressed to Stanley Motors Ltd. at Durban, but were addressed in such a way that they could be identified on arrival at Durban and immediately sent on to Rhodesia.

"8. At the request of the Committee, the Secretary-General brought the above information on 8 September to the attention of the Governments of Italy and Japan. The representative of France in the Committee took note of the United Kingdom communication. A reply is awaited from the Government of Japan.

"9. In a letter dated 9 September to the Chairman of the Committee, the Permanent Representative of France recalled his reply dated 12 May (see paragraph 2 (b) above) and stated that inquiries carried out by the French authorities, considerably in advance of the United Kingdom Note of 8 August, had established that most motor vehicle manufacturers were unaware of the final destination of the goods which they exported. The Citroen Co. itself did not recognize any responsibility, once the goods had been sold, for the re-export of them by the purchasers or by plants situated abroad which assembled Citroen vehicles. If the South African firm, Stanley Motors, bought French motor vehicle parts, it disposed of them as it saw fit; the other agencies mentioned in the United Kingdom Note enjoyed the same freedom and were for the most part unknown to the Citroen Co. The Permanent Representative added that it would appear that the practices described in the United Kingdom Note were general and that new vehicles bearing the trademarks of the leading world manufacturers were offered for sale on the Rhodesian market, even though the Governments of the countries in which the goods

originated, like the Government of France, investigated and prohibited all direct trade with Rhodesia by their nationals. The French Government considered that it would be advantageous to draw the attention of the countries concerned to that problem.

"10. In a note verbale dated 18 September the Permanent Representative of Italy stated that following an appropriate inquiry, the competent authorities in Italy had ascertained that no motor vehicle kit had been supplied, directly or indirectly, by Fiat in Southern Rhodesia. The Company, moreover, had never had any contact with Mr. G. Treger who, according to the information in the United Kingdom Note, would have acted as an agent for the said alleged supply of motor vehicle kits.

"11. In discussion in the Committee on 26 September the United Kingdom representative agreed that Governments could not exercise direct control on the ultimate destination of vehicles and spare parts when these passed out of their control. But he pointed out that the United Kingdom's reports concerned cases where the firms appeared to have knowledge of the ultimate destination. His own Government had taken the step of seeking assurances from United Kingdom manufacturers which exported motor vehicles and spare parts to South Africa that they would attempt to see that no vehicles or spare parts were subsequently re-exported to Southern Rhodesia. His Government was doing its best to ensure that manufacturers complied with their undertakings, and, if any violations came to light, it would conduct immediate investigations. He suggested that other Governments should obtain similar assurances from manufacturers in their own countries, and should impress upon them the urgency of the matter.

"IV. United Kingdom Note dated 6 October 1969

"12. In a note dated 6 October, the United Kingdom Government drew the attention of the Committee to further information about arrangements for the import into Southern Rhodesia of motor vehicles and motor vehicle kits referred to in previous notes to the Committee of 8 and 20 August, to the effect that:

(a) Past and future rates of importation. Between mid-1968 and mid-1969 Isuzu Vehicles Limited of Salisbury allegedly imported into Rhodesia about 900 Citroen passenger car kits in CKD form (completely knocked down). The firm in question plans to import at least the same number of car kits over the next twelve months including, as indicated in the note submitted to the Committee on 20 August, a number of FIAT passenger car kits.

(b) Arrangements for consigning future supplies. The arrangements set out in the notes submitted to the Committee on 8 and 20 August whereby Isuzu Vehicles Limited of Salisbury received supplies of vehicle kits from Société Automobiles Citroen of Paris and Isuzu Motors Limited of Tokyo through certain intermediaries in Mozambique and South Africa are to be changed for future supplies from these two firms. A South African firm,

