



**REPORT  
OF  
THE SECURITY COUNCIL**

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**16 June 1970—15 June 1971**

**GENERAL ASSEMBLY  
OFFICIAL RECORDS : TWENTY-SIXTH SESSION  
SUPPLEMENT No. 2 (A/8402)**

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*New York, 1971*

# **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.

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## INTRODUCTION

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.

Essentially a summary and guide, reflecting the broad lines of the debates, 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.

With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at its 1885th plenary meeting on 26 October 1970, elected Argentina, Belgium, Italy, Japan and Somalia as non-permanent members of the Security Council to fill the vacancies resulting from the expiration, on 31 December 1970, of the terms of office of Colombia, Finland, Nepal, Spain and Zambia.

The period covered in the present report is from 16 June 1970 to 15 June 1971. The Council held twenty-four meetings during that period.

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<sup>1</sup> This is the twenty-sixth annual report of the Security Council to the General Assembly. The previous reports were submitted under the symbols A/93, A/366, A/620, A/945, A/1361, A/1873, A/2167, A/2437, A/2712, A/2935, A/3157, A/3648, A/3901, A/4190, A/4494, A/4867, A/5202, A/5502, A/5802, A/6002, A/6302, A/6702, A/7202, A/7602 and A/8002.

## Part I

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

### *Chapter 1*

#### REVIEW OF THE INTERNATIONAL SITUATION

1. In a note dated 19 October 1970 (S/9965), the Secretary-General issued the provisional agenda of the first periodic meeting of the Security Council, which he had drawn up, in accordance with the final paragraph of the consensus (S/9835) expressed by the President and approved by the Council at the 1544th meeting on 12 June, in consultation with the members of the Council and the approval of the President.

2. The first periodic meeting of the Security Council, its 1555th meeting, was held in private on 21 October and dealt with the agenda item entitled "Review of the international situation". The following final communiqué was approved and issued in place of a verbatim record:

"1. The first periodic meeting of the Security Council envisaged in Article 28, paragraph 2, of the Charter was held on 21 October 1970 at the Headquarters of the United Nations in New York. The meeting was presided over by the Foreign Minister of Spain and attended by the Foreign Ministers of China, Colombia, Finland, France, Nepal, Nicaragua, Poland, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, by the Deputy Foreign Minister of Syria and by the Permanent Representatives to the United Nations of Burundi, Sierra Leone and Zambia.

"2. At the meeting, the Secretary-General delivered a statement on the international situation. The representatives of the member States of the Security Council had a general exchange of views on current issues affecting international peace and security. They pledged their full support for seeking peaceful solutions to outstanding international disputes and conflicts, in accordance with the purposes and principles of the United Nations Charter.

"3. In reviewing issues currently before the Security Council, members of the Council also consulted on how to contribute to a peaceful political settlement in the Middle East. They reaffirmed their conviction that Security Council resolution 242

(1967) of 22 November 1967 should be supported and carried out in all its parts and that, to that end, all concerned should co-operate fully in a concerted effort to promote the establishment of a just and lasting peace in the Middle East.

"4. With regard to the problems of southern Africa, which have been considered by the Security Council, members of the Council reaffirmed their determination to continue their search for practicable means, in conformity with the Charter, that would enable the peoples of that area to exercise their inalienable right to self-determination and to enjoy their fundamental human rights in freedom and dignity.

"5. Members of the Security Council declared that the capability of the Council to act effectively for the maintenance of international peace and security should be further strengthened. They agreed that the holding of periodic meetings in accordance with Article 28, paragraph 2, of the Charter was an important step in that direction. They also agreed to examine possibilities for further improvements in the methods of work of the Security Council in promoting the peaceful settlement of disputes in accordance with the Charter.

"6. In view of the primary responsibility of the Security Council for the maintenance of international peace and security, members of the Council emphasized the importance of reaching early agreement on guidelines for future peace-keeping operations in conformity with the Charter.

"7. It was agreed that the date of the next periodic meeting of the Security Council would be determined through consultations among the members of the Council.

"8. The representatives of Burundi, Sierra Leone and Zambia reserved their position on paragraph 4. The representative of Syria stated that his Government's position was reflected in his delegation's statement made at the meeting."

## THE SITUATION IN THE MIDDLE EAST

## A. Communications, reports of the Chief of Staff and discussion by the Council concerning the status of the cease-fire

## 1 COMPLAINTS BY JORDAN AND ISRAEL

*Communications to the Council from 16 June 1970 to 15 June 1971*

3. In a letter dated 30 June 1970 (S/9852), Jordan charged that Israel jet aircraft had attacked and strafed a bus carrying civilians on a main road in the northern part of the Jordan Valley. As a result of that attack, two persons had been killed and thirteen wounded. Jordan further charged on 13 July (S/9864) that Israel jets had attacked an Arab village of Kufr Awa and the suburbs of Irbid with rockets and heavy machine-guns, killing 7 persons and wounding 27.

4. In a letter dated 16 July (S/9869), Jordan stated that thirteen farmers had been wounded during a raid by Israel jet aircraft on the market place of a village in the northern part of Jordan.

5. In a letter dated 20 July (S/9879), Israel stated that, following an agreement signed on 7 July between Jordan and the terror organizations, attacks launched from Jordanian territory against Israel villages in the Jordan and Beit Shean Valleys had increased, totalling 114 during the period from 7 to 20 July, and that Israel had been compelled to act in self-defence against the bases of those attacks. Israel added that Jordan's complaints to the Security Council (S/9864 and S/9869) were designed to serve as a smoke-screen to conceal Jordan's responsibility for the continued bloodshed and suffering on both sides.

6. In a letter dated 29 July (S/9894), Jordan charged that mines laid on 28 July by an Israeli patrol, which had crossed the border in the area of a village in the northern part of the Jordan Valley, had exploded the following day under two civilian cars and had caused injuries to twelve civilians.

7. In a letter dated 18 August (S/9912) Jordan submitted to the Security Council a list of further Israeli violations of the Armistice Agreement and stated that more than 100 attacks had been carried out between 11 April and 28 July by shelling, bombing, strafing, infiltration and mining. Those attacks, which had resulted in the killing of 28 Jordanians and the wounding of 111, reflected a deliberate policy on the part of Israel to undermine and sabotage recent international political efforts.

8. In a reply dated 24 August (S/9916), Israel stated that, since 20 July, 225 additional acts of aggression against it had been carried out from Jordanian territory and that 105 of those attacks had taken place since 7 August, when a new international effort had been initiated to maintain the cease-fire to which Jordan was a party. After reserving its right to act in self-defence, Israel stated that the observance of cease-fire was binding on all who were a party to it.

9. In a letter dated 28 August (S/9921), Jordan charged that Israel jet aircraft had carried out raids against areas in the Jordan Valley, resulting in civilian casualties, in a further effort to undermine international political efforts.

## 2. REPORTS OF THE SECRETARY-GENERAL CONCERNING THE ISRAEL-UNITED ARAB REPUBLIC SECTOR

10. From 16 June to 8 August 1970, the day when the standstill cease-fire agreement entered into effect in the Suez Canal sector, the Secretary-General issued supplemental information received on an almost daily basis from the Chief of Staff of the United Nations Truce Supervision Organization (UNTSO), containing reports on the observation of the cease-fire in the Suez Canal sector. Those reports (S/7930/Add.778, 780, 782, 784, 786, 788, 790, 792, 794, 798, 800, 801, 803, 805, 807, 809, 811, 815, 817, 819, 821, 823, 825, 829, 831, 833, 835, 837, 839, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 875, 877, 879, 881, 883, 885 and 887) related to firing incidents in which artillery, mortar, machine-guns and rifles had been used by both sides. They also indicated that aerial activity in the Suez Canal sector had been intensified. In most cases, the reports identified the aircraft as Israel forces Phantom and Skyhawk jet aircraft, which had carried out attacks with bombs, napalm and cannon fire against targets on the West Bank. During those attacks there had been anti-aircraft fire from the United Arab Republic forces. The reports also stated that there had been shots at or near United Nations observation posts on either side of the Canal, although no military personnel of either side had been at the vicinity of the post at the time of the incidents. As a result, damage had been inflicted on some of the United Nations observation posts, equipment and installations.

