



**REPORT  
OF THE  
SECURITY COUNCIL**

---

**16 June 1975 – 15 June 1976**

**GENERAL ASSEMBLY**

**OFFICIAL RECORDS: THIRTY - FIRST SESSION**

**SUPPLEMENT No. 2 (A/31/2)**

**UNITED NATIONS**



**REPORT**  
**OF THE**  
**SECURITY COUNCIL**

---

**16 June 1975 – 15 June 1976**

**GENERAL ASSEMBLY**  
**OFFICIAL RECORDS: THIRTY - FIRST SESSION**  
**SUPPLEMENT No. 2 (A/31/2)**

**UNITED NATIONS**  
New York, 1976

## **NOTE**

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

## CONTENTS

	<i>Page</i>
INTRODUCTION .....	1

### *Part I*

#### **Questions considered by the Security Council under its responsibility for the maintenance of international peace and security**

##### *Chapter*

1. QUESTIONS CONCERNING THE MIDDLE EAST .....	2
A. The situation in the Middle East: status of the cease-fire .....	2
B. The situation in the occupied Arab territories .....	11
C. The Middle East problem including the Palestinian question .....	15
2. THE SITUATION CONCERNING WESTERN SAHARA .....	19
A. Communications to the Security Council and request for a meeting ...	19
B. Consideration at the 1849th and 1850th meetings (20 and 22 October 1975) .....	19
C. Communications and reports to the Security Council between 22 October and 2 November 1975 .....	20
D. Consideration at the 1852nd meeting (2 November 1975) .....	20
E. Communication to the Security Council and request for a meeting ....	21
F. Consideration at the 1853rd and 1854th meetings (6 November 1975) .	21
G. Other communications to the Council .....	22
H. Further reports of the Secretary-General to the Council .....	22
I. Subsequent communications to the Council .....	22
3. THE SITUATION IN CYPRUS .....	23
A. Developments between 16 June and 31 December 1975 .....	23
B. Developments between 1 January and 15 June 1976 .....	26
4. THE SITUATION IN TIMOR .....	29
A. Communications to the Security Council and request for a meeting ...	29
B. Consideration at the 1864th, 1865th and 1867th to 1869th meetings (15-22 December 1975) .....	29
C. Communications to the Security Council and report of the Secretary-General received between 29 December 1975 and 12 April 1976 ....	30
D. Consideration at the 1908th to 1915th meetings (12-22 April 1976) ..	32
E. Subsequent communications to the Council .....	33
5. LETTER DATED 12 DECEMBER 1975 FROM THE PERMANENT REPRESENTATIVE OF ICELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL .....	33
A. Communications to the Security Council and request for a meeting ...	33
B. Consideration at the 1866th meeting (16 December 1975) .....	34
C. Further communications to the Council .....	34
6. THE SITUATION IN NAMIBIA .....	35
A. Communications to the Security Council and request for a meeting ...	35
B. Consideration at the 1880th to 1885th meetings (27-30 January 1976) .	35
C. Subsequent communications to the Council .....	37



# CONTENTS (*continued*)

<i>Chapter</i>	<i>Page</i>
7. THE SITUATION IN THE COMOROS .....	37
A. Communications to the Security Council and requests for a meeting ...	37
B. Consideration at the 1886th to 1888th meetings (4-6 February 1976) .	38
8. COMMUNICATIONS FROM FRANCE AND SOMALIA CONCERNING THE INCIDENT OF 4 FEBRUARY 1976 .....	39
A. Communications to the Security Council and requests for a meeting ...	39
B. Consideration at the 1889th meeting (18 February 1976) .....	39
C. Subsequent communications to the Council .....	39
9. REQUEST BY MOZAMBIQUE UNDER ARTICLE 50 OF THE CHARTER OF THE UNITED NATIONS IN RELATION TO THE SITUATION WHICH HAS ARISEN AS A RESULT OF ITS DECISION TO IMPOSE SANCTIONS AGAINST SOUTHERN RHODESIA IN FULL IMPLEMENTATION OF THE RELEVANT DECISIONS OF THE SECURITY COUNCIL .....	40
A. Communications to the Security Council and request for a meeting ....	40
B. Consideration at the 1890th to 1892nd meetings (16-17 March 1976) .	40
C. Subsequent communications to the Council .....	41
10. COMPLAINT BY KENYA, ON BEHALF OF THE AFRICAN GROUP OF STATES AT THE UNITED NATIONS, CONCERNING THE ACT OF AGGRESSION COMMITTED BY SOUTH AFRICA AGAINST THE PEOPLE'S REPUBLIC OF ANGOLA .....	42
A. Communications to the Security Council and request for a meeting ....	42
B. Consideration at the 1900th to 1906th meetings (26-31 March 1976) .	43
11. QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA .....	45
A. Communications and reports to the Security Council .....	45
B. Consideration at the 1907th meeting (6 April 1976) .....	46

## Part II

### Other matters considered by the Security Council

12. ADMISSION OF NEW MEMBERS .....	48
A. Applications of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam .....	48
B. Application of Cape Verde .....	51
C. Application of Sao Tome and Principe .....	51
D. Application of Mozambique .....	51
E. Application of Papua New Guinea .....	51
F. Application of the Comoros .....	52
G. Application of Surinam .....	52
H. Application of Angola .....	52
13. ELECTION OF FIVE MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE ..	52

## Part III

### The Military Staff Committee

14. WORK OF THE MILITARY STAFF COMMITTEE .....	54
--	----

**Part IV**

**Matters brought to the attention of the Security Council but not discussed  
in the Council during the period covered**

15. REPORTS AND COMMUNICATIONS CONCERNING THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF <i>Apartheid</i> OF THE GOVERNMENT OF SOUTH AFRICA .....	55
16. COMMUNICATION FROM MADAGASCAR .....	55
17. COMMUNICATION CONCERNING RELATIONS BETWEEN DEMOCRATIC YEMEN AND OMAN .....	56
18. COMMUNICATIONS CONCERNING THE QUESTION OF KOREA .....	56
19. REPORTS ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS .....	57
20. COMMUNICATIONS CONCERNING A REQUEST BY MEXICO FOR CONSIDERATION OF THE SITUATION IN SPAIN .....	57
21. COMMUNICATIONS FROM THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND ARGENTINA .....	58
22. COMMUNICATION FROM THE ORGANIZATION OF AMERICAN STATES .....	59
23. COMMUNICATION FROM PANAMA CONCERNING THE PANAMA CANAL .....	59
24. REPORT RELATING TO DISARMAMENT .....	59
25. COMMUNICATIONS CONCERNING BILATERAL RELATIONS BETWEEN MEMBER STATES .....	60
26. COMMUNICATIONS REGARDING THE TRANSLATION INTO RUSSIAN OF THE PHRASE "FEDERAL REPUBLIC OF GERMANY" .....	60

**APPENDICES**

I. Membership of the Security Council during the years 1975 and 1976 ...	62
II. Representatives and deputy, alternate and acting representatives accredited to the Security Council .....	62
III. Presidents of the Security Council .....	63
IV. Meetings of the Security Council during the period from 16 June 1975 to 15 June 1976 .....	64
V. Resolutions adopted by the Security Council during the period from 16 June 1975 to 15 June 1976 .....	68
VI. Meetings of subsidiary bodies of the Security Council during the period from 16 June 1975 to 15 June 1976 .....	68
VII. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee .....	69
VIII. List of matters of which the Security Council is seized .....	71

## INTRODUCTION

1. The present report<sup>1</sup> is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

2. As in previous years, the report is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations, but as a guide to the activities of the Security Council during the period covered. It should be noted, in this connexion, that the Council decided in December 1974 to make its report shorter and more concise, without, however, changing

its basic structure, and that, as in 1975, the present report has been prepared accordingly.

3. With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at its 2384th and 2387th plenary meetings on 20 and 23 October 1975, elected Benin, the Libyan Arab Republic, Pakistan, Panama and Romania as non-permanent members of the Security Council to fill the vacancies resulting from the expiration, on 31 December 1975, of the terms of office of the Byelorussian Soviet Socialist Republic, Costa Rica, Iraq, Mauritania and the United Republic of Cameroon.

4. The period covered in the present report is from 16 June 1975 to 15 June 1976. The Council held 97 meetings during that period.

---

<sup>1</sup> This is the thirty-first annual report of the Security Council to the General Assembly. These reports are circulated as Supplement No. 2 to the *Official Records* of each regular session of the General Assembly.

## Part I

# QUESTIONS CONSIDERED BY THE SECURITY COUNCIL UNDER ITS RESPONSIBILITY FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

## Chapter I

### QUESTIONS CONCERNING THE MIDDLE EAST

#### A. The situation in the Middle East: status of the cease-fire

##### 1. THE UNITED NATIONS EMERGENCY FORCE (UNEF)

##### (a) *Communications to the Security Council received between 15 June and 15 July 1975*

5. By a note dated 15 July 1975 (S/11757), the Secretary-General brought to the attention of the Security Council the text of a letter addressed to him on 14 July by the Deputy Prime Minister and Minister for Foreign Affairs of Egypt, in which it was recalled that despite the failure of efforts to achieve a further disengagement agreement that would pave the way for the resumption of the Geneva Conference, attributed in the letter to Israel's intransigence and procrastination, the Government of Egypt had agreed in April to the renewal of the mandate of the United Nations Emergency Force (UNEF) until 24 July but had underlined the temporary nature of the Force and its functions as a first step in the implementation of Security Council resolutions 338 (1973) and 242 (1967). Israel had profited from the relative prevailing quiet to further its occupation rather than to assist efforts aimed at achieving a lasting peace. Under the circumstances, Egypt could not be expected to consent to the continued occupation of its territory and did not agree to a further renewal of the UNEF mandate, although it was not against the proper use of the Force.

6. In a letter dated 16 July (S/11759), the representative of Israel, with reference to the above letter, drew attention to a statement of the same date by the Prime Minister of Israel, in which he had indicated that his Government had agreed to the extension of the UNEF mandate and stated that Israel was observing its commitments under the Agreement on Disengagement of Forces on a basis of reciprocity. If Egypt was interested in not harming that Agreement, it would also have to honour the maintenance and authority of the Force and refrain from any move which increased tension in the region.

##### (b) *Extension of the mandate of UNEF until 24 October 1975*

##### (i) *Report of the Secretary-General dated 16 July 1975*

7. As the mandate of UNEF was due to expire on 24 July 1975, the Secretary-General submitted a report

on 16 July (S/11758) on the operations of the Force for the period 13 April to 15 July 1975. During that period, he stated, the situation in the UNEF area of operations had remained stable. As of 15 July, the Force's personnel totalled 3,919 men, excluding the Canadian and Polish logistic components assigned to the United Nations Disengagement Observer Force (UNDOF). The report indicated that the functions and guidelines of the Force, as well as the specific tasks assigned to it, had remained unchanged. Indicating that the problem of restrictions on the freedom of movement of personnel of certain contingents still existed, despite the efforts that he and the Force Commander had made, the Secretary-General maintained that UNEF must function as an integrated and efficient military unit, that its contingents must serve on an equal basis under the command of the Force Commander and that no differentiation could be made regarding the United Nations status of the various contingents. During the period, he added, there had been no significant violations of the agreements.

8. Pursuant to the request made to him in Security Council resolution 368 (1975) to report on the measures taken to implement resolution 338 (1973), the Secretary-General stated that he had indicated in his report on UNDOF (S/11694) that efforts had been made on several levels to advance matters and that he had lost no opportunity to try to contribute to that process. Those efforts had continued at high-level meetings among the parties concerned, including the Co-Chairmen of the Geneva Peace Conference on the Middle East, but he was not in a position to inform the Council of the results.

9. In conclusion, the Secretary-General observed that although the situation in the UNEF area of operations had remained quiet, the situation in the Middle East as a whole continued to be fundamentally unstable. The possibility of maintaining the prevailing quiet would depend on further progress in the search for a just and lasting settlement of the Middle East problem. He considered that the continued presence of UNEF was essential not only to maintain quiet in the sector but to provide an atmosphere conducive to further efforts to the achievement of a just and lasting peace and to assist in such efforts. In that connexion, the Government of Egypt had informed him that although it did not consent to further renewal of the mandate of UNEF, it was not against the proper use of the Force. The Government of Israel had indicated that it favoured a further extension of the mandate of UNEF for six months.

(ii) *Consideration at the 1832nd and 1833rd meetings (21-24 July 1975)*

10. At its 1832nd meeting on 21 July, the Security Council included the following item in its agenda without objection:

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Emergency Force (S/11758)."

11. The President referred to prior consultations and read out the text of a draft appeal to be addressed to the President of Egypt on behalf of the Council. Before the President put the text of the appeal to the vote, statements were made by the representatives of China and Iraq.

**Decision:** *At its 1832nd meeting, on 21 July 1975, the Security Council adopted the appeal by 13 votes to none. Two members (China and Iraq) did not participate in the vote.*

12. The text of the appeal read as follows:

"Based on discussions I have held with the Secretary-General and members of the Security Council, and taking account of the gravity of the situation in the Middle East, I believe a further extension of the mandate of the United Nations Emergency Force would make in the present circumstances a significant contribution to creating an atmosphere conducive to progress towards agreement on a just and lasting peace in the area. Therefore, on behalf of the Security Council, I appeal to you to reconsider the attitude of Egypt on the situation. I assure you that the Security Council, appreciative of the constructive measures already taken towards peace, follows the situation very closely and emphasizes the importance of achieving further progress towards a just and lasting peace and preventing a stalemate in the Middle East."

13. In a note dated 23 July 1975 (S/11771), the President of the Security Council indicated that on 21 July, immediately following the meeting, he had communicated the appeal to the President of Egypt. The note also reproduced the text of the reply the President of the Security Council had received on 23 July from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt. It stated that the Egyptian Government, having noted the Council's concern over the situation in the Middle East and its emphasis on the importance of achieving further progress towards a just and lasting peace in the area, accepted the further extension of the mandate of UNEF for an additional three-month period, until 24 October 1975.

14. At the 1833rd meeting on 24 July, the President, with the consent of the Council, invited the representatives of Egypt and Israel, at their request, to participate in the discussion without the right to vote.

15. The Council had before it a draft resolution (S/11774/Rev.1), which the President stated had been prepared in the course of consultations among all the members of the Security Council. The draft resolution read as follows:

"The Security Council,

"Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362

(1974) of 23 October 1974 and 368 (1975) of 17 April 1975,

"Taking into account the letter dated 14 July 1975 addressed by the Deputy Prime Minister and Minister for Foreign Affairs of the Arab Republic of Egypt to the Secretary-General (S/11757),

"Bearing in mind the appeal addressed by the President of the Security Council to the Government of the Arab Republic of Egypt on 21 July 1975 (S/11771) and expressing satisfaction for the reply of the Government of the Arab Republic of Egypt thereto (S/11771),

"Having considered the report of the Secretary-General on the United Nations Emergency Force (S/11758),

"Expressing concern at the continued state of tension in the area and the lack of progress towards the achievement of a just and lasting peace in the Middle East,

"1. Calls upon the parties concerned to implement immediately Security Council resolution 338 (1973);

"2. Decides to renew the mandate of the United Nations Emergency Force for a period of three months, that is, until 24 October 1975;

"3. Requests the Secretary-General to submit at the end of this period or at any time in the intervening period a report on the situation in the Middle East and the steps taken to implement resolution 338 (1973)."

16. In accordance with the procedure agreed upon during consultations, the Council proceeded to the vote on the draft resolution.

**Decision:** *At the 1833rd meeting, on 24 July 1975, the draft resolution (S/11774/Rev.1) was adopted by 13 votes to none as resolution 371 (1975). Two members (China and Iraq) did not participate in the vote.*

17. Following the vote, statements were made by the Secretary-General, by the representatives of Egypt, Israel, China, Iraq, the United States of America, the Union of Soviet Socialist Republics, Costa Rica, Japan, Sweden, the United Republic of Cameroon, Guyana, Mauritania, the United Kingdom of Great Britain and Northern Ireland, the Byelorussian Soviet Socialist Republic, France, the United Republic of Tanzania and by the President, speaking in his capacity as the representative of Italy. The representatives of Egypt, China, Israel and the USSR spoke in exercise of the right of reply.

(c) *Appointment of the Chief Co-ordinator of UNTSO, UNEF and UNDOF operations in the Middle East*

18. By a note dated 19 August (S/11808), the President of the Security Council indicated that on 4 August he had been informed by the Secretary-General that he considered it useful to all concerned to establish a co-ordinating mechanism for the activities and administration of the three peace-keeping operations in the Middle East, namely, the United Nations Truce Supervision Organization in Palestine (UNTSO), UNEF and UNDOF. Therefore, should the Council agree, he proposed to appoint Lieutenant-General Ensio Siilasvuo, currently Commander of UNEF, Chief Co-ordinator of UNTSO, UNEF and UNDOF operations in the Middle East, and to appoint Major-General Bengt Liljestrand, then Chief of Staff of UNTSO, Commander of UNEF. General Siilasvuo would continue as neces-

sary to discharge his functions in relation to the Military Working Group of the Geneva Peace Conference on the Middle East and would be responsible for liaison and contact with the parties on important matters relating to peace-keeping in the Middle East. Following consultations with the members of the Council, the President had informed the Secretary-General on 15 August that the Council had given its consent to the proposals outlined in the Secretary-General's letter, noting that the delegations of China and Iraq had dissociated themselves from the matter.

(d) *Reports of the Secretary-General on the Agreement between Egypt and Israel*

19. In a report dated 2 September (S/11818), the Secretary-General informed the Security Council of the preliminary action he had taken in relation to the new Agreement between Egypt and Israel, which the parties had initialled on 1 September and would sign in Geneva on 4 September. Lieutenant-General Siilasvuo had been instructed to proceed to Geneva in order to be available to preside at the forthcoming meetings of the Military Working Group of the Geneva Peace Conference, where preparation of a detailed protocol for the implementation of the Agreement was to take place.

20. In an addendum issued the same day (S/11818/Add.1 and Corr.1), the Secretary-General transmitted to the Security Council the text of the Agreement between Egypt and Israel, and, in a further report dated 4 September (S/11818/Add.2), he informed the Council that the signing of the Agreement by the representatives of the two parties in Geneva on 4 September had been witnessed by Lieutenant-General Siilasvuo. In another addendum dated 8 September (S/11818/Add.3), he circulated a reproduction of the map mentioned in the Agreement.

21. The Agreement between Egypt and Israel consisted of nine articles and an annex. The parties agreed that the conflict between them and in the Middle East should not be resolved by military force and that they were determined to continue their efforts to reach a final and just settlement by means of negotiations within the framework of the Geneva Peace Conference called for by Security Council resolution 338 (1973). They further agreed to continue to observe the cease-fire and to refrain from all military and paramilitary actions against each other. Article IV of the Agreement laid down the principles for the new deployment of the military forces of the parties and indicated that the details concerning such redeployment and all other relevant matters, including the definition of lines and areas, the buffer zones, the limitations on armament and forces, aerial reconnaissance, the operation of the early warning and surveillance installations and the United Nations functions would all be in accordance with the provisions of the annex and map, which were an integral part of the Agreement and its Protocol of implementation. The Agreement also stressed that the United Nations Emergency Force was essential and should continue its functions and that its mandate should be extended annually. A joint commission was established under the Agreement to function under the aegis of the Chief Co-ordinator of the United Nations peace-keeping missions in the Middle East in order to consider any problems arising from the Agreement and to assist the Force in the execution of its mandate.

22. In addition to the annex and map, the Agreement was supplemented by a document relating to the

early warning system referred to in article IV, in which the United States proposed that there should be (a) two surveillance stations to provide strategic early warning, one operated by Egyptian and one operated by Israeli personnel; (b) three watch stations operated by American civilian personnel in the Mitla and Gidi Passes to provide tactical early warning; and (c) three unmanned electronic sensor fields at both ends of each Pass and in the general vicinity of each station. The document provided additional details regarding the number of technicians involved, their status and the functions they were to perform.

23. In a report dated 23 September (S/11818/Add.4), the Secretary-General informed the Security Council that on 22 September the Military Working Group had completed its work on the Protocol of the Agreement between Egypt and Israel and that the Protocol had been signed by the representative of Egypt and initialled by the representatives of Israel. In a further report dated 10 October (S/11818/Add.5 and Corr.1), he reported that the representatives of Israel had also signed the Protocol, which had thus entered into force. Annexed to the report were the full text of the Protocol and relevant maps.

(e) *Extension of the mandate of UNEF until 24 October 1976*

(i) *Report of the Secretary-General dated 17 October 1975*

24. In connexion with the expiration of the mandate of UNEF on 24 October, the Secretary-General submitted a report on 17 October (S/11849) covering the period from 15 July to 16 October 1975 and providing a comprehensive picture of the activities of the Force in pursuance of the mandate laid down by the Security Council. After describing the composition and deployment of the Force, as well as its accommodations and logistics, the Secretary-General outlined the activities of UNEF for the period under review. He indicated that the Force had continued to carry out its specific tasks under the Egyptian-Israeli Agreement on Disengagement of Forces of 18 January 1974. He noted that the problem of restrictions on the freedom of movement of personnel of certain contingents continued, despite his efforts and those of the Force Commander, and reaffirmed his position that the Force had to function as an integrated and efficient military unit, all contingents of which served on an equal basis under the Commander of the Force.

25. Regarding the responsibilities entrusted to the Force under the Agreement between Egypt and Israel of 4 September and spelled out later in the Protocol of 22 September, the Secretary-General stated that those responsibilities were more extensive than the ones the Force had been discharging under the Egyptian-Israeli Agreement on Disengagement of Forces of 18 January 1974 and that its new operational areas would be much larger. The additional military personnel and equipment that were considered necessary to enable the Force to function adequately included the reinforcement of the non-logistic contingents of UNEF by approximately 750 men of all ranks; the strengthening of the Polish logistics contingent by 50 officers and men and of the Canadian logistics contingent by 36 personnel; the reinforcement of the air unit by four helicopters, one Buffalo aircraft and two STOL (short take-off and landing) aircraft and their crews; and the establishment of a naval unit of four vessels for coastal patrol functions.

26. Regarding the financial aspects, he indicated that the increase in the cost of the Force for a period of one year, ending on 24 October 1976, was tentatively estimated at \$32 million over and above the authorized level of \$65 million for the previous year.

27. With regard to the implementation of Security Council resolution 338 (1973) of 22 October 1973, the Secretary-General stated that the efforts made at several levels to advance the implementation of the resolution to which he had referred in his previous report (S/11758) had continued during the period under review. In that connexion, he referred in particular to article I of the Agreement of 4 September 1975 between Egypt and Israel, wherein the two Governments had agreed that the conflict between them should be resolved by peaceful means and expressed their determination to reach a final settlement by means of negotiations as called for by resolution 338 (1973).

28. In conclusion, the Secretary-General cautioned that, in spite of the prevailing quiet in the sector, and although the Agreement of September 1975 was an important development, any relaxation of the search for a comprehensive settlement could be dangerous in the months ahead. He expressed the hope that urgent efforts would be undertaken by all concerned to tackle the Middle East problem in all its aspects and reiterated his conviction that the presence of UNEF remained essential. Consequently, he recommended the extension of its mandate.

(ii) *Consideration at the 1851st meeting (23 October 1975)*

29. At its 1851st meeting on 23 October, the Security Council included the following item in its agenda without objection

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Emergency Force (S/11849)."

30. The President announced that the Council had before it a draft resolution (S/11856) which had been drawn up during consultations among the members of the Council, who had agreed that statements on it should be made after the vote. The draft resolution read as follows:

*"The Security Council,*

*"Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974, 368 (1975) of 17 April and 371 (1975) of 24 July 1975,*

*"Having considered the report of the Secretary-General on the United Nations Emergency Force (S/11849),*

*"Having noted the developments in the situation in the Middle East,*

*"Having further noted the Secretary-General's view that any relaxation of the search for a comprehensive settlement covering all aspects of the Middle East problem could be especially dangerous in the months to come and that it is his hope, therefore, that urgent efforts will be undertaken by all concerned to tackle the Middle East problem in all its aspects, with a view both to maintaining quiet in the region and to arriving at the comprehensive settlement called for by the Security Council in its resolution 338 (1973),*

*"1. Decides*

*"(a) To call upon all the parties concerned to implement immediately Security Council resolution 338 (1973);*

*"(b) To renew the mandate of the United Nations Emergency Force for a period of one year, that is, until 24 October 1976;*

*"(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the steps taken to implement Security Council resolution 338 (1973);*

*"2. Expresses its confidence that the Force will be maintained with maximum efficiency and economy."*

31. Before the vote, the Secretary-General referred to the new reinforcements in personnel and equipment required by the Force to carry out its tasks under the Agreement between Egypt and Israel, as well as to the new financial burden that those new reinforcements would impose on the Organization. He assured the Council that in considering the recommendations from the field in that regard, he had in mind the need for the maximum possible economy compatible with the effective discharge by the Force of its task.

32. The President then read out a letter dated 23 October from the Foreign Minister of Egypt stating that his Government consented to a further extension of the mandate of the Force for one year, until 24 October 1976.

**Decision:** *At the 1851st meeting, on 23 October 1975, the draft resolution (S/11856) was adopted by 13 votes to none, as resolution 378 (1975). Two members (China and Iraq) did not participate in the vote.*

33. Following the voting, the Council heard statements by the representatives of Iraq, France, the United Kingdom, Japan, the USSR, the United States, China, Mauritania, Guyana, the United Republic of Cameroon, Italy, the Byelorussian SSR, Costa Rica, the United Republic of Tanzania and the President, speaking in his capacity as the representative of Sweden.

(f) *Further communications received between 23 October 1975 and 15 June 1976*

34. By a letter dated 1 December (S/11896), the Secretary-General referred to the indication in his report on UNEF of 17 October (S/11849) of the need to add a naval unit for coastal patrol duties as a result of the Force's new functions under the Agreement between Egypt and Israel of 4 September. He informed the Council that, following consultations on the subject, the Government of Iran had expressed its readiness to provide a naval unit for service with UNEF and that he proposed to accept its offer.

35. In a note dated 27 May 1976 (S/12089), the President of the Security Council stated that the Secretary-General, on 20 May, had informed him, in connexion with the UNEF requirement of four helicopters and their crews, that after the Canadian Government had indicated that it could not accede to his request, the Australian Government had expressed its willingness to provide them. He then noted that since the parties had no objection to the attachment of Australian helicopters to UNEF, he proposed to accept the offer of the Australian Government. On 27 May, the President of the Security Council had informed the Secretary-General that the Council had duly taken note of his intention to accept the offer of the Australian

Government, although the Soviet Union had expressed reservations about any additional expenditure, and China and the Libyan Arab Republic had dissociated themselves from the matter.

## 2. THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE

### (a) *Communications to the Council received in July 1975*

36. In a note dated 9 July 1975 (S/11750), the President of the Security Council stated that the Secretary-General, on 7 July, had informed him of his intention, if the Security Council so consented, to appoint Colonel Hannes Philipp Commander of UNDOF and that after consultations with the members of the Council, he had informed the Secretary-General on 8 July that the Council consented to the proposed appointment and that China dissociated itself from the matter.

37. In a note dated 22 July (S/11768), the President stated that on 3 July the Secretary-General had informed him of the Peruvian Government's wish to withdraw its contingent from UNDOF as of 20 July. Since efforts to provide a replacement contingent from among the Latin American countries had been unsuccessful, the Secretary-General was approaching Governments from other regional groups. During consultations on 21 July, the Secretary-General had informed the Council that the Government of Iran had expressed its readiness to provide a contingent. On the same day, the President of the Council had informed the Secretary-General that the Council agreed to the proposed replacement, bearing in mind the need to maintain the effectiveness of the Force while taking into account the accepted principle of equitable geographical distribution, and that China dissociated itself from the matter.

### (b) *Extension of the mandate of UNDOF until 30 May 1976*

### (i) *Report of the Secretary-General dated 24 November 1975*

38. Before the expiration of the mandate of UNDOF on 30 November, the Secretary-General submitted a report to the Security Council on 24 November (S/11883), giving an account of the activities of the Force during the period from 22 May to 24 November 1975. The Secretary-General stated that during that period the situation in the UNDOF area of operations had remained generally quiet and that both parties had continued generally to comply with the cease-fire and with the Agreement on Disengagement of Forces. Although the arrangements that had been worked out for the freedom of movement of the Force had fallen short of what was provided for in the Protocol to the Agreement on Disengagement, efforts were continuing to secure full acceptance of that principle. Moreover, UNDOF mine-clearing teams had continued their work and had increased the area accessible to foot and vehicle patrols. He also stated that efforts to advance the implementation of resolution 338 (1973) had continued on several levels, including the contacts between the two Co-Chairmen of the Geneva Peace Conference on the Middle East and between them and other parties concerned. He indicated that he had remained involved in those efforts and that the visit to the area that he was currently engaged in was directly related to them.

39. The Secretary-General observed that the prevailing quiet remained precarious, as the Agreement on Disengagement was not a peace agreement but only a step towards a just and durable peace on the basis of Security Council resolution 338 (1973). He considered that the continued presence of UNDOF was essential to maintain quiet in the Israel-Syria sector and to provide an atmosphere conducive to further peace efforts and to assist in such efforts, if required. He was currently visiting the area to discuss the situation in all its aspects with the parties concerned and would report to the Security Council as soon as possible on the question of the extension of the UNDOF mandate.

40. In a further report dated 28 November (S/11883/Add.1), the Secretary-General stated that between 22 and 27 November he had held talks in the Middle East with the leaders of the Syrian Arab Republic, Israel, Egypt, Lebanon and Jordan.

41. The President of the Syrian Arab Republic had expressed strong disappointment that no progress had been made in the negotiating process with respect to his country since the establishment of UNDOF in 1974. Without a prospect for progress in the negotiating process, his Government found it difficult to approve prolongation of the UNDOF mandate. It wished the Security Council to deal with the substance of the Middle East problem, including the Palestinian question, but would not participate in the Geneva Peace Conference or any other forum so long as the Palestine Liberation Organization (PLO) was not a participant. Following extensive discussions, the President of the Syrian Arab Republic had declared his readiness to agree to a renewal of the UNDOF mandate for another six-month period, provided that the Security Council would reconvene in January 1976 to hold a substantive debate on the Middle East problem, including the Palestinian question, with the participation of representatives of PLO.

42. Israel had informed the Secretary-General that it regarded UNDOF as an integral part of the Disengagement Agreement between Israeli and Syrian Forces of May 1974 and remained opposed to linking the extension of its mandate to further negotiations. It was willing to negotiate at any time with the Syrian Arab Republic, but not with PLO. Once the UNDOF mandate was extended, Israel was ready to participate in a reconvened Geneva Peace Conference on the understanding that only the original participants would attend. It considered that Security Council resolution 338 (1973) provided the basis for negotiations but did not accept the Security Council as the negotiating body for the Middle East problem.

43. The Secretary-General stated that his talks with the leaders of Egypt, Jordan and Lebanon had been most useful and had contributed considerably to his understanding of the over-all situation in the Middle East.

44. In conclusion, the Secretary-General reiterated his conviction that the presence of UNDOF was essential not only to maintain quiet in the Israel-Syria sector but to provide an atmosphere conducive to further negotiating efforts. In the light of the consultations that he had had, he proposed the extension of its mandate for a further six-month period, on the assumption that the Council would reach agreement on a corresponding decision, taking due account of the positions put forward by the parties.



(ii) *Consideration at the 1856th meeting (30 November 1975)*

45. At the 1856th meeting on 30 November, the Security Council included the following item in its agenda:

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/11883 and Add.1)."

46. The President drew attention to a draft resolution (S/11888) sponsored by Guyana, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania, and to a draft statement (S/11889), also submitted by those sponsors, which it had been agreed he would read into the meeting record after the Council had voted on the draft resolution.

47. The representative of Guyana then introduced the draft resolution (S/11888), which read as follows:

"*The Security Council,*

"*Having considered* the report of the Secretary-General on the United Nations Disengagement Observer Force (S/11883 and Add.1),

"*Having noted* the discussions of the Secretary-General with all parties concerned on the situation in the Middle East,

"*Expressing concern* over the continued state of tension in the area,

"*Decides:*

"(a) To reconvene on 12 January 1976, to continue the debate on the Middle East problem including the Palestinian question, taking into account all relevant United Nations resolutions;

"(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months;

"(c) To request the Secretary-General to keep the Security Council informed on further developments."

48. The representative of the United States made a brief statement, after which the Council proceeded to the vote.

**Decision:** *At the 1856th meeting, on 30 November 1975, the draft resolution (S/11888) was adopted by 13 votes to none as resolution 381 (1975). Two members (China and Iraq) did not participate in the voting.*

49. In accordance with the agreement reached at the consultations between members, the President read the following statement (S/11889):

"It is the understanding of the majority of the Security Council that when it reconvenes on 12 January 1976 in accordance with paragraph (a) of Security Council resolution 381 (1975), of 30 November 1975, the representatives of the Palestine Liberation Organization will be invited to participate in the debate."

50. Following the vote, statements were made by the Secretary-General and by the representatives of China, Mauritania, the United Republic of Cameroon, Iraq, Costa Rica, Japan, France, the United Kingdom, Italy, the Byelorussian SSR, the United States, Sweden, the United Republic of Tanzania and the President, speaking in his capacity as representative of the USSR.

(c) *Communications received from the parties in November and December 1975*

51. By a note verbale dated 21 November (S/11885), the representative of the Syrian Arab Republic transmitted the text of a letter addressed to the Commander of UNDOF, in which the Syrian delegate to the Israeli-Syrian Mixed Armistice Commission had submitted charges concerning two Israeli violations of the Geneva Agreement on Disengagement that had resulted in two deaths and had requested that measures be taken to prevent the repetition of such acts.

52. In a letter dated 21 November (S/11882), the representative of Israel described incidents that had occurred on 28 October and 20 November, when civilian targets in Israel had been attacked by terrorists from the Syrian Arab Republic, and emphasized the special responsibility of the Syrian Government for such acts, which constituted a serious violation of the Agreement on Disengagement. Those charges were rejected by the representative of the Syrian Arab Republic in a letter dated 26 November (S/11886), in which he declared that nothing in the Agreement on Disengagement could be construed as imposing any responsibility on the Syrian Government in relation to the struggle of the Palestinian liberation fighters. The representative of Israel, in a further letter dated 3 December (S/11894), replied that under the Agreement on Disengagement both sides were obliged to prevent any violations of the cease-fire originating in their respective territories.

(d) *Extension of the mandate of UNDOF until 30 November 1976*

(i) *Report of the Secretary-General dated 24 May 1976*

53. As the six-month mandate of UNDOF was to expire on 30 May 1976, the Secretary-General submitted a comprehensive report on its operations covering the period from 25 November 1975 to 24 May 1976 (S/12083 and Add.1).

54. The Secretary-General stated that the Force had continued to supervise the area of separation and inspect the areas of limitation of armaments and forces, thus contributing to the maintenance of the cease-fire. In his capacity as Chief Co-ordination of the United Nations Peace-keeping Missions in the Middle East, Lieutenant-General Ensio Siilasvuo had continued to take part in high-level contacts and, as occasion required, in meetings between the military representatives of both Israel and the Syrian Arab Republic concerning the functioning of the Force.

55. Regarding the financial aspects, he indicated that should the Security Council renew the mandate beyond 31 May, the costs for the Force's maintenance up to 31 October 1976 would be within the level of the authorization to enter into commitments provided by the General Assembly.

56. On 27 May, following his trip to Damascus, the Secretary-General submitted an additional report, in which he observed that the situation in the UNDOF area of operations had remained quiet, there having been no incidents of a serious nature. Nevertheless, the situation in the Middle East as a whole remained tense and unstable and would become increasingly dangerous unless progress could be achieved towards a just and durable peace in the area.

57. Efforts to implement Security Council resolution 338 (1973), he reported, had continued on several levels, including contacts that he had maintained with all the parties concerned, as well as with the Co-Chairmen of the Geneva Peace Conference on the Middle East, and he intended to continue his efforts towards the resumption of the negotiating process called for by the Security Council. In the circumstances, he considered the presence of UNDOF to be essential; accordingly, he recommended that the mandate of the Force be extended for a further period of six months until 30 November, a proposal to which the Governments of Israel and the Syrian Arab Republic had given their assent.

(ii) *Consideration at the 1923rd meeting (28 May 1976)*

58. At its 1923rd meeting on 28 May, the Security Council included the following item in its agenda:

"The situation in the Middle East:

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/12083 and Add.1)."

59. The Secretary-General made a statement.

60. The representative of Guyana introduced a draft resolution (S/12088) sponsored by Benin, Guyana, Pakistan, Panama, Romania and the United Republic of Tanzania, which read as follows:

*"The Security Council,*

*"Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12083 and Add.1),*

*"Having noted the efforts made to establish a durable and just peace in the Middle East area and the developments in the situation in the area,*

*"Expressing concern over the prevailing state of tension in the area,*

*"Decides:*

*"(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;*

*"(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months;*

*"(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973)."*

**Decision:** *At the 1923rd meeting, on 28 May 1976, the six-Power draft resolution (S/12088) was adopted by 13 votes to none as resolution 390 (1976). Two members (China and the Libyan Arab Republic) did not participate in the voting.*

61. Following the vote, statements were made by the representatives of China, the USSR, the United States, the United Republic of Tanzania, the Libyan Arab Republic, Romania, the United Kingdom, Sweden, Italy, Japan, Pakistan, Benin, Panama and the President, speaking in his capacity as the representative of France. The representatives of the USSR and the United Kingdom made further statements.