Isuzu Distributors S.A. (Pty) Limited, of Johannesburg, which is linked with Isuzu Vehicles Limited, Salisbury, was set up about a year ago for this purpose and has recently acquired from Isuzu Motors Limited of Tokyo the franchise for that Company's vehicles in South Africa. As part of these arrangements future supplies of vehicles for southern Africa from the Japanese motor manufacturers concerned are allegedly to be consigned to Isuzu Distributors S.A. (Pty) Limited. The South African Company will place orders both for genuine South African requirements and for Isuzu Vehicles Limited of Salisbury, the goods ordered on behalf of the Rhodesian firm being forwarded direct to Salisbury after arrival at Durban. Similar arrangements are in hand for setting up a South African firm to import Citroen vehicles in South Africa both for distribution in that territory and for supply direct to Isuzu Vehicles Limited of Salisbury.

(c) Assembly of Isuzu commercial vehicles in Rhodesia. Under arrangements with Isuzu Motors Limited of Tokyo, Isuzu Vehicles Limited (Salisbury) are allegedly importing into Rhodesia, in CKD form, three types of Isuzu commercial vehicles. These are a 7-ton truck and two other types known as the 'WASP' and the 'ELF'. Isuzu Distributors S.A. (Pty) Limited of Johannesburg handles the orders for these commercial vehicles for both Rhodesia and South Africa. On arrival at Durban the kits for Rhodesia are sent direct to Isuzu Vehicles Limited (Salisbury) and those for South Africa to Stanley Motors Limited, Johannesburg. The Isuzu commercial vehicles currently being assembled in South Africa do not include the "ELF" and the 'WASP', there is therefore no genuine South African requirement for CKD kits for these types of vehicle.

"13. At the request of the Committee, the Secretary-General brought the above information on 26 November to the attention of the Governments of Italy and Japan. As in the case of the United Kingdom Note dated 8 August, the Secretary-General also drew the information contained in the note of 6 October to the attention of the Governments of the Federal Republic of Germany, the Netherlands, Portugal, Spain and Sweden, as States with motor car export industries, and to the Governments of Kenya, Malawi, the United Republic of Tanzania and Zambia as States whose ports might be used by would-be sanctions breakers. The representative of France in the Committee took note of the United Kingdom communication.

"14. The following replies have been received:

(a) In a note verbale dated 5 December, the Permanent Representative of Italy stated that the United Kingdom Note had been transmitted to the proper authorities for the exercise of the appropriate control on motor vehicle kits produced in Italy;

(b) In a note verbale dated 5 December, the Permanent Representative of Japan stated that his Government had investigated the matter and obtained the following information from the 'Isuzu Jidosha Kabushiki-Kaisha' (Isuzu Motors Ltd.):

"Immediately after the adoption by the Security Council of resolution 232 (1966), Isuzu Motors Ltd. had cancelled its sales contract with Isuzu Vehicles Co. Ltd of Salisbury and had ceased the export to the latter of any kind of motor vehicle, either in assembled form or kits. It should be noted that Isuzu Motors Ltd. had no investment in Isuzu Vehicles Co. Ltd. of Salisbury and that the latter company was using the name of 'Isuzu' without the permission of the former. Therefore, Isuzu Motors Ltd. had recently decided to ask the said Company of Salisbury not to use the name of 'Isuzu'.

"The export of Isuzu motor vehicles to South Africa was carried out through Isuzu Distributors S.A. (Pty) Ltd. of Johannesburg. The sales area of the company was South Africa, Lesotho, Botswana and Swaziland, and the sale of Isuzu motor vehicles in areas such as Southern Rhodesia, other than those mentioned above, was prohibited by the contract between that company and Isuzu Motors Ltd.

"Among the motor vehicles exported, 'WASP' and 'ELF' were exported in semi-knock-down form, assembled in South Africa and sold in the areas specified as above by the contract. Therefore the last part of paragraph (c) of the United Kingdom Note was contrary to the fact.

"The sales contract with Stanley Motors Ltd. of Johannesburg and of Lourenco Marques was cancelled at the end of 1968, the said company having become affiliated with Chrysler.