11. In supplemental information dated 16 July (S/7930/Add.839), the Secretary-General, after having received a report from the Chief of Staff of UNTSO, stated that he had to announce with deep shock and regret the tragic death of Lt.-Colonel J. E. Bögvad of Sweden, a United Nations military observer in charge of the Kantara Control Centre, who had been killed that day when a reconnaissance party led by him had come under small-arms fire from the United Arab Republic forces' positions in the area of Observation Post Blue. At the same time, Major R. S. Fox of New Zealand, an Operations Officer in UNTSO Headquarters, had received wounds in his left arm. In supplemental information dated 4 August (S/7930/Add.874), the Secretary-General issued a further report, incorporating the report of the Board of Inquiry that had been set up to examine the circumstances surrounding the death of Lt.-Colonel Bögvad.

12. In its report, the Board of Inquiry stated that at 1130 GMT on 16 July, Lt. Colonel J. E. Bögvad of the Swedish Army, Officer-in-charge of the Kantara Control Centre on the East Bank of the Suez Canal, had led a reconnaissance party consisting of three UNTSO officers and three Israeli liaison officers to select a new site for the possible reopening of Observation Post Blue on the East Bank. The Senior United Arab Republic Liaison Officer had been notified on 11 July of the reconnaissance mission, and his concurrence had been received on 15 July. On its way back from the former location of the Observation Post Blue, the reconnaissance party had stopped to discuss the possible new site for that post when, at 1145 GMT,

a single shot had been fired from the West Bank, followed shortly by machine-gun fire, which had been directed at the party and had lasted until 1153 GMT. Major Fox had been wounded in his left arm and Lt. Colonel Bögvad had died in the course of duty as the result of being hit in the throat by a bullet. From the evidence before it and from its own independent inquiries, the Board concluded that the bullet had come from a machine-gun position on the West Bank in an area manned by United Arab Republic forces that had directed fire at the reconnaissance party.

13. In a note dated 7 August (S/9902), the Secretary-General informed the Security Council that the Governments of Israel, Jordan and the United Arab Republic had informed his Special Representative, Ambassador Jarring, that they had agreed to observe strictly the cease-fire resolutions of the Security Council effective 7 August until at least 5 November.

14. During the period from 8 August 1970 to 10 March 1971, the reports issued by the Secretary-General on the situation in the Suez Canal sector related mainly to the relocation or reopening of United Nations military observation posts that had been closed temporarily in that sector. In supplemental information dated 25 August 1970 (S/7930/Add.907), the Chief of Staff of UNTSO announced the reopening of Observation Post Blue, which had been closed on 7 June 1970. In supplemental information dated 1 and 23 September (Add.915 and 938), he announced the reopening of Observation Posts Charlie and Mike, which had been closed respectively on 7 August and 25 September 1969. In supplemental information issued respectively on 11 January and 2 February 1971 (S/7930/Add.1043 and 1066), he announced the relocation of Observation Post Hotel and the Ismailia Control Centre, and in supplemental information dated 22 February (S/7930/Add.1085), he announced the reopening of Observation Post Pink, which had been closed temporarily on 6 February 1970.

15. During the same period, only one complaint from Israel (S/7930/Add.893) of a cease-fire violation in the Suez Canal sector was reported.

16. In supplemental information dated 10 March 1971 (S/7930/Add.1104), the Secretary-General stated that the situation in the Suez Canal sector had been quiet since 8 August 1970, although during that period there had been a number of overflights by one party or the other. He felt that in the circumstances, it was advisable to resume the practice of reporting to the Security Council concerning the Suez Canal sector which had prevailed before 8 August 1970. It was the Secretary-General's hope that his reports might be helpful during a period when the maintenance of quiet was crucial to efforts that were being made then to find a peaceful settlement in the whole area. He then reported that although there had been no ground activity in the Suez Canal sector, Israel aircraft and one unidentified aircraft had crossed the Canal from east to west and that the Israeli overflights had been confirmed by several United Nations observation posts.

17. In supplemental information from the Chief of Staff of UNTSO issued between 19 March and 15 June (S/7930/Add.1111, 1115, 1117, 1120, 1128, 1130, 1134, 1138, 1144, 1153, 1154, 1162, 1164, 1166, 1168, 1174, 1179, 1182, 1186, 1188, 1209, 1211 and 1220), little or no ground activity was noted, but, from time to time, there were reports of some aerial activity over the Suez Canal sector involving the cross-

ing from east to west by Israel jet aircraft and their recrossing minutes later from west to east; similarly, there were reports of overflights by United Arab Republic jet aircraft over Israel's positions on the East Bank. Some of those aerial incidents were reported by United Nations military observers, and occasionally they were the subject of complaints by one party against the other.

### 3. COMPLAINTS BY ISRAEL AND LEBANON

#### (a) *Communications to the Council and request for a meeting*

18. By a letter dated 4 September 1970 (S/9924), the representative of Lebanon transmitted to the President of the Security Council the text of a letter from the Minister of Foreign Affairs of Lebanon. After charging that Israeli armed forces had committed fifty-eight acts of aggression against Lebanon during the preceding two weeks, the Foreign Minister stated that Israel's aggressive actions were increasingly assuming the dimensions of actual military hostilities and were no doubt a prelude to the resumption of hostilities on the other fronts. They were directed not only against Lebanon and the other Arab countries but against those of the great Powers that were trying to preserve world peace against a possible extension of the Israeli-Arab conflict. The tragic experience that Lebanon had been undergoing on its frontiers was a test of the effectiveness of the Security Council's efforts to ensure that right should prevail. Although Israel claimed that it respected Lebanon's frontiers, it was, in fact, constantly violating those frontiers, and those violations were calculated to imperil the social, political and economic stability of Lebanon.

19. In a letter dated 5 September (S/9925), the representative of Lebanon stated that at 1300 hours, local time, that day, two infantry companies of Israel armed forces, under heavy air support, had penetrated Lebanese territory to a distance of 7 kilometres, bombing civilian installations and opening roads for Israel military use. In view of that grave situation, endangering the peace and security of Lebanon, he requested the convening of an urgent meeting of the Security Council.

#### (b) *Consideration at the 1551st meeting (5 September 1970)*

20. At its 1551st meeting on 5 September 1970, the Council included the complaint by Lebanon in its agenda. The representatives of Lebanon and Israel were invited, at their request, to participate in the discussion without the right to vote.

21. At the beginning of the meeting, the Secretary-General informed the Council that he had received two cabled messages from the Chief of Staff of UNTSO concerning the matter on the Council's agenda. The first message reported that on 5 September the Chairman of the Israel-Lebanon Mixed Armistice Commission had received from the Lebanese authorities a message to the effect that on 4 September Israel aircraft had attacked the Lebanese region of El-Arkoub, which it had subjected to heavy artillery bombardment, causing material damage. When the bombardment had ceased, an Israel mixed infantry and armoured force had penetrated the region, destroying the road network in the area and blowing up several houses. Up to 0930 GMT, the Israel forces



had not withdrawn from the territory. Lebanon had requested the Chief of Staff of UNTSO to have its charges confirmed by United Nations military observers and called for the immediate withdrawal of the Israel unit from Lebanese territory. The Chief of Staff had instructed the Chairman of the Israel-Lebanon Mixed Armistice Commission to provide two United Nations military observers for on-the-spot enquiries. However, up to 1500 GMT on 5 September, the Assistant Israel Defence Force Liaison Officer had not had any information on the alleged incident. In the second message, the Chief of Staff of UNTSO reported that the Assistant Israel Defence Force Liaison Officer had informed him, at 1705 GMT on 5 September, that all Israel forces had withdrawn from Lebanese territory. The Secretary-General recalled that, during the meeting of the Council on 12 May 1970 on a similar question, he had stated that he had long sought to increase substantially the number of United Nations observers on both sides in that area but without success. That, he added, accounted for the fact, among other things, that he could not provide the Council with detailed information of actions such as those that were then in progress in the area.