3. THE SITUATION IN THE ISRAEL-LEBANON SECTOR

(a) *Reports of the United Nations Truce Supervision Organization*

62. During the period under review the situation in the Israel-Lebanon sector continued to be the subject

of reports on the status of the cease-fire in the sector submitted by the Chief of Staff of UNTSO and transmitted to the Security Council by the Secretary-General. From 16 June 1975 to 15 June 1976, the Chief of Staff issued monthly reports in which he assessed the frequency of incidents in the sector, the number of incidents of firing across or of crossing of the armistice demarcation line as reported by UNTSO observation posts, the frequency of jet flights over Lebanese territory, the complaints submitted by the parties and the results of UNTSO investigations. Those reports were issued in addenda to document S/11663. When occasion warranted, the Chief of Staff also issued special reports on individual incidents or complaints by the parties.

63. In reports dated 16 June and 1 July (S/11663/Add.5 and 6), covering the month of June 1975, the Chief of Staff indicated that activity in the sector had remained at a low level. On 15 June, Israeli jet aircraft had attacked a Lebanese village with bombs and rockets, causing material damage. Lebanon had submitted 55 complaints about artillery attacks against Lebanese territory, overflights by Israeli jets or penetration by Israeli naval craft into Lebanese territorial waters.

64. During the month of July, the Chief of Staff submitted three special reports (S/11663/Add.7-9), in which he indicated that there had been an increase in activity, particularly on 6-7 July, 19-20 July and 23 July. The over-all report for July (S/11663/Add.10) cited 79 cases of firing across the armistice demarcation line or across the line between Lebanon and Israeli-occupied Syrian territory, 4 cases of firing across or within Lebanese territorial waters, 5 crossing violations and 43 overflights of Lebanese territory by Israeli jet aircraft. Lebanese authorities had submitted 91 complaints, some of which had been the subject of UNTSO inquiries and investigations.

65. During the month of August, three special reports (S/11663/Add.11-13) were submitted concerning a firing incident on 4 August, a jet aircraft attack on two Lebanese villages on 20 August and an exchange of fire on 29/30 August. For the month as a whole, it was reported (S/11663/Add.14) that activity had been relatively high but primarily localized in the western part of the sector. The reports indicated that there had been 111 cases of firing across the armistice demarcation line or across the line between Lebanon and Israeli-occupied Syrian territory. They also indicated that there had been 37 flights by Israeli aircraft over Lebanese territory, as well as overflights by unidentified jet aircraft. In that period, Lebanon had submitted 95 complaints of various aerial and ground violations by Israel.

66. In the month of September, one special report (S/11663/Add.15) concerned a Lebanese complaint of Israeli jet aircraft attacks on two coastal villages on 3 September. The report for the month as a whole (S/11663/Add.16) indicated that activity had remained relatively high during the first half of the month but had decreased slightly during the second half. United Nations observers had recorded 101 cases of firing across the armistice demarcation line. During that period, Lebanon had submitted 80 complaints about Israeli jet overflights, penetration by Israeli naval vessels into Lebanese territorial waters and firing on targets located in Lebanese territory.

67. During the months of October and November no special reports were submitted. Incidents in the

sector, according to the monthly reports (S/11663/Add.17 and 18), followed the same pattern as in previous months, with about 115 cases of firing across the armistice demarcation line, several flights by Israeli jet aircraft over Lebanese territory and 135 Lebanese complaints of Israeli violation of the cease-fire.

68. In a special report dated 2 December (S/11663/Add.19), it was indicated that Israeli jet aircraft had attacked in the vicinity of the town of Nabatiye. The report covering the developments during the month of December (S/11663/Add.20) indicated that there had been 42 cases of firing across the armistice demarcation line, with mortar, automatic weapons and artillery. There had been also 26 overflights by Israeli aircraft. The Lebanese authorities had submitted 60 complaints about firing by Israeli forces on Lebanese territory, flights by Israeli jets over Lebanon and penetration by Israel forces patrols into Lebanese territory.

69. The reports covering January and February 1976 (S/11663/Add.21 and 23) indicated a low level of activity during those months. A special report (S/11663/Add.22) on 27 February concerned a Lebanese complaint that an Israeli force that had penetrated Lebanese territory on 26 February, dynamited a house and caused material damage and the death of a Lebanese citizen. Another special report on 3 March (S/11663/Add.24) concerned a Lebanese complaint that Israeli forces had dynamited a house in another village, causing material damage, and had abducted three Lebanese citizens.

70. Reports on developments in March, April and May (S/11663/Add.25-27) indicated that activity had remained at a low level, with few cases of firing across the armistice demarcation line and fewer complaints from the Lebanese authorities. However, Israeli forces personnel had continued to occupy daily, during daylight hours, five positions on the Lebanese side of the armistice demarcation line.

*(b) Communications containing complaints from the parties*

71. Between 15 June and 12 September, the representatives of Israel and Lebanon addressed a number of letters to the Secretary-General containing charges and countercharges of violations of the General Armistice Agreement of 1949 and of United Nations resolutions.

72. In letters dated 15 and 16 June (S/11726 and S/11728), Israel charged that a four-man squad which had infiltrated Israeli territory from Lebanon had seized a house in a village located in Upper Galilee, killed two persons and wounded three others. The four terrorists had been killed by Israeli soldiers. Israel stated that PLO, which had taken credit for the attack, was in virtual control of parts of Lebanese territory and that the Government of Lebanon bore a heavy responsibility for that fact. In addition, PLO terrorists had directed their fire from Lebanese territory against the towns of Nahariya and Metula and the village of Kfar Giladi.

73. In a letter dated 16 June (S/11727), Lebanon charged that twice in the previous day, a large formation of Israeli jets had attacked the village of Kfar Chouba, killing one person, wounding three others and destroying many houses.

74. In a letter dated 7 July (S/11747), Lebanon charged that the previous night, Israeli artillery had

shelled a number of villages in southern Lebanon, killing one woman and wounding two other persons.

75. In a reply dated 8 July (S/11749), Israel stated that Lebanon had misrepresented the facts by pretending that peaceful villages had been attacked, when in fact the action had been taken against PLO terrorist bases in those areas from which murder missions were launched against Israeli villages.

76. In a letter dated 14 July (S/11755), Israel charged that on 13 July PLO terrorists based in Lebanon had fired against the town of Nahariya and other areas in Israel, wounding two women.

77. In a letter dated 24 July (S/11776), Lebanon charged that on 23 July Israeli forces had crossed the southern border, demolished two houses and kidnapped seven persons, while Israeli soldiers had fired across the border, killing two persons and wounding 10 others.

78. In letters dated 5 and 6 August (S/11790 and S/11792), Israel complained of a series of acts of violence committed against Israel from Lebanese territory by members of PLO between 15 July and 6 August resulting in the death of one soldier and one terrorist and the wounding of several other persons. Israel charged that PLO had been boasting that its missions had been endorsed by recent resolutions of the General Assembly, giving substance to Israel's warnings that those resolutions had become a source of encouragement and support for PLO terrorist activities.

79. In a letter dated 6 August (S/11791), Lebanon charged that on 5 August Israeli forces had launched a land, sea and air attack on the coastal town of Tyre in southern Lebanon and that the Israeli air force had bombed four towns in southern Lebanon. Four Lebanese officers and seven civilians had been killed, 12 persons had been wounded and 15 houses had been destroyed.

80. In a letter dated 21 August (S/11810 and Corr.1), Lebanon complained that on the previous day Israeli aircraft had raided two villages located more than 150 kilometres from the frontier, killing three civilians and wounding 15 others. Those raids, undertaken on the eve of a peaceful mission to the Middle East by the Secretary of State of the United States, indicated that Israel was not prepared to create the necessary conditions for a just and lasting peace in the area.

81. In a letter dated 26 August (S/11817), Israel submitted complaints of six attacks against Israel by PLO terrorists from Lebanese territory between 7 and 20 August, which, it noted, had been mounted during the negotiations for an interim agreement between Israel and Egypt and had been meant to sabotage the peace mission of the Secretary of State of the United States.

82. In letters dated 4 and 12 September (S/11821 and S/11822), Lebanon complained that Israel had committed five acts of aggression between 28 August and 11 September, using Phantom jets against several localities, including a Palestine refugee camp. Those attacks had resulted in the destruction of many houses, substantial damage to other property, the death of two children and the wounding of six other people.

*(c) Requests for a meeting and consideration at the 1859th to 1862nd meetings (4-8 December 1975)*

83. In a letter dated 3 December (S/11892), the representative of Lebanon requested an urgent meeting

of the Security Council to consider massive air attacks launched by Israel on 2 December against refugee camps and villages in various parts of Lebanon that had caused heavy casualties among the civilian population.

84. In a letter of the same date (S/11893) the representative of Egypt also requested an urgent meeting of the Council to discuss the Israeli attack and asked that PLO be allowed to participate in the debate.

85. By a letter dated 4 December (S/11897), the representative of Algeria transmitted the text of a declaration adopted by the Co-ordinating Committee of the Non-Aligned Countries asking the Security Council to condemn Israel's acts of aggression and to take steps to restrain that country from launching attacks against its neighbours and terrorizing the Palestinian refugees.

86. At its 1859th meeting on 4 December 1975, the Security Council included the following item in its agenda:

"The situation in the Middle East:

"(a) Letter dated 3 December 1975 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/11892);

"(b) Letter dated 3 December 1975 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/11893)."

87. The President, with the consent of the Council, invited the representatives of Egypt, Lebanon and the Syrian Arab Republic, at their request, to participate in the discussion without the right to vote.

88. The President drew attention to the Egyptian request for PLO participation in the debate and to a similar proposal made during consultations by the representatives of Guyana, Iraq, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania. That proposal, he pointed out, was not being submitted under rule 37 or rule 39 of the provisional rules of procedure but, if it were adopted by the Council, the invitation to PLO to participate in the debate would confer on it the same rights to participation as were conferred when a Member State was invited under rule 37.

89. Before the Council proceeded to vote, the representatives of France, the United States, Italy, Japan, Iraq, the USSR, the Byelorussian SSR and Mauritania and the President, speaking in his capacity as the representative of the United Kingdom, made statements on the proposal.

**Decision:** *At its 1859th meeting, on 4 December 1975, the Security Council adopted the five-Power proposal by a vote of 9 in favour to 3 against (Costa Rica, United Kingdom of Great Britain and Northern Ireland, United States of America), with 3 abstentions (France, Italy, Japan).*

90. Following the vote, the representative of Costa Rica made a statement.

91. In accordance with the decision of the Council, the PLO representative was invited to participate in the debate.

92. The Council began its discussion of the question with statements by the representatives of Lebanon,

Egypt, the Syrian Arab Republic, as well as by the PLO representatives.

93. At the 1860th meeting on 5 December, the representatives of the United States, the USSR and Japan made statements.

94. At the 1861st meeting on 8 December, the representative of the United Republic of Cameroon introduced a draft resolution (S/11898) sponsored by Guyana, Iraq, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania, the text of which read as follows:

*"The Security Council,*

*"Having considered the question inscribed in its agenda at the 1859th meeting,*

*"Having noted the contents of the letter of the Permanent Representative of Lebanon (S/11892) and of the letter of the Permanent Representative of Egypt (S/11893),*

*"Having heard the statements of the Permanent Representatives of Lebanon, Egypt, the Syrian Arab Republic and the representative of the Palestine Liberation Organization,*

*"Recalling its previous relevant resolutions,*

*"Deploring Israel's defiance of these resolutions,*

*"Grieved at the tragic loss of human life caused by indiscriminate and massive Israeli air attacks,*

*"Gravely concerned about the deteriorating situation resulting from Israel's violation of Lebanon's sovereignty and territorial integrity and of Security Council resolutions,*

*"Convinced that Israeli massive air attacks against Lebanon were premeditative in nature,*

*"1. Strongly condemns the Government of Israel for its premeditated air attacks against Lebanon in violation of its obligations under the Charter of the United Nations and of Security Council resolutions;*

*"2. Calls upon Israel to desist forthwith from all military attacks against Lebanon;*

*"3. Issues once again a solemn warning to Israel that if such attacks were repeated, the Council would have to consider taking appropriate steps and measures to give effect to its decisions."*

95. At the same meeting, the Council heard statements by the representatives of Guyana, Sweden, France, China and Mauritania.

96. At the 1862nd meeting, also held on 8 December, the President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the discussions without the right to vote.

97. The Council concluded its discussions of the question with statements by the representatives of the Byelorussian SSR, Iraq, the United Republic of Tanzania and the United States.

98. In the course of his statement, the representative of the United States introduced amendments (S/11901) providing for the addition of the following new paragraphs to the draft resolution:

*"4. Condemns all acts of violence, especially those which result in the tragic loss of innocent*

civilian life, and urges all concerned to refrain from any further acts of violence;

"5. *Calls upon* all parties to refrain from any action which might endanger negotiations aimed at achieving a just and lasting peace in the Middle East."

99. Before the vote on the United States amendments, statements were made by the representatives of the United Republic of Cameroon and Saudi Arabia.

100. The representative of Italy, under rule 33, paragraph 3, of the provisional rules of procedure, moved the adjournment of the meeting. Following a statement by the representative of Iraq, the motion for adjournment was put to the vote and received 6 votes in favour (Costa Rica, France, Italy, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America) to 8 against, with 1 abstention (Japan) and was not adopted, having failed to receive the required majority of the votes.

101. The representative of Iraq made a statement, after which the Council proceeded to vote separately on the two United States amendments (S/11901) and then on the five-Power draft resolution (S/11898).

**Decision:** *At the 1862nd meeting, on 8 December 1975, each of the two United States amendments (S/11901) received 7 votes in favour and none against, with 6 abstentions (Byelorussian Soviet Socialist Republic, Guyana, Mauritania, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania). Neither of the amendments was adopted, having failed to obtain the required majority. Two members (China and Iraq) did not participate in the vote.*

*The five-Power draft resolution (S/11898) received 13 votes in favour and 1 against (United States of America), with 1 abstention (Costa Rica), and was not adopted, owing to the negative vote of a permanent member of the Council.*

102. Following the voting, statements in explanation of vote were made by the representatives of Italy, Costa Rica, Sweden and the United States and by the President, speaking in his capacity as the representative of the United Kingdom.

103. Further statements were made by the representatives of Lebanon, Egypt and the Syrian Arab Republic, as well as by the representative of PLO.

#### (d) *Other communications*

104. By a letter dated 25 May 1976 (S/12084), the representative of Algeria transmitted a message addressed to the Secretary-General by the Minister for Foreign Affairs of Algeria concerning the position taken by the French Government. The Foreign Minister considered that the dispatch of a French expeditionary force to Lebanon was likely to aggravate the Lebanese crisis and would introduce a very dangerous precedent in the practice of international relations in violation of the principles of the United Nations concerning respect for the political independence, territorial integrity and non-interference in the internal affairs of States. He further expressed the hope that the Secretary-General would make every effort to discourage a venture which was incompatible with any code of international morality and was calculated to undermine the very basis of the United Nations Charter.

105. In a reply dated 27 May (S/12087), the representative of France rejected as untrue the allegations about French policy towards Lebanon, which, he said was motivated by the concern to preserve Lebanon's unity, integrity and sovereignty. Should the President of the Lebanese Republic and the parties concerned with the civil war, including Lebanese parties and interested Arab countries, deem it helpful, France would be prepared to contribute to the necessary machinery to consolidate the cease-fire. France's offer would be made good only if there were a request from the constituted authorities and a consensus of all the parties concerned with the conflict. France's initiative showed its willingness to make a temporary and limited contribution to the process of restoring peace. In that context, it was particularly inappropriate to suggest that there had been an alleged threat of military intervention by France in Lebanon.

#### B. *The situation in the occupied Arab territories*

##### 1. *COMMUNICATIONS TO THE COUNCIL RECEIVED BETWEEN 15 JUNE 1975 AND 12 MARCH 1976*

106. During the period under review, the Security Council received a number of communications on the situation in the occupied Arab territories relating in particular to the situation in Jerusalem and its Holy Places and to terrorism.

107. By a note dated 17 July 1975 (S/11762), the Secretary-General drew the attention of the members of the Security Council to Commission on Human Rights resolution 6 A (XXXI), of 21 February 1975 entitled "Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East".

108. In a letter dated 29 July (S/11780), the representative of Israel stated that for imperative military and security reasons, 400 Bedouin families had been transferred from an area in the Sinai to another of their choice where employment opportunities and living conditions were better. In a reply dated 31 July (S/11784), the representative of Egypt noted Israel's admission of the forcible mass transfer of some of the population in the Sinai and rejected Israel's attempt to justify that action by reason of military necessity and security. The representative of Israel, in a reply dated 8 August (S/11797), charged that Egypt's actions in instigating a campaign of terrorism in the Gaza Strip had created the situation which required the transfer of some members of the Bedouin tribes to safer areas.

109. By a letter dated 7 August (S/11799), the representative of Jordan transmitted the text of a telegram addressed to the Secretary-General by Jordan's Prime Minister and Minister of Foreign Affairs, charging that Israel had violated the sanctity and physical integrity of the Ibrahimi Mosque in Hebron by numerous acts of desecration, obstruction of worshippers in their prayers and the assignment of a large part of the mosque for use by Jews. In a reply dated 20 August (S/11809), the representative of Israel stated that in contrast to Jordan's record in the matter prior to 1967, Israel's policy regarding all the Holy Places had been to guarantee free access to members of all faiths and to ensure orderly conditions of worship to members of every religion. As the Cave of Machpela was holy to both Judaism and Islam, arrangements had been made to enable both Moslems and Jews to worship there in an orderly manner.

110. In a letter dated 4 November (S/11878), the representative of Israel charged that an explosive charge had been set off by PLO terrorists in the centre of Jerusalem near Zion Square, killing 6 persons and wounding more than 30 others, and that a second explosive charge had been discovered but immediately defused. It was Israel's view that the recent resolutions adopted by the General Assembly, including the resolution against Zionism, had encouraged PLO to commit further acts of terrorism.

111. By a letter dated 1 March 1976 (S/12000), the representative of the Libyan Arab Republic requested the circulation of a letter addressed to the President of the Security Council on 23 February by the Acting Permanent Observer of the Palestine Liberation Organization to the United Nations, in which it was charged that after a Jerusalem magistrate court had ruled that Jews had the right to pray in the Al-Aqsa Mosque, some Zionist groups had announced their plans to organize "pray-ins" in the mosque. The PLO representative stated that the ruling was in violation of several Security Council resolutions, including resolution 252 (1968). Furthermore, it had sparked a wave of violent demonstrations in most major West Bank towns and in East Jerusalem, which, in turn, had brought about acts of repression by the Israeli authorities that had caused death and injury to many Palestinians.

112. By a letter dated 2 March (S/12012), the representative of Saudi Arabia transmitted the text of a statement issued by the Islamic Conference, which had met to consider the grave situation in occupied Arab Jerusalem resulting from recent Israeli violations of Security Council resolutions concerning the status of the Holy City and the profanation of the Al-Aqsa Mosque. The members of the Conference regarded the recent ruling of the Jerusalem magistrate court as part of the systematic and persistent policy of the Israeli occupation authorities aimed at gradually obliterating the Moslem and Christian heritage in the city of Jerusalem in violation of United Nations resolutions. They noted with appreciation the efforts made by the Secretary-General and requested him and the President of the Security Council to take immediate steps to stop the Israeli violations and to keep the situation in the Holy City and in the rest of the occupied territories under urgent attention.

## 2. REQUEST FOR A MEETING AND CONSIDERATION AT THE 1893RD TO 1899TH MEETINGS (22-25 MARCH 1976)

113. In a letter dated 19 March (S/12017), the representatives of the Libyan Arab Republic and Pakistan requested an urgent meeting of the Security Council to consider the serious situation arising from recent developments in the occupied Arab territories. Stating that the situation had continued to deteriorate in Jerusalem and other parts of the occupied West Bank and was becoming explosive, they called on the Council to take prompt and effective measures to halt the deterioration of the situation and put an end to Israeli defiance of its decisions on Jerusalem. They also requested that representatives of PLO be invited to participate in the debate, as on previous occasion.

114. At its 1893rd meeting on 22 March, the Security Council included the following item in its agenda without objection:

"Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories:

"Letter dated 19 March 1976 from the Permanent Representatives of the Libyan Arab Republic and Pakistan to the United Nations addressed to the President of the Security Council (S/12017)."

115. The President, with the consent of the Council, invited the representatives of Egypt, Israel, Jordan, the Syrian Arab Republic and Yugoslavia, at their request, to participate in the discussion without the right to vote. The President also drew attention to the request of the representatives of the Libyan Arab Republic and Pakistan that the representatives of PLO be invited to participate in the debate on the item and pointed out that, as on previous occasions, the invitation was not being proposed under rule 37 or rule 39 of the provisional rules of procedure, but if approved by the Council, it would confer on PLO the same rights of participation as were conferred on a Member State when it was invited to participate in the debate under rule 37. The representatives of the United States and Pakistan made statements concerning the proposal.

**Decision:** *At the 1893rd meeting, on 22 March 1976, the Security Council adopted the proposal by a vote of 11 in favour to 1 against (United States of America), with 3 abstentions (France, Italy, United Kingdom of Great Britain and Northern Ireland).*

116. Following the vote, statements were made by the representatives of France and Italy.

117. The Council then began its consideration of the item and heard statements by the representatives of the Libyan Arab Republic and Egypt, as well as by the representative of PLO.

118. At the 1894th meeting, also on 22 March, the President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the debate. The Council continued its discussion with statements by the representatives of Jordan, the Syrian Arab Republic, Israel, Yugoslavia, Pakistan and Saudi Arabia. At the same meeting, the representative of PLO and the representative of the United Kingdom spoke on points of order.

119. At the 1895th meeting on 23 March, the Council continued its discussion with statements by the representatives of the USSR, France, China and Egypt. The representatives of Jordan, the Syrian Arab Republic and Israel spoke in exercise of the right of reply, as did the representative of PLO.

120. At the 1896th meeting, also on 23 March, the President, with the consent of the Council, invited the representative of Iraq, at his request, to participate in the debate. Statements were made by the representatives of the United States and Romania. The representatives of Saudi Arabia, Yugoslavia and the USSR spoke in exercise of the right of reply.

121. At the 1897th meeting on 24 March, the Council continued its discussion. The President, with the consent of the Council, invited the representatives of Bangladesh, India, Mauritania and Tunisia, at their request, to participate in the debate. The representatives of Italy, Panama, Japan, Bangladesh, Iraq, India, Tunisia and Mauritania spoke. The representatives of Israel, Iraq, India, the Libyan Arab Republic and



Saudi Arabia, as well as the representative of PLO, made statements in exercise of the right of reply. The representative of PLO and the representatives of the United States and the USSR spoke on points of order.

122. At the 1898th meeting on 25 March, the Council continued its discussion with statements by the representatives of Guyana, Sweden, the United Republic of Tanzania and the United Kingdom.

123. At the 1899th meeting, also on 25 March, statements were made by the representatives of Saudi Arabia, Israel and Jordan, and by the President, speaking in his capacity as the representative of Benin.

124. At the same meeting, the representative of Pakistan introduced a draft resolution (S/12022) sponsored by Benin, Guyana, Pakistan, Panama and the United Republic of Tanzania which read as follows:

*"The Security Council,*

*"Having considered recent developments in the occupied Arab territories,*

*"Deeply concerned at the serious situation which has arisen in the territories as a result of continued Israeli occupation.,*

*"Deeply concerned further at the measures taken by the Israeli authorities leading to the present grave situation, including measures aimed at changing the physical, cultural, demographic and religious character of the occupied territories and, in particular, the City of Jerusalem, the establishment of Israeli settlements in the occupied territories and other violations of the human rights of the inhabitants of those territories,*

*"Emphasizing the inadmissibility of the acquisition of territory by war,*

*"Recalling and reaffirming the resolutions of the General Assembly and the Security Council calling upon Israel to rescind all measures already taken and to desist from taking any further action which would alter the status of the City of Jerusalem and the character of the occupied Arab territories,*

*"Noting that, notwithstanding the aforementioned resolutions, Israel persists in its policy aimed at changing the physical, cultural, demographic and religious character of the City of Jerusalem in particular,*

*"Reaffirming the urgent need for establishing a just and lasting peace in the Middle East,*

*"1. Deplores Israel's failure to put a stop to actions and policies tending to change the status of the City of Jerusalem and to rescind measures already taken to that effect;*

*"2. Calls upon Israel, pending the speedy termination of its occupation, to refrain from all measures against the Arab inhabitants of the occupied territories;*

*"3. Calls upon Israel to respect and uphold the inviolability of the Holy Places which are under its occupation and to desist from the expropriation of or encroachment upon Arab lands and property or the establishment of Israeli settlements thereon in the occupied Arab territories and to desist from all other actions and policies designed to change the legal status of the City of Jerusalem and to rescind measures already taken to that effect;*

*"4. Decides to keep the situation under constant attention with a view to meeting again should circumstances so require."*

125. The representatives of the United States, Italy, and France made statements, following which the Council proceeded to vote on the draft resolution before it.

**Decision:** *At the 1899th meeting, on 25 March 1976, the five-Power draft resolution (S/12022) received 14 votes in favour and 1 against (United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council.*

126. Following the vote, statements were made by the representatives of the Libyan Arab Republic and the USSR. The representative of PLO and the representatives of the Syrian Arab Republic and Egypt also made statements.

### 3. COMMUNICATIONS TO THE COUNCIL RECEIVED BETWEEN 22 MARCH AND 4 MAY 1976

127. By a letter dated 22 March (S/12020), the representative of Israel transmitted the text of resolutions adopted in December 1975 by the third plenary meeting of the Jerusalem Committee, which had been established by the Mayor of Jerusalem and was composed of 70 outstanding international personalities and served as a world advisory council on matters pertaining to the restoration and beautification of the city.

128. In a letter dated 29 March (S/12028), the representative of Israel, citing a statement made by the representative of the Libyan Arab Republic at the 1897th meeting of the Council to the effect that the "racist entity in the Middle East must be destroyed one day", quoted Articles 23 and 24 of the Charter of the United Nations pertinent to the election of non-permanent members of the Security Council and stated that his Government protested the call for the destruction of a Member State of the United Nations in the Security Council. In a reply dated 6 April (S/12038), the representative of the Libyan Arab Republic stated that the representative of Israel had chosen to interpret the call for destruction of the "racist entity in the Middle East" as a call for the destruction of a Member State. However, the destruction of racism was a leading principle of the United Nations.

129. By a letter dated 30 March (S/12029), the representative of the Libyan Arab Republic transmitted the text of a letter from the Acting Permanent Observer of the Palestine Liberation Organization charging Israeli occupation authorities with a persistent policy of brutal repression against the Palestinian people in occupied Palestine, referring to two incidents on 28 March in the occupied territories and requesting the Council to take immediate and effective measures to put an end to the explosive situation and to deal with the prolonged occupation, which was the true cause of the mounting resistance of the Palestinians in the occupied territories.

130. By a letter dated 14 April (S/12052), the representative of the Libyan Arab Republic requested the circulation of a letter from the Acting Permanent Observer of the Palestine Liberation Organization, who charged that Israel had acquired vast amounts of Palestinian lands through purchase or expropriation and requested the Council to put an end to such acts and seriously consider the termination of the Israeli occupation.

131. In a letter of the same date (S/12053), the representative of Oman, acting as Chairman of the Arab group, conveyed to the Secretary-General the group's deep concern about the continuous violation by Israel of United Nations resolutions and of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, by secretly acquiring land in the occupied Arab territories. The letter requested the Secretary-General to send to the area his representative or a representative of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to look into the matter.

#### 4. REQUEST FOR A MEETING AND CONSIDERATION AT THE 1916TH TO 1922ND MEETINGS (4-26 MAY 1976)

132. By letters dated 22 April and 4 May (S/12058 and S/12067), the representative of the Libyan Arab Republic requested the circulation of two letters from the Acting Permanent Observer of the Palestine Liberation Organization, who charged that on 17 April, Zionist demonstrators had marched through the occupied West Bank in support of Israel's policy of territorial expansion and the establishment of Jewish settlements. Counterdemonstrations had caused clashes with Israel forces and many Palestinians had been killed or wounded. On 1 May, Israeli troops had again opened fire on unarmed Palestinian demonstrators opposing Israel's illegal occupation, killing one Palestinian and injuring many others.

133. In a letter dated 3 May (S/12066), the representative of Egypt drew the attention of the Council to the situation created on the West Bank and the Gaza Strip as a result of the continuation of the Israeli occupation and the determination of the Palestinian people to resist Israeli aggression. He requested an urgent meeting of the Council to consider the continued deterioration of the situation and asked that PLO be invited to participate in the debate.

134. At the 1916th meeting on 4 May, the Security Council included the following item in its agenda without objection:

"The situation in the occupied Arab territories:

"Letter dated 3 May 1976 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/12066)."

135. At that meeting, the President, with the consent of the Council, invited the representatives of Egypt, Israel, Jordan and the Syrian Arab Republic, at their request, to participate in the discussion without the right to vote.

136. At the same meeting, the President drew attention to the request contained in the letter from the representative of Egypt (S/12066) that representatives of PLO be invited to participate in the debate and, as on previous occasions, noted that the proposal was not formulated under rule 37 or rule 39 of the provisional rules of procedure, but that if it was adopted by the Council, the invitation to PLO would confer on it the same rights of participation as those conferred on a Member State under rule 37.

137. The representative of the United States made a statement concerning that proposal.

**Decision:** At its 1916th meeting, on 4 May 1976, the Security Council adopted the proposal by 11 votes

to 1 (United States of America), with 3 abstentions (France, Italy, United Kingdom of Great Britain and Northern Ireland).

138. The Council then began its discussion of the item with a statement by the representative of Egypt. The representative of the USSR and the President spoke on a procedural point.

139. At the 1917th meeting on 5 May, the President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the discussion. The representative of PLO and the representatives of Jordan, the Syrian Arab Republic, Israel and Saudi made statements. The representatives of Egypt and Jordan, as well as the representative of PLO, spoke in exercise of the right of reply.

140. At the 1918th meeting on 10 May, the President, with the consent of the Council, invited the representatives of Kuwait, Somalia, the Sudan, and Yemen, at their request, to participate in the discussion. The Council then heard statements by the representatives of Kuwait, the USSR, and China. The representatives of the Syrian Arab Republic, the United States and the USSR spoke in exercise of the right of reply.

141. At the 1919th meeting on 12 May, the Council heard statements by the representatives of the Sudan, Somalia, Israel and Egypt. The representatives of the Syrian Arab Republic, the Sudan, the USSR and Somalia, as well as the representative of PLO, spoke in exercise of the right of reply.

142. At the 1920th meeting on 14 May, the President, with the consent of the Council, invited the representative of Qatar, at his request, to participate in the discussion. The Council continued its debate with statements by the representatives of the Libyan Arab Republic, Qatar and Benin.

143. At the 1921st meeting on 20 May, the Council resumed its discussion of the item and heard statements by the representatives of Romania, Pakistan, Panama and Egypt.

144. At the 1922nd meeting on 26 May, the Council concluded its consideration of the item. At that meeting, the President declared that on the basis of consultations with all the members of the Council, he was authorized to make the following statement:

"Following the request submitted by Egypt on 3 May 1976, the Security Council held seven meetings between 4 and 26 May 1976 to consider the situation in the occupied Arab territories. After consulting all the members, the President of the Council concludes that the majority of the members agreed on the following:

"Grave anxiety was expressed over the present situation in the occupied Arab territories; concern was also expressed about the well-being of the population of those territories. The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. The occupying Power was therefore asked strictly to respect the provisions of that text and to refrain from and rescind any measure which would violate them. In this connexion, the measures taken by Israel in the occupied Arab territories, which are such as to modify their demographic composition or geographical character, and in particular the establishment of settlements, were deplored. These measures, which cannot prejudice



the outcome of the efforts to achieve peace, constitute an obstacle to peace.

"The Security Council should continue to follow the situation closely."

145. Following the statement by the President, the representatives of Guyana, Japan, the Libyan Arab Republic, the United States, China, Pakistan, Benin, Israel, Jordan, Egypt and the Syrian Arab Republic, as well as the representative of PLO made statements in reference thereto. The representative of the Libyan Arab Republic spoke in exercise of the right of reply. The President also made a statement.

#### 5. SUBSEQUENT COMMUNICATIONS TO THE COUNCIL

146. By a letter dated 13 May (S/12073), the representative of the Libyan Arab Republic requested the circulation of a letter from Rabbi Uri Blau for the Jerusalem Neturei Karta, protesting the closing of ritual slaughter-houses in Jerusalem by Israeli officials as a violation of religious freedom.

147. By a letter dated 18 May (S/12078), the representative of the Libyan Arab Republic requested the circulation of a letter from the Acting Permanent Observer of the Palestine Liberation Organization, charging that Israeli occupation troops had murdered a young girl in Nablus and expressing the deep concern of his organization about the lack of action by the Council to put an end to Israel's illegal occupation.

### C. The Middle East problem including the Palestinian question

#### 1. COMMUNICATIONS TO THE SECURITY COUNCIL REGARDING RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS THIRTIETH SESSION

148. By a letter dated 11 December 1975 (S/11908), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 3375 (XXX) of 10 November 1975, entitled "Invitation to the Palestine Liberation Organization to participate in the efforts for peace in the Middle East". He drew particular attention to paragraph 1, by which the Assembly had requested the Security Council to consider and adopt the necessary resolutions and measures in order to enable the Palestinian people to exercise its inalienable national rights in accordance with General Assembly resolution 3236 (XXIX).

149. By a letter dated 18 December (S/11919), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 3376 (XXX) of 10 November, entitled "Question of Palestine", in paragraph 8 of which the Assembly requested the Security Council to consider, as soon as possible after 1 June 1976, the question of the exercise by the Palestinian people of the inalienable rights recognized in paragraphs 1 and 2 of resolution 3236 (XXIX).

150. By a further letter dated 18 December (S/11920), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 3414 (XXX) of 5 December, entitled "The situation in the Middle East". He drew particular attention to paragraph 4, by which the Assembly requested the Security Council to take all necessary measures for the speedy implementation of all relevant resolutions of the General Assembly and the Security Council aimed at the establishment of a just and lasting peace

in the region, worked out with the participation of all parties concerned, including PLO.

151. By a letter dated 9 January 1975 (S/11931), the representative of the USSR transmitted the text of a letter addressed to the Secretary-General by the Minister for Foreign Affairs of the USSR in connexion with General Assembly resolution 3375 (XXX). The Foreign Minister stated that his Government had consistently advocated the establishment of a just and lasting peace in the Middle East and believed that the only reliable way of reaching a fundamental settlement of that problem was through joint collective efforts by all the parties directly concerned, including the Arab people of Palestine represented by PLO. On 9 November, the Soviet Union had proposed to the United States that as Co-Chairmen of the Geneva Peace Conference on the Middle East they should take a joint initiative for its resumption. His Government continued to hold the firm view that that Conference was the most appropriate forum for working out fundamental decisions on a Middle East settlement based on the relevant United Nations resolutions and resolutely advocated its speediest possible resumption with the full and equal participation of PLO.

#### 2. CONSIDERATION AT THE 1870TH TO 1879TH MEETINGS (12-26 JANUARY 1976)

152. In its resolution 381 (1975) of 30 November 1975, extending the mandate of UNDOF, the Security Council had also decided to reconvene on 12 January 1976 to continue the debate on the Middle East problem, including the Palestinian question, taking into account all relevant United Nations resolutions.

153. Consequently, the Security Council, at its 1870th meeting on 12 January 1976, included the following item in its agenda without objection:

"The Middle East problem including the Palestinian question".

154. At that meeting, the President, with the consent of the Council, invited the representatives of Egypt, Jordan, Qatar, the Syrian Arab Republic and the United Arab Emirates, at their request, to participate in the discussion without the right to vote.

155. At the same meeting, the President referred to the statement made by the President of the Council at the 1856th meeting on 30 November 1975 following the adoption of resolution 381 (1975), in which the Council had decided to reconvene on 12 January. In that statement, the President had expressed the understanding of the majority of the Security Council that when it reconvened on 12 January 1976 in accordance with paragraph (a) of resolution 381 (1975), the representatives of PLO would be invited to participate in the debate. With that statement in mind, the President put forward the proposal that the representative of PLO be invited to participate in the current debate, pointing out that the proposal was not being made under rule 37 or rule 39 of the provisional rules of procedure, but that if it was adopted, the invitation would confer on PLO the same rights of participation as were conferred when a Member State was invited to participate under rule 37.

156. The representatives of the United States, the Libyan Arab Republic, the USSR, Panama, Romania, the United Kingdom and Pakistan made statements regarding the President's proposal. Further statements

before the vote on the proposal were made by the representatives of the United States and the USSR.