"The export to Mozambique of Isuzu vehicles was carried out through Auto Commercial Limitada of Lourenco Marques and the resale to areas other than Mozambique was likewise prohibited by the sales contract.

"Mr. Treger, who holds a British passport, visited Japan in June 1969. The object of his visit was to discuss with Isuzu Motors Ltd. matters related to transferring the contract on sales in South Africa from Stanley Motors Ltd., former agent of Isuzu Motors Ltd., to Isuzu Distributors S.A. (Pty) Ltd. The sale to Southern Rhodesia was in no way discussed.

"(c) In a letter dated 11 December, the Permanent Representative of France stated that an investigation by the French authorities had revealed that no French automobile manufacturers had exported goods directly to Southern Rhodesia since the entry into force of Decree No. 68-759 prohibiting the import of goods originating in that country or exported therefrom or the export of goods to that country. However, it was impossible to control the resale and re-export of those goods by direct dealers without the assistance of the country in which such transactions took place.

"This was a problem which faced all exporting countries. The fact that there were in Southern Rhodesia automobiles manufactured by leading

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international firms proved that Southern Rhodesian assembly plants (BMC-LEYLAND-ROVER-FORD) and local repair shops were obtaining separate parts and spare parts from markets other than those from which the assembled and repaired vehicles had originated. The same was true in the case of tractors (MacCormick-Allis Chalmers-Caterpillar-Nuffield), in spite of the vigilance with which the Governments concerned were enforcing sanctions. In any event, the French authorities had warned French automobile manufacturers that such practices were contrary to the provisions of resolution 253 (1968). Citroen for its part had decided to ask its dealers to give a written undertaking that they would not re-export to Southern Rhodesia or resell in that country equipment supplied by that company.

"The French Government was following the matter closely and taking steps to ensure that all manufacturers were aware that violations of the provisions of Decree No. 68-759 were subject to the penalties stipulated in the French Customs Code, and to the publicity accompanying that legislation.

"15. While the Committee recognized that in many cases the original manufacturers will be unable to control the ultimate destination of goods they have exported, the Committee was of the opinion that manufacturers might reasonably be asked by their Governments to give assurances that they would do their best to see that such re-exports did not take place to Southern Rhodesia, and that Governments should institute thorough-going investigations into any case in which there are grounds to suspect that manufacturers or exporters of vehicles in their territories have been or are engaging in direct dealings with vehicle importers or vehicle assemblers in Southern Rhodesia. At its meeting on 19 December 1969, the Committee decided that the above information should be brought to the attention of all countries referred to in paragraphs 20 (b) and 22 of Security Council resolution 253 (1968) in which motor vehicles are manufactured; and it expressed the wish that all these Governments should supply the Committee with any further available information regarding any activities by their nationals or in their territories concerning this trade."

2. Since issuance of the Secretary-General's note of 15 January 1970, the following additional replies have been received to the Secretary-General's note verbale of 26 November 1969 (see para. 1 (13) above):

(a) The Federal Republic of Germany, in a note dated 9 December, stated that the contents of the Secretary-General's note had been transmitted to the Government of the Federal Republic;

(b) The Netherlands, dated 23 January 1970 acknowledged the Secretary-General's note;

(c) Sweden, dated 17 December stated that the Swedish authorities had investigated the matter with Swedish motor vehicle manufacturers and confirmed that there was no Swedish export of motor vehicles or parts thereof into Southern Rhodesia.

3. The following replies have been received to the Secretary-General's note verbale of 15 January, referred to in paragraph 1 above:

Burma	Mauritania
Canada	New Zealand
Colombia	Nigeria
Congo (Democratic Republic of)	Poland
Federal Republic of Germany	Singapore
Greece	Somalia
Hungary	USSR
Madagascar	

Of the above replies, those from Canada, Colombia, the Democratic Republic of the Congo, the Federal Republic of Germany, Greece, Hungary, Mauritania, New Zealand and Nigeria stated that the Secretary-General's note was being transmitted to their respective Governments. The reply from Colombia also stated, as did the reply from the USSR, that they had no trade relations of any kind with Southern Rhodesia. The reply from Burma stated that Burma was not a country which manufactured motor vehicles or parts thereof for export.