22. The representative of Lebanon stated that a few hours after he had transmitted to the President of the Security Council the letter from Lebanon's Minister of Foreign Affairs, Israel ground and air forces had launched an attack on Lebanese territory and had reached the village of Kfarchouba, 4 kilometres within Lebanon's borders. The Israeli forces were continuing their aggression and had penetrated another 7 kilometres within the borders, bombing civilian centres and populations. In face of that aggression, the Lebanese army had entered into action against the Israel forces and, according to a message he had just received, they were still engaging them on Lebanese territory. Israel's unwarranted attack on Lebanon had resulted in two civilians being killed and others wounded, in addition to causing considerable material damage to civilian installations. The situation created by Israel's aggression constituted a test of the Security Council's ability to ensure the security and independence of small nations. In the past, when aggression had been committed against it, Lebanon had sought guarantees as promised by the Charter. It therefore asked the Security Council to discharge its responsibility by calling for immediate and complete withdrawal of all Israel forces from Lebanon and by strongly condemning Israel's acts of aggression against Lebanon in violation of the Charter and the pertinent resolutions of the Council. Since by paragraph 3 of resolution 280 (1970) the Council had warned Israel that it would consider taking effective measures in case of a repetition of armed attack, Lebanon demanded further the application against Israel of Chapter VII of the Charter.

23. The representative of Israel stated that Lebanon had merely attempted to dramatize a minor patrolling incident that was justified by the free hand given to the terrorists by the Government of Lebanon. The adoption by the Security Council of resolution 280 (1970), which was inequitable and one-sided, had given encouragement to the terrorist organizations. Since then, more than 200 acts of aggression had been committed from Lebanese territory against Israel, resulting in the killing of fifteen Israeli civilians and five military personnel, and the wounding of thirty-eight

civilians and fifty-five military personnel. The terrorist activity in the area corresponded to the proclaimed design of terrorist leaders to sabotage the diplomatic efforts then being made to reach a peaceful solution of the Middle East crisis. Members of the Security Council were aware of the Cairo agreement between Lebanon and the Palestinian commandos that had provided the terrorists in Lebanon with a base for their activities against Israel. That agreement had declared that the armed struggle of the Palestinians was in Lebanon's interest and, accordingly, Lebanon had undertaken to co-operate in the installation of supplies and rest and aid posts for the commandos. In view of the continuous attacks from Lebanese territory and the admitted helplessness of Lebanese authorities, Israel had been compelled to exercise its right of self-defence. It had sent a small unit of its forces to carry out a search-and-comb mission in the foothills of Mount Hermon. Those units had been evacuated from Lebanon's territory after having completed their mission. In that minor action, the Lebanese army had not been directly involved. It was incumbent upon Lebanon to prevent the use of its territory by irregular and regular forces for aggression against another Member State of the United Nations.

24. The representative of Spain stated that from the statements of the Secretary-General and the representatives of Lebanon and Israel it was evident that an invasion of Lebanon had taken place and that Israel had not denied it. After recalling that when, in a similar situation, last May, his delegation had submitted a draft resolution calling on Israel to withdraw its armed forces from Lebanon, assurances had been given that the withdrawal had been completed when the Council took up the question. However, the facts later proved that the withdrawal had not been completed. Bearing in mind that an invasion had occurred in violation of the Charter and even though a withdrawal might have been initiated, the Council could not remain inactive because of its past experience. Therefore his delegation was proposing a draft resolution which it would ask to have put to a vote immediately. The draft resolution submitted by Spain (S/9928) read as follows:

*"The Security Council,*

*"Demands the complete and immediate withdrawal of all Israeli armed forces from Lebanese territory."*

25. The representative of France supported the Spanish proposal.

26. The representative of Israel stated that, inasmuch as he had already informed the Council that Israeli forces had evacuated Lebanese territory, the draft resolution proposed by Spain was divorced from reality. It would be unfortunate if the Council should vote and adopt a draft resolution that was marked not only by an absence of equity but by a refusal to take cognizance of the plain facts of the situation.

27. The representative of Spain reiterated that the penetration by the armed forces of a State into the territory of another State was a violation of Article 2, paragraph 4, of the United Nations Charter. Therefore, the Council should proceed to a vote and call for the immediate and complete withdrawal of the Israeli forces from Lebanon.

28. The representative of the United States considered that the Spanish draft resolution was being presented in haste and before there had been an opportunity to ascertain through UNTSO what the precise

situation was along the border. In view of the conflicting evidence, his delegation would abstain on the Spanish draft resolution, making it clear, nevertheless, that his delegation's abstention in no way detracted from his Government's continued and full support for the maintenance of the territorial integrity of Lebanon.

**Decision:** *At the 1551st meeting, on 5 September 1970 the draft resolution submitted by Spain (S/9928) was adopted by 14 votes to none, with one abstention (United States), as Security Council resolution 285 (1970).*

29. After a vote, the representative of the United Kingdom stated that despite the conflict of evidence, it was appropriate to adopt the draft resolution, inasmuch as the armed incursion into Lebanon had not been denied. If the Israeli forces had withdrawn, all would welcome it; if they had not, then there was every reason for the Council to demand their immediate withdrawal. Nevertheless, his delegation deplored all actions that were likely to impede the progress of Ambassador Jarring's mission and negotiations for an eventual settlement, including breaches of the cease-fire by the *fedayeen*.

30. The representative of Lebanon thanked the members of the Council for their support and expressed regret that one delegation had been unable to support the principle of withdrawal of foreign armed forces from the territory of independent and sovereign States, particularly when that delegation professed to be working for peace in the Middle East.

31. The representative of the United States, exercising his right of reply, stated that the abstention of his delegation was not related to the principle of withdrawal. The facts about the withdrawal were unfortunately in dispute. If the Israeli forces had withdrawn, that would be welcome. If not, then it was the view of his delegation that they should withdraw immediately.

32. In a report dated 7 September (S/9929), the Secretary-General informed the Council that he had received a cable from the Chief of Staff of UNTSO stating that the Lebanese authorities had informed UNTSO officially that Israeli forces had withdrawn from Lebanese territory as of 0700 GMT on 6 September 1970 and that, in the absence of United Nations observers in the area, there could be no direct observation by them of the circumstances of that withdrawal.

#### *(c) Subsequent communications to the Council*

33. In a letter dated 28 December (S/10063) addressed to the President of the Security Council, Lebanon stated that, early that morning, a company of Israeli forces, carried by two helicopters, had attacked a village in southern Lebanon, killing two civilians and wounding two others, besides destroying several houses. The letter added that, since its attack two years earlier on the International Airport at Beirut, Israel had repeatedly attacked Lebanese territory with the aim of disrupting the peaceful life of the population and deliberately extending the area of conflict.

34. In a letter dated 30 December (S/10067), Israel stated that although Lebanon, under the cease-fire agreement, was committed to prevent the use of its territory for attacks against Israel, it was a matter of common knowledge that Lebanese territory, particularly villages in southern Lebanon, were being used as bases for terrorist aggression against Israel. On several occasions throughout 1970, Israel had drawn

the attention of the Council to such acts. In recent weeks there had been serious increase, and since 26 November 18 attacks by Lebanese-based saboteurs had taken place. It was against one of those bases that Israeli defensive action had been taken on the night of 27 December. As had been indicated previously to the Security Council and to Lebanon, Israel's policy regarding Lebanon continued to be based on scrupulous maintenance by both sides of the cease-fire, but Lebanon was continuing to facilitate terrorist activities against Israel.

35. In a letter dated 15 January 1971 (S/10078), Lebanon stated that helicopter-borne Israeli armed units had attacked a village located about 43 kilometres north of the Lebanon's southern borders and, after having been engaged by Lebanon armed forces, had withdrawn at three o'clock that morning. The Israeli authorities had attempted to justify their action by alleging that on 2 January six *fedayeen* coming by boat from that village had landed just south of Lebanon borders and that five of them had been captured. However, investigation by Lebanese authorities had established that Israel had engineered the whole plan. Thus, Israel had first initiated an incident and then used it as a pretext for military action against Lebanon.