**Decision:** *At its 1870th meeting, on 12 January 1976, the Security Council adopted the proposal by a vote of 11 in favour to 1 against (United States of America), with 3 abstentions (France, Italy, United Kingdom of Great Britain and Northern Ireland).*

157. Following the vote, statements were made by the representatives of France and Italy. A statement was made by the representative of the Libyan Arab Republic, and a point of order by the representative of the United States.

158. The Council then began its consideration of the question with a statement by the representative of PLO. The representative of the Libyan Arab Republic made a further statement.

159. At the 1871st meeting on 13 January, the President, with the consent of the Council, invited the representative of Yugoslavia, at his request, to participate in the discussion without the right to vote. The Council heard statements by the representatives of Egypt, the Syrian Arab Republic, Jordan and the United Arab Emirates.

160. At the 1872nd meeting on 14 January, the President, with the consent of the Council, invited the representative of Mauritania, at his request, to participate in the discussion. Statements were made by the representatives of Qatar, Guyana, Japan, France and Sweden.

161. At the 1873rd meeting on 15 January, the President, with the consent of the Council, invited the representatives of Saudi Arabia and Kuwait, at their request, to participate in the discussion without the right to vote. The Council heard statements by the representatives of Pakistan, the USSR, the United Kingdom, Benin and Saudi Arabia.

162. At the 1874th meeting, held on the same day, the President, with the consent of the Council, invited the representative of Iraq, at his request, to participate in the discussion without the right to vote. The representatives of Kuwait, Yugoslavia and China made statements. The representatives of the USSR, China and the Libyan Arab Republic spoke in exercise of the right of reply.

163. At the 1875th meeting on 16 January, the President, with the consent of the Council, invited the representative of Guinea, at her request, to participate in the discussion without the right to vote. The Council continued its discussion with statements by the representatives of Mauritania and Romania.

164. At the 1876th meeting on 19 January, the President, with the consent of the Council, invited the representatives of the German Democratic Republic, India, Morocco, the Sudan and the Yemen Arab Republic, at their request, to participate in the discussion without the right to vote. Statements were made by the representatives of the United States, Italy, Panama, Iraq, India, Morocco, Guinea, the German Democratic Republic and the Yemen Arab Republic.

165. At the 1877th meeting on 21 January, the President, with the consent of the Council, invited the representatives of Algeria, Bulgaria, Czechoslovakia, Democratic Yemen, Hungary, Poland and Tunisia, at their request, to participate in the discussion without the right to vote. Continuing its debate, the Council heard statements by the representatives of the Libyan

Arab Republic, the Sudan, Bulgaria, Tunisia, Hungary, Algeria and Poland.

166. At the 1878th meeting on 22 January, the Council concluded its general debate with statements by the representatives of Democratic Yemen, Cuba and Czechoslovakia and by the President, speaking in his capacity as the representative of the United Republic of Tanzania.

167. At the 1879th meeting on 26 January, the representative of Pakistan introduced a draft resolution (S/11940) sponsored by Benin, Guyana, Pakistan, Panama, Romania and the United Republic of Tanzania which read as follows:

*"The Security Council,*

*"Having considered the item entitled "The Middle East problem including the Palestinian question", in accordance with its resolution 381 (1975) of 30 November 1975,*

*"Having heard the representatives of parties concerned, including the Palestine Liberation Organization, representative of the Palestinian people,*

*"Convinced that the question of Palestine is the core of the conflict in the Middle East,*

*"Expressing its concern over the continuing deterioration of the situation in the Middle East, and deeply deploring Israel's persistence in its occupation of Arab territories and its refusal to implement the relevant United Nations resolutions,*

*"Reaffirming the principle of inadmissibility of acquisition of territories by the threat or use of force,*

*"Reaffirming further the necessity of the establishment of a just and lasting peace in the region based on full respect for the Charter of the United Nations as well as for its resolutions concerning the problem of the Middle East including the question of Palestine,*

*"1. Affirms:*

*"(a) That the Palestinian people should be enabled to exercise its inalienable national right of self-determination, including the right to establish an independent State in Palestine in accordance with the Charter of the United Nations;*

*"(b) The right of Palestinian refugees wishing to return to their homes and live at peace with their neighbours to do so and the right of those choosing not to return to receive compensation for their property;*

*"(c) That Israel should withdraw from all the Arab territories occupied since June 1967;*

*"(d) That appropriate arrangements should be established to guarantee, in accordance with the Charter, the sovereignty, territorial integrity and political independence of all States in the area and their right to live in peace within secure and recognized boundaries;*

*"2. Decides that the provisions contained in paragraph 1 above should be taken fully into account in all international efforts and conferences organized within the framework of the United Nations for the establishment of a just and lasting peace in the Middle East;*

*"3. Requests the Secretary-General to take all the necessary steps as soon as possible for the imple-*

mentation of the provisions of the present resolution and to report to the Security Council on the progress achieved;

"4. *Decides* to convene within a period of six months to consider the report by the Secretary-General regarding the implementation of the present resolution, and in order to pursue its responsibilities regarding such implementation."

168. The representative of the United Kingdom introduced an amendment (S/11942) to the six-Power draft resolution which provided for the addition of the following new operative paragraph:

"3. *Reaffirms* the principles and provisions of its resolutions 242 (1967) and 338 (1973) and declares that nothing in the foregoing provisions of the present resolution supersedes them."

169. On the proposal of the representative of Pakistan, the meeting was then suspended.

170. Following resumption of the meeting, the President indicated that he would put to the vote, first, the amendment of the United Kingdom (S/11942) and, then, the six-Power draft resolution (S/11940).

171. Before the vote on the amendment, statements were made by the representatives of the United States, France, Japan, the USSR, Italy, the Libyan Arab Republic, the United Kingdom and Pakistan. The representative of the USSR and the President, speaking in his capacity as the representative of the United Republic of Tanzania, made further statements.

**Decision:** *At the 1879th meeting, on 26 January 1976, the United Kingdom amendment (S/11942) received 4 votes in favour (France, Italy, Sweden, United Kingdom of Great Britain and Northern Ireland) and 2 against (China, Libyan Arab Republic), with 9 abstentions and was not adopted, having failed to obtain the required majority.*

172. Before the Council proceeded to vote on the six-Power draft resolution (S/11940), statements were made by the representatives of China and the United Kingdom.

**Decision:** *At the 1879th meeting, on 26 January 1976, the six-Power draft resolution (S/11940) received 9 votes in favour and 1 against (United States of America), with 3 abstentions (Italy, Sweden, United Kingdom of Great Britain and Northern Ireland) and was not adopted, owing to the negative vote of a permanent member of the Council. Two members (China and Libyan Arab Republic) did not participate in the vote.*

173. Thereafter, the Secretary-General made a statement. Further statements were made by the representatives of the United States, France, Japan, the USSR, Romania, Panama, Sweden, Italy, Benin and the Libyan Arab Republic and by the President, speaking in his capacity as the representative of the United Republic of Tanzania. Statements were also made by the representatives of Egypt, Jordan and the Syrian Arab Republic, as well as by the representative of PLO.

### 3. OTHER COMMUNICATIONS RECEIVED BETWEEN 1 JANUARY AND 15 JUNE 1976

174. By a letter dated 9 January (S/11928 and Corr.1), the representative of the USSR transmitted the text of a statement, in which his Government set forth its views regarding the situation in the Middle East.

It pointed out, in particular, that while conditions for the achievement of an over-all settlement had become more favourable, Israel, long encouraged by certain States which continued to bypass the Geneva Peace Conference and were seeking separate arrangements, continued to oppose any real progress towards settlement by refusing to withdraw from the occupied lands and to recognize the legitimate rights of the Arab people of Palestine. In order to establish a just and lasting peace in the Middle East, it was necessary to solve three basic problems which were organically linked: Israeli troops must be withdrawn from all Arab territories they occupied in 1967; the legitimate rights of the Arab people of Palestine, including its inalienable right to create its own State, must be ensured; the security of all Middle Eastern States and their right to independent existence must be guaranteed. The recognition of the need to resolve the Palestine problem in the framework of a Middle East settlement was increasingly gaining ground. Such recognition had been reflected in the latest resolutions of the United Nations General Assembly, which had clearly stated that the Arab people of Palestine was one of the principal parties to a Middle East settlement, and the Palestine Liberation Organization was its legitimate representative. The Soviet Government believed that the Security Council must base its discussion of the Middle East problem on its 1967 and 1973 resolutions and those of the General Assembly and that its discussion should result in creating the necessary conditions for the resumption of the Geneva Conference.

175. In a letter dated 10 January (S/11929), the representative of Mexico declared that Mexico considered the Middle East situation to be the most serious potential threat to world peace and that a comprehensive solution to the problem was necessary within the framework of the relevant resolutions of the United Nations. Mexico also believed that the permanent members of the Security Council should demonstrate by action that they wished those resolutions implemented.

176. By a letter dated 14 January (S/11932), the representative of Israel transmitted the text of an article by Y. Itarkabi entitled "The Palestinian National Covenant, an Israeli Commentary". The representative of Israel commented on the PLO political programme and various statements made by its leaders, which, he said, demonstrated that the principles and purposes of that organization were incompatible with the principles and purposes of the Charter of the United Nations.

177. By letters dated 17 and 20 February (S/11985 and S/11991), the representatives of the USSR and of the United States transmitted the replies of their respective Governments to a letter which the Secretary-General had addressed to them on 27 January, in maintaining contacts with the Co-Chairmen of the Geneva Peace Conference on the Middle East, inquiring about their thinking on ways of making progress towards a solution of the problem.

178. In his reply (S/11985), the Minister for Foreign Affairs of the USSR stated that Israel's continuing occupation of the Arab territories and its disregard of the rights of the Palestine people perpetuated the danger of a new military explosion. The efforts of Israel and those who supported it to keep the settlement of the Middle East problem deadlocked, as demonstrated by the results of the recent debate in the Security Council, was a subject of concern. Because of the

position of one of its permanent members, the Council had not been able to reach a decision, although the overwhelming majority of its members had spoken in favour of specific measures to achieve a comprehensive settlement. With few exceptions, Members of the United Nations had expressed, in the General Assembly and the Security Council, the view that genuine peace in the Middle East was impossible unless Israel withdrew its troops from all the Arab territories occupied in 1967 and unless the inalienable rights of the Arab people of Palestine were safeguarded and the right of all States of the region to independent existence was guaranteed. It had become evident that the only reliable way to achieve agreement on all the questions involved in a settlement was to resume, after careful preparation, the work of the Geneva Peace Conference, with the participation of all those directly concerned, including PLO and the Co-Chairmen of the Conference. Without the participation of the Palestinians, the Geneva Conference would be not a forum for business-like negotiations but a camouflage aimed at creating a semblance of negotiations.

179. In his reply (S/11991), the Secretary of State of the United States stated that he shared the Secretary-General's sense of urgency of pursuing the goal of a peaceful settlement in the Middle East and was determined to continue the efforts towards meaningful negotiations. He remarked, however, that there would be no chance of further progress if the negotiating framework were to be disrupted. That framework, he added, was sufficiently flexible and could provide the basis for working out fair and durable solutions to all of the issues involved. Furthermore, the United States had repeatedly affirmed that there would be no permanent peace unless it included arrangements that took into account the legitimate interests of the Palestinian people. Recognizing the need for a degree of flexibility on the particular procedures through which the momentum of progress in the negotiating process might be maintained, the United States had agreed that a resumption of the Geneva Peace Conference, after careful preparation, would serve the goal of achieving such progress. As a practical way of proceeding, the United States had proposed a preparatory conference of those who had participated so far in the negotiations. It was also prepared to consider holding bilateral consultations with the USSR in advance of such a preparatory conference.

180. By a letter dated 29 April (S/12063), the representative of the USSR transmitted a statement by the Soviet Government dated 28 April, calling for an over-all political settlement of the problem of the Middle East based on the withdrawal of Israeli troops from all Arab territories; the satisfaction of the legitimate national demands of the Arab people of Palestine, including their inalienable right to establish their own State; and international guarantees for the security and inviolability of the frontiers of all Middle Eastern States. It favoured the resumption of the Geneva Peace Conference, with the participation of PLO, possibly in two stages, so that all organizational questions might be solved in the initial stage and appropriate working bodies established. The Soviet Union was prepared to appoint its representatives to such meetings without delay. In the statement it was stressed that the previous year's separate arrangements concerning some minor segments of the Israeli-occupied territories, by sidestepping the key questions in any Middle East settlement, had not only failed to alleviate the situation but

had even further aggravated it, as had been demonstrated by the events in Lebanon.

181. By a letter dated 19 May (S/12080), the representative of Bulgaria transmitted a statement of the Bulgarian Government on the Middle East, in which it expressed its full agreement with the statement of the Soviet Union of 28 April and endorsed the proposals contained therein for the solution of the Middle East conflict.

#### 4. REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINE PEOPLE

182. By a note dated 29 May (S/12090), the Secretary-General, in accordance with the provisions of paragraph 7 of General Assembly resolution 3376 (XXX) of 10 November 1975, transmitted to the Security Council the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People established pursuant to the above-mentioned resolution.

183. In its report, the Committee summarized its deliberations, which had centred on such questions as the right of return, the right to self-determination and to national independence and sovereignty, the status of Jerusalem, the elements of a programme to implement the inalienable rights of the Palestinians and the inter-relationship of the question of Palestine and the Middle East problem.

184. The Committee stressed the inalienable right of Palestinians to return to their homes and proposed a two-phase programme to implement the exercise of that right. The first phase involved the return of Palestinians displaced in the June 1967 war. The Committee recommended that the Security Council should request the immediate implementation of its resolution 237 (1967) and that such implementation should not be related to any other conditions. It further recommended that the resources of the International Committee of the Red Cross and/or the United Nations Relief and Works Agency for Palestine Refugees in the Near East might be employed to assist in the solution of any logistical problems involved in the resettlement of those Palestinians returning to their homes. For the second phase, dealing with Palestinians displaced between 1948 and 1967, the Committee recommended that the United Nations, in co-operation with the States directly involved and PLO, should proceed to make the necessary arrangements to enable those Palestinians to exercise their right to return to their homes and property or to receive just compensation in accordance with General Assembly resolution 194 (III).

185. In order to implement the right of the Palestinian people to self-determination, national independence and sovereignty, the Committee recommended that a time-table should be established by the Security Council for the complete withdrawal, no later than 1 June 1977, of Israeli occupation forces from the areas occupied in 1967. If necessary, temporary peace-keeping forces should be provided by the Council to facilitate the process of withdrawal. It also recommended that the Council should request Israel to desist from the establishment of new settlements and to withdraw during that period from settlements established since 1967 in the occupied territories. Israel was also to be requested to abide by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 and to declare its recognition of the applicability of that Convention. The evacuated territories should be taken over by the

United Nations, with the co-operation of the League of Arab States, and subsequently handed over to PLO as the representative of the Palestinian people. The Committee also recommended that, as soon as the independent Palestinian entity had been established, the United Nations, in co-operation with the States directly involved and that entity, should make further arrangements, taking into account General Assembly resolution 3375 (XXX), for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions.

#### 5. CONSIDERATION AT THE 1924TH MEETING (9 JUNE 1976)

186. At its 1924th meeting on 9 June, the Security Council included the following item in its agenda without objection:

"The question of the exercise by the Palestinian people of its inalienable rights:

"Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)."

187. The President read out the text of a letter dated 9 June from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People asking to address the Security Council in his capacity as Chairman of the Committee, together with the Rapporteur of that Committee.

188. The President, with the consent of the Council, extended an invitation under rule 39 of the provi-

sional rules of procedure to the Chairman, the Rapporteur and other members of the Committee.

189. The President also read out the text of a letter also dated 9 June from the representatives of the Libyan Arab Republic and Pakistan requesting that, as on previous occasions, the representative of PLO be invited to participate in the debate on the item. He noted that the proposal was not put forward under rule 37 or 39 of the provisional rules of procedure, but that if it was adopted by the Council, the invitation would confer on PLO the same rights of participation as those conferred when a Member State was invited to participate under rule 37.

190. The representative of the United States made a statement in regard to that proposal.

**Decision:** *At its 1924th meeting, on 9 June 1976, the Security Council adopted the proposal by a vote of 11 in favour to 1 against (United States of America), with 3 abstentions (France, Italy, United Kingdom of Great Britain and Northern Ireland).*

191. The President, then, with the consent of the Council, also invited the representatives of Cuba, Egypt, Jordan, the Syrian Arab Republic, Turkey and the United Arab Emirates, at their request, to participate in the debate without the right to vote.

192. At the same meeting, the Council began its consideration of the question with a statement by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, who introduced the report of the Committee. The Rapporteur of the Committee also made a statement, as did one of the Vice-Chairmen of the Committee and the representative of Cuba.

## Chapter 2

### THE SITUATION CONCERNING WESTERN SAHARA

#### A. Communications to the Security Council and request for a meeting

193. In a letter dated 18 October 1975 (S/11851) addressed to the President of the Security Council, the representative of Spain drew attention, under Article 35 of the Charter of the United Nations, to statements that had been made by King Hassan II of Morocco concerning a planned march by 350,000 people into Western Sahara which had created a situation of friction and threatened international peace and security. The representative of Spain requested an urgent meeting of the Council to consider the situation.

194. In a letter of the same date (S/11852), the representative of Morocco replied that Spain, by describing the peaceful march as an invasion, had misrepresented the facts in an effort to distort the nature of Morocco's claims and of the peaceful means it had always employed in gaining its right to national unity and territorial integrity. The announced march, he added, would be made by unarmed civilians, who had been instructed not to respond to any attack by Spanish military forces.

#### B. Consideration at the 1849th and 1850th meetings (20 and 22 October 1975)

195. At its 1849th meeting on 20 October, the Security Council adopted the following agenda without objection:

"The situation concerning Western Sahara:

"Letter dated 18 October 1975 from the Permanent Representative of Spain to the United Nations addressed to the President of the Security Council (S/11851)."

196. The representatives of Spain and Morocco were invited, at their request, to participate in the discussion without the right to vote.

197. The Council began its discussion of the question with statements by the representatives of Spain, Morocco and Mauritania. The representative of Costa Rica then introduced a draft resolution (S/11853) sponsored by his delegation. The representative of Spain also spoke in exercise of the right of reply.

198. The draft resolution submitted by Costa Rica, as subsequently revised (S/11853/Rev.1), read as follows:

*"The Security Council,*

*"Without prejudice to such measures as it may in due course adopt,*

*"Requests, as a matter of urgency, that the Government of Morocco desist from the proposed march on Western Sahara."*

199. At the 1850th meeting on 22 October, the Council continued its consideration of the item and also invited the representative of Algeria, at his request,

to participate in the discussion without the right to vote.

200. The President stated that, in the course of informal consultations, members of the Council had agreed on a text of a draft resolution (S/11858), which they were prepared to adopt by consensus. It read as follows:

*"The Security Council,*

*"Having considered the situation concerning Western Sahara, and the letter dated 18 October 1975 from the Permanent Representative of Spain to the President of the Security Council (S/11851),*

*"Reaffirming the terms of General Assembly resolution 1514 (XV) of 14 December 1960 and all other relevant General Assembly resolutions on the Territory,*

*"1. Acting in accordance with Article 34 of the Charter of the United Nations and without prejudice to any action which the General Assembly might take under the terms of its resolution 3292 (XXIX) of 13 December 1974 or to negotiations that the parties concerned and interested might undertake under Article 33 of the Charter, requests the Secretary-General to enter into immediate consultations with the parties concerned and interested and to report to the Security Council as soon as possible on the results of his consultations in order to enable the Council to adopt the appropriate measures to deal with the present situation concerning Western Sahara;*

*"2. Appeals to the parties concerned and interested to exercise restraint and moderation, and to enable the mission of the Secretary-General to be undertaken in satisfactory conditions."*

201. Before proceeding to the adoption of the draft resolution, the Council heard a statement by the representative of Algeria.

**Decision:** *At the 1850th meeting, on 22 October 1975, the draft resolution (S/11858) was adopted by consensus as resolution 377 (1975).*

202. The President also announced that the revised draft resolution submitted by Costa Rica (S/11853/Rev.1) had been withdrawn.

203. Thereafter, statements were made by the representatives of Guyana, China, France, the United Kingdom of Great Britain and Northern Ireland, Costa Rica, Japan, the Union of Soviet Socialist Republics, the United Republic of Tanzania, Italy, the United Republic of Cameroon, the United States of America and the Byelorussian Soviet Socialist Republic, the President of the Council, speaking in his capacity as the representative of Sweden, and the representatives of Mauritania, Morocco, Spain and Algeria.

#### **C. Communications and reports to the Security Council between 22 October and 2 November 1975**

204. By a note dated 22 October (S/11857), the Secretary-General, as requested by the representative of Spain at the 1849th meeting, circulated the texts of three letters that had been addressed to him on 6 May, 14 July and 25 August by the representative of Spain concerning statements made by the King of Morocco in connexion with the decolonization of the Sahara.

205. By a letter dated 31 October (S/11862), the representative of Algeria transmitted the texts of mes-

sages exchanged between the President of the Organization of African Unity and the President of Algeria in connexion with developments in the Sahara.

206. In accordance with the request addressed to him in resolution 377 (1975), the Secretary-General submitted a report (S/11863) to the Security Council on 31 October. He stated that after having held consultations in New York with representatives of the parties concerned, he had visited Morocco, Mauritania, Algeria and Spain, in that order, from 25 October to 28 October, and had had extensive discussions with their respective heads of State and Government. The positions of the four Governments were set forth in the report. The Secretary-General stated that while not all the parties had arrived at a final decision, it seemed to him that they would be prepared to recognize the United Nations as an essential element in the search for an acceptable solution. In the framework of such a solution, the United Nations might be called upon to play an appropriate role. He would continue his consultations with the parties. Meanwhile, the situation in the area remained grave, and he considered it of the greatest importance that any action which might escalate the tension should be avoided.

207. By a letter dated 1 November (S/11864) addressed to the President of the Security Council, the representative of Spain requested an urgent meeting of the Council, stating that the situation in Western Sahara had deteriorated owing to the refusal of the Government of Morocco to halt the announced march into that Territory.

#### **D. Consideration at the 1852nd meeting (2 November 1975)**

208. At its 1852nd meeting on 2 November, the Security Council adopted the following agenda without objection:

*"The situation concerning Western Sahara:*

*"(a) Report by the Secretary-General in pursuance of Security Council resolution 377 (1975) relating to the situation concerning Western Sahara (S/11863);*

*"(b) Letter dated 1 November 1975 from the Chargé d'affaires, a.i., of the Permanent Mission of Spain to the United Nations addressed to the President of the Security Council (S/11864)."*

209. The President stated that on 1 November, following circulation of the Secretary-General's report, the members of the Council had conducted intensive consultations in which the Secretary-General had also participated. As a result, a draft resolution had been prepared (S/11865), which the members had agreed should be adopted by consensus. It read as follows:

*"The Security Council,*

*"Having considered the report of the Secretary-General in pursuance of Security Council resolution 377 (1975) relating to the situation concerning Western Sahara (S/11863),*

*"Having also considered the letter dated 1 November 1975 from the Chargé d'affaires ad interim of the Permanent Mission of Spain to the United Nations addressed to the President of the Security Council (S/11864),*

*"Reaffirming its resolution 377 (1975) of 22 October 1975,*



*"Having noted with concern that the situation in the area remains grave,*

*"Expressing its appreciation of the efforts of the Secretary-General in implementation of Security Council resolution 377 (1975),*

*"Reaffirming the terms of General Assembly resolution 1514 (XV) of 14 December 1960 and all other relevant General Assembly resolutions on the Territory,*

*"Noting that the question of Western Sahara is before the General Assembly at its thirtieth session,*

*"1. Urges all the parties concerned and interested to avoid any unilateral or other action which might further escalate the tension in the area;*

*"2. Requests the Secretary-General to continue and intensify his consultations with the parties concerned and interested, and to report to the Security Council as soon as possible on the results of these consultations in order to enable the Council to adopt any further appropriate measures that may be necessary."*

**Decision:** *At the 1852nd meeting, on 2 November 1975, the draft resolution (S/11865) was adopted by consensus as resolution 379 (1975).*

210. The Secretary-General made a statement. The Council then continued its discussion with statements by the representatives of Spain, China, Costa Rica, Japan, the United States, the Byelorussian SSR, France, Guyana, the United Republic of Tanzania, Sweden, Mauritania, Morocco, Algeria and the President of the Security Council, speaking in his capacity as representative of the USSR. The representatives of Spain, Morocco and Algeria made statements in exercise of their right of reply.

#### **E. Communication to the Security Council and request for a meeting**

211. By a letter dated 6 November (S/11867), the representative of Spain requested an emergency meeting of the Security Council, stating that the frontier of Western Sahara had been violated by large contingents of Moroccan nationals, including elements of the armed forces and official authorities. It had therefore become most urgently necessary for the Security Council to take appropriate measures to secure the withdrawal to Moroccan territory of the elements that were taking part in the march.

#### **F. Consideration at the 1853rd and 1854th meetings (6 November 1975)**

212. The Security Council held its 1853rd meeting in private on 6 November and issued a communiqué (S/11869), in accordance with rule 55 of its provisional rules of procedure, which read as follows:

*"At its 1853rd meeting, held in private on 6 November 1975, the Security Council continued its consideration of the situation concerning Western Sahara. The representatives of Morocco, Spain and Algeria, as three of the four parties concerned and interested, were invited by decision of the Council to take part in the meeting.*

*"The members of the Council put questions to the representatives of parties concerned and interested and received answers to them.*

*"After a suspension of the meeting, the Council decided to authorize its President to issue, on its behalf, the following appeal to His Majesty King Hassan II of Morocco:*

*"The Security Council has authorized me to address to Your Majesty an urgent request to put an end forthwith to the declared march into Western Sahara."*

213. On the proposal of the President, supported by the representative of the United States, the Council also decided that the verbatim record of the 1853rd meeting should be prepared and distributed in the same way as the record of a public meeting.

214. In a note issued on 6 November (S/11868), the President of the Security Council circulated the text of the appeal he had addressed to His Majesty King Hassan II of Morocco in accordance with the Council's decisions, together with the text of the reply received on the same date. In that reply, the King of Morocco stated that the march had already begun and reiterated his Government's assurance that at no time would it deviate from the peaceful character which underlay the action.

215. At the 1854th meeting on 6 November, the Council included the following subitem in its agenda, without objection:

*"Letter dated 6 November 1975 from the Chargé d'affaires, a.i., of the Permanent Mission of Spain to the United Nations addressed to the President of the Security Council (S/11867)."*

216. The President of the Council made a statement, in which he drew attention to the contents of document S/11868 and a letter dated 6 November (S/11871) from the representative of Spain, which contained disquieting information on the situation. He then stated that in the course of informal consultations held throughout the day, a draft resolution (S/11870) had been prepared which the Council members had agreed to adopt by consensus. The draft resolution read as follows:

*"The Security Council,*

*"Noting with grave concern that the situation concerning Western Sahara has seriously deteriorated,*

*"Noting with regret that, despite its resolutions 377 (1975) of 22 October and 379 (1975) of 2 November 1975 as well as the appeal made by the President of the Security Council, under its authorization, to the King of Morocco with an urgent request to put an end forthwith to the declared march on Western Sahara, the said march has taken place,*

*"Acting on the basis of the aforementioned resolutions,*

*"1. Deplores the holding of the march;*

*"2. Calls upon Morocco immediately to withdraw from the Territory of Western Sahara all the participants in the march;*

*"3. Calls upon Morocco and all other parties concerned and interested, without prejudice to any action which the General Assembly might take under the terms of its resolution 3292 (XXIX) of 13 December 1974 or any negotiations which the parties concerned and interested might undertake under Article 33 of the Charter of the United Nations, to co-operate fully with the Secretary-General in the*

fulfilment of the mandate entrusted to him in Security Council resolutions 377 (1975) and 379 (1975)."

**Decision:** *At the 1854th meeting, on 6 November 1975, the draft resolution (S/11870) was adopted by consensus as resolution 380 (1975).*

217. The Security Council then heard statements by the Secretary-General, the representatives of Spain, Morocco and Algeria and the President of the Council. The representatives of Spain, Morocco, Mauritania and Algeria made statements in exercise of their right of reply. A statement was then made by the President in his capacity as the representative of the USSR.

### G. Other communications to the Council

218. By a letter dated 6 November (S/11872), the representative of Algeria transmitted messages dated 24 October and 4 November from the Minister for Foreign Affairs of Algeria to the Secretary-General, in which the Minister reiterated his country's position on the question of Western Sahara, expressed the willingness of Algeria to take no unilateral measure which might create or aggravate tension in the region and reaffirmed that Algeria would abide strictly by the application of pertinent resolutions of the General Assembly.

219. In a letter dated 6 November (S/11871), the representative of Spain stated that according to official information received by the Spanish Embassy in Rabat, the Moroccan Government envisaged that the march would continue unless Spain agreed to undertake urgent bilateral negotiations dealing with the transfer of sovereignty over the Sahara to Morocco. Moreover, Morocco would not exclude the possibility of confrontation between the participants in the march and Spanish forces. It had also ruled out intervention by the United Nations and all possible plans and proposals discussed thus far in connexion with visits of the Secretary-General.

220. In a letter dated 7 November (S/11873), the representative of Morocco referred to the Spanish letter of 6 November (S/11871) and stated that all information contained in that letter had been denied by the Ambassador of Spain at Rabat.

### H. Further reports of the Secretary-General to the Council

221. Pursuant to resolution 379 (1975), the Secretary-General submitted a report (S/11874) to the Security Council on 8 November, in which he described the consultations he had held at the United Nations with the representatives of the parties concerned and the visit of his special envoy, Mr. André Lewin, to Morocco, Mauritania, Algeria and Spain. After reporting the positions of the parties, the Secretary-General stated that the entry of the "Green March" into Western Sahara had seriously increased the tension in the area and that, should the situation deteriorate further, the chances for a satisfactory settlement would be seriously jeopardized. He called for the exercise of the utmost restraint to avoid a tragedy and to keep open the path towards a peaceful settlement.

222. On 12 November, in his second report (S/11876), the Secretary-General informed the Council that on 9 November, King Hassan had announced at Agadir that he was asking the "Green March" volunteers to return to their starting point, a decision that

had helped to dispel tension in the region. The Secretary-General expressed his conviction that, although the position of the parties continued to differ, a solution to the problem within the United Nations framework remained the only approach capable of achieving a peaceful settlement satisfactory to all parties concerned.

223. On 19 November, in a third report (S/11880), the Secretary-General stated that after the participants in the march had been withdrawn, Spain had informed him that it had agreed with Morocco and Mauritania on a declaration of principles, according to which Spain would terminate its presence in Western Sahara by 28 February 1976 at the latest and, in the interim, would transfer its responsibilities as administering Power to a temporary tripartite administration comprised of the present Governor-General and two Deputy Governors appointed on the nomination of Morocco and Mauritania, respectively. The new administration would work in collaboration with the Yemaa, which would represent the views of the Saharan population. The Secretary-General also reported that Algeria had formally taken the position that the declaration was contrary to the relevant Security Council resolutions and therefore null and void. Annexed to the report were the texts of the joint communiqué issued by Spain, Morocco and Mauritania in Madrid on 14 November; a letter dated 18 November from the representative of Spain, transmitting to the Secretary-General the declaration of principles adopted by Spain, Morocco and Mauritania; the text of the declaration itself; and the text of a document transmitted to the Secretary-General on 19 November by the representative of Algeria, setting forth the formal position of the Algerian Government with regard to developments in Western Sahara.

### I. Subsequent communications to the Council

224. By a letter dated 9 December (S/11902), the representative of Algeria transmitted a communiqué, issued on 28 November by the Saharan Provisional National Council in response to the Secretary-General's report (S/11880), dissolving the Saharan General Assembly, which had not been democratically elected and had no real authority; establishing the Saharan Provisional National Council; declaring that the Saharan people must be allowed to decide its own future and obtain its independence free of outside intervention; and reaffirming its support of the Frente POLISARIO as the only legitimate representative of the Saharan people.

225. By a letter dated 10 December (S/11903 and Corr.1), the representative of Algeria transmitted a message from the Secretary-General of the Saharan National Council stating that manoeuvres for partitioning Western Sahara were being carried out on the spot and charging that Morocco had invaded the country with the full complicity of Spain and Mauritania. The people of Western Sahara were the victims of appalling genocide and thousands of refugees were fleeing before the Moroccan soldiery. In the face of that brutal aggression, the Frente POLISARIO, joined by other representatives of the Saharan people, reiterated its determination to continue the struggle for self-determination and independence.

226. By a letter dated 6 February 1976 (S/11971), the representative of Algeria transmitted a memorandum from his Government referring to the agreement concluded on 14 November 1975 at Madrid by Spain, Morocco and Mauritania and stating that developments



in Western Sahara following that agreement would have serious consequences for the future national unity and territorial integrity of the Saharan people and for peace, security and stability in that region. That agreement, Algeria declared, was totally lacking in validity as it was in complete contradiction of the Charter of the United Nations and relevant United Nations resolutions, in particular General Assembly resolution 3458 A (XXX) of 10 December 1975. A blatant act of aggression against the Saharan people was taking place and it was imperative that the dangerous process of deterioration be halted and international legality restored.

227. In a letter dated 26 February (S/11997), the representative of Spain called attention to all the efforts made by his Government to achieve speedy decolonization of the Territory under peaceful conditions. Referring to the provisions of paragraph 2 of the Madrid declaration of principles of 14 November 1975, he stated that, as of 26 February, Spain definitively terminated its presence in the Territory of the Sahara and thenceforth considered itself exempt from any responsibility of an international nature in connexion with the administration of that Territory. Further, Spain took the position that the decolonization of Western Sahara would reach its climax when the views of the Saharan population had been validly expressed.

228. By a letter dated 8 March (S/12002), the representative of Algeria transmitted a statement by a spokesman of the Ministry of Foreign Affairs of Algeria pointing out that the President of the Council of Ministers of the Organization of African Unity, which had met at Addis Ababa from 23 to 29 February, had declared that the Saharan people, like all other peoples, was entitled to exercise the right of self-determination; therefore, the Council of Ministers had

recognized the Frente POLISARIO as a liberation movement. Algeria, it was stated, unconditionally supported all liberation movements, particularly those in Africa, and, therefore, joined Burundi and Madagascar in recognizing the Democratic Sahrawi Arab Republic.

229. By a letter dated 17 May (S/12076), the representative of Algeria transmitted a message from the Minister for Foreign Affairs of Algeria to the Secretary-General, in which the Minister referred to two agreements signed on 14 April by Morocco and Mauritania: one on the delimitation of the frontier between those two States, and the other on economic co-operation between them in Western Sahara. Algeria held that those agreements fell fully within the framework of the policy of aggression and fait accompli pursued by those two countries in Western Sahara; therefore, Algeria accorded no validity to those agreements and considered them null and void.

230. In a letter dated 14 June (S/12095), the representative of Mauritania stated that, for some time, Algeria had been pursuing a systematic policy of aggression and intimidation against Mauritania. Mercenary units organized, armed and financed by Algeria had attacked civilian objectives situated within the 1960 Mauritanian frontiers. During May, two localities had been hit by mortar fire, causing casualties among the innocent population. On 8 June, a column of several hundred men, including the Secretary-General and the Deputy Secretary-General of the so-called liberation movement of the Sahara, had arrived in the vicinity of Nouakchott with instructions to overthrow the Mauritanian Government. Although their plan had been foiled by the Mauritanian security forces, it nevertheless constituted an extremely dangerous precedent which seriously affected peace and security in the entire region.

### Chapter 3

## THE SITUATION IN CYPRUS

### A. Developments between 16 June and 31 December 1975

#### 1. REPORTS AND OTHER COMMUNICATIONS TO THE SECURITY COUNCIL FROM THE SECRETARY-GENERAL

231. Pursuant to the request contained in resolution 370 (1975) of 13 June 1975 that he continue the mission of good offices entrusted to him in resolution 367 (1975) of 12 March, the Secretary-General held a third and a fourth round of negotiations with the representatives of the Greek Cypriots and the Turkish Cypriot communities of Cyprus, which took place in Vienna from 31 July to 2 August and in New York from 8 to 10 September, respectively.

#### (a) *Interim report of the Secretary-General dated 5 August*

232. On 5 August, the Secretary-General submitted an interim report (S/11789) on the third round of negotiations and attached the text of an agreed press communiqué issued at the close of the Vienna talks on 2 August.

233. The communiqué noted that preliminary discussions had been held on the powers and functions of a federal Government and on the geographical aspects of a future Cyprus settlement and indicated

that the interlocutors would hold private talks on the latter subject in preparation for the fourth round of talks to be held in New York in September. Among other points, agreement had been reached that the Turkish Cypriots in the south of the island would be allowed, if they so wished, to proceed north with UNFICYP assistance; that a number of Greek Cypriots would be transferred to the north; that Greek Cypriots in the north would be free to stay and would be helped to lead a normal life, including freedom of movement in the north; those who wished to move south would be free to do so, and UNFICYP would have free and normal access to Greek Cypriot villages in the north. Both sides had affirmed that they were not holding undeclared prisoners of war but agreed to facilitate searches. The two sides declared that the Nicosia international airport could be used, as a first step, by the United Nations for its needs.