4. Substantive parts of the remaining replies are given below:

(a) Madagascar, in a note verbale dated 24 February 1970, stated that Madagascar did not export motor vehicles to Southern Rhodesia. The motor vehicles assembled at Tapanarive were exclusively destined for the domestic market.

(b) Singapore, in a note verbale dated 23 March 1970, stated that no exports of vehicles or knocked-down parts of vehicles were made by Singapore vehicle assemblers or traders to Southern Rhodesia or the neighbouring territories for the past three years. Furthermore, the Singapore Government had banned all trade with Southern Rhodesia, and would institute administrative checks to ensure that such vehicles or parts thereof were not exported to the neighbouring territories of Southern Rhodesia unless for valid and genuine reasons.

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(c) Somalia, in a note verbale dated 12 February 1970, stated that there were no grounds to suspect that manufacturers or exporters of vehicles in Somalia had been or were engaged in direct dealings with vehicle importers or assemblers in Southern Rhodesia.

5. By the following Note dated 11 March 1970, the United Kingdom Government referred to the reply dated 5 December 1969 from Japan (see para. 1 (14) (b) above) to the Secretary-General's note verbale of 26 November:

"The attention of the Government of the United Kingdom has been drawn to the Note dated 5 December 1969 from the Permanent Representative of Japan to the United Nations Secretary-General containing information obtained by the Government of Japan from the Japanese firm of Isuzu Motors Limited of Tokyo, about the latter's arrangements for exporting motor vehicles and vehicle kits of their manufacture to southern Africa. In this connexion the United Kingdom Government wish to invite the attention of the Committee to the fact that the United Kingdom Government in its notes dated 8 and 20 August and 6 October 1969 did not assert that Isuzu Motors Limited of Tokyo had exported vehicles or vehicle kits directly to Isuzu Vehicles Limited of Salisbury, but rather that there were arrangements between Isuzu Motors Limited of Tokyo 'Isuzu Motors' and Isuzu Vehicles Limited of Salisbury 'Isuzu Vehicles' whereby the Southern Rhodesian firm was supplied with such vehicles and kits through third parties. The arrangements whereby these were supplied indirectly to Isuzu Vehicles were described in the United Kingdom Government's notes referred to above.

"The Government of the United Kingdom now wish to bring to the attention of the Committee the following further information which they believe to be sufficiently reliable to warrant investigations. According to the information supplied by Isuzu Motors, as quoted in paragraph 2 of the Note dated 5 December 1969 from the Permanent Representative of Japan, 'WASP' and 'ELF' vehicles, which are exported in semi-knocked-down form, are assembled in South Africa and are only sold within the area of the South African Customs Union. However, according to the figures of sales of commercial vehicles published by the National Association of Automobile Manufacturers of South Africa:

- (a) In 1968 only two 'WASP' vehicles were sold in South Africa, Botswana, Lesotho and Swaziland and none were sold in the period January to October 1969;
- (b) In 1968, 103 'ELF' and 'ELFIN' vehicles were sold in the countries named above. A further 35 were sold between January and October 1969.

"On the face of it these figures are not consistent with the existence in South Africa of continuous assembly lines for these vehicles or with a continuing South African requirement for kits for these vehicles. Moreover, according to information available to the United Kingdom Government:

- (a) The jigs previously used by the South African assembler for the assembly of 'WASP' vehicles were passed by the South African assembler to Isuzu Vehicles at the time when the Salisbury firm commenced assembly of these vehicles;
- (b) shipments from Japan to South Africa of both types of vehicles in semi-knocked-down form continued to be made throughout 1969: one instance of this was a shipment of some 30 'ELF' vehicles in semi-knocked-down form consigned to Durban on the Dutch vessel 'Straat Fushimi' in April 1969, and reconsigned at Durban via Lourenco Marques to Southern Rhodesia. Again, according to information available to the United Kingdom Government, Isuzu Vehicles have also assembled 'BELLETT' vehicles in Southern Rhodesia. Some 500 were assembled over a period of about eight months during 1969 from kits supplied by Isuzu Motors. In anticipation of the commencement of 'BELLETT' assembly in Southern Rhodesia Isuzu Motors shipped a jig for 'BELLETT' assembly on the Israeli vessel 'Sahar' which sailed from Japan at the end of March 1968. The jig was consigned to Auto Commercial Lda. at Lourenco Marques (a company to which the United Kingdom note of 8 August 1969 referred) and was reconsigned on arrival at Lourenco Marques to Isuzu Vehicles at Salisbury. At that time Isuzu Motors were proposing to send an engineer to Southern Rhodesia to assist the start-up of 'BELLETT' assembly in that country.

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council Resolution No. 253 (1968) might wish to ask the Secretary-General of the United Nations to consider bringing the above information to the attention of the Government of Japan with a view to assisting them to investigate the alleged supply by their nationals to Southern Rhodesia, contrary to sanctions, of vehicles in semi-knocked-down form and equipment for vehicle assembly manufactured in their territory. The Committee may also wish to ask the Secretary-General to send copies of this note to the Governments who received copies of the previous United Kingdom notes on this subject."

6. At the Committee's request, following informal consultations, the Secretary-General sent a note verbale dated 18 March 1970 transmitting the United Kingdom Note of 11 March and requesting comments thereon to those States which had received copies of the Secretary-General's previous notes verbale on

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this subject, i.e. Japan, the Federal Republic of Germany, the Netherlands, Portugal, Spain, Sweden, as States with motor car export industries; and Kenya Malawi, the United Republic of Tanzania and Zambia, as States whose ports might be used by would-be sanctions breakers.

7. Replies have been received as follows:

(a) Netherlands, in a note verbale dated 29 April 1970 stated that the Netherlands Government had taken note of the contents of the Secretary-General's note verbale of 18 March.

(b) Sweden, in a note verbale dated 17 April stated that the Swedish authorities had investigated the question with Swedish motor vehicle manufacturers and wished to confirm that there was no Swedish export of motor vehicles or parts thereof into Southern Rhodesia.

8. By a Note dated 10 April 1970, the United Kingdom Government reported the following further information:

"The Government of the United Kingdom have received further information about arrangements for the supply to Southern Rhodesia of motor vehicles and motor vehicle kits, referred to in their notes to the Committee of 8 and 20 August and 6 October 1969.

"The information is to the effect that:

- (a) consignments of Citroen motor cars in kit form which (though they may be ostensibly consigned to South Africa) are intended for assembly in Southern Rhodesia, differ from consignments of motor car kits intended for assembly in South Africa in that the former include such components as upholstery, seats, carpets and roof linings. These components are not included in consignments of motor car kits destined for assembly in South Africa because these components are manufactured locally in South Africa;
- (b) at the beginning of 1970 there were between 550 and 600 kits for Citroen D.S.20 model cars awaiting assembly at Umtali. (The assembly plant at Umtali is owned by the British Motor Corporation but it is at present beyond the effective control of the United Kingdom Head Office of that company and is forced to operate under the directions of the illegal régime);
- (c) in the past Citroen vehicle kits intended for Isuzu Vehicles Ltd. of Salisbury have been shipped to Lourenco Marques, while those intended for assembly in South Africa have been shipped to South African ports. Arrangements have now been made for all

such kits, whether for assembly in Southern Rhodesia or in South Africa, to be shipped to Lourenco Marques. Under these arrangements, all shipments to Lourenco Marques will be consigned to the order of agents at that port ostensibly for delivery to South Africa, but on arrival the agents will arrange for items ordered by or on behalf of Isuzu Vehicles of Salisbury to be reconsigned to Southern Rhodesia;

- (d) there is no assembly of the AMI 8 vehicles (referred to in the United Kingdom Government note of 20 August 1969) in South Africa or Mozambique and in consequence no genuine requirement for the export to these countries of kits for this vehicle.