36. In a letter dated 19 January (S/10081), Israel stated that since 30 December there had been a further intensification of sabotage raids and of shelling attacks on Israeli villages carried out from bases inside Lebanon. In all their activities, the terrorists had full support and encouragement from the Lebanese Government. As for the complaint made by Lebanon in its letter of 15 January, Israel stated that, on 2 January, five raiders coming from the Lebanese harbour of Sarafand, which served as a base of operation against Israel, had attempted to land in northern Israel but had been captured. During the night of 14/15 January, an Israeli unit had acted to disable that terrorist base and, in the ensuing encounter, had killed ten saboteurs and wounded many others. Six Israeli soldiers had been injured. Thus, Israel's action had not been against a civilian village, as alleged by Lebanon.

37. In a letter dated 5 February (S/10101), Lebanon stated that on 1 February Israeli patrols had crossed the Lebanese border and attacked villages in southern Lebanon, blown up some houses and abducted some civilians in another premeditated encroachment upon the sovereignty and territorial integrity of Lebanon.

38. In a letter dated 8 April 1971 (S/10172 and Corr.1), Lebanon charged that on 5 April an Israeli patrol, in violation of the Armistice Agreement and in defiance of relevant United Nations resolutions, had crossed the borders at three points and had blown up several houses in three different villages.

39. By a letter dated 12 April (S/10075), Israel drew the attention of the Security Council to the intensification of attacks committed against it from Lebanese territory and stated that, between 11 March and 10 April, 19 such attacks had been carried out by terror organizations from bases in Lebanon against Israeli villages, compelling Israel to take self-defence measures to protect the lives and property of its citizens.

#### 4. COMPLAINTS BY ISRAEL AND SYRIA

*Communications to the Council and reports of the Secretary-General on the observance of cease-fire from 16 June 1970 to 15 June 1971*

40. In supplemental information issued during the latter part of June 1970 containing reports on the situa-



tion in the Israel-Syria sector (S/7930/Add.779, 781, 783, 785, 787, 789, 791, 793, 795 and 796 and Corr.1), the Secretary-General indicated that firing incidents involving the use of machine-guns, mortars and small arms had taken place in that sector.

41. In supplemental information on the Israel-Syria sector dated 25 June (S/7930/Add.797), the Chief of Staff of UNTSO reported intensification of fire exchanges involving the use of heavy and light weapons along the cease-fire line. On the following day, he reported (S/7930/Add.799) that the Officer-in-charge of the Tiberias Control Centre had informed him that Israeli tanks, supported by armoured personnel carriers, had crossed the cease-fire line and had been seen up to 5 kilometres inside Syrian territory. At the same time, a heavy exchange of fire had been observed accompanied by raids carried out by Israeli aircraft along the cease-fire line. The report added that Israeli forces had occupied Observation Post Sierra that day at 1230 GMT and had asked the United Nations military observers to cease radio transmissions. Protests had been filed with Israeli authorities. Later that day, Israeli forces had withdrawn from the area of the post. A further report (S/7930/Add.802) indicated that, as a result of the intense firing exchange, the installations and equipment at several United Nations observation posts had been damaged. The Chief of Staff stated in the same report that there had been further intensification of aerial activity in the Israel-Syria sector, involving the flight of Israeli jet aircraft over Syrian lines attacking Syrian positions and troops. During those attacks, the observers reported that anti-aircraft fire from the Syrian forces had been heard. The report added that Israeli authorities had informed the Chief of Staff that during those incidents ten Israeli soldiers had been killed and 32 wounded, in addition to one aircraft lost. Cease-fire arrangements proposed by the United Nations military observers, although accepted by the parties on several occasions, had not been effective.

42. In further supplemental information issued by the Secretary-General from the end of June until the end of December 1970 (S/7930/Add. 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 841, 843, 845, 847, 849, 951, 853, 855, 857, 859, 861, 863, 865, 867, 869, 871, 873, 876, 878, 880, 882, 884, 886, 888-892, 894-906, 908-914, 916-937, 939-1030), the Chief of Staff of UNTSO indicated that sporadic firing incidents in the Israel-Syria sector had continued to take place almost daily, and that, in almost all cases, the firing had been initiated by Israeli forces. During the same period, there had been light aerial activity and, on some occasions, installations and equipment of United Nations military observation posts had received slight damage as a result of the firing.

43. In supplemental information dated 7 January 1971 (S/7930/Add.1038), the Secretary-General circulated a report received from the Chief of Staff of UNTSO regarding an incident that had taken place at United Nations Observation Post Four in the Israel-Syria sector. At 2305 GMT on 2 January, United Nations military observers had been held up in their living caravan by three persons carrying sub-machine-guns of an unidentified type. Before leaving 20 minutes later, the three intruders had taken a number of items from the caravan and had ripped the radio communication set. Subsequently, the Chairman of the Israel-Syria Mixed Armistice Commission had reported the

incident to the Syrian delegate, who had promised to inform the Syrian authorities. All inquiry conducted by UNTSO on 3 January, the report continued, had failed to establish the identity of the intruders and the UNTSO findings had been communicated to the authorities of Syria and Israel with the request that they provide the results of their inquiries. On 5 January, Israel had reported that, a search conducted on 3 January at the site of the post, had revealed tracks of three persons wearing regular Syrian boots leading towards Syrian territory. The Israeli investigators had found some of the items that had been taken from the United Nations caravan. On the following day, the Syrian authorities had informed the Mixed Armistice Commission that, as a consequence of their investigations, they could assure the Commission unreservedly that the intruders had not been members of the Syrian regular army. The Chief of Staff reported that, despite inquiries conducted into the incident, it appeared that the identity of the intruders could not be established. In forwarding the report to the Security Council, the Secretary-General expressed his concern about that type of incident and warned against the serious implications it could entail for the cease-fire observation operations in the sector. The United Nations observers, he added, did not carry arms and depended for their safety on their special status and on the protection provided by the parties to the cease-fire. The Secretary-General concluded by appealing to all concerned to take all possible measures to prevent a recurrence of such incidents.

44. By a letter dated 18 January (S/10080), Syria denied a charge, broadcast by Radio Israel, to the effect that, on the night of 2/3 January, three regular Syrian soldiers had entered United Nations Observation Post Four and stolen some items from the room. In a letter dated 23 January (S/10088), Israel stated that an investigation carried out by Israeli authorities following the raid on the observation post had revealed that tracks of three persons wearing regular Syrian boots had led investigators towards Syrian territory. Those findings had been published in document S/7930/Add.1038. As the Syrian lines were well guarded by a network of military positions, Israel's letter stated, no armed elements could operate from within the Syrian military zone without the knowledge of the Syrian authorities. Syria's responsibility for all violations of United Nations observation posts by elements operating from within its lines were clearly evident. By a letter dated 26 January (S/10090), Syria stated that the "investigation" carried out by Israel and its allegation that Syria had been responsible for violations of United Nations observation posts were one-sided and constituted an attempt to distort facts. Furthermore, the supplemental information report of 7 January referred to by Israel had denied the Israeli allegation and had, in fact, concluded that the identity of the armed intruders could not be established.

45. During the period from 1 January to 15 June 1971, the Chief of Staff continued to issue reports containing supplemental information (S/7930/Add.1031-1037, 1039-1042, 1044-1065, 1067-1084, 1086-1103, 1105-1110, 1112-1114, 1116, 1118, 1119, 1121-1127, 1129, 1131-1133, 1135-1137, 1139-1143, 1145-1152, 1155-1161, 1163, 1165, 1167, 1169-1173, 1175-1178, 1180, 1181, 1183-1185, 1187, 1189-1208, 1210, 1212-1219, 1221, 1222). Those reports indicated that light and sporadic firing incidents had taken place in the Israel-Syria sector and that, in almost all cases, the

firing had been initiated by Israel. The reports also indicated that aerial activity in the sector had been very light and that no damage had been inflicted upon the United Nations observation posts or their installations and equipment.

## **B. Question concerning the treatment of civilian populations in Israeli-occupied territories and related matters**

### ***Communications to the Council from 16 June 1970 to 15 June 1971***

46. During the period covered by this report, the Security Council and the Secretary-General received a number of communications from Arab countries protesting Israel's policies regarding the treatment of the civilian population in the territories it occupied, alleging the arrest, detention, dispossession and expulsion of civilians and the confiscation or expropriation of Arab lands. Israel rejected some of these charges and made other charges.