#### (b) *Interim report of the Secretary-General dated 10 September*

234. On 10 September, the Secretary-General submitted a second interim report (S/11789/Add.1), in which the text of an agreed press communiqué issued at the conclusion of the fourth round of talks, held at United Nations Headquarters, was reproduced. The communiqué recalled that the Secretary-General had

had extensive consultations with Mr. Glafcos Clerides and Mr. Rauf Denktash and that a formal meeting had been held on 10 September. In the absence of concrete proposals, the talks had been adjourned, but it had been agreed that the Secretary-General would remain in contact with the parties regarding future action.

(c) *Interim report of the Secretary-General dated 13 September*

235. On 13 September, the Secretary-General submitted a third interim report (S/11789/Add.2) on his mission of good offices, including the status of the implementation of the agreements set out in the Vienna communiqué of 2 August. That status was summarized as follows: as of 7 September, 8,033 Turkish Cypriots had been moved north with UNFICYP assistance; 296 Greek Cypriots had been returned to the north, and 149 had gone to the south. The improvement of Greek Cypriot living conditions in the north had been limited; some liaison posts and visits by UNFICYP to Greek Cypriot villages in that zone had been arranged. The private talks between the interlocutors had not taken place, and the proposals expected by Mr. Clerides had not been forthcoming. The Secretary-General remained convinced that although no further progress had been made at the fourth round, negotiations held in pursuance of Security Council resolutions 367 (1975) and 370 (1975) still provided the best method for moving towards a settlement. He further appealed to all concerned to refrain from actions which might prejudice the negotiating process or render it more difficult.

(d) *Further communications from the Secretary-General*

236. In a letter dated 14 July (S/11766), addressed to Governments of States Members of the United Nations and members of the specialized agencies, the Secretary-General issued a further appeal for voluntary contributions for the financing of UNFICYP. He stated that the accumulated deficit for the period through 15 June 1975 stood at \$33.8 million and that it was estimated that \$13.4 million would be required to maintain the Force during the current six-month period ending 15 December 1975. He appealed for further contributions, which were all the more important in view of the Security Council's decision in resolution 367 (1975) that the negotiating process should be maintained and that his mission of good offices should continue.

237. In a note issued on 18 September (S/11824), the Secretary-General informed the Council that he had acceded to the request of his Special Representative, Mr. Luis Weckmann-Muñoz, to be relieved of his post to return to his country's diplomatic service. The Secretary-General had appointed Ambassador Javier Pérez de Cuéllar of Peru his new Special Representative, and the latter would take up his post on 15 October 1975.

238. By a letter dated 10 December (S/11906), the Secretary-General transmitted to the Security Council, at the request of the General Assembly, the text of resolution 3395 (XXX) on the question of Cyprus, adopted by the Assembly at its 2413th plenary meeting on 20 November 1975.

2. COMMUNICATIONS TO THE SECURITY COUNCIL FROM THE PARTIES CONCERNED

239. From mid-June until the end of the year, Cyprus and Turkey addressed a series of communica-

tions to the Council on the military, political and constitutional, social and humanitarian and other aspects of the situation in Cyprus.

240. On military issues, the representative of Cyprus submitted letters dated 16, 20, 23, 26 and 27 June (S/11729, S/11731, S/11732, S/11736 and S/11739) and 3, 9 and 17 July (S/11744, S/11751 and S/11763) in which he charged that Turkish military aircraft had committed a series of violations of the air space of Cyprus between 20 June and 16 July, thereby keeping the people of Cyprus in an atmosphere of anxiety and apprehension.

241. The representative of Turkey, by a letter dated 22 July (S/11772), transmitted a letter from Mr. Rauf Denktash, stating that Turkish reconnaissance aircraft had flown over the territory of the "Turkish Federated State of Cyprus" with the full consent and approval of that State. In a letter dated 8 July (S/11748), the representative of Turkey denied allegations of the Greek Cypriot Administration that Turkish forces in Cyprus were making preparations for further military action and stated that the Turkish forces would continue to act with restraint.

242. On the political and constitutional issues, a letter dated 15 June (S/11730) from the representative of Cyprus contained charges that the referendum organized in the Turkish-occupied northern part of Cyprus on 8 June, as well as the provisions of a projected constitution for that area, was aimed at the destruction of the independence, sovereignty and territorial integrity of the Republic of Cyprus.

243. The representative of Turkey transmitted communications from Mr. Rauf Denktash on the same issues by letters dated 24 June, 21, 22 July and 24 August (S/11734, S/11770, S/11773 and S/11815), in which the latter set out the Turkish Cypriot proposals of 18 July for a transitional joint federal Government, its basic principles and its proposed structure and functions; rejected the charges of Cyprus concerning the referendum, which was the natural and legal consequence of the proclamation of the "Turkish Federated State of Cyprus"; and expressed opposition to the application of the Greek Cypriot community to the European Commission on Human Rights, which violated the terms of references of the intercommunal talks.

244. On matters arising out of the General Assembly's consideration of the question of Cyprus, the representative of Turkey, in letters dated 18 September and 2, 6 and 18 October (S/11825, S/11840, S/11844, S/11845 and S/11847) enclosed communications from Mr. Nail Atalay, Mr. Vedat Celik and Mr. Rauf Denktash. In those communications, the Turkish Cypriot representatives denied that Ambassador Zenon Rossides had legitimate authority to represent Cyprus in the General Assembly, protested the address by Archbishop Makarios to the Assembly and rejected the accusations made by Greece against Turkish policy in Cyprus.

245. Communications from the representative of Cyprus concerning social and humanitarian matters were dated 1, 2, 11, 12, 18, 21, 25 and 26 July (S/11741, S/11743, S/11753, S/11754, S/11765, S/11767, S/11777 and S/11779), 1 August (S/11785), 17 and 27 October (S/11854, S/11860) and 3 and 30 December (S/11895, S/11926). In those letters, it was charged that Turkey had intensified the process of colonization in the north of the island by forcibly

expelling the indigenous Greek Cypriot population and massively importing population from Turkey. The living conditions of the Greek Cypriot population in Turkish-occupied areas were also protested.

246. The representative of Turkey, by letters dated 1, 3, 9 and 22 July (S/11740, S/11746, S/11752 and S/11769), 4 August (S/11787), 24 October (S/11859) and 8 and 17 November (S/11875 and S/11879), transmitted communications from Mr. Rauf Denktaş, Mr. Vedat Celik and Mr. Nail Atalay, rejecting the above charges and stating that a limited number of Greek Cypriots who had been sent to the south had earlier applied for permission to do so; that there had been no massive importation of Turkish nationals into Cyprus; that the temporary allocation of properties in the north was necessary solely to preserve and maintain those abandoned properties; that from 8,000 to 10,000 Turkish Cypriots in the south who wished to be reunited with their families in the north were being prevented from doing so; and that atrocities had been committed against some of the Turkish Cypriots who had tried to reach the Turkish Cypriot region in the north.

### 3. REPORT OF THE SECRETARY-GENERAL DATED 8 DECEMBER

247. Before the mandate of UNFICYP was due to expire on 15 December, the Secretary-General, on 8 December, submitted a report (S/11900) to the Security Council concerning the United Nations operation in Cyprus for the period from 10 June to 8 December.

248. The Secretary-General indicated that following the transfer to the north of the bulk of the Turkish Cypriot population, the Force had been redeployed in the areas of confrontation between the Turkish forces and the Cyprus National Guard, and a plan had been initiated to reduce its strength by 532 soldiers and 62 civilian policemen. Access by UNFICYP to Greek Cypriot villages had been restricted in the north by Turkish forces, and humanitarian work in the area was limited to resupply convoys. United Nations humanitarian assistance for needy Cypriots, including persons displaced from the north, continued to be co-ordinated by the United Nations High Commissioner for Refugees. The Secretary-General remained in contact with the representatives of the two communities with a view to the resumption of the intercommunal talks under his auspices. He felt that, in the circumstances, the best available means of making progress towards a settlement was through continued talks between the two communities. The continued presence of UNFICYP was essential to the maintenance of the cease-fire and would facilitate the continued search for a peaceful settlement. Again, he called attention to the increasingly critical financial situation of UNFICYP.

249. In an addendum issued on 13 December (S/11900/Add.1), the Secretary-General stated that following further consultations, the parties had signified their concurrence in the extension of the mandate of UNFICYP for a further six months.

### 4. CONSIDERATION BY THE COUNCIL AT ITS 1863RD MEETING (13 DECEMBER 1975)

250. The Council held its 1863rd meeting on 13 December and adopted the following agenda without objection:

"The situation in Cyprus:

"Report of the Secretary-General on the United Nations Operation in Cyprus (S/11900 and Add.1)."

251. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote.

252. The President stated that he had received a letter dated 9 December from the representative of Turkey requesting that an invitation be extended under rule 39 of the provisional rules of procedure to Mr. Vedat Celik. In accordance with previous practice, and as there was no objection, it was so decided.

253. The President drew attention to a draft resolution (S/11910) prepared in the course of consultations among the members of the Council.

254. The draft resolution (S/11910) read as follows:

*"The Security Council,*

*"Noting from the report of the Secretary-General of 8 December 1975 (S/11900 and Add.1) that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is still needed not only to maintain the cease-fire but also to facilitate the continued search for a peaceful settlement,*

*"Noting from the report the conditions prevailing in the island,*

*"Noting further that, in paragraph 68 of his report, the Secretary-General has expressed the view that in the present circumstances the best available means of making progress towards a settlement is through continued talks between the representatives of the two communities and that such talks can be fruitful only if the interlocutors are ready and authorized to engage in meaningful negotiations on all essential aspects of a settlement of the Cyprus problem,*

*"Noting also the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,*

*"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1975,*

*"Noting that General Assembly resolution 3395 (XXX) of 20 November 1975 reaffirmed the urgent need for continued efforts for the effective implementation in all its parts of General Assembly resolution 3212 (XXIX) of 1 November 1974 which was endorsed by the Security Council in its resolution 365 (1974) of 13 December 1974,*

*"1. Reaffirms the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and on other aspects of the situation in Cyprus;*

*"2. Reaffirms its resolutions 365 (1974) of 13 December 1974 and 367 (1975) of 12 March 1975 and calls for their urgent and effective implementation;*

*"3. Urges the parties concerned to act with the utmost restraint and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;*

"4. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1976 in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

"5. *Appeals again* to all parties concerned to extend their full co-operation to the Force in its continuing performance of its duties;

"6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Council informed of the progress made and to submit a report not later than 31 March 1976."

255. The President, in the absence of any objection, put the draft resolution to the vote.

**Decision:** *At the 1863rd meeting, on 13 December 1975, the draft resolution (S/11910) was adopted by 14 votes to none as resolution 383 (1975). One member (China) did not participate in the vote.*

256. Following the vote, statements were made by the Secretary-General and by the representatives of Guyana, France, Japan, Sweden, the Union of Soviet Socialist Republics, the United States of America, China, Italy, the United Republic of Cameroon, the United Republic of Tanzania, Mauritania, the Byelorussian Soviet Socialist Republic, Costa Rica, the President, speaking as representative of the United Kingdom of Great Britain and Northern Ireland, Cyprus, Greece and Turkey. The Council also heard a statement by Mr. Celik, in conformity with the decision taken at the beginning of the meeting. Further statements were made by the representative of Greece, the Secretary-General, the President and the representative of Cyprus.

## **B. Developments between 1 January and 15 June 1976**

### **1. REPORTS AND OTHER COMMUNICATIONS TO THE SECURITY COUNCIL FROM THE SECRETARY-GENERAL**

#### **(a) *Interim report of the Secretary-General dated 24 February***

257. On 24 February, pursuant to Council resolution 383 (1976), the Secretary-General submitted an interim report (S/11993) to the Council on the fifth round of the Cyprus talks in Vienna from 17 to 21 February. In the agreed press communiqué issued at the conclusion of the talks and attached to the interim report, it was stated that the representatives of the two communities had held substantive discussions on the territorial and constitutional issues. It had been agreed that an exchange of written proposals would take place in Cyprus within the next six weeks, through the Special Representative of the Secretary-General. It had further been agreed that the representatives of the two communities would meet again under the auspices of the Secretary-General in Vienna in May to establish a common basis prior to referring the matter to mixed committees in Cyprus. The two Cypriot representatives had also agreed to meet in Cyprus with the Special Representative to examine a number of humanitarian problems.

#### **(b) *Report of the Secretary-General dated 31 March***

258. On 31 March, the Secretary-General submitted a report (S/12031) to the Security Council

pursuant to resolution 383 (1975) and General Assembly resolution 3395 (XXX). In that report, he reviewed developments of the first three months of 1976. He reported that the Vienna talks had been resumed without preconditions on 17 February 1976 with a view to arriving at a comprehensive agreement on the Cyprus question. He had closely followed developments in Cyprus relating to the agreement contained in the press communiqué of 21 February, in pursuance of which his Special Representative had held seven meetings with the representatives of the two communities between 5 and 31 March on humanitarian problems. His Special Representative had been in close touch with the two interlocutors concerning the exchange of written proposals on the territorial and constitutional issues foreseen in the Vienna communiqué.

259. The Secretary-General further reported that, since 2 August 1975, 1,103 Greek Cypriots had been transferred from the north to the south, 264 of them since 21 February 1976. It was expected that the territorial and constitutional issues and the humanitarian questions would, in the future, also be dealt with by the representatives of the two communities in the context of the efforts towards a comprehensive agreement.

#### **(c) *Further communication from the Secretary-General***

260. In a letter dated 30 January (S/11976) addressed to Governments of States Members of the United Nations and members of the specialized agencies, the Secretary-General issued a further appeal for voluntary contributions for the financing of UNFICYP. He stated that the accumulated deficit for the period through 15 December 1975 stood at \$34.6 million and that it was estimated that \$11.8 million would be required to maintain the Force during the current six-month period ending 15 June 1976. That was the result of the reduction in the strength of UNFICYP, from 3,548 on 14 July 1975 to 2,950 by the end of January 1976. As a result of the shortfall in contributions, the bills of troops-contributing countries for reimbursement of their extra and extraordinary costs had been met only to June 1972. He felt that his responsibility in respect of UNFICYP could be discharged only if Governments provided the necessary support for that important peace-keeping effort.

### **2. COMMUNICATIONS TO THE SECURITY COUNCIL FROM THE PARTIES CONCERNED**

261. In the first six months of 1976, Cyprus and Turkey continued to address a series of communications to the Council on the military, political and constitutional, social and humanitarian and other aspects of the situation in Cyprus.

262. On military issues, the representative of Cyprus, in letters dated 10 February and 5 and 16 March (S/11975, S/12003 and S/12014), charged that increased military activities had been initiated by the Turkish forces with a view to occupying the new town of Famagusta and that Turkey was preparing for the construction of a military base in the area of Ayios Epiktitos.

263. The representative of Turkey, by letters dated 17 February, 10 and 18 March and 1 April (S/11984, S/12006, S/12015 and S/12034), transmitted replies to the above charges from Mr. Nail Atalay and Mr. Rauf Denktash, describing them as propaganda appeals and rejecting them as slanderous allegations. In one

reply, Mr. Atalay stated that there were no undertakings in the area under the control of the Turkish Cypriot community that would contravene the non-aligned status of the island. He maintained that strategic bases which might jeopardize that status were to be found in the south of the island.

264. In connexion with political and constitutional issues, the representative of Cyprus, in letters dated 15 January, 2 February, 31 March, 17 April and 11 May (S/11933, S/11956, S/12032, S/12054 and S/12071), charged that published statements by Turkish Cypriot leaders referring to the non-occupied territory of Cyprus as "unliberated Turkish areas" were calculated to undermine any positive efforts for the resumption of meaningful and constructive negotiations, and he rejected the claim in the Turkish communications that a federation existed in Cyprus. He also charged that the refusal of Mr. Denktash to accept delivery of part of the Greek Cypriot proposals was a diversionary tactic and that a statement made on 9 May by the Prime Minister of Turkey constituted an open admission of the fact that the Turkish armed forces were in aggressive occupation of a large part of the territory of Cyprus.

265. The representative of Turkey, by letters dated 18 February, 7, 12 and 13 April, 25 May and 11 June (S/11990, S/12042, S/12048, S/12051, S/12085 and S/12094), transmitted letters from Mr. Rauf Denktash and Mr. Nail Atalay, in which they charged Ambassador Zenon Rossides of Cyprus with having sent a series of unnecessary and misleading communications to the Security Council. In one letter, Mr. Atalay cited a statement by Mr. Glafcos Clerides concerning the fifth round of the intercommunal talks to illustrate the difficulties encountered by the Turkish Cypriot representatives at those talks. In another, he cited a letter from Mr. Rauf Denktash to the Special Representative, explaining, in connexion with his refusal of part of the Greek Cypriot proposals, that it had been impossible to accept a paper which contained false references to the Secretary-General's role in Vienna and expressing his intention to present the Turkish Cypriot proposals within 10 days. By other letters, Mr. Atalay transmitted comments by Mr. Vedat Celik indicating Turkish Cypriot willingness to begin meaningful negotiations; the text of a resolution adopted unanimously at the Seventh Islamic Conference of Foreign Ministers in Istanbul on 15 May 1976; and a further letter from Mr. Denktash asserting that the Greek Cypriot attempt to represent Cyprus as a whole in meetings of the Security Council was devoid of any legal basis.

266. On social and humanitarian issues, letters were received from the representative of Cyprus dated 29 January, 2 and 14 February, 18 March, 12 and 29 April and 17 May (S/11952, S/11956, S/11982, S/12016, S/12050, S/12065 and S/12077), in which he charged that additional cases of harassment and expulsion of Greek Cypriots had occurred in the northern part of Cyprus and that, by such actions, Turkey had violated its commitments concerning the freedom of Greek Cypriots to remain in the north and the reunification of Greek Cypriot families. He also challenged the Turkish Cypriot figures on emigration from Cyprus and stated that the correct figure was 17,164.

267. The representative of Turkey, by letters dated 12 January, 3 February, 11 March, 1 and 22 April and 21 May (S/11930, S/11957, S/11958, S/12010, S/12034, S/12059 and S/12082), transmitted

letters from Mr. Nail Atalay rejecting the above charges as totally unfounded. In refuting the charges, Mr. Atalay quoted from a Turkish Cypriot spokesman to the effect that as there was no need for more Greek Cypriot teachers, doctors or clergymen in the north, applications by such persons to move to the north had been refused; from the editor of the Greek Cypriot daily *Haravghi* concerning the criminal activities of the EOKA militants since the Greek coup of 15 July 1974; and from a Greek Cypriot priest concerning the anonymous mass burial of truckloads of Greek Cypriots in Nicosia. He also charged that pro-enosis activities, particularly in Limassol on 25 January, did not create the necessary atmosphere of goodwill for the peaceful solution of the Cyprus problem, especially preceding the resumption of the intercommunal talks. He further asserted that Greek Cypriots were being transferred to the south only on their own written request or on the request of UNFICYP on their behalf and that the resettlers were Turkish Cypriot refugees from the south or from various parts of the world.

### 3. REPORT OF THE SECRETARY-GENERAL DATED 5 JUNE

268. Before the mandate of UNFICYP was due to expire, the Secretary-General, on 5 June, submitted a report on the United Nations Operation in Cyprus covering the period from 9 December 1975 to 5 June 1976 (S/12093). He indicated that restrictions on its freedom of movement had prevented UNFICYP from contributing in any effective way to the security, welfare and well-being of the Greek Cypriots living in the Turkish-controlled part of the island, as it had done for the Turkish Cypriots in the past. Therefore, the Force had only been able to carry out humanitarian work on a limited basis. The Secretary-General considered the situation of those Greek Cypriots a matter of serious concern, not only on purely humanitarian grounds but also because it tended to affect adversely efforts towards a just and lasting peace. Such concern, he felt, could be considerably alleviated if UNFICYP were granted free and normal access to Greek Cypriot habitations in the area.

269. In respect of efforts to carry out the good offices mission entrusted to him by the Council, the Secretary-General referred to his report on the fifth round of the Vienna talks between the representatives of the two communities (S/12031) and to the problems which had arisen with regard to the exchange of written proposals on the territorial and constitutional issues as envisaged in the Vienna communiqué of 21 February (S/11993). He stated that both he and his Special Representative had remained in close touch with the parties and had continued their efforts to remove the various obstacles to resumption of the negotiating process. The Secretary-General expressed the conviction that despite the difficulties, the best hope of achieving a just and lasting settlement of the Cyprus problem was through negotiations between the representatives of the two communities. Both sides, while expressing certain reservations, had indicated publicly that they shared his views in that regard. He felt, however, that for those negotiations to serve any useful purpose, the parties must be willing to show the necessary flexibility and to respect and carry out agreements reached at previous rounds of talks.

270. In the circumstances, he considered the continued presence of UNFICYP to be essential, not only to maintain quiet in the island but to facilitate the

continued search for a peaceful settlement. He therefore recommended that the Security Council extend the stationing of the Force in Cyprus for a further period of six months. He also drew the Council's attention to the increasingly critical financial situation of UNFICYP.

#### 4. CONSIDERATION AT THE 1925th TO 1927th MEETINGS (11-15 JUNE 1976)

271. The Security Council held its 1925th meeting on 11 June and adopted the following agenda without objection:

"The situation in Cyprus:

"Report of the Secretary-General on the United Nations Operation in Cyprus (S/12093)."

272. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote.

273. The President stated that he had received a letter dated 11 June from the representative of Turkey, requesting that an invitation be extended to Mr. Nail Atalay under rule 39 of the provisional rules of procedure. In accordance with previous practice, and as there was no objection, it was so decided.

274. The Council began its discussion with statements by the representatives of Cyprus, Turkey and Greece. The Council also heard a statement by Mr. Atalay, in accordance with the decision taken at the beginning of the meeting. The representatives of Greece, Turkey and Cyprus made further statements.

275. At its 1926th meeting on 14 June, the Council heard statements by the representatives of Turkey, the USSR, the United Kingdom, France, Italy, Romania, Greece and Cyprus and by Mr. Nail Atalay. The representative of Turkey made a further statement.

276. At its 1927th meeting on 15 June, the Council continued its consideration of the item on the agenda.

277. The President drew attention to a draft resolution (S/12096) prepared in the course of consultations among the members of the Council and then made a statement. The draft resolution (S/12096) read as follows:

"The Security Council,

"Noting from the report of the Secretary-General of 5 June 1976 (S/12093) that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,

"Noting from the report the conditions prevailing in the island,

"Noting also from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island and that progress is being made in discussions regarding the stationing, deployment and functioning of the United Nations Peace-keeping Force in Cyprus, and expressing the hope that those discussions will lead speedily to the elimination of all existing difficulties,

"Noting further that, in paragraph 70 of his report, the Secretary-General expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations be-

tween the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,

"Expressing its concern at actions which increase tension between the two communities and tend to affect adversely the efforts towards a just and lasting peace in Cyprus,

"Emphasizing the need for the parties concerned to adhere to the agreements reached at all previous rounds of the talks held under the auspices of the Secretary-General and expressing the hope that future talks will be meaningful and productive,

"Noting also the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations Peace-keeping Force in Cyprus beyond 15 June 1976,

"1. Reaffirms the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus;

"2. Reaffirms once again its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions as well as of its resolution 367 (1975) of 12 March 1975;

"3. Urges the parties concerned to act with the utmost restraint to refrain from any unilateral or other action likely to affect adversely the prospects of negotiations and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

"4. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1976, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

"5. Appeals again to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;

"6. Requests the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 October 1976."

278. The President then put the draft resolution to the vote.

**Decision:** At the 1927th meeting, on 15 June 1976, the draft resolution (S/12096) was adopted by 13 votes



to none as resolution 391 (1976). Two members (Benin and China) did not participate in the vote.

279. Following the vote, statements were made by the Secretary-General and by the representatives of China, Panama, Sweden, Pakistan, Benin, the United

Republic of Tanzania, Japan and the United States, by the President, speaking as the representative of Guyana, by the representatives of the USSR, Cyprus and Turkey and by Mr. Atalay. Statements in exercise of the right of reply were made by the representatives of China and the USSR.

## Chapter 4

### THE SITUATION IN TIMOR

#### A. Communications to the Security Council and request for a meeting

280. By a letter dated 23 August 1975 (S/11813), the representative of Portugal transmitted a letter of the same date from the Minister for Foreign Affairs of Portugal addressed to the Secretary-General. The Foreign Minister referred to his letter concerning the situation in Timor which had been circulated the previous day as General Assembly document A/10208 and stated that the situation had deteriorated even further. An evacuation of 1,400 people from the port area of Dili had commenced by means of transportation obtained by Portuguese, Australian and Indonesian authorities. However, FRETILIN, one of the political factions involved in the armed conflict, had resisted the operation and bombarded the port area with mortars. Conditions in the capital had become chaotic, and hundreds had been murdered. The Governor of Timor had asked for the immediate intervention of international forces. The Portuguese Government urged the Secretary-General to use all his influence with the international community to avoid a further loss of life and to enable the resumption of evacuation operations. The Portuguese Government would continue direct contacts with the Secretary-General to keep him informed. If a negotiated solution could not be found, international action might become necessary, for which the good offices of the Secretary-General would be indispensable.

281. In a letter dated 28 November 1975 (S/11887), the representative of Portugal informed the Secretary-General that FRETILIN had declared its intention to proclaim on that same day the unilateral independence of the Territory of Portuguese Timor. In view of Portugal's intentions to hold talks within a few days with the three political parties in the Territory, namely, FRETILIN, MAC and APODETI, with a view to creating conditions for the free exercise of the right to self-determination by the people of Timor, the declared intention of FRETILIN had made the search for an agreement difficult, if not impossible. Because local authorities did not have the means of ensuring normalization of the situation, Portugal was bringing the problem to the attention of the United Nations.

282. By a letter dated 30 November 1975 (S/11890), the representative of Portugal transmitted to the Secretary-General a communiqué issued the previous day by the Portuguese National Decolonization Commission. The Commission, noting the FRETILIN declaration of 28 November concerning the independence of Timor, expressed concern over unconfirmed reports that MAC and APODETI, the other two parties in the Territory, had also declared the independence of Timor for immediate integration into Indonesia. It stated that Portugal had exerted every effort

to convene a conference of all the interested parties to find a peaceful means for the exercise of self-determination. As the administering Power, Portugal could not accept claims of independence or of integration into third States that were not in accordance with United Nations principles of decolonization. Faced with the gravity of the situation, Portugal would have to resort to the competent international bodies in the hope that a peaceful solution could be reached.

283. In a letter dated 7 December 1975 (S/11899), the representative of Portugal requested the President to convene an urgent meeting of the Security Council to consider the situation arising from the offensive action launched that day by Indonesian naval, air and land forces against the Territory of Portuguese Timor, which, in the view of Portugal, constituted an act of aggression affecting peace and the exercise by the people of the Territory of their right to self-determination.

284. By a letter dated 12 December 1975 (S/11909), the Secretary-General transmitted to the President of the Security Council the text of resolution 3485 (XXX) adopted that same day by the General Assembly in regard to the question of the Territories under Portuguese administration. In paragraph 6 of the resolution, the Assembly drew the attention of the Council to the critical situation in Timor and recommended that urgent action be taken by the Council to protect the territorial integrity of Portuguese Timor and the inalienable right of its people to self-determination.

#### B. Consideration at the 1864th, 1865th and 1867th to 1869th meetings (15-22 December 1975)

285. At the 1864th meeting on 15 December, the Security Council included the following item in its agenda without objection:

"The situation in Timor:

"Letter dated 7 December 1975 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/11899)."

286. The Council considered the item at five meetings held between 15 and 22 December 1975.

287. At the 1864th meeting, the President, with the consent of the Council, invited the representatives of Portugal, Indonesia, Australia and Malaysia, at their request, to participate in the discussion without the right to vote, in accordance with rule 37 of the provisional rules of procedure. He also drew the attention of the Council to a letter dated 12 December 1975 (S/11911) from the representative of Guinea-Bissau and another of the same date (S/11912) from the representative of

Indonesia, requesting that the Council extend invitations under rule 39 of its provisional rules of procedure to members of various political parties in the Territory. Consequently, the Security Council decided without objection to extend invitations to those whose names were listed in the two letters.

288. The Council began its consideration of the question with statements by the representatives of Portugal, Indonesia and Malaysia, as well as Mr. José Ramos Horta, to whom an invitation under rule 39 of the provisional rules of procedure had been extended at the request of the representative of Guinea-Bissau.

289. At the 1865th meeting on 16 December, the Council heard statements by the representatives of China, Australia and Portugal, as well as Mr. Mario Carrascalao, Mr. Guilherme Maria Gonçalves and Mr. José Martins, to whom invitations under rule 39 had been extended at the request of the representative of Indonesia.

290. At the 1867th meeting on 18 December, the President, with the consent of the Council, invited the representatives of Guinea and Guinea-Bissau, at their request, to participate in the discussions without the right to vote, in accordance with rule 37 of the provisional rules of procedure. The Council then continued its discussion with statements by the representatives of the United Republic of Tanzania, Guinea-Bissau, the Union of Soviet Socialist Republics, Japan and Portugal.

291. At the 1868th meeting, also held on 18 December, the Council heard a statement by the representative of Indonesia.

292. At the 1869th meeting on 22 December, the Council had before it a draft resolution (S/11915) which had been prepared as the result of consultations among the members and read as follows:

*"The Security Council,*

*"Having noted the contents of the letter of the Permanent Representative of Portugal (S/11899),*

*"Having heard the statements of the representatives of Portugal and Indonesia,*

*"Having heard representatives of the people of East Timor,*

*"Recognizing the inalienable right of the people of East Timor to self-determination and independence in accordance with the principles of the Charter of the United Nations and the Declaration of the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,*

*"Noting that General Assembly resolution 3485 (XXX) of 12 December 1975, inter alia, requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a fact-finding mission to East Timor,*

*"Gravely concerned at the deterioration of the situation in East Timor,*

*"Gravely concerned also at the loss of life and conscious of the urgent need to avoid further bloodshed in East Timor,*

*"Deploping the intervention of the armed forces of Indonesia in East Timor,*

*"Regretting that the Government of Portugal did not discharge fully its responsibilities as administering Power in the Territory under Chapter XI of the Charter,*

*"1. Calls upon all States to respect the territorial integrity of East Timor as well as the inalienable right of its people to self-determination in accordance with General Assembly resolution 1514 (XV);*

*"2. Calls upon the Government of Indonesia to withdraw without delay all its forces from the Territory;*

*"3. Calls upon the Government of Portugal as administering Power to co-operate fully with the United Nations so as to enable the people of East Timor to exercise freely their right to self-determination;*

*"4. Urges all States and other parties concerned to co-operate fully with the efforts of the United Nations to achieve a peaceful solution to the existing situation and to facilitate the decolonization of the Territory;*

*"5. Requests the Secretary-General to send urgently a special representative to East Timor for the purpose of making an on-the-spot assessment of the existing situation and of establishing contact with all the parties in the Territory and all States concerned in order to ensure the implementation of the present resolution;*

*"6. Further requests the Secretary-General to follow the implementation of the present resolution and, taking into account the report of his special representative, to submit recommendations to the Security Council as soon as possible;*

*"7. Decides to remain seized of the situation."*

293. Before proceeding to the vote on the draft resolution, the Council heard a statement by the representative of Guinea.

**Decision:** *At the 1869th meeting, on 22 December 1975, the draft resolution (S/11915) was adopted unanimously as resolution 384 (1975).*

294. Following the vote, statements were made by the representatives of China, the United Republic of Cameroon, Guyana, Sweden, Japan, Costa Rica, Mauritania, the United Republic of Tanzania, Italy, France, the Byelorussian Soviet Socialist Republic and the President, speaking in his capacity as the representative of the United Kingdom. Statements were also made by Mr. Horta, by the representative of Japan in exercise of the right of reply and by the representatives of Portugal and Indonesia.

**C. Communications to the Security Council and report of the Secretary-General received between 29 December 1975 and 12 April 1976**

295. By a letter dated 22 December (S/11923) the representative of Indonesia transmitted to the Secretary-General the text of the "Declaration of the establishment of a Provisional Government of the Territory of East Timor", which had been promulgated in Dili on 17 December 1975 by four political parties in the Territory, namely, APODETI, UDT, KOTA and TRABALHISTA.

296. In a letter dated 24 December (S/11922), the representative of Portugal, referring to resolution 384 (1975) of 22 December, reaffirmed his Govern-



ment's readiness to extend its co-operation to the United Nations so as to enable the people of Portuguese Timor to exercise freely their right to self-determination and independence and its willingness to consult with and provide assistance to the Special Representative of the Secretary-General.

297. In a letter dated 16 January 1976 (S/11934), the representative of Portugal reported that the Minister for Foreign Affairs of Indonesia had visited East Timor on 9 January. Such a visit to a Non-Self-Governing Territory partially occupied by Indonesian forces, he stated, constituted both intervention in the internal affairs of the Territory and a violation of United Nations resolutions. At a time when the mission of the Special Representative was entering a decisive stage, Portugal ventured to believe that, despite everything, the Indonesian Government would refrain from other acts contrary to the United Nations resolutions and withdraw its forces from the Territory without delay in implementation of those resolutions.

298. In a reply dated 22 January (S/11937), the representative of Indonesia stated that the "Provisional Government of East Timor" had been established to restore law and order in view of the vacuum of authority in East Timor resulting from Portugal's irresponsibility. The visit of Indonesia's Foreign Minister, he said, had been undertaken in response to the invitation of the "Provisional Government" in order to persuade those in authority to react positively to the proposed visit of the Secretary-General's Special Representative. The "Provisional Government" had initially opposed the Special Representative's visit but had subsequently agreed to receive him.

299. In a letter dated 30 January (S/11955), the representative of Portugal stated that two Indonesian warships had been detected on the southern coast of Timor and that cars and helicopters had reportedly been unloaded there. Apart from their illegality, such acts had raised new problems for the visit of the Special Representative to certain areas in East Timor.

300. By a letter dated 17 February (S/11986), the representative of Indonesia transmitted the text of a communication from the "Provisional Government of East Timor", stating that Indonesia had been providing extensive humanitarian assistance to the people of East Timor and that the "Provisional Government" had been doing its utmost to restore normal life. However, armed remnants of FRETILIN had been committing acts of terrorism, forcing the "Provisional Government" to conduct mopping-up operations. During that period it had been impossible to guarantee the safety of the Special Representative of the Secretary-General, but the "Provisional Government" was still prepared to welcome him.

301. On 12 March, the Secretary-General submitted a report (S/12011) to the Security Council in pursuance of resolution 384 (1975), by which he transmitted the report prepared by his Special Representative, Mr. Vittorio Winspeare Guicciardi, whom he had appointed on 29 December 1975 to make an on-the-spot assessment of the situation in East Timor and to establish contact with all the parties in the Territory and all the States concerned in order to ensure the full implementation of the resolution. The Secretary-General expressed the hope that the report would provide a useful basis for the Council's further consideration of the question and suggested that consultations by his

Special Representative with the parties concerned should be continued.

302. After having set out the geographic and historical background of East Timor, as well as the political developments in that Territory which had preceded the Security Council meetings in December 1975 and the adoption of resolution 384 (1975) establishing his mission, the Special Representative reported on his activities following his appointment. He gave a detailed account of the meetings that he had held with the parties concerned in New York, Lisbon, Geneva and Jakarta between 5 and 15 January. Between 19 and 22 January, he had visited West Timor and five localities in East Timor, where he had met with members of the "Provisional Government of East Timor" and representatives of APODETI, FRETILIN, KOTA, TRABALHISTA and UDT. Owing to the security situation, it had proved impossible for him to proceed to other localities in East Timor suggested by the representative of the "Democratic Republic of East Timor", with whom he had held several meetings in Darwin between 1 and 6 February.

303. In his findings, the Special Representative indicated that he had visited only certain places. Apart from the difficulty of communications, security reasons advanced by the "Provisional Government" as well as by the representatives of the "Government of the Republic of East Timor" had prevented him from visiting other centres of population or moving about the countryside. Control of localities changed hands, and any accurate assessment of the situation as a whole remained elusive, as the terrain was such as to favour guerrilla warfare. Nevertheless, he had been able to establish useful contacts with the parties and States concerned on the implementation of resolution 384 (1975). He had comprehensive conversations with the representatives of Indonesia and Portugal, as well as with members of the "Provisional Government" and the representatives of FRETILIN.

304. Regarding the immediate call for the withdrawal of forces contained in paragraph 2 of the resolution, the Government of Indonesia had pointed out that the presence of Indonesian volunteers in East Timor had been upon the request of APODETI, UDT, KOTA and TRABALHISTA and, later, of the "Provisional Government of East Timor", and that their withdrawal would be carried out at the request of the latter.

305. After having set out in some detail the proposals and positions presented to him concerning the future of East Timor, the Special Representative concluded that while the Governments and parties concerned held divergent views, there was one common element between them, namely the need for consultation. That, however, was interpreted very differently both in scope and procedure. As a first step, he suggested that it might be possible to build on the common assumption that the people of East Timor should be consulted on the future status of the Territory.