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council resolution 253 (1968) might wish to ask the Secretary-General of the United Nations to consider bringing the above information to the attention of the Government of France with a view to assisting them to investigate the alleged supply by their nationals to Southern Rhodesia of motor vehicles in completely-knocked-down (CKD) form manufactured in their territory. The Committee may also wish to ask the Secretary-General to send copies of this note to the Governments who received copies of the previous United Kingdom notes on this subject."

9. At the 26th meeting, the representative of France, while taking note of the information submitted by the United Kingdom on 10 April 1970 stated that since it concerned only France, the question of distribution of it to other countries, as suggested in the Note, should be considered when the general problems raised in the Note came up for discussion. This suggestion was adopted by the Committee.

H. TRACTOR KITS

(70) Case 50. Tractor kits: United Kingdom note dated 2 October 1969

1. By a note dated 2 October 1969, the United Kingdom Government reported information to the effect that the firm of Kloeckner-Humboldt Deutz A.G. of Cologne, supplied Deutz tractor kits in completely knocked down form for assembly in Salisbury. A representative of Univex (a Salisbury company which as stated in the United Kingdom note of 14 January^{1/} was set up specifically

^{1/} See S/9252/Add.1, annex XI, page 30, para. 1.

to co-ordinate the evasion of sanctions) recently visited Europe to make arrangements with Kloeckner-Humboldt Deutz A.G. for the continuing supply to Rhodesia of Deutz tractor completely knocked-down kits. The United Kingdom Government suggested that the Committee might wish to ask the Secretary-General to bring the above information to the notice of the Government of the Federal Republic of Germany with a view to assisting the Committee to investigate this report that the German concern in question might have been supplying c.k.d. tractor kits for assembly in Rhodesia contrary to resolution 253 (1968).

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 26 November to the Federal Republic of Germany, transmitting the above information and requesting comments thereon.

3. A reply dated 29 January 1970 has been received from the Federal Republic of Germany stating that the firm of Klockner-Humboldt Deutz A.G., Cologne, have declared that they have not supplied tractors to Southern Rhodesia, either in completely built-up or in completely knocked-down form.

4. By a further note dated 26 March 1970, the United Kingdom Government referring to the reply dated 29 January from the Federal Republic of Germany (see para. 3) stated the following:

"The Government of the United Kingdom regret if, in their note of 2 October 1969, on this subject, the impression was given that Klockner-Humboldt Deutz A.G. had shipped tractor kits direct to Southern Rhodesia. The information received by the United Kingdom Government and reported in their note under reference was to the effect that a representative of Univex (a Southern Rhodesian company set up by the illegal régime specifically to co-ordinate the evasion of sanctions) had visited Europe to make arrangements with the Cologne firm for the continuing supply to Rhodesia of Deutz tractor kits. The note did not purport to describe those arrangements. In fact the United Kingdom Government's information is to the effect that the Deutz tractor kits covered by these arrangements were not consigned direct to Southern Rhodesia but to intermediaries in other southern African countries. One of these intermediaries was Consorcio de Maquinas e Electricidade Lda of Lourenco Marques.

"The United Kingdom Government suggest that the Committee established in pursuance of Security Council resolution No. 253 (1968) might wish to ask the Secretary-General of the United Nations to consider bringing these further observations to the attention of the Government of the Federal Republic of Germany with a view to assisting them to investigate the alleged

arrangements between Klockner-Humboldt Deutz A.G., and Univex for the supply through intermediaries in southern Africa of tractor kits ultimately destined for assembly in Southern Rhodesia and in order to establish whether the Cologne firm were aware of the ultimate destination of the tractor kits."