47. In a letter dated 18 June 1970 (S/9841), addressed to the Secretary-General, Israel referred to its letters of 9 June (S/9832 and S/9833) concerning the composition of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and reiterated its stand that the Committee was irregular and biased in character, inasmuch as two members of that Committee, Somalia and Yugoslavia, had fully identified themselves with Arab belligerence against it. It further stated that, on 14 June, the third member, Ceylon, had announced its decision to suspend diplomatic relations with Israel.

48. By letters dated 16 and 23 July, 12 and 27 August 1970 and 8 January 1971 (S/9868, S/9885, S/9904, S/9919, S/10013 and S/10073), addressed to the Secretary-General, Jordan charged Israel with having forcibly expelled Arab inhabitants from the occupied territories in violation of Security Council resolution 237 (1967) and the Geneva Conventions of 1949. With each letter, Jordan submitted a list that included the names, ages and the villages or towns of those who had been expelled by Israel, some after arbitrary detention and torture; and with its letter of 8 January 1971 (S/10073), Jordan submitted a cumulative list of 329 civilians who it stated, had been expelled during the year 1970 from Gaza and the West Bank of Jordan.

49. By a note dated 27 July (S/9888), the President of the Security Council drew the attention of members of the Council to resolution 10 (XXVI) on the question of human rights in the territories occupied as a result of hostilities in the Middle East, including the report of the Special Working Group of Experts, which had been adopted on 23 March 1970 by the Commission on Human Rights. In that resolution, the Commission had requested the Secretary-General to bring to the attention of the Security Council the text of that resolution and the report of the Special Working Group of Experts established under the Commission's resolution 6 (XXV) to investigate allegations concerning Israel's violation of the Geneva Convention of 12 August 1949 in the occupied territories.

50. In a letter dated 3 August 1970 (S/9897), Jordan stated that on the previous morning Israel tanks had opened a barrage of artillery fire aimed at the Coptic convent and other neighbouring convents in

the occupied area of Jericho, resulting in the destruction of parts of the convent and damage to other properties. Jordan added that Israeli authorities had been forcing Moslem worshippers to evacuate the Ibrahimi Mosque in Al-Khalil (Hebron) to make room for Jewish fanatics and Israeli soldiers and, as part of the policy of changing the character of the occupied area, had taken over two Islamic shrines, the Mosque of Rachel's Tomb on the Jerusalem-Al-Khalil road and Joseph's Shrine in Nablus.

51. In a reply dated 17 August (S/9913), Israel denied the Jordanian charge, stating that, since 1968, Christian monasteries in the area of the Baptism Site on the Israeli side of the cease-fire line had been harassed by firing from saboteurs. The Coptic convent had been the target of an attack on 24 May 1969 and had later been damaged by explosive charges laid by saboteurs from Jordan on 4 August and 11 December 1969. As a result, the monastery had been abandoned, and, on the night of 1/2 August 1970, it had been occupied by a terrorist squad which had been driven out by Israeli forces.

52. By a letter dated 16 September (S/9941), representatives of 14 Arab States stated that reports in the world press had indicated that hundreds of men and women had been arbitrarily arrested in the Israeli-occupied Arab territories and that the entire population of those areas was being threatened with further measures of repression. They pointed out that, in view of the persistent refusal of the Israeli authorities to permit international fact-finding missions to visit the occupied territories in fulfilment of their mandate under various United Nations resolutions, press reports remained the principal means by which the world community could be informed about Israeli measures. They added that Israeli actions constituted a grave escalation of its violations of the Geneva Conventions of 1949 and all relevant United Nations resolutions.

53. In a letter dated 23 September (S/9948), Israel rejected the charges of the Arab States and stated that, during the month of September, five attempts at hijacking civil passenger aircraft had been committed by members of an Arab terrorist organization operating in and from Arab countries bordering on Israel. The four planes successfully hijacked had subsequently been blown up in Arab countries, and their passengers had been held hostage. Faced with that situation, Israel had no choice but to take precautionary measures against the activities of the terrorist organizations and apprehended suspected associates for questioning, all of whom had been freed by 18 September.

54. By a letter dated 15 October (S/9963), the representative of Syria transmitted the text of an article published on 11 October in the *Sunday Times* of London which stated that a report released by the International Committee of the Red Cross had accused Israel of blowing up Arab towns, villages, camps and houses in the occupied territories in defiance of the Geneva Conventions, acts which the International Committee of the Red Cross had protested to Israel.

55. By a letter dated 8 February 1971 (S/10105) addressed to the President of the Security Council, the representative of the United Arab Republic charged Israel with acts of repression and indiscriminate attacks against the civilian population in Sinai and the Gaza Strip. In support of his charges, he transmitted the text of an article published on 2 February 1971 in *The New*

*York Times*, as well as excerpts from articles published in an Israeli newspaper and from the Israeli Parliament Protocol.

56. In a reply dated 9 February (S/10107), the representative of Israel described the charges of the United Arab Republic as unfounded and unsubstantiated. His Government's policy was to ensure normal life and development for all the inhabitants under its control, including those of the Gaza Strip and Sinai, despite the efforts of Arab terrorist organizations to make life intolerable for the local populations.

57. In a letter dated 10 February (S/10111), the representative of 14 Arab States charged that Israel was intensifying its oppressive measures against the Palestinians in the Gaza Strip by imposing long and intolerable curfews on several areas, including a refugee camp called "Beech Camp", which had been under total curfew since the end of December 1970. Moreover, several thousand Arab inhabitants had been arrested and taken to detention areas in the Sinai desert, where they had suffered cruel interrogation and inhuman punishment.

58. In a reply dated 11 February (S/10113), the representative of Israel again rejected the charges and stated that the repetition of allegations by the 14 Arab States had not brought those allegations nearer reality.

59. By a letter dated 12 February (S/10119), the representatives of Jordan and Lebanon transmitted excerpts from a dispatch published on 11 February in the French newspaper, *Le Monde*, which reported that 10 Israeli soldiers had been tried for "unjustified violence" in the Gaza Strip and that three officers had been reprimanded for having failed to quell "excesses committed by soldiers" belonging to their unit.

60. In a reply dated 19 February (S/10128), the representative of Israel stated that the Arab Governments, particularly Jordan and Lebanon, had been directly responsible for the acts of terror and murder carried out in the Gaza area because they allowed the existence of bases on their territory from which terrorist operations had been carried out. That had been admitted by many captured terrorist squads; thus, the Israeli Government had no choice but to take measures to ensure the safety, welfare and security of the population of the Gaza area and to maintain public order there.

61. In a letter dated 26 February (S/10133), the representative of Jordan stated that Israel had carried out arbitrary measures of confiscation of lands and mass transfer of population within the occupied territories. The Israeli Military Governor had informed leaders of the few villages north of Ramallah that his Government intended to confiscate lands with the aim of resettling a number of Palestinian refugees from Gaza. Such measures were against the will of the people, in total disregard of United Nations resolutions and in violation of the Geneva Convention of 1949.

62. In a reply dated 3 March (S/10142), the representative of Israel stated that no confiscation or expropriation of lands had occurred in the areas cited by Jordan and that his Government had no intention of taking such steps in the future.

63. In a letter dated 26 March (S/10165), the representative of Jordan, referring to his letters of 8 January 1971 (S/10073 and S/10074) pertaining to the forcible deportation by Israel of Arab inhabitants from the occupied territories, stated that from 8 Decem-

ber 1970 to 24 February 1971, 111 Arab inhabitants from Gaza and the West Bank of Jordan, whose names he attached, had been forcibly expelled and deported to the East Bank of Jordan under inhuman conditions.

64. In a letter dated 21 May (S/10203), the representative of Jordan said that Israel continued to intimidate, harass and suppress the inhabitants of the occupied territories, to confiscate their property and to deport them in great numbers to the East Bank of Jordan. The letter gave a list of names of 28 persons who had been expelled by Israel on 18 March and 20 April and requested that the matter be brought to the attention of the Commission on Human Rights and of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

65. In a letter dated 25 May (S/10210), the representative of Israel stated that, because of its policy of ensuring the safety, welfare and security of the inhabitants of the areas referred to in the Jordanian letter, Israel had taken steps to prevent terrorism and to hinder individuals engaged in terrorist activities from disturbing peace in those areas.