306. By two letters dated 5 April (S/12040 and S/12041) and one dated 8 April (S/12044), the representative of Indonesia transmitted information concerning efforts by the Indonesian Red Cross to trace missing persons in East Timor and charges of atrocities committed by FRETILIN forces submitted by the "Provisional Government of East Timor", together with a list of hostages claimed to have been taken.

**D. Consideration at the 1908th to 1915th meetings (12-22 April 1976)**

307. At the 1908th meeting on 12 April 1976, the Security Council adopted the following agenda without objection:

**"The situation in Timor:**

**"Report of the Secretary-General in pursuance of Security Council resolution 384 (1975) (S/12011)."**

308. The Council considered the item at eight meetings held between 12 and 22 April 1976.

309. At the 1908th meeting, the President, with the consent of the Council, invited the representatives of Portugal, Indonesia, Australia and the Philippines, at their request, to participate in the discussion without the right to vote, in accordance with rule 37 of the provisional rules of procedure. He also drew the Council's attention to a letter dated 9 April (S/12043) from the representative of Indonesia, a letter dated 10 April (S/12045) from the representative of Guinea-Bissau and a letter dated 12 April (S/12047) from the representative of Mozambique, requesting that the Council extend invitations under rule 39 of its provisional rules of procedure to the various persons named therein. The Security Council decided, without objection, to extend invitations to those named.

310. The Council then began its consideration of the question and heard statements by Mr. José Ramos, to whom an invitation had been extended at the request of the representative of Guinea-Bissau, by the representative of Portugal and by Mr. Guilherme Maria Gonçalves, to whom an invitation had been extended at the request of the representative of Indonesia.

311. At the 1909th meeting on 14 April, the President drew the Council's attention to a letter dated 12 April (S/12049) from the representative of Indonesia, requesting that the Council extend an invitation to the individual named therein under rule 39 of its provisional rules of procedure. In the absence of objection, the Council decided to extend the invitation as requested. Discussion of the question then continued with statements by the representatives of Indonesia, Australia and the Philippines. The Council also heard statements by Mr. Ken Fry, to whom an invitation had been extended at the request of the representative of Mozambique, by Mr. Gonçalves and by Mr. Rex Sydel, to whom an invitation had been extended at the request of the representative of Indonesia.

312. At the 1910th meeting on 15 April, the President, with the consent of the Council, invited the representatives of Guinea-Bissau and Saudi Arabia, at their request, to participate in the discussion without the right to vote, in accordance with rule 37 of the provisional rules of procedure. The discussion then continued with statements by the representatives of Saudi Arabia and Japan. A further statement was made by Mr. Horta.

313. At the 1911th meeting on 20 April, the President, with the consent of the Council, invited the representative of Malaysia, at his request, to participate in the discussion without the right to vote, in accordance with rule 37 of the provisional rules of procedure. Thereafter, the representatives of Guinea-Bissau and Malaysia made statements.

314. At the 1912th meeting, also on 20 April, the representatives of Guinea and Mozambique were in-

vited, at their request, to participate in the discussion. The Council continued its debate with statements by the representatives of Mozambique, Guinea, Portugal and Italy.

315. At the 1913th meeting on 21 April, the representative of Guyana made a statement and introduced a draft resolution (S/12056) sponsored by Guyana and the United Republic of Tanzania which read as follows:

*"The Security Council,*

*"Recalling its resolution 384 (1975) of 22 December 1975,*

*"Having considered the report of the Secretary-General of 12 March 1976 (S/12011),*

*"Having heard the statements of the representatives of Portugal and Indonesia,*

*"Having heard the statements of representatives of the people of East Timor,*

*"Reaffirming the inalienable right of the people of East Timor to self-determination and independence in accordance with the principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,*

*"Believing that all efforts should be made to create conditions that will enable the people of East Timor to exercise freely their right to self-determination,*

*"Noting that the question of East Timor is before the General Assembly,*

*"Conscious of the urgent need to bring to an end the continued situation of tension in East Timor,*

*"Taking note of the statement by the representative of Indonesia,*

*"1. Calls upon all States to respect the territorial integrity of East Timor, as well as the inalienable right of its people to self-determination in accordance with General Assembly resolution 1514 (XV);*

*"2. Calls upon the Government of Indonesia to withdraw without further delay all its forces from the Territory;*

*"3. Requests the Secretary-General to have his Special Representative continue the assignment entrusted to him under paragraph 5 of Security Council resolution 384 (1975) and pursue consultations with the parties concerned;*

*"4. Further requests the Secretary-General to follow the implementation of the present resolution and submit a report to the Security Council as soon as possible;*

*"5. Calls upon all States and other parties concerned to co-operate fully with the United Nations to achieve a peaceful solution to the existing situation and to facilitate the decolonization of the Territory;*

*"6. Decides to remain seized of the situation."*

316. At the 1914th meeting on 22 April, the Council continued its discussion of the item and heard statements by the representatives of Panama, Japan, Benin, and Romania.

317. In the course of his statement, the representative of Japan introduced an amendment (S/12057) to the two-Power draft resolution, providing for inser-

tion of the word "remaining" between the words "its" and "forces" in operative paragraph 2.

318. At the same meeting, the Council proceeded to vote on both the Japan amendment (S/12057) and the two-Power draft resolution (S/12056).

**Decision:** *At the 1914th meeting, on 22 April 1976, the Japanese amendment (S/12057) received 8 votes in favour and 1 against (Benin), with 5 abstentions (Guyana, Romania, Sweden, Union of Soviet Socialist Republics, United Republic of Tanzania) and was not adopted, having failed to receive the required majority. One member (China) did not participate in the vote.*

*The two-Power draft resolution (S/12056) was adopted by 12 votes to none, with 2 abstentions (Japan, United States of America) as resolution 389 (1976). One member (Benin) did not participate in the vote.*

319. Following the vote, statements were made by the representative of Pakistan and by the representative of Panama who wished the record to show that, although its request to speak had not been made in time, his delegation had intended to co-sponsor the resolution just adopted.

320. At the 1915th meeting on the same day, statements in explanation of vote were made by the representatives of the United Republic of Tanzania, France, the USSR, the United Kingdom, Sweden, the United States and the President in his capacity as the representative of China. Statements were also made by Mr. Gonçalves, Mr. Horta and the representative of Indonesia.

#### **E. Subsequent communications to the Council**

321. By a letter dated 20 April (S/12055), the representative of Guinea-Bissau transmitted a communication from the "Democratic Republic of East Timor" requesting the Secretary-General to use his good offices to persuade the Government of Indonesia

to withdraw its forces from East Timor voluntarily and immediately and claiming that more than 80 per cent of the Territory was controlled by FRETILIN forces.

322. By a letter dated 28 April (S/12060), the representative of Guinea-Bissau transmitted the text of a communication from the "Democratic Republic of East Timor" requesting the Secretary-General to use his good offices to facilitate the humanitarian mission of a vessel chartered by the Australian Council of Trade Unions and other organizations to carry medical personnel and material to East Timor.

323. By a letter dated 4 May (S/12069), the representative of Indonesia transmitted a communication from the "Provisional Government of East Timor" stating that Mr. José Martins, former Chairman of KOTA and a member of the "Provisional Government's" delegation to the Security Council in December 1975, was no longer authorized to speak for KOTA which had dissolved itself to join the party of national unity called the "National Front".

324. By a letter dated 7 May (S/12070), the representative of Indonesia transmitted to the Secretary-General the text of an agreement relating to the joint efforts to be undertaken by the Indonesian Red Cross and the International Committee of the Red Cross for the distribution of grain and skimmed milk donated by the European Economic Community for relief in East Timor.

325. By a letter dated 14 May (S/12074), the representative of Mozambique transmitted two communications from the "Democratic Republic of East Timor", urging the Secretary-General to accept the invitations to have his Special Representative travel on the vessel chartered by the Australian Council of Trade Unions and other organizations, reporting Indonesian threats to sink the vessel and reiterating the request that the Secretary-General exercise his good offices to facilitate the success of the mission.

### **Chapter 5**

#### **LETTER DATED 12 DECEMBER 1975 FROM THE PERMANENT REPRESENTATIVE OF ICELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

##### **A. Communications to the Security Council and request for a meeting**

326. In a letter dated 11 December 1975 (S/11905), the representative of Iceland stated that warships of the United Kingdom of Great Britain and Northern Ireland were illegally operating in Icelandic waters. On 15 October 1975, Iceland had established fishery limits of 200 nautical miles which were in full conformity with developments at the United Nations Conference on the Law of the Sea. The vital interests of Iceland were at stake in those fishery limits, as cod and other species of fish in Icelandic waters were in great danger of being overfished. By deployment of its naval units in Icelandic waters, the United Kingdom was using force for the purpose of coercing the Government of Iceland and preventing the people of Iceland from exercising their sovereign rights over their marine resources, in clear violation of General Assembly resolutions concerning the sovereign rights of States over their natural resources.

327. In a letter dated 12 December (S/11907), the representative of Iceland charged that on 11 December, British vessels far inside the undisputed territorial waters of Iceland had repeatedly rammed an Icelandic coastguard vessel, inflicting serious damage. The Icelandic Government viewed that attack as a flagrant violation of Iceland's sovereignty, endangering peace and security, and requested the President to convene an urgent meeting of the Security Council.

328. In a letter dated 15 December (S/11914), the representative of the United Kingdom replied to the letter of 11 December (S/11905) from the representative of Iceland. The reply stated that on 25 July 1974 the International Court of Justice had found that the Government of Iceland was not entitled unilaterally to exclude British fishing vessels from the waters around Iceland or to impose restrictions on them. It charged that between 15 and 25 November 1975, Icelandic coastguard vessels and aircraft had attacked a number of British trawlers and damaged at least

seven of them. British naval vessels had subsequently been ordered to the area to defend them. The United Kingdom had made repeated efforts to resolve the question of fishing rights around Iceland by negotiation. At present, the issue was governed by the decision of the International Court of Justice; however, the British Government remained ready to resume negotiations.

#### **B. Consideration at the 1866th meeting (16 December 1975)**

329. At its 1866th meeting on 16 December 1975, the Security Council adopted the following agenda without objection:

"Letter dated 12 December 1975 from the Permanent Representative of Iceland to the United Nations addressed to the President of the Security Council (S/11907)."

330. The President, with the consent of the members, invited the representative of Iceland, in accordance with his request, to participate in the discussion without the right to vote.

331. The President (the representative of the United Kingdom) cited rule 20 of the provisional rules of procedure and invited the representative of the United Republic of Cameroon to take the presidential chair during the consideration of the question on the agenda.

332. The representatives of Iceland and the United Kingdom made statements on the question. The President stated that the Council would remain seized of the question.

#### **C. Further communications to the Council**

333. In two letters dated 23 January (S/11944) and 29 January 1976 (S/11954), the representative of Iceland disputed statements made by the United Kingdom representative in the Security Council and presented additional evidence to support the Icelandic version of the issue. In the first, he stated that the maritime inquiry conducted in Iceland regarding the incident of 11 December, which had been the subject of the Security Council meeting on 16 December, gave even stronger reason to conclude that the British vessels involved had entered internationally recognized territorial waters with the direct intent of creating an incident, possibly in order to sink an Icelandic coastguard vessel. It was also clear from the evidence at the inquiry that many of the remarks of the British representative before the Security Council were either unfounded allegations or purely fictitious. In the second letter, he presented evidence to refute the British representative's statement that Icelandic fishermen had seriously overfished the herring stock around Iceland's shores.

334. In two letters dated 18 February (S/11995 and S/11996), the representative of the United Kingdom took issue with the above communications from Iceland and restated, with additional evidence, the United Kingdom positions set forth at the Security Council meeting

of 16 December. In the first, he stated that the United Kingdom Government did not wish to alter anything in the statement made by its representative at that meeting. The British vessels were all unarmed and were fired on by the Icelandic coastguard. They did not provoke the incident in any way. In the second, he said that the United Kingdom Government stood by the statement of its representative that Icelandic fishermen had, during the 1960s, seriously overfished the herring stocks around Iceland's shores.

335. In a letter dated 1 April (S/12035), the representative of Iceland stated that British naval deployment within the fisheries jurisdiction of Iceland continued to be as extensive and aggressive as ever before and, if anything, had been stepped up of late. He cited attacks by British naval frigates on 27 March against an Icelandic coastguard vessel that had gravely endangered the lives of Icelandic seamen and the safety of their ship. Iceland had strongly protested those attacks and had also reserved the right to claim full reparation. He further stated that another serious incident had been created by the presence of a British naval frigate on 30 March well within the internationally recognized territorial waters of Iceland.

336. In a letter dated 9 April (S/12046), the representative of the United Kingdom stated that his Government totally rejected the allegations in the above-mentioned letter from Iceland (S/12035). The role of the British frigates was purely defensive; it was the Icelandic coastguard vessels which had been behaving in an aggressive manner and had several times deliberately collided with British frigates. By 6 April, 31 collisions had occurred. The United Kingdom Government totally denied that collisions between British frigates and Icelandic coastguard vessels had occurred as a result of a policy of deliberate ramming by Her Majesty's ships.

337. In a letter dated 11 May (S/12072), the representative of Iceland stated that British warships and tugboats were continuing to assist British trawlers in their violation of Icelandic fishery jurisdiction, grossly abusing international rules of navigation. The number of British naval ships had been increased, and their actions had become more aggressive than ever before. Six ramming incidents had occurred on 6 May, and further attempts to attack Icelandic coastguard vessels had occurred on 10 May. The Icelandic Government had protested the serious attacks in the strongest possible terms.

338. In a letter dated 25 May (S/12086), the representative of the United Kingdom stated that his Government rejected the Icelandic allegations. The British protection forces had a purely defensive role, with no orders to ram the Icelandic coastguard vessels. Moreover, the United Kingdom Government took a most serious view of the action of the Icelandic coastguard vessel *Aegir* in attempting to arrest the British trawler *Primella* on 12 May, including firing shots across the bow and stern of the latter.

## THE SITUATION IN NAMIBIA

**A. Communications to the Security Council and request for a meeting**

339. By a letter dated 27 June 1975 (S/11745), the Acting Chairman of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples transmitted to the President of the Security Council the text of a consensus concerning the question of Namibia adopted by the Special Committee on 18 June, in which it urged the Security Council to consider taking all appropriate measures under the United Nations Charter, including those provided for in Chapter VII, with a view to securing the full and speedy compliance of South Africa with United Nations decisions concerning Namibia, in particular, Security Council resolution 366 (1974) of 17 December 1974.

340. By a letter dated 11 September (S/11834), the President of the United Nations Council for Namibia transmitted to the President of the Security Council the text of a statement issued by that Council on 29 August concerning the so-called constitutional talks and the repression in Namibia. The statement declared that the so-called constitutional conference excluded the authentic representative of the people of Namibia, the South West Africa People's Organization (SWAPO), and was designed to divide the Namibian people and thereby perpetuate South African domination in Namibia.

341. By a letter dated 16 December (S/11918), the Secretary-General transmitted to the President of the Security Council the text of General Assembly resolution 3399 (XXX), adopted on 26 November, and drew attention to paragraph 11 of the resolution, whereby the Assembly urged the Security Council urgently to take up again the question of Namibia and to act to give effect to Security Council resolution 366 (1974).

342. By a letter dated 22 January 1976 (S/11939), the representative of the Libyan Arab Republic transmitted to the Secretary-General the text of the Declaration of Dakar on Namibia and Human Rights, adopted by the Dakar International Conference on Namibia and Human Rights, held from 5 to 8 January 1976, together with the Programme of Action adopted by the Conference as a set of measures to be taken to secure for the people of Namibia the exercise of their right to self-determination.

343. By a letter dated 26 January (S/11945), the representative of the Netherlands transmitted to the Secretary-General, at the request of the Government of Luxembourg, currently exercising the function of President of the European Community, the outline of a *démarche* undertaken with respect to the situation in Namibia by the Netherlands Ambassador to South Africa on behalf of the nine countries of the Community.

344. By a letter dated 26 January (S/11946), the representative of Uganda transmitted to the President of the Security Council a message reflecting the official position of the Organization of African Unity in connexion with the anticipated Security Council discussion of the situation in Namibia.

345. In a letter dated 27 January (S/11948) addressed to the Secretary-General, the representative of South Africa set out his Government's position with regard to the question of South West Africa. He stated that South Africa did not recognize any right of the United Nations to supervise the affairs of the Territory and added that the advisory opinion of the International Court of Justice of 21 June 1971 was, as its name indicated, advisory only. With the encouragement of the South African Government, representatives of all population groups in the Territory were voluntarily co-operating to draft a constitution. South Africa believed that that course of action reflected the true meaning of the concept of self-determination. The South African Government reiterated its offer to negotiate with a mutually acceptable personal representative of the Secretary-General in order that he might acquaint himself with the development of the process of self-determination in the Territory and attend the Constitutional Conference as an observer. It also reiterated its offer to discuss progress and development with leaders of Africa, the Chairman of the United Nations Council for South West Africa and the Special Committee of the Organization of African Unity. They would also be welcome to visit South West Africa. Additional information regarding the Territory was provided in an annex entitled "South West Africa Survey 1974".

**B. Consideration at the 1880th to 1885th meetings (27-30 January 1976)**

346. At its 1880th meeting on 27 January 1976, the Security Council adopted the following agenda without objection:

"The situation in Namibia:

"Letter dated 16 December 1975 from the Secretary-General addressed to the President of the Security Council (S/11918)."

347. The Council considered the item at six meetings held between 27 and 30 January.

348. In the course of the discussion, the representatives of Algeria, Bangladesh, Burundi, Cuba, Egypt, Guinea, India, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Liberia, Mali, Mauritania, Mauritius, Nigeria, Poland, Saudi Arabia, South Africa, Tunisia and Yugoslavia were invited, at their request, to participate in the discussion without the right to vote.

349. At the 1880th meeting, the President informed the Council of a letter dated 23 January 1976 from the President of the United Nations Council for Namibia, requesting that an invitation be extended to a delegation of the United Nations Council for Namibia composed of its President (the representative of Zambia) and the representatives of Finland, Indonesia, Poland and Mexico. In accordance with previous practice, the President proposed that the Council extend an invitation, under rule 39 of its provisional rules of procedure, to the President and other members of the United Nations Council for Namibia. In the absence of objection, it was so decided. At the same meeting, the President also drew the Council's attention to a letter dated 26 January (S/11943) from the representatives of Benin, the Libyan Arab Republic and the United Republic of Tanzania, requesting that an

invitation under rule 39 of the provisional rules of procedure, be extended to Mr. Moses M. Garoeb of SWAPO, and his delegation. In the absence of objection, the Council decided to extend the invitation as requested.

350. The Security Council began its consideration of the item at its 1880th meeting on 27 January and heard statements by the President of the United Nations Council for Namibia and by Mr. Garoeb, in accordance with the decisions taken at that meeting, and by the representatives of Guinea, Algeria and Mauritius.

351. At the 1881st meeting on 27 January, the President informed the Council of a letter of the same date from the Rapporteur of the Special Committee against *Apartheid* (the representative of the Philippines), requesting that an invitation be extended to him in order that the views of the Special Committee concerning the question of Namibia might be presented to the Security Council. The President proposed that the Council extend an invitation under rule 39 of its provisional rules of procedure, to the Rapporteur of the Special Committee against *Apartheid*. In the absence of objection, it was so decided. The Council then continued its discussion with statements by the representatives of Egypt, Yugoslavia, the United Kingdom of Great Britain and Northern Ireland, Mauritania and South Africa, as well as by the Rapporteur of the Special Committee against *Apartheid*, in accordance with the decision taken at the meeting. Further statements were made by the representative of the Union of Soviet Socialist Republics, by the President, speaking in his capacity as the representative of the United Republic of Tanzania, and by Mr. Garoeb.

352. At the 1882nd meeting on 28 January, the Council heard statements by the representatives of Romania, China, Japan, Liberia, Poland, Indonesia and Saudi Arabia. The representatives of the USSR and China spoke in exercise of the right of reply.

353. At the 1883rd meeting on 29 January, statements were made by the representatives of the USSR, France, Benin, Kuwait, Pakistan, the United States of America and Saudi Arabia.

354. At its 1884th meeting, also on 29 January, the Council heard statements by the representatives of Nigeria, Panama, Italy, Guyana, the Libyan Arab Republic, Sweden, Kenya, Jordan, Tunisia, Bangladesh, Burundi and India.

355. In the course of his statement, the representative of Guyana introduced a draft resolution (S/11950), sponsored by Benin, Guyana, the Libyan Arab Republic, Pakistan, Panama, Romania, Sweden and the United Republic of Tanzania, the text of which read as follows:

*"The Security Council,*

*"Having heard the statement of the President of the United Nations Council for Namibia,*

*"Having considered the statement by Mr. Moses M. Garoeb, Administrative Secretary of the South West Africa People's Organization,*

*"Recalling General Assembly resolution 2145 (XXI) of 27 October 1966, by which the Assembly terminated South Africa's Mandate over the Territory of Namibia, and resolution 2248 (S-V) of 19 May 1967, by which it established a United Nations Council for Namibia, as well as all other subsequent resolutions on Namibia, in particular resolution 3295*

*(XXIX) of 13 December 1974 and resolution 3399 (XXX) of 26 November 1975,*

*"Recalling Security Council resolutions 245 (1968) of 25 January and 246 (1968) of 14 March 1968, 264 (1969) of 20 March and 269 (1969) of 12 August 1969, 276 (1970) of 30 January, 282 (1970) of 23 July, 283 (1970) and 284 (1970) of 29 July 1970, 300 (1971) of 12 October and 301 (1971) of 20 October 1971, 310 (1972) of 4 February 1972 and 366 (1974) of 17 December 1974,*

*"Recalling the advisory opinion of the International Court of Justice of 21 June 1971 that South Africa is under obligation to withdraw its presence from the Territory,*

*"Reaffirming the legal responsibility of the United Nations over Namibia,*

*"Concerned at South Africa's continued illegal occupation of Namibia and its persistent refusal to comply with the resolutions and decisions of the General Assembly and the Security Council, as well as with the advisory opinion of the International Court of Justice of 21 June 1971,*

*"Gravely concerned at South Africa's brutal repression of the Namibian people and its persistent violation of their human rights, as well as its efforts to destroy the national unity and territorial integrity of Namibia, and its aggressive military build-up in the area,*

*"Strongly deploring the militarization of Namibia by the illegal occupation régime of South Africa,*

*"1. Condemns the continued illegal occupation of the Territory of Namibia by South Africa;*

*"2. Condemns the illegal and arbitrary application by South Africa of racially discriminatory and repressive laws and practices in Namibia;*

*"3. Condemns the South African military build-up in Namibia and any utilization of the Territory as a base for attacks on neighbouring countries;*

*"4. Demands that South Africa put an end forthwith to its policy of Bantustans and the so-called homelands aimed at violating the national unity and the territorial integrity of Namibia;*

*"5. Further condemns South Africa's failure to comply with the terms of Security Council resolution 366 (1974);*

*"6. Further condemns all attempts by South Africa calculated to evade the clear demand of the United Nations for the holding of free elections under United Nations supervision and control in Namibia;*

*"7. Declares that, in order that the people of Namibia be enabled to freely determine their own future, it is imperative that free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity;*

*"8. Further declares that, in determining the date, time-table and modalities for the elections in accordance with paragraph 7 above, there shall be adequate time, to be decided upon by the Security Council, for the purposes of enabling the United Nations to establish the necessary machinery within Namibia to supervise and control such elections, as well as to enable the people of Namibia to organize politically for the purpose of such elections;*

"9. *Demands* that South Africa urgently make a solemn declaration accepting the foregoing provisions for the holding of free elections in Namibia under United Nations supervision and control, undertaking to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia, and recognizing the territorial integrity and unity of Namibia as a nation;

"10. *Reiterates its demand* that South Africa take the necessary steps to effect the withdrawal, in accordance with Security Council resolutions 264 (1969), 269 (1969) and 366 (1974), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations;

"11. *Demands again* that South Africa, pending the transfer of powers provided for in the preceding paragraph:

"(a) Comply fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights;

"(b) Release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;

"(c) Abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and homelands;

"(d) Accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment;

"12. *Decides* to remain seized of the matter and to meet on or before 31 August 1976 for the purpose of reviewing South Africa's compliance with the terms of the present resolution and, in the event of non-compliance by South Africa, for the purpose of considering the appropriate measures to be taken under the Charter of the United Nations."

356. The Security Council continued its consideration of the item at its 1885th meeting on 30 January with statements by the representatives of Cuba, Jamaica and Mali, and by the President, speaking in his capacity as the representative of the United Republic of Tanzania.

357. The representative of Italy spoke in explanation of vote before the vote.

358. The Council then proceeded to vote on the eight-Power draft resolution (S/11950).

**Decision:** *At the 1885th meeting, on 30 January 1976, the draft resolution (S/11950) was adopted unanimously as resolution 385 (1976).*

359. Following the voting, statements in explanation of vote were made by the representatives of France, Japan, China, the United Kingdom and the United States.

360. In accordance with the decisions taken at the 1880th meeting, further statements were made by the President of the United Nations Council for Namibia and by Mr. Garoeb.

### C. Subsequent communications to the Council

361. By a letter dated 29 April (S/12062), the representative of South Africa transmitted to the Secretary-General an extract from a statement made on 23 April in the South African Parliament by the Prime Minister. Among other things, the Prime Minister had stated that South Africa should give serious consideration to the question of repealing the Act of 1922, whereby the administration of Walvis Bay had been transferred to South West Africa, as Walvis Bay belonged to South Africa. Regarding South West Africa, that Territory had a particular international character that could not be ignored, and its leaders should work out their own future. South Africa was in the Territory as an administrative rather than occupying Power and was responsible for law and order and the security of its people. The South African Administration had in no way, either directly or indirectly interfered in the composition, agenda or discussions of the Conference on the future of the Territory; nor would it permit the United Nations to interfere.

362. By a letter dated 18 May (S/12079), the Acting President of the United Nations Council for Namibia transmitted to the Secretary-General the text of a statement approved by the United Nations Council for Namibia on 13 May 1976. The Council strongly condemned the action by the illegal administration of South Africa in Namibia in passing a death sentence on two members of SWAPO and sentencing two women to seven and five years' imprisonment, respectively, as being in flagrant contradiction with the spirit of Security Council resolution 385 (1976). It demanded the immediate and unconditional release of the prisoners and declared that South Africa had no right whatsoever to attempt to exercise jurisdiction over Namibia.

## Chapter 7

### THE SITUATION IN THE COMOROS

#### A. Communications to the Security Council and requests for a meeting

363. In a telegram dated 28 January 1976 (S/11953) addressed to the President of the Security Council, the head of State of the Comoros stated that the French Government intended to organize a referendum in the island of Mayotte on 8 February and that Mayotte was an integral part of the Comorian State, which the United Nations had admitted to membership

on 12 November 1975. In view of that flagrant aggression, the head of the Comorian State requested an urgent meeting of the Security Council.

364. In a letter dated 3 February (S/11959), the representative of Guinea-Bissau, on behalf of the African group, also requested a Security Council meeting on the same subject.

365. A letter dated 4 February (S/11960) from the representative of Uganda contained a message from the



Chairman of the Organization of African Unity (OAU). The Chairman stated that he wished to clarify the position of OAU with regard to the French proposal of a referendum on Mayotte. Mayotte was an integral part of the Republic of the Comoros, and any attempt by France to conduct any referendum there constituted a gross interference in the internal affairs of an independent member State of OAU and must be deemed an act of aggression. On behalf of OAU, the Chairman called upon France to stop its malicious policies towards the Comoros and appealed to the world community to assist the young Republic to consolidate its hard-won independence.

366. On 5 February, the President of the Security Council issued a note (S/11964) in which he stated that, following consultations regarding the telegram from the head of the Comorian State (S/11953), he had addressed a telegram to the latter, announcing that the Security Council would hold a meeting on 4 February regarding the matter. The President also reproduced the text of a telegram in reply, announcing the arrival of a Comorian representative to participate in the meeting of the Security Council.

#### **B. Consideration at the 1886th to 1888th meetings (4-6 February 1976)**

367. The Security Council considered the question at its 1886th, 1887th and 1888th meetings, held on 4, 5 and 6 February, respectively. At the first meeting, the Council adopted the following agenda without objection:

"The situation in the Comoros:

"(a) Telegram dated 28 January 1976 from the Head of State of the Comoros addressed to the President of the Security Council (S/11953);

"(b) Letter dated 3 February 1976 from the Permanent Representative of Guinea-Bissau to the United Nations addressed to the President of the Security Council (S/11959)."

368. In the course of the discussion, the President, with the consent of the Council, invited the representatives of Algeria, the Comoros, Equatorial Guinea, Guinea, Guinea-Bissau, Kenya, Madagascar, Nigeria, Saudi Arabia and Somalia, at their request, to participate in the discussion without the right to vote.

369. The Council began its debate on the item with statements by the representatives of the Comoros, France, Guinea-Bissau, the Libyan Arab Republic, Somalia, Algeria, Equatorial Guinea and the United Republic of Tanzania. Further statements were made by the representatives of France and the United Republic of Tanzania.

370. At its 1888th meeting on 5 February, statements were made by the representatives of Guyana, the United Republic of Tanzania, China, Pakistan, the Union of Soviet Socialist Republics, Romania, the United Kingdom of Great Britain and Northern Ireland, Japan, Italy, Madagascar, Saudi Arabia, Nigeria and France.

371. In the course of his statement, the representative of the United Republic of Tanzania introduced a draft resolution (S/11967) sponsored by Benin, Guyana, the Libyan Arab Republic, Panama and the United

Republic of Tanzania. The draft resolution read as follows:

*"The Security Council,*

*"Having considered the telegram of the head of the Comorian State (S/11953),*

*"Having heard the statement of the representative of the Comoros,*

*"Recalling General Assembly resolution 3291 (XXIX) of 13 December 1974 which, inter alia, reaffirmed the unity and territorial integrity of the Comoro Archipelago,*

*"Recalling also that General Assembly resolution 3385 (XXX) of 12 November 1975, by which the Comoros was admitted to membership in the United Nations, reaffirmed the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli,*

*"Concerned at any action or threat of action which violates or is likely to violate the unity and territorial integrity of the Comorian State*

*"Expressing its concern at the declared intention of the French Government to organize a referendum in Mayotte on 8 February 1976,*

*"1. Considers that the holding of such a referendum by France in Mayotte constitutes an interference in the internal affairs of the Comoros;*

*"2. Calls upon the Government of France to desist from proceeding with the holding of the referendum in Mayotte;*

*"3. Calls upon the Government of France to respect the independence, sovereignty, unity and territorial integrity of the Comorian State and to refrain from taking any action which may jeopardize the independence, sovereignty, unity and territorial integrity of the Comorian State;*

*"4. Requests the Government of France to enter into immediate negotiations with the Government of the Comoros for the purpose of taking appropriate measures to safeguard the unity and territorial integrity of the State of the Comoros composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli;*

*"5. Requests all States to respect faithfully the unity and territorial integrity of the Comorian State;*

*"6. Requests the Secretary-General to follow the implementation of this resolution and to report to the Security Council as soon as possible."*

372. Statements in exercise of the right of reply were made by the representatives of Pakistan, the United Kingdom, the USSR and the United States of America.

373. Statements before the vote were made by the representatives of Sweden and Japan.

374. The Council then proceeded to vote on the five-Power draft resolution (S/11967).

**Decision:** *At the 1888th meeting, on 6 February 1976, the draft resolution (S/11967) received 11 votes in favour and 1 against (France), with 3 abstentions (Italy, United Kingdom of Great Britain and North-*



ern Ireland, United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council.

375. Following the voting, statements were made by the representatives of France, Benin, the Libyan

Arab Republic, Panama, the United Republic of Tanzania and the Comoros. Further statements were made by the representatives of France, Benin, Panama and the Libyan Arab Republic and the President of the Security Council.

## Chapter 8

### COMMUNICATIONS FROM FRANCE AND SOMALIA CONCERNING THE INCIDENT OF 4 FEBRUARY 1976

#### A. Communications to the Security Council and requests for a meeting

376. In a letter dated 4 February 1976 (S/11961), the representative of France requested an urgent meeting of the Security Council to consider the serious incident which had taken place on the same day at the post of Loyada on the frontier between the French Territory of the Afars and the Issas and Somalia. The incident had occurred when French forces, which were engaged in freeing a bus in which 31 children were being held hostage, had been fired upon from Somali territory and had been obliged to react in order to protect themselves and the children.

377. By a note dated 5 February (S/11965), the representative of Somalia transmitted a telegram addressed to the Secretary-General on 26 January by the President of the Supreme Revolutionary Council of the Somali Democratic Republic, drawing attention to the critical situation in French Somaliland and its implication for the stability and peace of the region. The President appealed to the Secretary-General to intervene in order to assist the people of that Territory to attain unconditional independence.

378. In a further letter dated 5 February (S/11969), the representative of Somalia requested an urgent meeting of the Council to consider as a matter of urgency an act of open and unprovoked aggression committed by France against Somalia. The serious incident had occurred on 4 February when French armed forces based in French Somaliland had launched an attack on the border town of Loyada in Somalia, killing 22 people, including 11 women and children, and destroying all buildings.

379. By a letter dated 10 February (S/11974) the representative of Somalia furnished a list of the Somali casualties suffered in the incident of 4 February.

380. In a letter dated 11 February (S/11977 and Corr.1), the representative of France indicated that, as the incident had not led to any immediate consequences and the situation had returned to normal, his Government considered it unnecessary for the Council to convene immediately. In refutation of the charges of aggression levelled against France by the representative of Somalia, he gave a detailed account of the incident and concluded that it could not seriously be claimed that French forces had attacked the village of Loyada; they had merely responded to fire directed at them by troops in position on the Somali side of the frontier. France deeply regretted the loss of any Somali civilians killed or wounded and appreciated the return on 7 February of a French child abducted to Somalia by the terrorists. In an addendum (S/11977/Add.1), the representative of France provided a sketch map of the locality indicating where the incident occurred.

381. By a letter dated 13 February (S/11979), the representative of Somalia requested the circulation of a letter he had addressed on 11 February to the President of the Council, in which he had indicated that although his request for a meeting remained standing, his delegation would not press for a meeting until the following week in view of certain initiatives taken by a third party to mediate in the matter.

382. In a letter dated 18 February (S/11987), the representative of Somalia stated that no serious, meaningful effort had been reciprocated by the other party during the week's postponement requested by him on 11 February. Therefore, he requested the President to convene an urgent meeting of the Security Council to consider his Government's complaint of aggression by France.

#### B. Consideration at the 1889th meeting (18 February 1976)

383. At its 1889th meeting on 18 February, the Security Council included the following item in its agenda without objection:

"Communications from France and Somalia concerning the incident of 4 February 1976:

"(a) Letter dated 4 February 1976 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council (S/11961);

"(b) Letter dated 5 February 1976 from the Permanent Representative of Somalia to the United Nations addressed to the President of the Security Council (S/11969)."

384. The President, with the consent of the Council, invited the representatives of Somalia and Ethiopia, at their request to participate in the discussion without the right to vote.

385. At the same meeting, the Council began its consideration of the question with statements by the representatives of France and Somalia. Statements with regard to a question of procedure were made by the representative of France, Somalia, the Libyan Arab Republic and the United Republic of Tanzania, as well as by the President of the Council. The representatives of France and Somalia also spoke in exercise of the right of reply. Following those statements the President of the Council stated, before adjourning the meeting, that he would remain in touch with the members of the Council concerning further meetings or consultations on the matter.

#### C. Subsequent communications to the Council

386. In documents issued on 18 February (S/11988 and S/11989), the representatives of France

and Somalia submitted sets of photographs each had referred to during the 1889th meeting of the Council.

387. By a note dated 3 March (S/12001), the representative of Somalia transmitted a position paper regarding the current developments in French Somaliland (Djibouti). In this document, the Government of Somalia expressed its concern at the increasingly tense and dangerous situation in French Somaliland resulting from repressive measures taken by the French authorities and expressed disappointment that such measures

were being taken at a time when France had formally declared its intention to grant the Territory full independence. It charged that France was determined to grant nominal independence to the Territory while maintaining a military base in Djibouti, and was insisting on maintaining a pro-French puppet régime in power. Those steps were part of a French manoeuvre to perpetrate a form of neo-colonialism in defiance of the resolutions of the Organization of African Unity, the United Nations and other international bodies.