5. At the Committee's request, following informal consultations, the Secretary-General sent a note verbale dated 1 April 1970 to the Federal Republic of Germany, transmitting the United Kingdom note and requesting comments thereon.

I. AIRCRAFT

(71) Case 41. Aircraft spares: United Kingdom note dated 5 September 1969

1. By a note dated 5 September 1969, the United Kingdom Government reported information to the effect that arrangements had been made whereby the Beira firm, Theo. Spinarolis Lda., Box 481, Beira, Mozambique, which had already come to the notice of the United Kingdom Government in connexion with the reconsignment to Southern Rhodesia of potable spirits consigned to and imported into Beira, would be used for the importation of aircraft spares by Field Aircraft Services of Salisbury, Rhodesia. It therefore seemed likely that aircraft spares supplies which were consigned to the Beira firm, whether directly or for forwarding to Field Aircraft Services organizations in southern African countries or to other firms outside Rhodesia, would be diverted to Rhodesia. The Government of the United Kingdom suggested that the Committee might wish to consider asking the Secretary-General to advise all States Members of the United Nations and members of the specialized agencies of this information.

2. At the request of the Committee at its 22nd meeting, the Secretary-General sent notes verbales dated 7 October to all Member States and members of the specialized agencies, transmitting the above information to them.

3. Replies were not requested, but acknowledgements have been received from Canada, the Federal Republic of Germany, the Netherlands and New Zealand. A reply dated 5 December has also been received from Austria, stating that neither during 1968 nor during the first three quarters of 1969 have exports of aircraft spares supplies taken place from Austria to Mozambique. The following information which was given to the British High Commissioner in Malawi was also received in a note verbale dated 19 November from Malawi:

"Air Malawi have no maintenance facilities for their aircraft and have to depend on Air Rhodesian Maintenance Base. Under the current purchasing and maintenance agreement between Air Rhodesia and Air Malawi,

the spares held by Air Rhodesia are operated on a pool basis to serve the two airlines. This makes it most difficult to say that spares ordered are in actual fact used on Air Malawi aircraft. This is a situation that the Government of Malawi hopes to bring to an end as soon as the Air Malawi maintenance base at Chileka is completed and fully functioning.

"Any other parts ordered for delivery to Air Malawi for light aircraft have been for the repair of either the C55 Baron of Air Malawi or other local aircraft in Malawi. These spares do not leave Malawi. So far as galley equipment is concerned, this was ordered by Air Malawi and is used on Air Malawi aircraft operating from Chileka. The Auster spares were for aircraft registered G-ASRL en route to Britain. Those addressed to 'Aircraft Electrical Services, Malawi' were in fact for Air Malawi.

"In relation to aircraft spares for Air Malawi, the British High Commission may find it relevant to consider the fact that the average length of time for delivery of spares is normally 6-9 months. This makes it essential for Air Malawi to have to make provision almost a year ahead in respect of normal spares.

"So far as aircraft spares consigned to Field Aircraft Services (Malawi) Ltd. are concerned, it is understood that Field Aircraft Services in Rhodesia maintain a certain number of Zambian Government aircraft. It is also understood that the Zambian Air Force operates Pembroke aircraft which have Alvis Leonides engines. It may therefore be that spares under Export Licence ID/1226/69 were for this purpose. As regards Export Licence ID/1604/69, it is understood that these spares may have an ultimate destination in South Africa with Field Aircraft Services, Rand Airport, Germiston, in South Africa.

"Export Licence 19/1730 refers to Rolls Royce continental light aircraft spares. The British High Commission may wish to know that a consignment of aircraft spares that could be related to this licence arrived in Malawi for Field Aircraft Services (Malawi) Ltd. The understanding then was that these were for re-export to Field Aircraft Services, Germiston, and that the reason for the indirect consignment was that F.A.S. in South Africa were not Rolls Royce agents. With the co-operation of F.A.S. (Malawi) Ltd. and the Forwarding Agents - Messrs. Manica Trading Company, Blantyre - the consignment was held at Chileka until such time as it was released by these companies.