66. By a letter dated 28 May (S/10213), the representative of Syria stated that, in violation of relevant United Nations resolutions and of article 49 and 53 of the Geneva Convention for the Protection of Civilians in Time of War, Israel had continued its policy of colonizing Arab lands with intensive settlement, coupled with the demolition of Syrian towns and villages in the Golan Heights and the forcible eviction of the inhabitants from those areas. Citing an official Israeli publication and press reports on Israeli building activities in the area, Syria requested that its letter be brought to the attention of the Commission on Human Rights and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

67. In a further letter dated 8 June (S/10219), the representative of Syria stated that, according to reports published by competent organizations, Israel had been barring the distribution by the International Committee of the Red Cross of medicaments to the population in occupied territories. That report had been confirmed by resolution WHA 24.33, adopted on 18 May 1971 by the Twenty-fourth World Health Assembly, which had drawn attention to Israel's violation of the basic human rights of the refugees and the inhabitants of the occupied territories, constituting a severe impediment to their health, and had called upon Israel to refrain from any interference with the activities of the International Committee of the Red Cross in the occupied territories. After stating that Israel's actions in the occupied territories constituted acts of genocide in terms of Israeli legislation itself, Syria requested that its letter be brought to the attention of the Commission on Human Rights and of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

68. In a letter dated 10 June (S/10220 and Corr.1), the representative of Israel stated that the charges contained in the letters from Syria only reflected the belligerent attitude of Syria towards Israel and towards the peace-making efforts under the auspices of Ambassador Jarring. In rejecting the Syrian letter of 28 May, Israel stated that its true character was illustrated by its charge that four students from the Syrian University had been arrested by Israel but its failure to mention



that the captured students were members of the Al-Fatah organization. With regard to the letter in which Syria referred to resolution WHA 24.33 adopted by the World Health Organization (WHO) on 18 May 1971, accusing Israel of barring the distribution of medicaments, Israel denied the charge and stated that the resolution had been adopted by only 43 member States and that the majority of the WHO membership had dissociated itself from its text. The International Committee of the Red Cross (ICRC) had also denied that charge in a letter to WHO, a copy of which was attached to Israel's letter.

69. In a reply dated 15 June 1971 (S/10224), the representative of Syria stated that Israel's policy of lawlessness had been condemned or deplored in no less than 39 United Nations resolutions since 14 June 1967. On 15 March 1971, the Commission on Human Rights had condemned Israel for its continued violations of human rights in the occupied territories, including its policies aimed at changing the status of those territories. Moreover, since 1 July 1970, the Chief of Staff of UNTSO had reported, in no less than 320 supplemental information reports to the Security Council, acts of aggression invariably committed by Israel against Syria. Unable to reject any of the facts brought to the attention of the Security Council concerning its activities in the occupied Golan Heights in violation of the fourth Geneva Convention, Israel had sought to veil them by referring to Arab resistance to its occupation of the West Bank of Jordan and by attacking the Christian leaders of Syrian churches. In transmitting a letter from the International Committee of the Red Cross to refute the WHO resolution, Israel had overlooked the fact that the ICRC letter had not contested paragraph 3 of the resolution, which had drawn Israel's attention to the violation of basic human rights of the refugees, displaced persons and inhabitants of the occupied territories that constituted a serious impediment to their health.

### **C. Communications and reports concerning the situation in and around Jerusalem and its Holy Places**

#### **1. COMMUNICATIONS TO THE COUNCIL FROM 15 JUNE 1970 TO 18 FEBRUARY 1971**

70. During the period covered by this report, the President of the Security Council and the Secretary-General received a number of communications related to the status of the city of Jerusalem. The Arab countries in general, and Jordan in particular, protested changes in the status of the city, charging that Israel had violated the resolutions of the United Nations on the matter. Israel, for its part, denied those charges. The Secretary-General issued two reports on the subject. These communications and the reports of the Secretary-General are noted briefly below:

71. In a letter dated 22 July 1970 (S/9883), addressed to the Secretary-General, Jordan protested the levying by Israel of defence taxes on Jordanian citizens in the occupied city of Jerusalem, as well as measures taken by Israel to change the Arab character of the city. Jordan pointed out that violation of Security Council resolution 267 (1967), which had condemned all measures taken by Israel to change the status of the city, Israel had neither rescinded those measures nor refrained from taking new measures to change the

political, legal and demographic status of the city. In view of Israel's non-compliance with that resolution, Jordan added that the Security Council must take effective measures to stop such irresponsible behaviour.

72. By a letter dated 28 October (S/9969), Jordan, after reiterating that Israel was continuing its defiance of General Assembly and Security Council resolutions on the status of Jerusalem, forwarded the text of an article published in the *International Herald Tribune* of 17/18 October, depicting some of Israel's construction plans in the Arab part of the city of Jerusalem. Jordan added that the only way that those illegal measures could be stopped was to end Israeli occupation of Jerusalem.

73. In a joint letter dated 8 January 1971 (S/10075), Jordan and the United Arab Republic protested Israeli measures to change the character of the city of Jerusalem and drew attention to a so-called "master plan" of Jerusalem providing for the settlement of 200,000 Jewish people in the occupied lands in and around Jerusalem, which had been criticized by such leading journals as the *Economist* and *The Times* of London. They also pointed out that the process of establishing Israel settlements was not limited to Jerusalem and the area around it but was being extended to the rest of the occupied territories with the intention of making them permanent Jewish villages. After quoting from statements of Israeli authorities as reported in the press, they pointed out that those statement made it clear that Israel had no intention of withdrawing from the occupied territories and was doing everything to obstruct Ambassador Jarring's peace mission.

74. In a letter dated 17 February (S/10123), Jordan stated that, according to information it had received, Israel had bulldozed parts of the premises of Government House, the headquarters of UNTSO situated in no-man's land in Jerusalem, and requested a report by the Secretary-General on that violation, in accordance with Security Council resolutions 252 (1968) and 267 (1969).

75. In a reply dated 18 February (S/10126), Israel stated that the United Nations headquarters in Jerusalem had not been affected in any way by development activities being undertaken in Jerusalem. In another letter dated 19 February (S/10127), Israel recalled that it was Jordan, in fact, which, on 5 June 1967, had violated and occupied the United Nations headquarters in Jerusalem and that the Secretary-General had reported on that issue to the Security Council during its 1347th meeting.

#### **2. REPORT OF THE SECRETARY-GENERAL**

76. On 18 February, the Secretary-General, in pursuance of Security Council resolutions 256 (1968), 267 (1969) and 271 (1969) and General Assembly resolution 2254 (ES-V), submitted a report (S/10124) concerning Jerusalem that included texts of his notes to the representative of Israel and Israel's replies thereto.

77. In his note of 10 December 1970, the Secretary-General stated that, after publication of a press report on 19 August 1970 concerning a master plan for an area within and outside the Old City walls in which the Government House area had been classified as a residential area, the representatives of UNTSO, on instructions from the Secretary-General, had approached the Israeli authorities on the matter and, on 12 November, had been informed that the plan in question

had not yet been made public. The Israeli authorities, however, gave no reply to the question whether the plan affected the Government House premises. In order to meet his responsibilities to the Security Council and to the General Assembly in relation to the status of the City of Jerusalem, the Secretary-General requested Israel to supply him with detailed information and a copy of the reported master plan. The Secretary-General underscored the importance he attached to the status of the United Nations premises at Government House and requested clarification from the Israeli authorities on whether the reported master plan envisaged any development affecting those premises, either in its current limits or those before June 1967.

78. In a reply dated 8 January 1971, Israel indicated that its position as regards Government House continued to be the same as in August 1967 and that no changes were contemplated in the arrangements made then.

79. On 26 January, the report continued, the Secretary-General had sent two further notes to Israel. In the first note, after referring to his request of 10 December 1970 for a copy and information on the reported Jerusalem master plan, he recalled that, in its reply of 8 January, Israel had not responded to that request. After calling Israel's attention to his reporting responsibilities under the relevant Security Council and General Assembly resolutions, the Secretary-General again requested a copy of the plan, together with detailed information thereon.