## *Chapter 9*

### **REQUEST BY MOZAMBIQUE UNDER ARTICLE 50 OF THE CHARTER OF THE UNITED NATIONS IN RELATION TO THE SITUATION WHICH HAS ARISEN AS A RESULT OF ITS DECISION TO IMPOSE SANCTIONS AGAINST SOUTHERN RHODESIA IN FULL IMPLEMENTATION OF THE RELEVANT DECISIONS OF THE SECURITY COUNCIL**

#### **A. Communications to the Security Council and request for a meeting**

388. By a note dated 8 March 1976 (S/12004), the Secretary-General informed the Security Council that he had received information concerning the situation which had arisen as a result of the decision of the Government of Mozambique to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council. He brought to the Council's attention a telegram dated 5 March from the President of Mozambique and a telegram dated 6 March from the Secretary-General of the Commonwealth. The President of Mozambique, in his telegram, informed the United Nations that, in order to support the just struggle for national liberation of the people of Zimbabwe against the racist minority régime, in keeping with the relevant decisions of the United Nations and the Organization of African Unity (OAU), the People's Republic of Mozambique, as of 3 March 1976, had imposed sanctions against Southern Rhodesia. In his telegram dated 6 March, the Secretary-General of the Commonwealth communicated to the Secretary-General and the Chairman of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia the outcome of the Commonwealth Sanctions Committee's consideration, in the context of current circumstances in Southern Rhodesia and Mozambique, of ways in which the decisions taken by heads of Government at their Kingston meeting in May 1975 might be pursued. In that connexion, the telegram recalled the relevant paragraph of the Kingston communiqué in which the heads of Commonwealth Governments had endorsed the recommendation that an initiative should be taken by their Governments at the United Nations to establish a programme of assistance for Mozambique in terms of Articles 49 and 50 of the Charter.

389. By a letter dated 8 March (S/12005), the Minister for Foreign Affairs of Mozambique transmitted the full text of the statement made on 3 March 1976 by the President of Mozambique, in which the latter had proclaimed the imposition of sanctions against the illegal régime of Southern Rhodesia, in accordance with the decisions of the United Nations.

390. By a letter also dated 8 March (S/12008), the representative of Nigeria transmitted the text of a statement published by the Federal Military Government, expressing the latter's active solidarity with the

people of Zimbabwe in their struggle and proclaiming its support for the important role that the Government and people of Mozambique were playing. In that connexion, the statement announced that a special envoy of the Nigerian Government would visit Mozambique soon to ascertain in what areas Nigeria could be of help to the peoples of Mozambique and Zimbabwe.

391. In a telegram dated 10 March addressed to the President of the Security Council (S/12009), the Minister for Foreign Affairs of Mozambique requested, under Article 50 of the Charter of the United Nations, an urgent meeting of the Security Council to consider the situation which had arisen as a result of Mozambique's decision to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council. He also drew attention to acts of aggression committed by the troops of the illegal régime, supported by aircraft, against two villages in Mozambique during the night of 23/24 February and appealed to the Security Council to take the necessary steps to help the people of Mozambique to defend itself.

392. By a note dated 15 March (S/12004/Add.1), the Secretary-General brought to the Council's attention two telegrams dated 12 and 15 March, respectively, from the Secretary-General of OAU, in which that organization, through the United Nations, appealed to the entire international community for massive assistance to the people and Government of Mozambique to enable them to overcome the serious economic consequences of their decision to sever all road, air and rail communications with Southern Rhodesia in strict application of international sanctions. Further, OAU held that the situation was aggravated by acts of aggression by the illegal régime against Mozambique which threatened security and peace in the region and should be condemned by the Security Council.

#### **E. Consideration at the 1890th to 1892nd meetings (16-17 March 1976)**

393. At its 1890th meeting on 16 March, the Security Council included the following item in its agenda without objection:

"Request by Mozambique under Article 50 of the Charter of the United Nations in relation to the situation which has arisen as a result of its decision to impose sanctions against Southern Rhodesia in

full implementation of the relevant decisions of the Security Council;

"Telegram dated 10 March 1976 from the Minister for Foreign Affairs of Mozambique addressed to the President of the Security Council (S/12009)."

394. The Council considered the question at three meetings held on 16 and 17 March. In the course of the proceedings, the representatives of Mozambique, Egypt, Jamaica, Kenya and Zambia were invited, at their request, to participate in the discussion without the right to vote.

395. At the 1890th meeting on 16 March, the Council heard statements by the representatives of Mozambique, Jamaica, Kenya, Zambia, the United Republic of Tanzania, the United Kingdom of Great Britain and Northern Ireland and Egypt.

396. In the course of his statements, the representative of the United Republic of Tanzania introduced a draft resolution (S/12013) sponsored by Benin, Guyana, Italy, Japan, the Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, the United Kingdom and the United Republic of Tanzania.

397. At the 1891st meeting on 17 March, statements were made by the representatives of Guyana, Pakistan, Sweden, Italy, Romania and China.

398. At the 1892nd meeting, also held on 17 March, statements were made by the representatives of France, the Union of Soviet Socialist Republics, Japan, the United States of America, Panama and the President of the Council, speaking in his capacity as the representative of Benin. The representatives of China and the USSR made statements in exercise of the right of reply.

**Decision:** At the 1892nd meeting, on 17 March 1976, the 11-Power draft resolution (S/12013) was adopted unanimously as resolution 386 (1976).

399. Resolution 386 (1976) read as follows:

*"The Security Council,*

*"Taking note of the statement made by the President of the People's Republic of Mozambique on 3 March 1976 (S/12005),*

*"Having heard the statement of the Foreign Minister of the People's Republic of Mozambique,*

*"Gravely concerned at the situation created by the provocative and aggressive acts committed by the illegal minority régime in Southern Rhodesia against the security and territorial integrity of the People's Republic of Mozambique,*

*"Reaffirming the inalienable right of the people of Southern Rhodesia (Zimbabwe) to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) of 14 December 1960, and the legitimacy of their struggle to secure the enjoyment of such rights, in accordance with the Charter of the United Nations,*

*"Recalling its resolution 253 (1968) of 29 May 1968 imposing sanctions against Southern Rhodesia,*

*"Recalling further its resolutions 277 (1970) of 18 March 1970 and 318 (1972) of 28 July 1972,*

*"Noting with appreciation the decision of the Government of Mozambique to sever immediately all trade and communication links with Southern Rhod-*

*esia in accordance with the decision of the Council and in strict observance of economic sanctions,*

*"Considering that this decision constitutes an important contribution to the realization of the United Nations objectives in Southern Rhodesia in accordance with the principles and purposes of the Charter of the United Nations,*

*"Recognizing that the action of the Government of Mozambique is in accordance with resolution 253 (1968),*

*"Bearing in mind the provisions of Articles 49 and 50 of the Charter of the United Nations,*

*"1. Commends the Government of Mozambique for its decision to sever all economic and trade relations with Southern Rhodesia;*

*"2. Condemns all provocative and aggressive acts, including military incursions, against the People's Republic of Mozambique by the illegal minority régime of Southern Rhodesia;*

*"3. Takes note of the urgent and special economic needs of Mozambique arising from its implementation of resolution 253 (1968), as indicated in the statement by its Foreign Minister;*

*"4. Appeals to all States to provide immediate financial, technical and material assistance to Mozambique, so that Mozambique can carry out its economic development programme normally and enhance its capacity to implement fully the system of sanctions;*

*"5. Requests the United Nations and the organizations and programmes concerned, in particular the Economic and Social Council, the United Nations Development Programme, the World Food Programme, the World Bank, the International Monetary Fund and all United Nations specialized agencies, to assist Mozambique in the present economic situation and to consider periodically the question of economic assistance to Mozambique as envisaged in the present resolution;*

*"6. Requests the Secretary-General, in collaboration with the appropriate organizations of the United Nations system, to organize, with immediate effect, all forms of financial, technical and material assistance to Mozambique to enable it to overcome the economic difficulties arising from its application of economic sanctions against the racist régime in Southern Rhodesia."*

400. Following the vote, the Secretary-General made a statement. A statement was also made by the representative of Mozambique.

### C. Subsequent communications to the Council

401. By a letter dated 17 March (S/12021), the representative of Rwanda transmitted the text of a message dated 12 March from the President of Rwanda addressed to the President of Mozambique, pledging the unconditional support of the Government and the people of Rwanda to the Government and the people of Mozambique in their just struggle against the minority racist régime of Southern Rhodesia.

402. By a letter dated 25 March (S/12025), the representative of Algeria transmitted the text of two messages, one from the President of Algeria and the other from the Foreign Minister of Algeria, addressed,

respectively, to all the Heads of State and Government and to the Ministers for Foreign Affairs of the non-aligned countries concerning the situation resulting from the decision taken by Mozambique to impose

sanctions against Southern Rhodesia and calling for assistance and effective support from the non-aligned countries to ensure the success of the struggle undertaken by the people of Mozambique.

## **Chapter 10**

### **COMPLAINT BY KENYA, ON BEHALF OF THE AFRICAN GROUP OF STATES AT THE UNITED NATIONS, CONCERNING THE ACT OF AGGRESSION COMMITTED BY SOUTH AFRICA AGAINST THE PEOPLE'S REPUBLIC OF ANGOLA**

#### **A. Communications to the Security Council and request for a meeting**

403. By two letters dated 21 August 1975, the representative of Portugal transmitted two letters of the same date from the Minister for Foreign Affairs of Portugal addressed to the Secretary-General (S/11811) and to the president of the Security Council (S/11812).

404. The first letter (S/11811) reviewed the decolonization processes which the Government of Portugal had carried out in its colonial Territories since the revolution in April 1974, in accordance with which independence had already been attained by Mozambique, Cape Verde and Sao Tome and Principe. However, the Foreign Minister stated, the situation in Angola was causing serious apprehension in the Portuguese Government. The Alvor Agreements, which had established the political framework for the transition to independence, had been subject to repeated violations by the liberation movements creating political confrontation and veritable armed conflict in Angola and leading the Territory almost to the brink of collapse. The Portuguese Government had been compelled to adopt emergency measures, including a state of siege with total or partial suspension of constitutional guarantees. Assistance was also under way for evacuation of those who wished to leave the Territory. Under those conditions, the Portuguese Government hoped to receive from the United Nations continued and reinforced support, enabling Portugal to cope with the situation in Angola and to transfer powers according to the established time schedule.

405. The second letter (S/11812) referred to the first and stated that the Portuguese Government believed it to be its duty to bring the matter to the attention of the Security Council for its information.

406. By a note verbale dated 19 January 1976 (S/11936), the representative of Zaire transmitted a letter addressed to the Secretary-General by the Commissioner of State of Zaire, in which it was charged that, on 10 January, Cuban and Soviet forces fighting in Angola with the Popular Movement for the Liberation of Angola (MPLA) had blown up the rail and road bridges linking the frontier centre of Dilolo (Zaire) with that of Teixeira de Sousa (Angola) and had intensively bombed the urban centre of Dilolo. Those acts, the Minister added, were threatening the sovereignty, territorial integrity and security of his country.

407. In a letter dated 23 January (S/11941), the representative of Cuba rejected the charges and denied that the Cuban presence in Angola was motivated by hostility towards Zaire, which he charged with helping the forces of aggression against the sovereignty and territorial integrity of Angola.

408. In a letter dated 26 January 1976 (S/11947), the representative of the Union of Soviet Socialist Republics categorically rejected the slanderous fabrications contained in the letter from the representative of Zaire and stated that in reality armed intervention was being carried out against the People's Republic of Angola by South African racists and mercenary units. They were bringing with them the restoration of the former colonial order in Angola and were attempting to tear apart the People's Republic of Angola, which had been recognized by the majority of sovereign States of Africa. He also emphasized that not a single Soviet citizen was fighting on Angolan soil. The Soviet Union was not seeking any economic, military or other advantages in Angola. Its sole concern was to help the People's Republic of Angola defend its freedom and independence against South African forces and mercenary units operating in its territory. The Soviet Union resolutely condemned the aggression of the South African racists against the People's Republic of Angola and, together with the majority of African countries, urged the immediate and unconditional withdrawal from Angola of South African armed forces and Fascist mercenary units.

409. In three letters dated 22 January and 6 and 13 February (S/11938, S/11970 and S/11980), the Minister for Foreign Affairs of South Africa requested that the United Nations High Commissioner for Refugees provide emergency assistance for Angolan refugees and displaced persons currently in the care of the South African authorities.

410. In replies dated 11 and 17 February (S/11978 and S/11983), the Secretary-General stated that according to the information provided by South Africa, the refugees concerned fell into two groups: one group located in four camps in southern Angola near the border with Namibia; and the second those who sought entry at the Port of Walvis Bay in Namibia. As to the first group of refugees living in camps set up on Angolan territory, the United Nations would not be able to respond to South Africa's request, since it could undertake programmes of humanitarian assistance only in co-operation with the competent authorities of the country concerned. As to the second group, the Secretary-General indicated that both he and the United Nations High Commissioner for Refugees had appealed that, for humanitarian considerations, the refugees be allowed to disembark pending a solution to their problems.

411. Commenting on South Africa's request, the representative of Cuba, in a letter dated 23 February (S/11992), stated that South Africa sought to confuse public opinion and to conceal its aggressive actions by invoking such humanitarian objectives. He added that the refugees and displaced persons referred to by South

Africa were on Angolan territory and that South Africa had no right to maintain troops there.

412. In a letter dated 10 March (S/12007), the representative of Kenya, on behalf of the African group at the United Nations, requested a meeting of the Security Council to consider "the act of aggression committed by South Africa against the People's Republic of Angola".

413. By two letters dated 21 and 23 March (S/12019 and S/12019/Add.1), the representative of South Africa transmitted the texts of statements made by the Prime Minister and the Minister of Defence concerning the withdrawal of South African troops from Angola. In his statements, the Prime Minister indicated that the forces of South Africa were at the Calueque Dam site solely to protect the lives of the workers and to safeguard the installations there. They would remain until assurances were received that no harm would come to the workers, that the work would continue and that the flow of water to Owambo would be assured. He added that his Government was considering assurances received through a third party. If it found them acceptable, it would withdraw its forces from the area not later than 27 March.

414. In the second letter (S/12019/Add.1), the representative of South Africa stated that the reference to the Calueque area in the Prime Minister's statement applied to the northern portion of the Ruacana construction site which fell within Angola and any other part of Angola.

415. In a letter dated 23 March (S/12023), the representative of Portugal referred to South Africa's letter (S/12019) and stated that the assertion that the Portuguese Government had asked South Africa to remain in the Calueque area and to continue to assure the safety of work in progress at the dam was completely without foundation. Portugal had given no advance authorization to South Africa to undertake such action and had not failed to protest, once it became aware of it.

416. In a letter dated 25 March (S/12024), the representative of South Africa set out excerpts from a statement of that date by the Minister of Defence that the Government of South Africa had decided to withdraw all its forces from Angola by 27 March.

417. By a letter dated 28 March (S/12026), the representative of South Africa confirmed that the withdrawal of South African troops from Angola had been completed by 27 March.

418. In a letter dated 31 March (S/12033), the representative of South Africa, referring to the statement by the representative of Portugal at the Council's 1905th meeting, reiterated his assertion that bilateral arrangements had been made for the Portuguese authorities to assume protection of the Calueque Dam and for South Africa to carry out that task until their arrival.

#### **B. Consideration at the 1900th to 1906th meetings (26-31 March 1976)**

419. At its 1900th meeting on 26 March 1976, the Security Council adopted the following agenda without objection:

"Complaint by Kenya, on behalf of the African group of States at the United Nations, concerning the act of aggression committed by South Africa against the People's Republic of Angola:

"Letter dated 10 March 1976 from the Permanent Representative of Kenya to the United Nations addressed to the President of the Security Council (S/12007)."

420. The President drew attention to a letter dated 24 March addressed to the Secretary-General by the Minister for Foreign Affairs of the People's Republic of Angola, who requested that an invitation be extended to an envoy of the Government of Angola to participate in the discussion. Drawing attention to Article 32 of the Charter, the President proposed that an invitation be extended to that delegation.

421. The representative of the United States of America made a statement in that connexion.

422. The President then, with the consent of the Council, invited the representative of Angola to participate in the debate.

423. In accordance with rule 37 of the provisional rules of procedure, the representatives of Cuba, Egypt, Guinea, Kenya, Madagascar, Nigeria, Sierra Leone, Somalia, Zambia and, subsequently, Yugoslavia were invited, at their request, to participate in the discussion without the right to vote.

424. The Council began its consideration of the question with a statement by the representative of Angola, and then heard statements by the representatives of Kenya and China. The President and the representatives of the USSR and the United Republic of Tanzania spoke on a point of order.

425. At the 1901st meeting on 29 March, the representatives of Poland and the German Democratic Republic were invited, at their request, to participate in the discussion without the right to vote.

426. The Council continued its consideration by hearing a statement by the representative of Guinea, who spoke both in her capacity as the representative of her country and as the Chairman of the Special Committee against *Apartheid*. Statements were also made by the representatives of Zambia and Egypt.

427. At the 1902nd meeting on 29 March, the representatives of the United Republic of Cameroon and India were invited, at their request, to participate in the debate without the right to vote.

428. Statements were made by the representatives of Poland, Somalia, Cuba, the United Republic of Cameroon and India. The representatives of China and Cuba spoke in exercise of the right of reply.

429. The President informed the Council of a letter dated 29 March from the President of the United Nations Council for Namibia requesting that an invitation be extended to a delegation of the United Nations Council for Namibia. In accordance with previous practice, the President proposed that the Council extend an invitation, under rule 39 of its provisional rules of procedure, to the President and other members of the United Nations Council for Namibia. In the absence of objection it was so decided.

430. At the 1903rd meeting, on 30 March, the representatives of Mali, the Syrian Arab Republic and Uganda were invited, at their request, to participate in the debate without the right to vote.

431. The Council continued its consideration of the question by hearing statements by the President of the United Nations Council for Namibia and by the

representatives of Sierra Leone, Nigeria, Yugoslavia and the German Democratic Republic.

432. At the 1904th meeting, also held on 30 March, the representatives of the Congo, Saudi Arabia and South Africa were invited, at their request, to participate in the debate without the right to vote.

433. The Council heard statements by the representatives of Madagascar, the USSR, Uganda, the Libyan Arab Republic, South Africa and Saudi Arabia.

434. In exercise of the right of reply, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, Saudi Arabia, China and the USSR.

435. At the 1905th meeting on 31 March, the representatives of Bulgaria, Guinea-Bissau and Portugal were invited, at their request, to participate in the debate without the right to vote.

436. The Council continued its consideration of the item with a statement by the representative of Angola, followed by statements by the representatives of Romania, Bulgaria, Pakistan, Italy, the Syrian Arab Republic and Portugal.

437. At the 1906th meeting, also held on 31 March, the representative of Mozambique was invited, at his request, to participate in the debate without the right to vote.

438. The Council heard statements by the representatives of the Congo, Mali, Guinea-Bissau, Mozambique, Japan, Guyana, Panama, the United Republic of Tanzania and the United Kingdom, by the President, in his capacity as the representative of Benin, and by the representatives of the United States and France. The representatives of Cuba and the United States spoke in exercise of the right of reply.

439. In the course of his statement, the representative of the United Republic of Tanzania introduced a draft resolution (S/12030), sponsored by Benin, Guyana, the Libyan Arab Republic, Panama, Romania and the United Republic of Tanzania.

440. The representative of the United Republic of Tanzania stated that it was the wish of the sponsors of the draft resolution (S/12030) that it be voted upon in the course of that evening and proposed the suspension of the meeting. There being no objection, it was so decided.

441. After resumption of the meeting and before the vote, statements were made by the representatives of Sweden and China.

442. The President then put to the vote the text of the six-Power draft resolution (S/12030).

**Decision:** *At the 1906th meeting, on 31 March 1976, the draft resolution (S/12030) was adopted by 9 votes to none, with 5 abstentions (France, Italy, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America) as resolution 387 (1976). One member (China) did not participate in the vote.*

443. Resolution 387 (1976) read as follows:

*"The Security Council,*

*"Having considered the letter of the Permanent Representative of Kenya on behalf of the African Group of States at the United Nations (S/12007),*

*"Having heard the statement of the representative of the People's Republic of Angola,*

*"Recalling the principle that no State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State,*

*"Recalling also the inherent and lawful right of every State, in the exercise of its sovereignty, to request assistance from any other State or group of States,*

*"Bearing in mind that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,*

*"Gravely concerned at the acts of aggression committed by South Africa against the People's Republic of Angola and the violation of its sovereignty and territorial integrity,*

*"Condemning the utilization by South Africa of the international Territory of Namibia to mount that aggression,*

*"Gravely concerned also at the damage and destruction done by the South African invading forces in Angola and by their seizure of Angolan equipment and materials,*

*"Noting the letter of the Permanent Representative of South Africa regarding the withdrawal of South African troops (S/12026),*

*"1. Condemns South Africa's aggression against the People's Republic of Angola;*

*"2. Demands that South Africa scrupulously respect the independence, sovereignty and territorial integrity of the People's Republic of Angola;*

*"3. Demands also that South Africa desist from the utilization of the international Territory of Namibia to mount provocative or aggressive acts against the People's Republic of Angola or any other neighbouring African State;*

*"4. Calls upon the Government of South Africa to meet the just claims of the People's Republic of Angola for a full compensation for the damage and destruction inflicted on its State and for the restoration of the equipment and materials which its invading forces seized;*

*"5. Requests the Secretary-General to follow the implementation of the present resolution."*

444. Following the vote, statements in explanation of vote were made by the representatives of Japan, the United Kingdom, France, Italy, the USSR and Pakistan. A statement was also made by the representative of Angola, and another by the representative of Kenya. The representatives of Cuba, China and the USSR spoke in exercise of the right of reply.

445. The President and the representatives of China and the United Kingdom spoke on a question of procedure.

## QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA

## A. Communications and reports to the Security Council

446. In a letter dated 27 June 1975 (S/11738), addressed to the Secretary-General, the representative of the United Kingdom of Great Britain and Northern Ireland stated that in view of the achievement of independence by Mozambique on 25 June 1975, the Government of the United Kingdom had discontinued the regular patrol (popularly known as the "Beira patrol") which vessels of the Royal Navy had hitherto maintained off the coast of Mozambique. The letter pointed out that for more than nine years the patrol had been successful in preventing the pumping of oil through the pipeline from Beira to Southern Rhodesia but that with the accession to power of an independent Government in Mozambique, such patrolling was no longer necessary.

447. By a letter dated 1 July (S/11742), the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples transmitted to the Security Council the text of a resolution adopted by the Special Committee on 17 June which recommended that the Security Council, bearing in mind the provisions of Articles 49 and 50 of the Charter, should initiate, as soon as possible, a specific programme of assistance to Mozambique, to be provided on a bilateral and/or multilateral basis, in order to enable its Government to apply fully and effectively sanctions against the illegal régime of Southern Rhodesia. The Committee also reiterated its conviction that the scope of sanctions against the illegal régime had to be widened to include all the measures envisaged under Article 41 of the Charter and recommended that the Security Council consider taking the necessary measures in that regard as a matter of urgency.

448. In a note dated 25 August (S/11816 and Corr.1), the representative of the Union of Soviet Socialist Republics transmitted to the Secretary-General information concerning the position of the Soviet Union with regard to the illegal régime in Southern Rhodesia, in particular the question of tourism and travel to and from Southern Rhodesia. The Soviet Union did not recognize and resolutely condemned the racist régime in Southern Rhodesia, which was directed towards securing its domination of the people of Zimbabwe and subjecting them to racial oppression and colonial exploitation. The Soviet Union had consistently and unwaveringly implemented and would continue to implement the decisions of the General Assembly and Security Council concerning Southern Rhodesia; it had taken the necessary steps for the strict observance of sanctions against Southern Rhodesia and, furthermore, did not admit tourists from Southern Rhodesia or permit Soviet citizens to visit Southern Rhodesia for tourism or any other purpose.

449. On 15 December, the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia submitted to the Security Council a special report (S/11913) on the expansion of sanctions against Southern Rhodesia. In that report, the Committee, deploring the

fact that 10 years after the unilateral declaration of independence the illegal minority régime was still in power despite the sanctions established by the Security Council, indicated that the changing situation in southern Africa, particularly the intensified struggle of the people of Zimbabwe for national liberation, was opening up new possibilities for bringing an end to the illegal régime in Southern Rhodesia. In such circumstances, the time had come for the Security Council to demonstrate once again the international community's opposition to, and willingness to increase pressure on, the illegal régime. To that end the Committee, having agreed in principle to the expansion of sanctions, had examined a number of proposals relating to the insurance of goods and of passengers going to and from Southern Rhodesia; communications; trade names and franchises; interline agreements with Air Rhodesia; requests to Member States not to issue or renew passports of nationals believed to be residing in Southern Rhodesia and to deny landing rights in their territories to flights the route schedule of which included stop-overs in Southern Rhodesia for the purpose of loading or unloading passengers and/or goods to and from Southern Rhodesia; immigration, tourism and sporting activities involving Southern Rhodesia; and the application of the entirety of measures provided under Article 41 of the Charter to both Southern Rhodesia and South Africa. The Committee reported that it had not been able to reach agreement on all the measures proposed in the Committee. Consequently, the summary of discussion in the annex to its special report reflected areas of agreement and disagreement, as well as statements of position by various members of the Committee on those matters. In conclusion, the Committee, bearing in mind the reservations expressed by some delegations as summarized in that annex, recommended to the Security Council that insurance, trade names and franchises should be included within the scope of mandatory sanctions against Southern Rhodesia.

450. By a letter dated 16 December (S/11917), the Secretary-General transmitted to the Security Council the text of resolution 3397 (XXX) by which the General Assembly had reiterated its conviction that the scope of sanctions must be widened to include all the measures envisaged under Article 41 of the Charter; requested the Security Council to consider taking the necessary measures in that regard as a matter of urgency; and invited the Council's Committee on Sanctions to continue to co-operate in the related work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

451. On 8 January 1976, the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia submitted its eighth report (S/11927), covering its work during the period from 16 December 1974 to 15 December 1975. The Committee reported that in the course of 37 meetings held in 1975, it had continued consideration of 81 cases of possible violation of sanctions carried over from previous reports and 42 new cases brought to its attention. The report contained an account of the action taken by Governments to ensure implementation of sanctions and of the actions taken



by the Committee, by the Secretary-General and by States in implementation of the relevant provisions of Security Council resolution 333 (1973). It further reviewed the measures taken by the Committee to foster closer co-operation with the Organization of African Unity (OAU) and with non-governmental organizations. According to the report, the Committee also considered matters relating to consular, sporting and other representation of and in Southern Rhodesia and representation of the illegal régime abroad. Other matters considered by the Committee were the question of airlines operating to and from Southern Rhodesia, immigration and tourism, and expansion of sanctions against Southern Rhodesia, on which, because of its particular importance, the Committee had issued its special report (S/11913) to the Security Council.

452. The Committee also discussed general questions at its meetings, and in that context a number of delegations stressed the need to expand the sanctions against the illegal régime in Southern Rhodesia.

453. The Committee's eighth report included seven annexes, four of which were attached and two of which were contained in an addendum issued on 6 February 1976 (S/11927/Add.1). The seventh annex, which would contain a note and statistical data prepared by the Secretariat on Southern Rhodesian trade for the year 1974, was in preparation. Annex I contained proposals submitted to the Committee on the organization and programme of its work and a summary of the ensuing discussion. Annexes II-V contained reports on cases of suspected violations of sanctions carried over from previous reports, new cases and correspondence conducted with Governments, non-governmental organizations and individuals concerning all the cases considered. Annex VI contained further replies received from Governments in connexion with the discrepancies between the reported quantities of certain commodities imported from South Africa, Mozambique and Angola and the quantities reported to have been exported by those countries.

454. By a letter dated 5 April (S/12039), the representative of Luxembourg, in his capacity as the representative of the country currently holding the presidency of the Council of the European Communities, transmitted to the Secretary-General the text of a statement on Southern Rhodesia issued after a meeting of the European Council held at Luxembourg on 1 and 2 April 1975. In the statement, the nine countries of the European Community reaffirmed, in particular, the right of the Southern Rhodesian people to self-determination and independence; appealed to the Southern Rhodesian minority, which currently was opposing a system of majority rule, to accept a rapid and peaceful transition to such a system; and confirmed that they would continue to apply strictly the Security Council decisions concerning Southern Rhodesia.

#### **B. Consideration at the 1907th meeting (6 April 1976)**

455. At the 1907th meeting on 6 April, the Security Council adopted the following agenda without objection:

"Question concerning the situation in Southern Rhodesia:

"Special report of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia on the

expansion of sanctions against Southern Rhodesia (S/11913)."

456. The President of the Security Council announced that, as a result of intensive consultations on certain recommendations contained in the special report, agreement had been reached on the text of the following draft resolution (S/12037), which had been sponsored and submitted by all 15 members of the Security Council:

#### *"The Security Council,*

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

*"Reaffirming that the measures provided for in those resolutions, as well as the measures initiated by Member States in pursuance thereof, shall continue in effect,*

*"Taking into account the recommendations made by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia in its special report of 15 December 1975 (S/11913),*

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

*"Acting under Chapter VII of the Charter of the United Nations,*

*"1. Decides that all Member States shall take appropriate measures to ensure that their nationals and persons in their territories do not insure:*

*"(a) Any commodities or products exported from Southern Rhodesia after the date of the present resolution in contravention of Security Council resolution 253 (1968) which they know or have reasonable cause to believe to have been so exported;*

*"(b) Any commodities or products which they know or have reasonable cause to believe are destined or intended for importation into Southern Rhodesia after the date of the present resolution in contravention of resolution 253 (1968);*

*"(c) Commodities, products or other property in Southern Rhodesia of any commercial, industrial or public utility undertaking in Southern Rhodesia, in contravention of resolution 253 (1968);*

*"2. Decides that all Member States shall take appropriate measures to prevent their nationals and persons in their Territories from granting to any commercial, industrial or public utility undertaking in Southern Rhodesia the right to use any trade name or from entering into any franchising agreement involving the use of any trade name, trade mark or registered design in connexion with the sale or distribution of any products, commodities or services of such an undertaking;*

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

**Decision:** *At the 1907th meeting, on 6 April 1976, the draft resolution (S/12037) was adopted unanimously as resolution 388 (1976).*



457. Following the vote, statements were made by the representatives of the United Republic of Tanzania, Pakistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the

USSR, Guyana, Romania, France, Panama, Italy, Japan, Sweden, Benin and the Libyan Arab Republic, and by the President, speaking in his capacity as the representative of China.

## Part II

### OTHER MATTERS CONSIDERED BY THE SECURITY COUNCIL

#### Chapter 12

#### ADMISSION OF NEW MEMBERS

##### A. Applications of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam

##### 1. COMMUNICATIONS TO THE SECURITY COUNCIL AND CONSIDERATION AT THE 1834TH TO 1836TH MEETINGS (6-11 AUGUST 1975)

458. In a telegram dated 15 July 1975 (S/11756), the President of the Provisional Revolutionary Government of the Republic of South Viet-Nam submitted the application of the Republic of South Viet-Nam for admission to membership in the United Nations and declared that the Republic of South Viet-Nam accepted the obligations contained in the Charter of the United Nations and solemnly undertook to carry them out.

459. In a telegram dated 16 July (S/11761), the Prime Minister of the Government of the Democratic Republic of Viet-Nam submitted the application of the Democratic Republic of Viet-Nam for admission to membership in the United Nations and declared that the Democratic Republic of Viet-Nam accepted the obligations contained in the Charter of the United Nations and solemnly undertook to carry them out.

460. In a telegram dated 29 July (S/11783), the Minister for Foreign Affairs of the Republic of Korea referred to a letter of 19 January 1949 (S/1238) from the Republic of Korea concerning the application of the Republic of Korea for admission to membership in the United Nations and the declaration by which his Government had accepted the obligations contained in the Charter of the United Nations. The telegram requested that the application of the Republic of Korea be given further consideration by the Security Council at the earliest appropriate occasion.

461. At its 1834th meeting held on 6 August, the Security Council had before it the following provisional agenda (S/Agenda/1834):

- "1. Adoption of the agenda.
- "2. Note by the Secretary-General transmitting the text of a telegram dated 15 July from the President of the Provisional Revolutionary Government of the Republic of South Viet-Nam (S/11756).
- "3. Note by the Secretary-General transmitting the text of a telegram dated 16 July 1975 from the Prime Minister of the Government of the Democratic Republic of Viet-Nam (S/11761).
- "4. Note by the Secretary-General transmitting a letter dated 30 July 1975 from the Perma-

nent Observer of the Republic of Korea to the United Nations and the text of a telegram dated 29 July 1975 from the Minister for Foreign Affairs of the Republic of Korea (S/11783)."

462. The President, referring to prior consultations, put to the vote the inclusion of each item listed as items 2, 3 and 4 of the provisional agenda.

**Decision:** *At its 1834th meeting, on 6 August 1975, the Security Council included items 2 and 3 in its agenda by a separate vote of 14 in favour to none against, with 1 abstention (United States of America). The inclusion of item 4 received 7 votes in favour and 6 against (Byelorussian Soviet Socialist Republic, China, Iraq, Mauritania, Union of Soviet Socialist Republics, United Republic of Tanzania), with 2 abstentions (Guyana, United Republic of Cameroon) and was not approved, having failed to obtain the required majority. The provisional agenda as a whole, as amended (comprising items 2 and 3 exclusively), was adopted by a vote of 12 in favour to 1 against (United States of America), with 2 abstentions (Costa Rica, United Kingdom of Great Britain and Northern Ireland).*

463. In accordance with rule 59 of the provisional rules of procedure and in the absence of objection, the President referred the two items that had been included in the agenda to the Committee on the Admission of New Members for examination and report.

464. By a letter dated 7 August (S/11793), the representative of Algeria transmitted to the President of the Security Council the text of a declaration adopted on the same day by the Co-ordinating Committee of the Non-Aligned Countries, supporting the applications of the Republic of South Viet-Nam and of the Democratic Republic of Viet-Nam and condemning all manoeuvres aimed at preventing their admission to membership in the United Nations.

465. On 8 August, the Committee on the Admission of New Members submitted a report (S/11794) to the Security Council on its consideration of the two applications for membership. The Committee stated that it had been unable to make a unanimous recommendation to the Security Council and, consequently, was submitting to the Council a report reflecting the attitudes of delegations towards the two applications. In the report, it was stated that at the 47th meeting of the Committee on 7 August, the representatives of the Byelorussian SSR, China, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, the USSR, the United Kingdom, the United Republic of Cameroon and the United Republic of Tanzania had expressed their support for

both applications. The representatives of Costa Rica and the United States had stated that they were unable to join in supporting the two applications on the agenda of the Committee.

466. The representative of the United Republic of Tanzania had proposed that the Committee recommend to the Security Council the adoption of the following draft resolution sponsored by the Byelorussian SSR, China, Guyana, Iraq, Mauritania, Sweden, the USSR, the United Republic of Cameroon and the United Republic of Tanzania:

*"The Security Council,*

*"Having examined the application of the Republic of South Viet-Nam for admission to membership in the United Nations (S/11756),*

*"Recommends to the General Assembly that the Republic of South Viet-Nam be admitted to membership in the United Nations."*

467. The representative of Guyana had proposed that the Committee recommend to the Security Council the adoption of the following draft resolution sponsored by the Byelorussian SSR, China, Guyana, Iraq, Mauritania, Sweden, the USSR, the United Republic of Cameroon and the United Republic of Tanzania:

*"The Security Council,*

*"Having examined the application of the Democratic Republic of Viet-Nam for admission to membership in the United Nations (S/11761),*

*"Recommends to the General Assembly that the Democratic Republic of Viet-Nam be admitted to membership in the United Nations."*

468. At its 1835th meeting on 11 August, the Council adopted the following agenda without objection:

*"Report of the Security Council Committee on the Admission of New Members concerning the applications of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam (S/11794)."*

469. The President, with the consent of the Council, invited the representatives of Cuba, the German Democratic Republic, Guinea, Hungary, India, Poland, Romania, Somalia and Yugoslavia, at their request, to participate in the discussion without the right to vote.

470. The representative of Guyana made a statement, in the course of which he introduced two draft resolutions (S/11795 and S/11796) identical to those contained in the Committee's report and sponsored by the Byelorussian SSR, China, Guyana, Iraq, Mauritania, Sweden, the USSR, the United Republic of Cameroon and the United Republic of Tanzania.

471. The representatives of Sweden, the USSR, China, the United Republic of Cameroon, France, Italy, the United Kingdom, Iraq, the Byelorussian SSR, Yugoslavia and the German Democratic Republic made statements.

472. At the 1836th meeting, on the same day, the President, with the consent of the Council, invited the representatives of Algeria, Bulgaria and Czechoslovakia, at their request, to participate in the discussion without the right to vote.

473. The Council continued its consideration of the item with statements by the representatives of Romania, India, Hungary, Poland, Somalia, Cuba, Guinea, Algeria, Bulgaria and Czechoslovakia, and by the Presi-

dent, speaking in his capacity as the representative of Japan.

474. At the same meeting, the Council proceeded to vote on the two draft resolutions before it.

**Decision:** *At the 1836th meeting on 11 August 1975, the draft resolution contained in document S/11795 received 13 votes in favour and 1 against (United States of America), with 1 abstention (Costa Rica) and was not adopted, owing to the negative vote of a permanent member of the Council.*

*The draft resolution contained in document S/11796 received 13 votes in favour and 1 against (United States of America), with 1 abstention (Costa Rica) and was not adopted, owing to the negative vote of a permanent member of the Council.*

475. Following the voting, statements were made by the representatives of the United States, the United Republic of Tanzania, Costa Rica, China, the USSR, and Italy.

476. The Council then approved without objection a special report to the General Assembly (A/10179), as provided for in the third paragraph of rule 60 of its provisional rules of procedure.