"Subsequently it was learned that F.A.S. (Malawi) Ltd. had received instructions from a Mr. Sherman, Manager of Field Rhodesia, that no airport spares were to be sent out of Malawi to any destination, and that all existing and any future consignments should be taken into stock in Malawi; further, that Rolls Royce in Britain had been requested to stop sending any further consignments to Malawi.

"While future consignments may be sent direct from Britain to Beira, the Government of Malawi is of the opinion that it may be worth while for the British Government to make detailed investigations with Rolls Royce as to why these consignments were sent through Malawi. In addition, it may be useful to investigate the relationship of Field Air Services in this regard."

4. The following note verbale dated 30 December 1969 was received from the United Kingdom:

"... the United Kingdom Government was in touch earlier this year with the Malawi Government about certain consignments of aircraft spare parts which had been exported under licence from the United Kingdom to Malawi on the basis of statements or undertakings from the importers concerned in Malawi that the spare parts in question were destined for use in Malawi, Zambia and Mozambique.

"Inquiries undertaken, at the request of the United Kingdom Government, by the Malawi Government showed that some aircraft spares exported under licence from the United Kingdom to Malawi had not, in fact, been used for the purpose for which they had been ostensibly ordered but had been diverted, in some cases, to South Africa, despite the fact that no United Kingdom licences had been issued for aircraft spares to be exported to South Africa via Malawi.

"As a result of these inquiries a number of licences for the export of aircraft spare parts from the United Kingdom to Malawi were withdrawn and the United Kingdom Government understands that the name of one of the companies in Malawi involved in the diversion of aircraft spare parts from Malawi to South Africa has now been removed from the Register of Companies in Malawi. Inquiries were also instituted in the United Kingdom, but there was no evidence that any company in the United Kingdom was knowingly involved in the diversion of aircraft spare parts from Malawi to South Africa or Rhodesia."

(72) 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

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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	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 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.

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.

J. BOOK-KEEPING AND ACCOUNTING MACHINES

(73) Case 58. Accounting and book-keeping machines: Italian note dated 6 November 1969

1. By a note dated 6 November 1969, the Italian Government reported that it had received information about arrangements for the import into Rhodesia of accounting and book-keeping machines. According to the information, the accounting machines would be supplied by the FRG firm, Olympia. Copies of an announcement published in the Rhodesia Herald of 28 April 1969 and of a circular letter from the Rhodesian commercial firm of Philpott and Collins Ltd. were attached. The information was considered of particular importance by the Italian Government since the supply of accounting machines which the Rhodesian firms were trying to secure was needed to replace existing equipment in connexion with the coming into force in Rhodesia of decimal currency. It was to be expected that the effective application of sanctions in this field would be particularly felt by commerce and industry in Rhodesia.

2. At the request of the Committee at its 23rd meeting, the Secretary-General sent a note verbale dated 26 November to the Federal Republic of Germany, transmitting the above information and requesting comments thereon.

3. A reply dated 3 April 1970 has been received from the Federal Republic of Germany stating that at the request of the FRG Foreign Office, a statement was issued by the managing committee of Olympia-Werke declaring that a contract for delivery with the firm of Philpott and Collins in Salisbury did not exist and transmitting the following comments from Olympia-Werke:

"On the imposition of sanctions against Southern Rhodesia, we ceased our deliveries to this territory, thus complying with the United Nations resolution. It is well known, however, that firms in Southern Rhodesia are still offering almost an entire range of international goods. Much to our regret, it cannot be ruled out that a brand as popular as 'Olympia' still finds its way into the Southern Rhodesian market. It is also known that the trade routes from neighbouring countries to Southern Rhodesia are not completely blocked. This renders it impossible for us to guarantee that 'Olympia' machines will not continue to be sold in Southern Rhodesia."