80. The second note dealt with the United Nations premises at Government House. The Secretary-General stated that in so far as the assurances proffered by the Government of Israel in reply to his note of 10 December did not safeguard the right of the United Nations to possession of the whole of the Government House premises as constituted on 5 June 1967, they did not cover the obligations of the Secretary-General in that matter. The Secretary-General had been informed by UNTSO that, on 3 January 1971, a bulldozer had commenced working on the south-eastern side of those premises. That activity, together with the recent press reports about the immediate implementation of a housing project in the area, indicated a further and serious violation of the inviolability of the United Nations premises under the Charter of the United Nations and the Convention on Privileges and Immunities of the United Nations. In view of the irreparable physical change that the work currently undertaken might bring to those premises, the Secretary-General, while reserving the right of the United Nations to claim compensation for any ensuing loss or damage, requested suspension of those works. The Secretary-General continued to maintain that there was no basis for any curtailment of United Nations rights to Government House as constituted on 5 June 1967. Accordingly, in the exercise of his responsibility in the matter, he requested the unreserved return to the United Nations of the remainder of its Government House premises. The report stated that no reply had been received by the Secretary-General to the above two notes as of 18 February 1971.

### 3. COMMUNICATIONS TO THE COUNCIL FROM 19 FEBRUARY TO 19 APRIL 1971

81. By a joint letter dated 23 February (S/10130 and Corr.1), Jordan and the United Arab Republic addressed the Secretary-General concerning Israel's con-

tinued confiscation of Arab land and property and construction of settlements, housing, hotels and industrial projects in violation of relevant General Assembly and Security Council resolutions. They stated that, according to Israeli press reports, Israel was planning to build 3,000 housing units and 13 hotels on confiscated Arab land in East Jerusalem and that Arab inhabitants of East Jerusalem were being evacuated to be replaced by Jewish families. Those measures appeared to be a prelude to the so-called master plan for Jerusalem, which envisaged the construction of a total of 35,000 units on confiscated private and public Arab lands. They were designed to accommodate 122,000 new Jewish immigrants and to make Jerusalem a "Jewish city". Israel's declared intention to annex Jerusalem and its environs was in disregard of the will of the people and in complete defiance of the United Nations.

82. In a reply dated 1 March (S/10138), Israel stated that, contrary to the charges in the above letter, Jewish and Arab lands alike had been expropriated without discrimination for public development and housing and that some Arab and Jewish owners had already received full compensation. With regard to the existence of a "master plan" for Jerusalem, the preparation of a development plan for any city was a customary procedure of planning throughout the world, and the municipal authorities of Jerusalem were doing their best in that direction through consultations with world-renowned experts and architects.

83. In letters dated 2 and 8 March (S/10139 and S/10149), Jordan charged Israel with further confiscation of Arab property. It stated that, according to an Israeli press report, Israel authorities had issued an order transferring the shares of the Electricity Company of the District of Jerusalem belonging to the Jordanian municipality to the Israeli municipality. That action constituted a change in the status of Jerusalem forbidden by United Nations resolutions.

84. In a reply dated 5 March (S/10146), Israel stated that it had been necessary to change the status of certain elements of the public ownership of the Electricity Company in order to ensure the continuity and operation of electrical services to the people of Jerusalem. However, no change had taken place in the ownership status of private persons.

85. In a letter dated 2 March (S/10140), Syria recalled the request made by the Secretary-General to Israel for information and a copy of the "master plan" for Jerusalem and stated that Israel had so far failed to reply to the two notes of the Secretary-General. Moreover, Syria protested, according to press reports Israel was continuing to implement the "master plan" in Jerusalem, including work being carried out within United Nations premises.

86. By a letter dated 9 March (S/10152), Indonesia, Jordan, Pakistan, Saudi Arabia, Somalia, Tunisia and the United Arab Republic transmitted to the Secretary-General the text of a resolution on the Palestine question adopted at a joint meeting of the International Muslim Organizations held at Mecca, Saudi Arabia, from 11 to 15 February 1971. The resolution, after urging that efforts should be continued for the liquidation of all traces of Israel's aggressions, expressed the fullest support for the Palestinian commandos. It also appealed for "a halt to the continuance of the inhuman Zionist aggression, specially to save the Holy City of Jerusalem from Judaization and to save the Arab citizens of the Holy City from becoming refugees".

87. In a reply dated 16 March (S/10158), Israel stated that the seven-Power letter contained allegations that were misleading and reflected the belligerent policies pursued by the Arab States against Israel. Despite the abnormal conditions in the region and the security problems caused by those policies, Moslem institutions in Jerusalem and its Moslem residents and visitors enjoyed the liberty and facilities to pursue their normal activities. After rejecting the charge that it was "Judaizing" Jerusalem, Israel stated that for generations Jews had constituted the majority of the population of the City, where the Jewish ethos was deeply marked. Israel had been treating with reverence all that was related to the Holy Places of all faiths and had made great efforts to ensure their improvement and safety.

88. In a letter dated 15 March (S/10159), Spain took the position that Israel's continued occupation of Jerusalem could not justify certain measures of assimilation designed to change the nature and alter the status of the city, and urged that Israel should be required to comply with the relevant United Nations resolutions, in particular resolution 267 (1969). Spain's concern, it was stated, arose from its traditional interest in the situation and problems of the Holy Places.

89. In a reply dated 19 March (S/10160), Israel stated that Spain's letter reflected a persistently pro-Arab policy; it denied having taken any measures of assimilation in Jerusalem and stated that urban improvements were designed to serve all its residents.

90. In a letter dated 23 March (S/10163), Spain, recalling its support of the implementation of resolution 242 (1967), stated that Israel, contrary to relevant United Nations resolutions, had been taking advantage of its occupation of Jerusalem in order to alter the status and character of that city through so-called urban improvements.

91. In a reply dated 29 March (S/10167), Israel stated that Spain had overlooked aggression against Jerusalem by Jordan and the United Arab Republic and the uprooting of the Jewish population and destruction of the Jewish quarter of the Holy City during the Jordanian occupation. Ignoring those facts, Spain had continued to pursue a pro-Arab policy in the Middle East.

92. In a reply dated 30 March (S/10168), Spain stated that Israel had not cited examples of any United Nations resolutions violated by Jordan or the United Arab Republic in so far as they related to the character and status of Jerusalem. Spain's expression of concern about measures to change the true nature and alter the status of Jerusalem was in agreement with a comment made in *l'Osservatore Romano*.

93. In a letter dated 1 April (S/10169), Jordan stated that excavations by Israel adjacent to the southern and western walls of Haram-Esh-Sharif were endangering Al-Aqsa Mosque, the Moslem Museum and El-Fakhriyya Minaret. Jordan also cited reports that Israel might enact a law confining the Moslem Holy Places in the Haram-Esh-Sharif area to Al-Aqsa and the Dome of Rock Mosques, thus placing the Plaza of Haram-Esh-Sharif and other religious and cultural places, which were held sacred by Moslems all over the world, outside the designation of Holy Places and subject to Israeli regulations and excavations. Israel's excavations and the contemplated legislation violated the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954. They were also contrary to the resolution adopted

on 10 October 1962 by the Executive Board of UNESCO with regard to cultural properties, particularly in the Old City of Jerusalem, calling on Israel to desist from any archaeological excavations, transfer of such properties and any change of their cultural and historical character.