## 2. FURTHER COMMUNICATIONS TO THE COUNCIL AND CONSIDERATION AT THE 1842ND TO 1846TH MEETINGS (26-30 SEPTEMBER 1975)

477. By a letter dated 11 August, the Permanent Observer of the Republic of South Viet-Nam and the Permanent Observer of the Democratic Republic of Viet-Nam transmitted to the President of the Security Council the text of a joint declaration dated 11 August, protesting the veto by the United States of the admission to the United Nations of the two Republics.

478. By a letter dated 19 September (S/11826), the President of the General Assembly transmitted to the President of the Security Council the text of resolution 3366 (XXX) adopted by the General Assembly at its 2345th plenary meeting on 19 September, the operative paragraphs of which read as follows:

*"The Security Council,*

*"...*

*"1. Considers that the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam should be admitted to membership in the United Nations,*

*"2. Accordingly requests the Security Council to reconsider immediately and favourably their applications in strict conformity with Article 4, paragraph 1, of the Charter of the United Nations."*

479. By a letter dated 21 September (S/11828), the Minister for Foreign Affairs of the Republic of Korea resubmitted the application for admission to membership in the United Nations of the Republic of Korea and requested that it be given further consideration by the Security Council at the earliest possible date.

480. At its 1842nd meeting on 26 September, the Security Council had before it a provisional agenda reading as follows:

*"1. Adoption of the agenda.*

*"2. Letter dated 19 September 1975 from the President of the General Assembly addressed to the President of the Security Council (S/11826).*

"3. Note by the Secretary-General transmitting a letter dated 21 September 1975 from the Minister for Foreign Affairs of the Republic of Korea addressed to the Secretary-General (S/11828)."

481. The Security Council took separate votes on the inclusion of the two items listed on its provisional agenda as items 2 and 3.

**Decision:** *At the 1842nd meeting, on 26 September 1975, the inclusion of item 2 in the agenda was approved by 14 votes in favour to none against, with 1 abstention (United States of America). The inclusion of item 3 received 7 votes in favour (Costa Rica, France, Italy, Japan, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America) and 7 against (Byelorussian Soviet Socialist Republic, China, Guyana, Iraq, Mauritania, Union of Soviet Socialist Republics, United Republic of Tanzania), with 1 abstention (United Republic of Cameroon) and was not approved, having failed to obtain the required majority.*

482. The Council then voted on the provisional agenda as a whole, as amended, which then read:

"Letter dated 19 September 1975 from the President of the General Assembly addressed to the President of the Security Council (S/11826)."

**Decision:** *The provisional agenda as a whole, as amended, was adopted by a vote of 13 in favour to none against, with 2 abstentions (United Kingdom of Great Britain and Northern Ireland, United States of America).*

483. The Council decided, without objection, to reconsider the applications before it without again referring them to the Committee on the Admission of New Members.

484. The President, with the consent of the Council and pursuant to their requests, invited the representatives of Algeria, Bulgaria, Cambodia, Cuba, Czechoslovakia, Benin, the German Democratic Republic, Hungary, India, Madagascar, Mongolia, Poland, Senegal, Sri Lanka and Yugoslavia to participate in the discussion without the right to vote.

485. The Council began its consideration of the item on its agenda with statements by the representatives of Algeria, Cuba, the German Democratic Republic, Benin, Costa Rica, the United States and Hungary.

486. At the 1843rd meeting on 29 September, the President, with the consent of the Council and pursuant to their requests, invited the representatives of Laos and Romania to participate in the debate on the question without the right to vote.

487. The Council continued consideration of the question on its agenda with statements by the representatives of the United Kingdom, Yugoslavia, Mongolia, Czechoslovakia, Cambodia, Poland, Romania and Bulgaria.

488. At the 1844th meeting on the same day, statements were made by the representatives of India, the USSR, Laos, China, Sweden, Japan and the United Republic of Tanzania.

489. In the course of his statement, the representative of the United Republic of Tanzania introduced two draft resolutions (S/11832 and S/11833) sponsored by the Byelorussian SSR, China, Guyana, Iraq, Mauri-

tania, Sweden, the USSR, the United Republic of Cameroon and the United Republic of Tanzania.

490. The first draft resolution (S/11832) read as follows:

*"The Security Council,*

*"Having re-examined the application of the Republic of South Viet-Nam for admission to membership in the United Nations (S/11756), in accordance with the request contained in General Assembly resolution 3366 (XXX) of 19 September 1975,*

*"Recommends to the General Assembly that the Republic of South Viet-Nam be admitted to membership in the United Nations."*

491. The second draft resolution (S/11833) read:

*"The Security Council,*

*"Having re-examined the application of the Democratic Republic of Viet-Nam for admission to membership in the United Nations (S/11761), in accordance with the request contained in General Assembly resolution 3366 (XXX) of 19 September 1975,*

*"Recommends to the General Assembly that the Democratic Republic of Viet-Nam be admitted to membership in the United Nations."*

492. At the 1845th meeting of the Council on 30 September, the President, with the consent of the Council and pursuant to their requests, invited the representatives of the Ukrainian Soviet Socialist Republic, Mexico and Mozambique to participate in the debate without the right to vote.

493. The Council continued consideration of the question with statements by the representatives of the Ukrainian SSR, Senegal, Madagascar, Guyana, the Byelorussian SSR, France, Italy, Iraq and the United Republic of Cameroon.

494. At the 1846th meeting on the same day, the President read out the text of a letter from the Permanent Observer of the Republic of South Viet-Nam to the United Nations, requesting authorization to address the Council on the question of the admission to the United Nations of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam. The President also stated that he had received a letter from the representatives of Guyana, Iraq, the United Republic of Cameroon and the United Republic of Tanzania, requesting that an opportunity be afforded to the Permanent Observers of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to present their views on the question on the agenda. As there was no objection, the President stated that he would request the Observer of the Republic of South Viet-Nam to make his statement after the vote had been taken.

495. The Council then continued its discussion with statements by the President, speaking in his capacity as the representative of Mauritania, and by the representatives of Mozambique and Mexico.

**Decision:** *At the 1846th meeting, on 30 September 1976, the draft resolution contained in document S/11832 received 14 votes in favour and 1 against (United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council.*

*The draft resolution contained in document S/11833 received 14 votes in favour and 1 against (United States of America) and was not adopted, owing to the negative vote of a permanent member of the Council.*

496. Following the vote, statements were made by the representatives of China and the United States and by the Permanent Observer of the Republic of South Viet-Nam.

497. The Security Council approved without objection a special report to the General Assembly (A/10273), as provided for in the third paragraph of rule 60 of its provisional rules of procedure.

### **B. Application of Cape Verde**

498. In a letter dated 21 July 1975 (S/11800), the President of the Republic of Cape Verde submitted the application of Cape Verde for membership in the United Nations and declared that his Government accepted the obligations contained in the Charter of the United Nations and solemnly undertook to fulfil them.

499. At the 1837th meeting on 18 August, the President of the Security Council referred the application of Cape Verde to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

500. At its 1838th meeting on 18 August, the Council considered the Committee's report on the application of Cape Verde (S/11806). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of the Republic of Cape Verde for admission to the United Nations (S/11800),*

*"Recommends to the General Assembly that the Republic of Cape Verde be admitted to membership in the United Nations."*

501. The President, with the consent of the Council, invited the representative of Portugal, at his request, to participate in the discussion without the right to vote.

**Decision:** *At its 1838th meeting, on 18 August 1975, the Security Council unanimously adopted the draft resolution as resolution 372 (1975).*

### **C. Application of Sao Tome and Principe**

502. In a telegram dated 13 August (S/11804), the Prime Minister, Minister for Foreign Affairs and Minister of National Defense of the Democratic Republic of Sao Tome and Principe submitted the application of Sao Tome and Principe for membership in the United Nations and declared that his Government accepted the obligations contained in the Charter of the United Nations and solemnly undertook to fulfil them:

503. At the 1837th meeting on 18 August, the President of the Security Council referred the application of Sao Tome and Principe to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

504. At its 1838th meeting on 18 August, the Council considered the Committee's report on the application of Sao Tome and Principe (S/11806). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of the Democratic Republic of Sao Tome and Principe for admission to the United Nations (S/11804),*

*"Recommends to the General Assembly that the Democratic Republic of Sao Tome and Principe be admitted to membership in the United Nations."*

505. The President, with the consent of the Council, invited the representative of Portugal, at his request, to participate in the discussion without the right to vote.

**Decision:** *At its 1838th meeting, on 18 August 1975, the Security Council unanimously adopted the draft resolution as resolution 373 (1975).*

### **D. Application of Mozambique**

506. In a letter dated 31 July (S/11805), the President of the People's Republic of Mozambique submitted the application of Mozambique for membership in the United Nations, together with a declaration signed by him, accepting the obligations contained in the Charter of the United Nations and solemnly undertaking to fulfil them.

507. At the 1837th meeting on 18 August, the President of the Security Council referred the application of Mozambique to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

508. At its 1838th meeting on 18 August, the Council considered the Committee's report on the application of Mozambique (S/11806). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of the People's Republic of Mozambique for admission to the United Nations (S/11805),*

*"Recommends to the General Assembly that the People's Republic of Mozambique be admitted to membership in the United Nations."*

509. The President, with the consent of the Council, invited the representative of Portugal, at his request, to participate in the discussion without the right to vote.

**Decision:** *At its 1838th meeting on 18 August 1975, the Security Council unanimously adopted the draft resolution as resolution 374 (1975).*

### **E. Application of Papua New Guinea**

510. In a telegram dated 16 September (S/11823), the Prime Minister of Papua New Guinea submitted the application of Papua New Guinea for membership in the United Nations, together with a declaration signed by him, accepting the obligations contained in the Charter of the United Nations and solemnly undertaking to fulfil them.

511. At the 1839th meeting on 22 September, the President of the Security Council referred the application of Papua New Guinea to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

512. At its 1841st meeting on 22 September, the Council considered the Committee's report on the

application of Papua New Guinea (S/11829). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of Papua New Guinea for admission to the United Nations (S/11823),*

*"Recommends to the General Assembly that Papua New Guinea be admitted to membership in the United Nations."*

513. The Committee further recommended that the Council should have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure.

514. The President, with the consent of the Council, invited the representative of Australia, at his request, to participate in the discussion without the right to vote.

**Decision:** *At its 1841st meeting, on 22 September 1975, the Security Council unanimously adopted the draft resolution as resolution 375 (1975).*

## **F. Application of the Comoros**

515. In a letter dated 29 September (S/11848), the President of the National Executive Council and head of State of the Comoros submitted the application of the Comoros for membership in the United Nations and declared that his Government accepted the obligations contained in the Charter of the United Nations and undertook to fulfil them.

516. At the 1847th meeting on 17 October, the President of the Security Council referred the application of the Comoros to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

517. At its 1848th meeting on 17 October, the Council considered the Committee's report on the application of the Comoros (S/11850). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of the Comoros for admission to the United Nations (S/11848),*

*"Recommends to the General Assembly that the Comoros be admitted to membership in the United Nations."*

518. The Committee further recommended that the Council should have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure. The President, with the consent of the

Council, invited the representative of Benin, at his request, to participate in the discussion without the right to vote.

**Decision:** *At its 1848th meeting, on 17 October 1975, the Security Council adopted the draft resolution by 14 votes to none as resolution 376 (1975). One member (France) did not participate in the vote.*

## **G. Application of Surinam**

519. In a telegram dated 25 November (S/11884), the Prime Minister of Surinam submitted the application of Surinam for membership in the United Nations, together with the declaration signed by him, accepting the obligations contained in the Charter of the United Nations and solemnly undertaking to fulfil them.

520. At the 1857th meeting on 1 December, the President of the Security Council referred the application of Surinam to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the Council's provisional rules of procedure.

521. At its 1858th meeting on 1 December, the Council considered the Committee's report on the application of Surinam (S/11891). In its report, the Committee recommended the adoption of the following draft resolution:

*"The Security Council,*

*"Having examined the application of Surinam for admission to the United Nations (S/11884),*

*"Recommends to the General Assembly that Surinam be admitted to membership in the United Nations."*

522. The Committee further recommended that the Council should have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure.

523. The President, with the consent of the Council, invited the representative of the Netherlands, at his request, to participate in the discussion without the right to vote.

**Decision:** *At its 1858th meeting, on 1 December 1975, the Security Council unanimously adopted the draft resolution as resolution 382 (1975).*

## **H. Application of Angola**

524. In a letter dated 22 April 1976 (S/12064), the President of the People's Republic of Angola submitted the application of Angola for admission to membership in the United Nations, together with a declaration signed by him, accepting the obligations contained in the Charter of the United Nations and solemnly undertaking to fulfil them.

## **Chapter 13**

### **ELECTION OF FIVE MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE**

525. In a memorandum dated 21 August 1975 (S/11801 and Corr.1), the Secretary-General drew attention to the fact that, on 5 February 1976, the terms of office of five members of the International Court of Justice would expire and that the Security Council and

the General Assembly at its thirtieth regular session would have to elect five judges for a term of office of nine years beginning on 6 February 1976. The memorandum also outlined the procedure for the elections in the Security Council and in the General Assembly.

526. On 22 August, in accordance with Article 7 of the Statute of the International Court of Justice, the Secretary-General transmitted to the General Assembly and the Security Council the list of candidates nominated by national groups to fill the five vacancies in the Court (S/11802). On 15 September, the Secretary-General circulated the *curricula vitae* of those candidates (S/11803).

527. At its 1855th meeting on 17 November, the Security Council proceeded to vote by secret ballot on the candidates included in the list as revised (S/11802/Rev.1 and S/11802/Rev.1/Add.1 and 2). The President stated that, in accordance with the practice followed by the Council, when more than five candidates received the required absolute majority of 8 votes, a new vote would have to be taken on all candidates until the required number of candidates and no more had received an absolute majority in the Council.

528. On the first ballot, three candidates received the required majority:

Mr. Manfred Lachs (Poland) . . . . .	13 votes
Mr. Salah El Dine Tarazi (Syrian Arab Republic) . . . . .	11 votes
Mr. Shigeru Oda (Japan) . . . . .	8 votes

529. On the second ballot, Mr. Taslim Olawale Elias (Nigeria) received the required absolute majority (8 votes). On the third ballot, Mr. Hermann Mosler (Federal Republic of Germany) received the required absolute majority (8 votes).

530. The President of the Council communicated to the President of the General Assembly the names of the five candidates who had received the required majority in the Council. After a suspension of the meeting, the President informed the Council that, in the balloting held simultaneously in the General Assembly, the same five candidates had obtained the required majority of votes and had therefore been elected members of the International Court of Justice for a term of office of nine years beginning on 6 February 1976.

## **Part III**

### **THE MILITARY STAFF COMMITTEE**

#### ***Chapter 14***

#### **WORK OF THE MILITARY STAFF COMMITTEE**

531. The Military Staff Committee functioned continuously under the draft rules of procedure during the period under review and held a total of 26 meetings without considering matters of substance.



## Part IV

### MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED IN THE COUNCIL DURING THE PERIOD COVERED

#### Chapter 15

#### REPORTS AND COMMUNICATIONS CONCERNING THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

532. By a note dated 6 October 1975 (S/11846), the Secretary-General informed the Security Council that the Acting Chairman of the Special Committee against *Apartheid* had addressed a letter to him on 24 September, transmitting the report adopted unanimously by the Special Committee on that date and submitted to the General Assembly and the Security Council in accordance with the provisions of General Assembly resolutions 2671 (XXV) of 8 December 1970 and 3324 (XXIX) of 16 December 1974.<sup>2</sup>

533. By a letter dated 19 January 1976 (S/11951), the Secretary-General transmitted to the Security Council resolution 3411 G (XXX), entitled "Situation in South Africa", adopted by the General Assembly on 10 December 1975. The Secretary-General drew particular attention to paragraph 16 of the resolution, in which the General Assembly requested the Security Council urgently to resume consideration of the situation in South Africa and the aggressive actions of its racist régime, with a view to adopting measures, under Chapter VII of the Charter of the United Nations, to

resolve the grave situation in the area and, in particular (a) to ensure that all Governments implement fully the arms embargo against South Africa; (b) to call upon the Governments concerned to refrain from importing any military supplies manufactured by, or in collaboration which, South Africa; (c) to call upon the Governments concerned to terminate any existing military arrangements with South Africa and to refrain from entering into any such arrangements; (d) to call upon the Governments concerned to prohibit any of their institutions, agencies or companies, within their national jurisdiction, from delivering to South Africa or placing at its disposal any equipment or fissionable material or technology that would enable the racist régime of South Africa to acquire nuclear-weapon capability.

534. By a letter dated 1 June (S/12092), the Chairman of the Special Committee against *Apartheid* transmitted for the attention of the Security Council the Declaration and the Programme of Action adopted by the International Seminar on the Eradication of *Apartheid* and in Support of the Struggle for Liberation in South Africa, which had been organized by the Special Committee and held at Havana from 24 to 28 May.

<sup>2</sup> Circulated as *Official Records of the General Assembly, Thirtieth Session, Supplement No. 22 (A/10022)*.

#### Chapter 16

#### COMMUNICATION FROM MADAGASCAR

535. By a letter dated 13 February 1976 (S/11981), the representative of Madagascar transmitted a message to the Secretary-General from the President of his country. In his message, the President stated that the multifarious manoeuvres conducted in the area of the Indian Ocean were a source of tension and a cause of serious concern. He asserted that the first referendum held by France in the Comoro Archipelago in December 1974 should have settled once and for all the future of that Territory, especially since 96 per cent of the population had voted "yes" and since the Comoros had become a Member of the United Nations in November 1975. For France to hold another referendum would balkanize the Comoros. Moreover, Madagascar considered its independence incomplete as long as portions of Africa remained under foreign domination and therefore had never renounced its rights over the small islands of the Indian Ocean, including the island of Juan de Nova, that had always formed part of its territory. For the same reason, Madagascar continued to support peoples struggling for their independence and liberty. In particular, Madagascar favoured true independence for Djibouti and condemned the aggression perpetrated against the Somali Democratic Republic. Those sources of tension should be eliminated through international co-operation, as they served the imperialist aims of delaying the establishment of the Indian Ocean as a zone of peace free from foreign military presence or bases.

## COMMUNICATION CONCERNING RELATIONS BETWEEN DEMOCRATIC YEMEN AND OMAN

536. By a letter dated 24 December 1975 (S/11925), the representative of the People's Democratic Republic of Yemen transmitted a communiqué from the Ministry of Foreign Affairs in Aden. The communiqué stated that the régime in Oman, in order to involve Democratic Yemen, had been distorting the facts concerning the fighting in Oman between the Qabus régime and Iranian troops, on the one hand, and the revolutionaries of the Popular Front for the Liberation of Oman, on the other. Attacks on the eastern borders of Yemen had been perpetrated by Iranian troops and Qabus' mercenaries since mid-October. Democratic Yemen categorically denied all the accusations made by Qabus to Arab ambassadors in Muscat on 23 November 1975. Those accusations indicated the aggressive intentions of Iran against Democratic Yemen and the people of the Arabian Gulf and Peninsula and were aimed at preventing the withdrawal of Iranian troops from Oman and frustrating the Arab efforts in that respect.

## Chapter 18

## COMMUNICATIONS CONCERNING THE QUESTION OF KOREA

537. By a letter dated 27 June 1975 (S/11737), the representative of the United States of America recalled that in co-sponsoring the draft resolution which, as subsequently amended, was adopted by the General Assembly at its twenty-ninth session as resolution 3333 (XXIX) of 17 December 1974, the representative of the United States had expressed the willingness of his Government to see the dissolution of the United Nations Command in conjunction with appropriate arrangements to maintain the Armistice Agreement of 27 July 1953. The Government of the United States was prepared to take concrete measures consistent with that resolution. In that regard, the Government of the United States, in consultation with the Government of the Republic of Korea, wished to bring to the attention of the Security Council that it was ready to terminate the United Nations Command and, together with the Republic of Korea, to designate military officers of the United States and the Republic of Korea as successors in command, as provided for in paragraph 17 of the Armistice Agreement of 27 July 1953, who would ensure implementation and enforcement of all provisions of the Armistice Agreement, which were now the responsibility of the Commander-in-Chief of the United Nations Command. The United States would terminate the United Nations Command and, simultaneously, together with the Republic of Korea, implement the alternative arrangement outlined above on 1 January 1976, subject only to the prior agreement of the Korean People's Army and the Chinese People's Volunteers, as signatories to the Armistice Agreement, that the Armistice Agreement would continue in force. The Governments of the Republic of Korea and the United States were prepared to discuss that matter with the other parties directly concerned at any time and in any place mutually agreed upon, as well as with the members of the Security Council, should they so desire. The Government of the United States wished further to state that in anticipation of the recommendations of the General Assembly embodied in resolution 3333 (XXIX), it would, in the meantime, undertake measures to reduce manifestations of the United Nations Command, including restricted use of the flag, which were authorized by Security Council resolution 84 (1950)

of 7 July 1950. The Government of the United States emphasized that its chief concern in the matter was that the Armistice Agreement, which had been the basis of peace and security in the Korean peninsula for more than 20 years, be maintained in the absence of alternate lasting agreements between the South and the North.

538. By a letter dated 22 September 1975 (S/11830), the representative of the United States outlined the measures taken by his Government, in consideration of the recommendations in General Assembly resolution 3333 (XXIX) of 17 December 1974 to reduce manifestations of the United Nations Command in Korea. With effect from 25 August 1975, the United Nations flag was no longer being flown over military installations in the Republic of Korea, except at facilities directly associated with the implementation of the Armistice Agreement of 27 July 1953. Restricting the use of the United Nations flag would contribute to making a distinction between, first, those military personnel directly involved in the performance by the United Nations Command of its Armistice Agreement responsibilities (less than 300 non-Korean personnel), and, second, United States forces serving in the Republic of Korea in accordance with the Mutual Defence Treaty of 1954 (registered as Treaty No. 3363 in the United Nations *Treaty Series* on 8 May 1956) at the request of the Government of the Republic of Korea. The restriction on the use of the United Nations flag did not alter the responsibilities of the United Nations Command under the terms of the Armistice Agreement. Any proposal for peace on the Korean peninsula which did not provide for the maintenance of the Armistice Agreement in those circumstances would not be in the interest of international peace and security.

539. By a letter dated 30 October 1975 (S/11861), the representative of the United States transmitted to the Security Council a report of the United Nations Command concerning the maintenance of the Armistice Agreement of 27 July 1953 during the period from September 1974 to August 1975. The report contained a review of the background surrounding the establishment and functioning of the United Nations Com-

mand; the structure and procedure in relation to the implementation of the 1953 Armistice Agreement, including the roles of the Government of the Republic of Korea, the Military Armistice Commission and the Neutral Nations Supervisory Commission; the activities of the Military Armistice Commission; and recent developments, in particular the declared willingness on the part of the Government of the United States, in consultation with the Government of the Republic of Korea, to terminate the United Nations Command and to designate military officers of the United States and the Republic of Korea as successors in command, subject only to prior agreement of the Korean People's Army and the Chinese People's Volunteers that the Armistice Agreement would continue in force. Among the major incidents discussed by the Military Armistice

Commission during the period under review the following were cited: charges by the United Nations Command in connexion with the discovery of a tunnel allegedly constructed by North Korea within the demilitarized zone; air and naval intrusions allegedly committed by North Korea into the territory of the Republic of Korea; and an attack on an officer of the United Nations Command by North Korean press and military personnel on 30 June 1975. In conclusion, it was stated that continuing armistice-related violations and incidents clearly demonstrated that tensions remained on the Korean peninsula; in that atmosphere, the armistice mechanism was essential in order to provide a medium for dialogue among the parties concerned and, more fundamentally, a tested basis for the preservation of peace.

## **Chapter 19**

### **REPORTS ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS**

540. The report of the Trusteeship Council on the Trust Territory of the Pacific Islands, covering the period from 15 June 1974 to 7 June 1975, was communicated to the Security Council in document S/11735 (*Official Records of the Security Council, Thirtieth Year, Special Supplement No. 1*).

541. Pursuant to paragraph 3 of the Security Council resolution 70 (1949) of 7 March 1949, the Secretary-General, by notes dated 1 October 1975 (S/11837) and 4 June 1976 (S/12091), transmitted to members of the Security Council the reports of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the periods from 1 July 1973 to 30 June 1974 and 1 July 1974 to 30 June 1975.

## **Chapter 20**

### **COMMUNICATIONS CONCERNING A REQUEST BY MEXICO FOR CONSIDERATION OF THE SITUATION IN SPAIN**

542. By a letter dated 28 September 1975 (S/11831), the representative of Mexico transmitted to the Secretary-General the text of a message from the President of his country, stating that Mexico added its voice to that of the international community in condemning the serious and repeated violations of human rights committed by the dictatorial régime, which, since the destruction of the Republic, offends the Spanish people. The President requested that an extraordinary meeting of the Security Council be urgently convened, so that, in accordance with Articles 5 and 6 of the Charter of the United Nations, the Council might recommend to the General Assembly that the Spanish régime be suspended from the exercise of its rights and privileges of membership. Moreover, since the internal consequences of the Franco dictatorship would involve intervention and confrontation, open or concealed, of the major Powers and thus constitute a threat to world peace, Mexico also requested that the Security Council, in accordance with Article 41, call upon the Members of the United Nations to interrupt completely their economic relations, as well as their rail, sea, air, postal, telegraphic, radio and other means of communication and to sever diplomatic relations with Spain.

543. By a letter dated 29 September (S/11835), the representative of Spain stated that the above com-

munication from Mexico constituted a flagrant and deliberate violation of Article 2, paragraph 7, of the Charter of the United Nations, since it was an attempt to intervene in matters which were essentially within the domestic jurisdiction of a State. He remarked that it was not the first time that the Mexican Government had interfered in Spain's domestic affairs. Moreover, he asserted, President Echeverría of Mexico lacked the necessary moral stature to level accusations at any Government of a State Member of the United Nations. Mr. Echeverría had been Minister of the Interior in the Mexican Government which took the decision to set the army on students who attempted to demonstrate in Tlatelolco on 21 and 22 September and 2 October 1968. It was well known that that action had resulted in many casualties and evoked world-wide indignation. He also pointed out that, in 1972, when the Mexican Government had been accused of premeditated crime in the events which took place at Lecumberri prison, President Echeverría himself, referring to those accusations and to what Mr. J. Edgar Hoover had said before a Committee of the United States Senate, had stated that any analysis by a foreigner—particularly one made from abroad—was necessarily simple in the face of complex phenomena. The representative of Spain concluded that he did not believe that any Member of the United Nations General Assembly could accept the

false assertions of the President of Mexico. His Government demanded that the latter be reminded of Article 2, paragraph 7, of the Charter.

544. In a letter dated 29 September (S/11836), the representative of Mexico, referring to the above letter from the representative of Spain, expressed regret that its author had found it necessary to resort to a series of unjustifiable personal accusations and insults against the Mexican head of State in an effort to rebut the arguments put forward in the message of 28 September (S/11831). The attitude of the President of Mexico towards the Franco régime was in no way personal; on the contrary, it faithfully reflected the unchanging attitude of the seven six-year public administrations that had governed Mexico since the Spanish Civil War. By way of proof, he attached the relevant part of the verbatim record of the third meeting of Commission I of the San Francisco Conference held on 19 June 1945. In the light of the statement made at that time by the representative of Mexico, he maintained, it would be fully appreciated that President Echeverría's message to the Secretary-General was not the result of emotional reflexes but was in keeping with the traditional attitude of Mexico towards the situation in Spain. For a better appraisal of the message, account should be taken, first, of the universal reaction of indignant reprobation which the latest executions carried out in Spanish territory had produced and, second, of the fact that the Government of Mexico, which was

in the habit of practising what it preached, always strove to ensure that words were supported by facts.

545. In a letter dated 2 October (S/11838), the representative of Spain referred to document S/11836 and stated that the President of Mexico had expressed himself in terms that were intolerable and constituted interference in the internal affairs of Spain. Referring to the circumstances of the entry of 16 countries, including Spain, into United Nations membership in 1955, as set forth in the verbatim records of the 2354th plenary meeting of the General Assembly (A/PV.2354, pp. 91 *et seq.*), he further stated that the predictions made 30 years earlier by Mexico were erroneous, as were its claims that it could ask a United Nations body to intervene in the internal affairs of Spain.

546. On 3 October 1975, the President of the Security Council addressed a letter (S/11843) to the Secretary-General, referring to the message of 28 September from the President of Mexico (S/11831). The President stated that consultations among members of the Security Council had produced a consensus to the effect that, without prejudging in any manner the substance of the matter raised in that message, the Security Council was not the appropriate forum to deal with it. If the Government of Mexico so desired, it might choose any other United Nations procedure which it considered appropriate for the achievement of the aims pursued.

## Chapter 21

### COMMUNICATIONS FROM THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND ARGENTINA

547. On 6 February 1976, the representative of the United Kingdom of Great Britain and Northern Ireland addressed a letter (S/11972) to the President of the Security Council, drawing the latter's attention to an action on the high seas by a warship of the Republic of Argentina against the British research ship *RRS Shackleton*. He stated that the *Shackleton* was unarmed and had been engaged in scientific research connected with theories of continental drift. At 1330 GMT (0930 local time) on 4 February, the *RRS Shackleton* had been intercepted 87 miles south of Cape Pembroke, Falkland Islands, by the Argentine destroyer No. 24 *Almirante Storni*. The *RRS Shackleton* had been ordered to stop her engines and accept a boarding party. The captain of the *Shackleton* had declined to obey this illegal command. The Argentine warship had fired five shots towards the *Shackleton*, despite the fact that the captain of the latter vessel had warned the Argentine warship that there were explosives for scientific purposes aboard. The United Kingdom rejected the Argentine claims to exercise maritime jurisdiction of any kind in the area where those acts had occurred and maintained that the action of the Argentine vessel would have been unlawful even if it had occurred within the territorial sea or other maritime jurisdiction of Argentina. It deplored the provocative incident and called upon the Argentine Government to refrain utterly from any further harassment on the high seas of peaceful vessels in contravention of recognized international law. It also reserved the right to request appropriate action by the Security Council.

548. By a letter dated 10 February (S/11973), the representative of Argentina informed the President of the Security Council that a serious violation of the legislation concerning Argentine maritime jurisdiction had been committed by the United Kingdom vessel *Shackleton* by undertaking research clearly directed towards the exploitation of hydrocarbons on the Argentine continental shelf. The event was particularly serious in view of the fact that on 14 November 1975 the United Kingdom Government had been notified that it must comply with Argentine legislation concerning scientific research in maritime areas under Argentine jurisdiction. The position of the Argentine Government had been stated in a press release of 19 March 1975 distributed as General Assembly document A/AC.109/482 of 28 March 1975 which was annexed to the letter. On 4 February 1976, the Argentine naval destroyer *Almirante Storni*, in accordance with its instructions, had approached the *Shackleton* and told it to stop its engines and permit boarding for inspection. The captain of the United Kingdom ship had disregarded those instructions, thus endangering the lives of the crew and the safety of the ship. In accordance with existing rules, warning shots had been fired from small arms; but in the knowledge that the United Kingdom vessel was carrying explosives, the commander of the Argentine vessel had been instructed not to use force. The reckless and provocative attitude of the British captain had been clearly indicative of the intention to conceal the *Shackleton's* activities. In taking note of the United Kingdom

letter (S/11972), the representative of Argentina said that it was striking that the United Kingdom should appeal to a United Nations organ when it had been refusing to comply with General Assembly resolutions 2065 (XX) and 3160 (XXVIII), by which it had

been urged to continue negotiations with Argentina in the dispute concerning sovereignty over the Malvinas Islands, an attitude which contrasted with that of Argentina, which had always affirmed its resolve to continue the negotiations.

## *Chapter 22*

### **COMMUNICATION FROM THE ORGANIZATION OF AMERICAN STATES**

549. By a telegram dated 29 July 1975 (S/11786), the Assistant Secretary-General of the Organization of American States (OAS) transmitted the text of a resolution adopted the same date by the Sixteenth Meeting of Consultation of Ministers of Foreign Affairs of OAS. The resolution solemnly reaffirmed the principle of non-intervention; urged States to ensure its observation throughout the continent; and granted the States parties to the Inter-American Treaty of Reciprocal Assistance freedom to normalize or conduct their relations with the Republic of Cuba in accordance with their own national policy and interests.

## *Chapter 23*

### **COMMUNICATION FROM PANAMA CONCERNING THE PANAMA CANAL**

550. By a letter dated 25 March 1976 (S/12027), the representative of Panama stated that an illegal strike by United States workers in the Canal Zone had seriously delayed maritime traffic through the Panama Canal, with considerable prejudice to international trade. The Government of Panama wished to draw attention to the fact that the prevailing colonial situation in the Panama Canal Zone posed a threat to peace and security in the region and to the normal operation of the interoceanic passage. The colonialist attitude of the American workers threatened the negotiations between Panama and the United States of America towards a reasonable solution to the Canal problem, which would entail recognition of Panama's effective sovereignty over its entire territory and its right to benefit fully from its main natural resources.

551. The Panamanian letter enclosed a communiqué issued on 20 March by the head of Government of Panama, declaring, among other things, that the virtual closing of the Panama Canal was due exclusively to the decision taken by the United States workers against the United States agency administering the Canal. In both the letter and the communiqué it was pointed out that all Panamanians maintained a high sense of responsibility for keeping the Canal in operation as an international public service for all ships of the world, without preference for any flag.

## *Chapter 24*

### **REPORT RELATING TO DISARMAMENT**

552. Pursuant to the request of the General Assembly in paragraph 5 of its resolution 3263 (XXIX) of 9 December 1974 concerning the question of the establishment of a nuclear-weapon-free zone in the Middle East, the Secretary-General, on 28 July 1975, submitted a report to the Security Council (S/11778). Addenda to the report (S/11778/Add.1-4) were circulated on 4 and 21 August, 25 September and 21 October. The Secretary-General stated that by notes verbales dated 19 March and 13 June, he had invited the following States to communicate their views to him concerning the implementation of that resolution: Bahrain, Democratic Yemen, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, the Syrian Arab Republic, the United Arab Emirates and Yemen. Reproduced in the report and the addenda thereto were the substantive parts of replies received from the Governments of Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Qatar and the Syrian Arab Republic, as well as a comment by Egypt on the reply received from Israel.

COMMUNICATIONS CONCERNING BILATERAL RELATIONS BETWEEN MEMBER STATES

553. By a joint letter dated 21 July 1975 (S/11775) the representatives of the Philippines and Romania sent to the Secretary-General the text of the Solemn Joint Declaration made by the Presidents of the Philippines and Romania at Manila on 12 April 1975. The Declaration set forth the high principles which governed their mutual relations, as well as the relations of each with other States, and expressed their firm determination to develop further their bilateral co-operation, international friendship and progress.

554. In a joint letter of 30 July (S/11781), the representatives of Greece and Romania called attention to the Solemn Joint Declaration of Romania and Greece signed at Bucharest on 27 May 1975, on the occasion of the visit to Romania by the Prime Minister of Greece. The Declaration expressed the common determination of the two parties to base the relations between them and with other States on international law and the United Nations Charter and to develop relations of friendship and co-operation with each other and with all States.

555. By a joint letter dated 4 September (S/11819), the representatives of Romania and Turkey sent to the President of the Security Council the text of the Solemn Joint Declaration of Romania and Turkey signed at Bucharest on 29 August 1975, on the occasion of the official visit of the Prime Minister of Turkey. The Declaration announced the common determination of the two States to base their bilateral and international relations on a list of high principles, to develop and intensify the friendship and co-operation between them and to work together on behalf of certain common objectives.

556. In a joint letter dated 4 September (S/11820), the representatives of Jordan and Romania called at-

tention to the Solemn Joint Declaration of Romania and Jordan signed at Amman on 16 April 1975. The Declaration declared their common determination to broaden and encourage the co-operation between them, to base their relations with all States on certain high principles and to co-operate in acting for certain common objectives.

557. By a joint letter dated 12 November (S/11877 and Corr.1), the representatives of France and the Union of Soviet Socialist Republics transmitted to the Secretary-General the text of the Declaration on the Development of Friendship and Co-operation between France and the Soviet Union, which was signed at Moscow on 17 October 1975 by the General Secretary of the Central Committee of the Communist Party of the Soviet Union and the President of the French Republic. The Declaration expressed their high regard for the Conference on Security and Co-operation in Europe and their determination to implement its provisions. It also set forth the common views of the two States concerning certain world issues, as well as their common desire to expand and improve the good relations between their Governments and peoples.

558. In a joint letter dated 22 December (S/11916), the representatives of Bulgaria and Turkey transmitted the text of the Declaration on Principles of Good-neighbourliness and Co-operation between Bulgaria and Turkey signed on 3 December 1975 at Sofia by the Chairman of the Council of State of the People's Republic of Bulgaria and the Prime Minister of the Republic of Turkey. The Declaration declared their common agreement that certain high principles should govern the relations between them, as well as their policies on a number of world issues.

Chapter 26

COMMUNICATIONS REGARDING THE TRANSLATION INTO RUSSIAN OF THE PHRASE  
"FEDERAL REPUBLIC OF GERMANY"

559. By a letter dated 11 July 1975 (S/11760), the representative of the Federal Republic of Germany, referring to a communication of 5 June 1975 (S/11721) of the Union of Soviet Socialist Republics, stated that the Federal Republic of Germany rejected the USSR protest concerning the designation of the Federal Republic of Germany given in the Russian language version of document S/11680. On the basis of the sovereign equality of States, it was an inherent right of every State Member of the United Nations to choose its designation, including the rendering of that designation in the official languages of the United Nations. The Federal Republic requested the Secretary-General to ensure that the United Nations Secretariat continued to use the correct designation of the Federal Republic of Germany in all official languages.

560. In a letter dated 17 October (S/11855), the representative of the USSR referred to the above com-

munication (S/11760) and stated that the USSR firmly insisted that the United Nations Secretariat should conform to generally accepted practice in the translation of the name of the Federal Republic of Germany. As was known, the Federal Republic was called "Föderativnaya Respublika Germanii" in Russian, "Federal Republic of Germany" in English and "République Fédérale d'Allemagne" in French. The fact that of these authentic names, which were equivalent to one another, the Federal Republic of Germany was trying to dispute only the translation into Russian clearly demonstrated how unjustified and biased was its approach to the matter. Moreover, the translation of the name of the Federal Republic of Germany into Russian as "Föderativnaya Respublika Germanii" was recognized and confirmed by the signatures of the representatives of the Federal Republic of Germany in all treaties and agreements between the Soviet Union and the Federal Re-

public of Germany. The letter stated further that "the actions of United Nations Secretariat staff members were connivance in the unjustified unilateral claims of one Member of the United Nations, and necessary steps must be taken to prevent such actions".

561. By a letter dated 29 October (S/11866), the representative of the Federal Republic of Germany referred to the above letter (S/11855) and reiterated his view that on the basis of the sovereign equality of States it was an inherent right of every State Member of the United Nations to choose its designation and to

decide the form in which it should be used in international communication.

562. In a letter dated 10 December (S/11904), the representative of the Union of Soviet Socialist Republics, referring to the above letter (S/11866), firmly insisted that the United Nations Secretariat should conform to generally accepted practice in the Russian translation of the name of the Federal Republic of Germany and demanded that necessary steps should be taken to prevent staff members of the United Nations Secretariat from conniving in the unjustified unilateral claims of one Member of the United Nations.

## APPENDICES

### I. Membership of the Security Council during the years 1975 and 1976

1975	1976
Byelorussian Soviet Socialist Republic	Benin
China	China
Costa Rica	France
France	Guyana
Guyana	Italy
Iraq	Japan
Italy	Libyan Arab Republic
Japan	Pakistan
Mauritania	Panama
Sweden	Romania
Union of Soviet Socialist Republics	Sweden
United Kingdom of Great Britain and Northern Ireland	Union of Soviet Socialist Republics
United Republic of Cameroon	United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania	United Republic of Tanzania
United States of America	United States of America

### II. Representatives and deputy, alternate and acting representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives served on the Security Council during the period from 16 June 1975 to 15 June 1976:

<i>Benin<sup>a</sup></i>	Mr. Fernando del Castillo
Mr. Thomas S. Boya	Mr. Bernal Vargas-Saborio
Mr. Roger D. Paqui	<i>France</i>
Mr. Patrice Houngavou	Mr. Louis de Guiringaud
Mrs. Isabelle Houngavou	Mr. Jacques Lecompt
Mr. Joseph V. Acakpo	Mr. Guy Scalabre
Mr. Apollinaire Hacheme	Mr. André Travert
<i>Byelorussian Soviet Socialist Republic<sup>b</sup></i>	<i>Guyana</i>
Mr. Anatoly Emelyanivoch Gurinovich	Mr. Rashleigh E. Jackson
Mr. Guerodot Gavrilovich Tchernouchchenko	Mr. Miles Stoby
Mr. Oleg Nikolaevich Pashkevich	Mr. Joseph A. Sanders
Mr. Boris Vasilyevich Kudryavtsev	Mr. Noel G. Sinclair
Mr. Aleksandr Vladimirovich Vasilyev	Mr. Percy Haynes
<i>China</i>	Mr. Leslie Robinson
Mr. Huang Hua	<i>Iraq<sup>b</sup></i>
Mr. Chuang Yen	Mr. Abdul Karim Al-Shaikhly
Mr. Lai Ya-li	Mr. Wissam Zahawie
Mr. Chou Nan	Mr. Hisham Al-Khudhairi
Mr. Wu Miao-fa	Mr. Ghassan Al-Atiyyah
<i>Costa Rica<sup>b</sup></i>	Mr. Amer Salih Arai
Mr. Gonzalo J. Facio	Mr. Alaeddin Al-Tayyar
Mr. Fernando Salazar	<i>Italy</i>
	Mr. Eugenio Plaja
	Mr. Piero Vinci
	Mr. Alberto Cavaglieri

<sup>a</sup> Term of office began on 1 January 1976.

<sup>b</sup> Term of office ended on 31 December 1975.



#### *Japan*

Mr. Shizuo Saito  
Mr. Isao Abe  
Mr. Masao Kanazawa  
Mr. Tadashi Ohtaka  
Mr. Chusei Yamada  
Mr. Junpei Kato

#### *Libyan Arab Republic<sup>a</sup>*

Mr. Mansur Rashid Kikbia  
Mr. Daw Ali Swedan  
Mr. Ashour Saad Benkhayal  
Mr. Ibrahim Suleiman Dharat

#### *Mauritania<sup>b</sup>*

Mr. Moulaye El Hassen  
Mr. Mamadou Kane  
Mr. Ahmed Ould Sid'Ahmed

#### *Pakistan<sup>a</sup>*

Mr. Iqbal A. Akhund  
Mr. Abdul Matin  
Mr. Naseem Mirza

#### *Panama<sup>a</sup>*

Mr. Aquilino E. Boyd  
Mr. Jorge E. Illueca  
Mr. Dídimo Ríos  
Mr. Juan Antonio Stag

#### *Romania<sup>a</sup>*

Mr. Ion Datcu  
Mr. Aurel Gheorghe  
Mr. Dumitru Ceausu  
Mr. Ion Goritza  
Mr. Petre Vlasceanu

#### *Sweden*

Mr. Olof Rydbeck

Mr. Kaj I. Sundberg

Mr. Rolf Ekeus

Mr. Jan Ståhl

Mr. Peler Hammarskjöld

Mr. Göran R. K. Berg

#### *Union of Soviet Socialist Republics*

Mr. Yakov Aleksandrovich Malik  
Mr. Vasily Stepanovich Safronchuk  
Mr. Mikhail Averkievich Kharlamov  
Mr. Richard Sergeyevich Ovinnikov

#### *United Kingdom of Great Britain and Northern Ireland*

Mr. Ivor Richard  
Mr. James Murray  
Mr. J. C. Thomas  
Mr. Henry Steel

#### *United Republic of Cameroon<sup>b</sup>*

Mr. Ferdinand Léopold Oyono  
Mr. Jacques-Roger Booh Booh  
Mr. Johnson Umaru Ndimbie  
Mr. Gustave Hond  
Mr. Jean-Marc Mpay

#### *United Republic of Tanzania*

Mr. Salim A. Salim  
Mr. Sebastian Chale  
Mr. Paul Rupia  
Miss Fatuma Tatu Nuru

#### *United States of America*

Mr. Daniel P. Moynihan  
Mr. William W. Scranton  
Mr. W. Tapley Bennett, Jr.  
Mr. William E. Schaefe, Jr.  
Mr. Albert W. Sherer, Jr.  
Mr. John M. Howison

### **III. Presidents of the Security Council**

The following representatives served as President of the Security Council during the period from 16 June 1975 to 15 June 1976:

#### *Iraq*

Mr. Abdul Karim Al-Shaikhly (16 to 30 June 1975)

#### *Italy*

Mr. Eugenio Plaja (1 to 31 July 1975)

#### *Japan*

Mr. Shizuo Saito (1 to 31 August 1975)

#### *Mauritania*

Mr. Moulaye El Hassen (1 to 30 September 1975)

#### *Sweden*

Mr. Olof Rydbeck (1 to 31 October 1975)

#### *Union of Soviet Socialist Republics*

Mr. Yakov Aleksandrovich Malik (1 to 30 November 1975)

#### *United Kingdom of Great Britain and Northern Ireland*

Mr. Ivor Richard (1 to 31 December 1975, except at the 1866th meeting on 16 December 1975, when Mr. Ferdinand Léopold Oyono of the United Republic of Cameroon presided)

#### *United Republic of Tanzania*

Mr. Salim A. Salim (1 to 31 January 1976)

#### *United States of America*

Mr. Daniel P. Moynihan (1 to 29 February 1976)

#### *Benin*

Mr. Thomas S. Boya (1 to 31 March 1976)

#### *China*

Mr. Huang Hua (1 to 30 April 1976)

#### *France*

Mr. Louis de Guiringaud (1 to 31 May 1976)

#### *Guyana*

Mr. Rashleigh E. Jackson (1 to 15 June 1976)

#### IV. Meetings of the Security Council during the period from 16 June 1975 to 15 June 1976

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1831st	The situation in Cyprus: Report of the Secretary-General on the United Nations Operation in Cyprus (S/11717)	16 June 1975
1832nd	The situation in the Middle East: Report of the Secretary-General on the United Nations Emergency Force (S/11758)	21 July 1975
1833rd	Ditto	24 July 1975
1834th	Note by the Secretary-General transmitting the text of a telegram dated 15 July 1975 from the President of the Provisional Revolutionary Government of the Republic of South Viet-Nam (S/11756)  Note by the Secretary-General transmitting the text of a telegram dated 16 July 1975 from the Prime Minister of the Government of the Democratic Republic of Viet-Nam (S/11761)	6 August 1975
1835th	Report of the Security Council Committee on the Admission of New Members concerning the applications of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam (S/11794)	11 August 1975
1836th	Ditto	11 August 1975
1837th	Application of the Republic of Cape Verde for admission to membership in the United Nations: note by the Secretary-General (S/11800)  Application of the Democratic Republic of Sao Tome and Principe for admission to membership in the United Nations: note by the Secretary-General (S/11804)  Application of the People's Republic of Mozambique for admission to membership in the United Nations: note by the Secretary-General (S/11805)	18 August 1975
1838th	Report of the Security Council Committee on the Admission of New Members concerning the applications of the Republic of Cape Verde, the Democratic Republic of Sao Tome and Principe and the People's Republic of Mozambique for membership in the United Nations (S/11806)	18 August 1975
1839th	Application of Papua New Guinea for admission to membership in the United Nations: note by the Secretary-General (S/11823)	22 September 1975
1840th (private)	Consideration of the draft report of the Security Council to the General Assembly	22 September 1975
1841st	Report of the Security Council Committee on the Admission of New Members concerning the application of Papua New Guinea for membership in the United Nations (S/11829)	22 September 1975
1842nd	Letter dated 19 September 1975 from the President of the General Assembly addressed to the President of the Security Council (S/11826)	26 September 1975
1843rd	Ditto	29 September 1975
1844th	Ditto	29 September 1975
1845th	Ditto	30 September 1975
1846th	Ditto	30 September 1975
1847th	Admission of new Members: Application of the Comoros for admission to membership in the United Nations (S/11848)	17 October 1975
1848th	Admission of new Members: Report of the Security Council Committee on the Admission of New Members concerning the application of the Comoros for membership in the United Nations (S/11850)	17 October 1975
1849th	The situation concerning Western Sahara: Letter dated 18 October 1975 from the Permanent Representative of Spain to the United Nations addressed to the President of the Security Council (S/11851)	20 October 1975

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1850th	Ditto	22 October 1975
1851st	The situation in the Middle East: Report of the Secretary-General on the United Nations Emergency Force (S/11849)	23 October 1975
1852nd	The situation concerning Western Sahara: (a) Report of the Secretary-General in pursuance of Security Council resolution 377 (1975) relating to the situation concerning Western Sahara (S/11863); (b) Letter dated 1 November 1975 from the Chargé d'affaires, <i>a.i.</i> , of the Permanent Mission of Spain to the United Nations addressed to the President of the Security Council (S/11864)	2 November 1975
1853rd (private)	The situation concerning Western Sahara	6 November 1975
1854th	The situation concerning Western Sahara: Letter dated 6 November 1975 from the Chargé d'affaires, <i>a.i.</i> , of the Permanent Mission of Spain to the United Nations addressed to the President of the Security Council (S/11867)	6 November 1975
1855th	Election of five members of the International Court of Justice (S/11801, S/11802/Rev.1 and Add.1 and 2, S/11803)	17 November 1975
1856th	The situation in the Middle East: Report of the Secretary-General on the United Nations Disengagement Observer Force (S/11883 and Add.1)	30 November 1975
1857th	Admission of new Members: Application of Surinam for admission to membership in the United Nations (S/11884)	1 December 1975
1858th	Admission of new Members: Report of the Security Council Committee on the Admission of New Members concerning the application of Surinam for membership in the United Nations (S/11891)	1 December 1975
1859th	The situation in the Middle East: (a) Letter dated 3 December 1975 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/11892); (b) Letter dated 3 December 1975 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/11893)	4 December 1975
1860th	Ditto	5 December 1975
1861st	Ditto	8 December 1975
1862nd	Ditto	8 December 1975
1863rd	The situation in Cyprus: Report of the Secretary-General on the United Nations Operation in Cyprus (S/11900 and Add.1)	13 December 1975
1864th	The situation in Timor: Letter dated 7 December 1975 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/11899)	15 December 1975
1865th	Ditto	16 December 1975
1866th	Letter dated 12 December 1975 from the Permanent Representative of Iceland to the United Nations addressed to the President of the Security Council (S/11907)	16 December 1975
1867th	The situation in Timor: Letter dated 7 December 1975 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/11899)	18 December 1975

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1868th	Ditto	18 December 1975
1869th	Ditto	22 December 1975
1870th	The Middle East problem including the Palestinian question	12 January 1976
1871st	Ditto	13 January 1976
1872nd	Ditto	14 January 1976
1873rd	Ditto	15 January 1976
1874th	Ditto	15 January 1976
1875th	Ditto	16 January 1976
1876th	Ditto	19 January 1976
1877th	Ditto	21 January 1976
1878th	Ditto	22 January 1976
1879th	Ditto	26 January 1976
1880th	The situation in Namibia: Letter dated 16 December 1975 from the Secretary-General addressed to the President of the Security Council (S/11918)	27 January 1976
1881st	Ditto	27 January 1976
1882nd	Ditto	28 January 1976
1883rd	Ditto	29 January 1976
1884th	Ditto	29 January 1976
1885th	Ditto	30 January 1976
1886th	The situation in the Comoros: (a) Telegram dated 28 January 1976 from the Head of State of the Comoros addressed to the President of the Security Council (S/11953); (b) Letter dated 3 February 1976 from the Permanent Representative of Guinea-Bissau to the United Nations addressed to the President of the Security Council (S/11959)	4 February 1976
1887th	Ditto	5 February 1976
1888th	Ditto	6 February 1976
1889th	Communications from France and Somalia concerning the incident of 4 February 1976: (a) Letter dated 4 February 1976 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council (S/11961); (b) Letter dated 5 February 1976 from the Permanent Representative of Somalia to the United Nations addressed to the President of the Security Council (S/11969)	18 February 1976
1890th	Request by Mozambique under Article 50 of the Charter of the United Nations in relation to the situation which has arisen as a result of its decision to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council: Telegram dated 10 March 1976 from the Minister for Foreign Affairs of Mozambique addressed to the President of the Security Council (S/12009)	16 March 1976
1891st	Ditto	17 March 1976
1892nd	Ditto	17 March 1976
1893rd	Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories: Letter dated 19 March 1976 from the Permanent Representatives of the Libyan Arab Republic and Pakistan to the United Nations addressed to the President of the Security Council (S/12017)	22 March 1976

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1894th	Ditto	22 March 1976
1895th	Ditto	23 March 1976
1896th	Ditto	23 March 1976
1897th	Ditto	24 March 1976
1898th	Ditto	25 March 1976
1899th	Ditto	25 March 1976
1900th	Complaint by Kenya, on behalf of the African Group of States at the United Nations, concerning the act of aggression committed by South Africa against the People's Republic of Angola: Letter dated 10 March 1976 from the Permanent Representative of Kenya to the United Nations addressed to the President of the Security Council (S/12007)	26 March 1976
1901st	Ditto	29 March 1976
1902nd	Ditto	29 March 1976
1903rd	Ditto	30 March 1976
1904th	Ditto	30 March 1976
1905th	Ditto	31 March 1976
1906th	Ditto	31 March 1976
1907th	Question concerning the situation in Southern Rhodesia: Special report of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia on the expansion of sanctions against Southern Rhodesia (S/11913)	6 April 1976
1908th	The situation in Timor: Report of the Secretary-General in pursuance of Security Council resolution 384 (1975) (S/12011)	12 April 1976
1909th	Ditto	14 April 1976
1910th	Ditto	15 April 1976
1911th	Ditto	20 April 1976
1912th	Ditto	20 April 1976
1913th	Ditto	21 April 1976
1914th	Ditto	22 April 1976
1915th	Ditto	22 April 1976
1916th	The situation in the occupied Arab territories: Letter dated 3 May 1976 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/12066)	4 May 1976
1917th	Ditto	5 May 1976
1918th	Ditto	10 May 1976
1919th	Ditto	12 May 1976
1920th	Ditto	14 May 1976
1921st	Ditto	20 May 1976
1922nd	Ditto	26 May 1976
1923rd	The situation in the Middle East: Report of the Secretary-General on the United Nations Disengagement Observer Force (S/12083 and Add.1)	28 May 1976
1924th	The question of the exercise by the Palestinian people of its inalienable rights: Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)	9 June 1976
1925th	The situation in Cyprus: Report of the Secretary-General on the United Nations Operation in Cyprus (S/12093)	11 June 1976
1926th	Ditto	14 June 1976
1927th	Ditto	15 June 1976

**V. Resolutions adopted by the Security Council during the period  
from 16 June 1975 to 15 June 1976**

<i>Resolution No.</i>	<i>Date of adoption</i>	<i>Subject</i>
371 (1975)	24 July 1975	The situation in the Middle East
372 (1975)	18 August 1975	Admission of new members to the United Nations (Cape Verde)
373 (1975)	18 August 1975	Admission of new Members to the United Nations (Sao Tome and Principe)
374 (1975)	18 August 1975	Admission of new Members to the United Nations (Mozambique)
375 (1975)	22 September 1975	Admission of new Members to the United Nations (Papua New Guinea)
376 (1975)	17 October 1975	Admission of new Members to the United Nations (Comoros)
377 (1975)	22 October 1975	The situation concerning Western Sahara
378 (1975)	23 October 1975	The situation in the Middle East
379 (1975)	2 November 1975	The situation concerning Western Sahara
380 (1975)	6 November 1975	The situation concerning Western Sahara
381 (1975)	30 November 1975	The situation in the Middle East
382 (1975)	1 December 1975	Admission of new Members to the United Nations (Surinam)
383 (1975)	13 December 1975	The situation in Cyprus
384 (1975)	22 December 1975	The situation in Timor
385 (1976)	30 January 1976	The situation in Namibia
386 (1976)	17 March 1976	Request by Mozambique under Article 50 of the Charter of the United Nations in relation to the situation which has arisen as a result of its decision to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council
387 (1976)	31 March 1976	Complaint by Kenya, on behalf of the African Group of States at the United Nations, concerning the act of aggression committed by South Africa against the People's Republic of Angola
388 (1976)	6 April 1976	The situation in Southern Rhodesia
389 (1976)	22 April 1976	The situation in Timor
390 (1976)	28 May 1976	The situation in the Middle East
391 (1976)	15 June 1976	The situation in Cyprus

**VI. Meetings of subsidiary bodies of the Security Council during the period  
from 16 June 1975 to 15 June 1976**

<i>1. Security Council Committee on the Admission of New Members</i>		<i>Meeting</i>	<i>Date</i>
<i>Meeting</i>	<i>Date</i>	245th	31 July 1975
47th	7 August 1975	246th	28 August 1975
48th	8 August 1975	247th	4 September 1975
49th	18 August 1975	248th	11 September 1975
50th	22 September 1975	249th	25 September 1975
51st	17 October 1975	250th	2 October 1975
52nd	1 December 1975	251st	9 October 1975
		252nd	16 October 1975
<i>2. Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia</i>		253rd	30 October 1975
<i>Meeting</i>	<i>Date</i>	254th	13 November 1975
241st	19 June 1975	255th	20 November 1975
242nd	26 June 1975	256th	25 November 1975
243rd	3 July 1975	257th	11 December 1975
244th	17 July 1975	258th	15 December 1975
		259th	19 December 1975

<i>Meeting</i>	<i>Date</i>	<i>Meeting</i>	<i>Date</i>
260th	22 December 1975	266th	8 April 1976
261st	23 December 1975	267th	28 April 1976
262nd	23 December 1975	268th	5 May 1976
263rd	24 December 1975	269th	13 May 1976
264th	29 Decembr 1975	270th	27 May 1976
265th	5 April 1976	271st	3 June 1976
		272nd	10 June 1976

## VII. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee

### A. REPRESENTATIVES (16 June 1975 to 15 June 1976)

#### *Chinese delegation*

Mr. Lin Fang, Army representative and head of delegation	16 June 1975 to present
Mr. Chang Wu-tang, Air Force representative	16 June 1975 to 26 April 1976
Mr. Yang Ming-liang, Naval representative	16 June 1975 to present
Mr. Chi Shu-jar, Assistant to the head of delegation	16 June 1975 to 21 March 1976

#### *French delegation*

Major General E. de Grasset, French Army	16 June 1975 to 30 September 1975
Brigadier General C. G. Fricaud-Chagnaud, French Army	1 October 1975 to present
Lieutenant Colonel C. Cholin, French Air Force	16 June 1975 to present
Commander A. Sauvage, French Navy	16 June 1975 to present
Lieutenant Colonel R. F. Hervé, French Army	16 June 1975 to 9 October 1975
Lieutenant Colonel R. F. Dubois, French Army	10 October 1975 to present
Lieutenant Colonel C. C. Courtet, French Army	16 June 1975 to 6 August 1975
Lieutenant Colonel B. G. Fournier, French Army	7 August 1975 to present
Lieutenant Colonel J. L. Crespin, French Army	16 June 1975 to present

#### *USSR delegation*

Major General V. S. Tovma, USSR Armed Forces	16 June 1975 to 14 April 1976
Rear Admiral I. P. Sakulkin, USSR Armed Forces	15 April 1976 to present
Colonel V. I. Linkevitch, USSR Armed Forces	16 June 1975 to present
Colonel V. N. Chernyshev, USSR Armed Forces	16 June 1975 to present
Captain 2nd Rank A. P. Koval, USSR Armed Forces	16 June 1975 to present

#### *United Kingdom delegation*

Vice Admiral Sir Ian Easton, Royal Navy	16 June 1975 to 14 December 1975
Lieutenant General Sir Rollo Pain, British Army	19 December 1975 to present
Rear Admiral L. R. Bell-Davies, Royal Navy	16 June 1975 to 14 July 1975
Read Admiral R. W. Halliday, Royal Navy	15 July 1975 to present
Brigadier A. L. Watson, British Army	16 June 1975 to present
Air Commodore N. S. Howlett, Royal Air Force	16 June 1975 to present
Group Captain A. D. A. Honley, Royal Air Force	16 June 1975 to present
Captain W. E. B. Godsall, Royal Navy	16 June 1975 to present
Colonel D. A. Bayly, British Army	16 June 1975 to present
Colonel J. F. Mottram, Royal Marines	16 June 1975 to present
Squadron Leader P. J. Anstee, Royal Air Force	16 June 1975 to 14 July 1975
Major C. J. Dawnay, British Army	15 July 1975 to present

#### *United States delegation*

Lieutenant General D. H. Cowles, US Army	16 June 1975 to 31 August 1975
Lieutenant General J. W. Vessey, US Army	1 September 1975 to present
Vice Admiral J. P. Moorer, US Navy	16 June 1975 to present
Lieutenant General M. L. Boswell, US Air Force	16 June 1975 to present
Colonel N. A. Gallagher, US Air Force	16 June 1975 to present
Colonel W. R. D. Jones, US Army	16 June 1975 to present
Captain C. J. Lidel, US Navy	30 July 1975 to present

**B. CHAIRMEN AND PRINCIPAL SECRETARIES AT MEETINGS**  
(16 June 1974 to 15 June 1976)

<i>Meeting</i>	<i>Date</i>	<i>Chairman and Principal Secretary</i>	<i>Delegation</i>
783rd	26 June 1975	Mr. Lin Fang, Army representative and head of delegation Mr. Chang Wu-tang, Air Force representative	China
784th	10 July 1975	Major General E. de Grasset, French Army	France
785th	24 July 1975	Major General E. de Grasset, French Army Lieutenant Colonel C. C. Courtet, French Army	France
786th	7 Aug. 1975	Lieutenant Colonel V. N. Chernyshev, USSR Armed Forces Captain 3rd Rank A. P. Koval, USSR Armed Forces	USSR
787th	21 Aug. 1975	Major General V. S. Tovma, USSR Armed Forces Captain 3rd Rank A. P. Koval, USSR Armed Forces	USSR
788th	4 Sept. 1975	Group Captain A. D. A. Honley, Royal Air Force	UK
789th	18 Sept. 1975	Brigadier A. L. Watson, British Army Colonel J. F. Mottram, Royal Marines	UK
790th	2 Oct. 1975	Lieutenant General M. L. Boswell, US Air Force Colonel W. R. D. Jones, US Army	USA
791st	16 Oct. 1975	Lieutenant General M. L. Boswell, US Air Force Colonel N. A. Gallagher, US Air Force	USA
792nd	30 Oct. 1975	Colonel N. A. Gallagher, US Air Force Colonel W. R. D. Jones, US Army	USA
793rd	13 Nov. 1975	Mr. Lin Fang, Army representative and head of delegation Mr. Chi Shu-jang, Assistant to the head of delegation	China
794th	26 Nov. 1975	Mr. Chang Wu-tang, Air Force representative Mr. Yang Ming-liang, Naval representative	China
795th	11 Dec. 1975	Lieutenant Colonel B. G. Fournier, French Army	France
796th	23 Dec. 1975	Brigadier General C. G. Fricaud-Chagnaud, French Army	France
797th	8 Jan. 1976	Major General V. S. Tovma, USSR Armed Forces Captain 3rd Rank A. P. Koval, USSR Armed Forces	USSR
798th	22 Jan. 1976	Colonel V. I. Linkevitch, USSR Armed Forces Captain 3rd Rank A. P. Koval, USSR Armed Forces	USSR
799th	5 Feb. 1976	Lieutenant General Sir Rollo Pain, British Army Colonel J. F. Mottram, Royal Marines	UK
800th	19 Feb. 1976	Group Captain A. D. A. Honley, Royal Air Force Major C. J. Dawnay, British Army	UK
801st	4 Mar. 1976	Lieutenant General M. L. Boswell, US Air Force Captain C. J. Lidel, US Navy	USA
802nd	18 Mar. 1976	Colonel N. A. Gallagher, US Air Force Colonel W. R. D. Jones, US Army	USA
803rd	1 Apr. 1976	Mr. Lin Fang, Army representative and head of delegation Mr. Yang Ming-liang, Naval representative	China



<i>Meeting</i>	<i>Date</i>	<i>Chairman and Principal Secretary</i>	<i>Delegation</i>
804th	15 Apr. 1976	Mr. Chang Wu-tang, Air Force representative Mr. Yang Ming-liang, Naval representative	China
805th	29 Apr. 1976	Mr. Lin Fang, Army representative and head of delegation Mr. Yang Ming-liang, Naval representative	China
806th	13 May 1976	Brigadier General C. G. Fricaud-Chagnaud, French Army	France
807th	27 May 1976	Brigadier General C. G. Fricaud-Chagnaud, French Army Lieutenant Colonel C. Cholin, French Air Force	France
808th	10 June 1976	Colonel V. I. Linkevitch, USSR Armed Forces Captain 2nd Rank A. P. Koval, USSR Armed Forces	USSR

### VIII. List of matters of which the Security Council is seized

The complete list of items of which the Security Council is seized, issued pursuant to rule 11 of the provisional rules of procedure of the Security Council, is published at the beginning of each calendar year. The list issued on 7 January 1975 was contained in document S/11593, and that issued on 5 January 1976 was contained in document S/11935.

A. As of 15 June 1976 the list of matters of which the Security Council is seized is as follows:

1. The Iranian question.
2. Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council.
3. Rules of procedure of the Security Council.
4. Statute and rules of procedure of the Military Staff Committee.
5. The general regulation and reduction of armaments and information on the armed forces of the United Nations.
6. Appointment of a Governor for the Free Territory of Trieste.
7. The Egyptian question.
8. Voting procedure in the Security Council.
9. Reports on the strategic Trust Territory of the Pacific Islands pursuant to the resolution of the Security Council of 7 March 1949.
10. Admission of new Members.
11. The Palestine question.
12. The India-Pakistan question.
13. The Czechoslovak question.
14. The question of the Free Territory of Trieste.
15. The Hyderabad question.
16. Identical notifications dated 29 September 1948 from the Governments of the French Republic, the United Kingdom and the United States of America to the Secretary-General.
17. International control of atomic energy.
18. Complaint of armed invasion of Taiwan (Formosa).
19. Complaint of bombing by air forces of the territory of China.
20. Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company Case.
21. Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons.
22. Question of a request for investigation of alleged bacterial warfare.
23. Letter dated 29 May 1954 from the acting representative of Thailand to the United Nations addressed to the President of the Security Council.
24. Cablegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council.
25. Letter dated 8 September 1954 from the representative of the United States of America addressed to the President of the Security Council.
26. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China; letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan and other islands of China.
27. Situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal which was confirmed and completed by the Suez Canal Convention of 1888.
28. Actions against Egypt by some Powers, particularly France and the United Kingdom, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations.
29. The situation in Hungary.
30. Military assistance rendered by the Egyptian Government to the rebels in Algeria.
31. Letter dated 30 October 1956 from the representative of Egypt addressed to the President of the Security Council.
32. Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General.
33. Complaint of the representative of the Union of Soviet Socialist Republics in a letter to the President of the Security Council dated 18 April 1958 entitled: "Urgent measures to put an end to flights by United States military aircraft with atomic and hydrogen bombs in the direction of the borders of the Soviet Union".

34. Report of the Secretary-General on the letter received from the Minister for Foreign Affairs of the Royal Government of Laos, transmitted by a note from the Permanent Mission of Laos to the United Nations, 4 September 1959.
35. Letter dated 25 March 1960 from the representatives of Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, the Philippines, Saudi Arabia, the Sudan, Thailand, Tunisia, Turkey, the United Arab Republic and Yemen addressed to the President of the Security Council.
36. Cable dated 18 May 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
37. Letter dated 23 May 1960 from the representatives of Argentina, Ceylon, Ecuador and Tunisia addressed to the President of the Security Council.
38. Letter dated 13 July 1960 from the Secretary-General of the United Nations addressed to the President of the Security Council.
39. Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council.
40. Letter dated 31 December 1960 addressed to the President of the Security Council by the Minister for External Affairs of Cuba.
41. Letter dated 20 February 1961 from the representative of Liberia addressed to the President of the Security Council.
42. Letter dated 26 May 1961 addressed to the President of the Security Council by the representatives of Afghanistan, Burma, Cambodia, Cameroon, the Central African Republic, Ceylon, Chad, the Congo (Brazzaville), the Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, the Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, the Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Nigeria, Pakistan, the Philippines, Saudi Arabia, Senegal, Somalia, the Sudan, Togo, Tunisia, the United Arab Republic, the Upper Volta, Yemen and Yugoslavia.
43. Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security. Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq, which is likely to endanger the maintenance of international peace and security.
44. Letter dated 21 November 1961 from the Permanent Representative of Cuba addressed to the President of the Security Council.
45. Letter dated 22 October 1962 from the Permanent Representative of the United States of America addressed to the President of the Security Council; letter dated 22 October 1962 from the Permanent Representative of Cuba addressed to the President of the Security Council; letter dated 23 October 1962 from the Deputy Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
46. Complaints by Senegal.
47. Telegram dated 5 May 1963 from the Minister for Foreign Affairs of the Republic of Haiti to the President of the Security Council.
48. Reports of the Secretary-General to the Security Council concerning developments relating to Yemen.
49. Question concerning the situation in Territories under Portuguese administration.
50. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa.
51. Question concerning the situation in Southern Rhodesia.
52. Letter dated 10 January 1964 from the Permanent Representative of Panama addressed to the President of the Security Council.
53. Letter dated 1 April 1964 from the Deputy Permanent Representative of Yemen, Chargé d'affaires, *a.i.*, addressed to the President of the Security Council.
54. Complaint concerning acts of aggression against the territory and civilian population of Cambodia.
55. Letter dated 4 August 1964 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
56. Letter dated 3 September 1964 from the Permanent Representative of Malaysia addressed to the President of the Security Council.
57. Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council.
58. Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council.
59. Letter dated 1 December 1964 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, the Central African Republic, the Congo (Brazzaville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Malawi, Mali, Mauritania, Somalia, the Sudan, Uganda, the United Arab Republic, the United Republic of Tanzania, Yugoslavia and Zambia.
60. Letter dated 9 December 1964 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council.
61. Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
62. Letter dated 31 January 1966 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
63. Letter dated 2 August 1966 from the Deputy Permanent Representative of the United Kingdom addressed to the President of the Security Council.
64. Complaints by the Democratic Republic of the Congo.
65. The situation in the Middle East.
66. The situation in Namibia.
67. Letter dated 25 January 1968 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
68. Letter dated 21 May 1968 from the Permanent Representative, *a.i.*, of Haiti addressed to the President of the Security Council.
69. Letter dated 12 June 1968 from the Permanent Representatives of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.
70. Letter dated 21 August 1968 from the representatives of Canada, Denmark, France, Paraguay, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.
71. Complaint by Zambia.
72. Letter dated 18 August 1969 from the Permanent Representative of the United States of America addressed to the President of the Security Council.

73. Complaint by Guinea.
  74. The question of initiating periodic meetings of the Security Council in accordance with Article 28, paragraph 2, of the Charter.
  75. The situation created by increasing incidents involving the hijacking of commercial aircraft.
  76. The situation in the India-Pakistan subcontinent.
  77. Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council.
  78. Request of the Organization of African Unity concerning the holding of meetings of the Council in an African capital.
  79. Consideration of questions relating to Africa with which the Security Council is currently seized and implementation of its relevant resolutions.
  80. Consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter.
  81. Complaint by Cuba.
  82. Arrangements for the proposed Peace Conference in the Middle East.
  83. Complaint by Iraq concerning incidents on its frontier with Iran.
  84. The situation in Cyprus.
  85. Relationship between the United Nations and South Africa.
  86. The situation concerning Western Sahara.
  87. The situation in Timor.
  88. Letter dated 12 December 1975 from the Permanent Representative of Iceland to the United Nations addressed to the President of the Security Council.
  89. The Middle East problem including the Palestinian question.
  90. The situation in the Comoros.
  91. Communications from France and Somalia concerning the incident of 4 February 1976.
  92. Request by Mozambique under Article 50 of the Charter of the United Nations in relation to the situation which has arisen as a result of its decision to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council.
  93. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories.
  94. Complaint by Kenya, on behalf of the African Group of States at the United Nations, concerning the act of aggression committed by South Africa against the People's Republic of Angola.
  95. The situation in the occupied Arab territories.
  96. The question of the exercise by the Palestinian people of its inalienable rights.
- B. Between 16 June 1975 and 15 June 1976, items 86 through 96 above were added to the list of matters of which the Security Council is seized, and the following other alterations occurred:
- Following a request from the Permanent Representatives of France and Tunisia to the United Nations contained in a letter dated 19 December 1975 addressed to the Secretary-General, the Secretary-General, with the consent of the Security Council, removed the following five items from the list of matters of which the Security Council is seized:
- (a) Letter dated 13 February 1958 from the Permanent Representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of an act of aggression committed against it by France on 8 February 1958 at Sakiet-Sidi-Youssef";
- (b) Letter dated 14 February 1958 from the Permanent Representative of France to the President of the Security Council concerning: "Situation resulting from the aid furnished by Tunisia to rebels enabling them to conduct operations from Tunisian territory directed against the integrity of French territory and the safety of persons and property of French nationals";
- (c) Letter dated 29 May 1958 from the representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of acts of armed aggression committed against it since 19 May 1958 by the French military forces stationed in its territory and in Algeria";
- (d) Letter dated 29 May 1958 from the representative of France to the President of the Security Council concerning: (a) "The complaint brought by France against Tunisia on 14 February 1958"; and (b) "The situation arising out of the disruption, by Tunisia, of the *modus vivendi* which had been established since February 1958 with regard to the stationing of French troops at certain points in Tunisian territory";
- (e) Telegram dated 20 July 1961 addressed to the President of the Security Council by the Secretary of State for Foreign Affairs of the Republic of Tunisia. Letter dated 20 July 1961 from the Permanent Representative of Tunisia addressed to the President of the Security Council.

---

### كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم. استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى : الأمم المتحدة، قسم البيع في نيويورك أو في جنيف.

#### 如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

#### HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

#### COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

#### КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

#### COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.

---