#### 4. FURTHER REPORT BY THE SECRETARY-GENERAL

94. On 20 April, the Secretary-General issued an addendum (S/10124/Add.1) to his report of 18 February concerning a further exchange of communications between him and Israel concerning the status of Jerusalem and the United Nations premises at Government House. He stated that on 8 March he had received a note from Israel in reply to his two notes of 26 January, in which Israel stated that its position remained as it had been conveyed to the Secretary-General in previous communications on the subject. The Israel Government placed on record its reservations to the various legal and other considerations advanced by the Secretary-General, particularly to claims of the United Nations to the occupancy and possession of the whole of the premises of Government House. The addendum also set forth the reply that the Secretary-General had addressed to Israel on 12 April noting that, presumably because of the reservations referred to in its note of 8 March, Israel had not provided a copy of the reported Jerusalem master plan or any information about it and that Israel's reply had contained neither a direct response to his request to return the whole of the United Nations premises at Government House as constituted on 5 June 1967 nor any precise information on the exact terms of the reservations held by Israel with regard to that request. Furthermore, the Secretary-General observed that the reservations made in Israel's note had been raised for the first time and had not been mentioned when part of the Government House premises had been returned to the United Nations. In fact, in its letter of 22 August 1967, Israel had not mentioned any reservations, although the Secretary-General had expressly preserved the rights of the United Nations to the occupancy and possession of the whole of the Government House premises as constituted when UNTSO had been forced to evacuate them on 5 June 1967. He further observed that it was in reliance on the preservation of those United Nations rights that he had authorized the return of the UNTSO staff to a lesser area. He added that as Israel's reservations related in part to legal considerations, one way of resolving any differences would be to resort to the procedure of settlement provided for in the Convention on the Privileges and Immunities of the United Nations. In view of Israel's current works within and bordering upon Government House property as constituted on 5 June 1967 and the absence of a direct reply to his specific request in his notes of 26 January 1971, the Secretary-General was constrained to reiterate his request for the unreserved return to the United Nations of the remainder of its Government House premises.

95. By a letter dated 1 June (S/10215), Syria transmitted the text of an appeal made by the spiritual leaders of the Christian community of Syria, drawing to the attention of the Christians of the world the illegal measures taken by Israeli authorities in order to "Zionize" the City of Jerusalem and to expel its Christian and Moslem inhabitants in violation of United Nations resolutions. In a reply dated 10 June

(S/10220 and Corr.1), Israel stated that the visits of 80,000 Arabs to Israeli-held territories and Jerusalem the previous summer did not lend credence to the Syrian charges.

**D. General statements and other matters brought to the attention of the Security Council in connexion with the situation in the Middle East**

96. During the period covered by this report, general statements concerning the situation in the Middle East were brought to the attention of the Security Council, which are briefly noted below.

97. By letters dated 21 July, 22 and 24 September and 9 October 1970 (S/9881, S/9947, S/9949 and S/9958), the representative of the Union of Soviet Socialist Republics transmitted to the Security Council the texts of statements made on the situation in the Middle East by the Supreme Soviet of the USSR, TASS and the Ministry of Foreign Affairs of the USSR.

98. In its statement on 21 July, the Supreme Soviet of the USSR, after expressing its concern at the situation in the Middle East, stated that Israel, with encouragement from imperialist Powers, had not complied with a single United Nations resolution and thus was obstructing all efforts towards a political settlement.

99. In the statements transmitted on 22 and 24 September, TASS and the Ministry of Foreign Affairs of the USSR, respectively, expressed concern at the reported concentration of the United States Sixth Fleet in the eastern part of the Mediterranean in conjunction with the clashes then taking place in Jordan between Jordanian army units and Palestinian detachments and warned that any intervention in Jordan from outside would be a threat to the independence of the countries of the Middle East and would complicate the international situation.

100. In the statement transmitted on 9 October, the Ministry of Foreign Affairs of the USSR stated that the campaign of slander launched against the Soviet Union in the United States with regard to alleged violations of the cease-fire agreement in the Suez Canal sector was a deliberate attempt to mislead the world public opinion and to provide Israel with another pretext for breaking its contacts with the Special Representative of the Secretary-General to the Middle East.

101. By a letter dated 9 October (S/9962), the representative of the Organization of African Unity (OAU) to the United Nations transmitted to the Secretary-General the texts of the resolutions adopted by the Assembly of Heads of State and Government of OAU at its meeting in Addis Ababa from 1 to 3 September 1970. In one of those resolutions, OAU had called for Israel's withdrawal from all occupied Arab territories and appealed to all States members of OAU to support the efforts made by the Special Representative of the Secretary-General to implement Security Council resolution 242 (1967). In another resolution, OAU condemned the illegal arrest and detention of two Algerian citizens by Israel authorities in violation of international conventions on civil aviation and requested their immediate and unconditional release.

102. In a letter dated 8 December (S/10031), the representative of the USSR transmitted the text of a statement on the Middle East situation that had been adopted in Berlin on 2 December by the participants

in the Conference of the Political Consultative Committee of the States Parties to the Warsaw Treaty. The statement expressed concern about the increased tension in the Middle East as a result of Israel's policy and urged effective support for the Arab peoples, including the Palestinians, in their struggle to liberate their occupied territories.

103. In a letter dated 28 February 1971 (S/10136), the representative of the USSR transmitted the text of a statement of the Soviet Government concerning the situation in the Middle East. The statement noted that, in its reply dated 21 February to the Special Representative of the Secretary-General to the Middle East, Israel had refused to commit itself to withdrawal from all occupied territories, thus showing its unwillingness to assume a part of the commitments required for a political settlement in accordance with Security Council resolution 242 (1967).

104. In a letter dated 4 March (S/10144 and Corr.1), the representative of Bulgaria transmitted to the Secretary-General the text of a statement issued by the Bulgarian Ministry of Foreign Affairs, in which it was stated that the United Arab Republic's readiness to conclude a peace treaty with Israel and its constructive proposals provided a basis for a political solution of the Middle East crisis. On the other hand, Israel's rejection of those proposals and its refusal to withdraw its troops from occupied Arab territories had shown that Israel was persisting in its policy of aggression and its defiance of the relevant United Nations resolutions.

105. By a note dated 11 March (S/10154) addressed to the Secretary-General, the representative of Iran transmitted the text of a statement made by his Government on the situation in the Middle East. After pointing out that the withdrawal of Israeli forces from occupied territories was an essential factor for the establishment of peace in the Middle East, the statement welcomed the Rogers plan of 1 October 1970 and the positive attitude taken by the Government of the United Arab Republic towards implementation of Security Council resolution 242 (1967). Iran hoped that Israel would reciprocate by taking similar steps, so that an agreement might be reached and warned that if Israel were to persist in maintaining its negative attitude, Iran would have no alternative but to condemn Israel's unconciliatory attitude.

106. By a letter dated 6 May (S/10188), the representative of Iraq transmitted the text of a letter addressed to the Secretary-General by the Grand Rabbi of the Jewish community in Iraq, in which it was stated that Israel had been waging a vicious campaign against Iraq and its Jewish citizens. The Grand Rabbi confirmed the loyalty of Jewish-Iraqi citizens to Iraq and stated that Zionism was a political and racial ideology and had all too often done Judaism and its followers disservice by distorting its conceptions and history and even resorting to violence against Iraqi Jews in order to force them to emigrate to Israel.

**E. Activities of the Special Representative of the Secretary-General to the Middle East**

107. In a note to the Security Council dated 7 August 1970 (S/9902), the Secretary-General stated that a peace proposal initiated by the Government of the United States of America had been accepted by



Israel, Jordan and the United Arab Republic. Ambassador Jarring, his Special Representative to the Middle East, having received confirmation of those acceptances, had, accordingly, informed the Secretary-General by letter that the United Arab Republic, Jordan and Israel had advised him of their agreement (a) that having accepted and indicated their willingness to carry out resolution 242 (1967) in all its parts, they would designate representatives to discussions to be held under his auspices, according to such procedure and at such places and times as he might recommend, taking into account as appropriate each side's preference as to method of procedure and previous experience between the parties; (b) that the purpose of the aforementioned discussions was to reach agreement on the establishment of a just and lasting peace between them based on (1) mutual acknowledgement by the United Arab Republic, Jordan and Israel of each other's sovereignty, territorial integrity and political independence, and (2) Israeli withdrawal from territories occupied in the 1967 conflict, both in accordance with resolution 242 (1967); (c) that, to facilitate his task of promoting agreement as set forth in resolution 242 (1967) the parties would strictly observe, effective 7 August until at least 5 November, the cease-fire resolutions of the Security Council. The Secretary-General and Ambassador Jarring therefore believed that there was a reasonable basis on which to renew immediately the Special Representatives' contacts with the parties.

108. In a report dated 4 January 1971 (S/10070), the Secretary-General described the activities of his Special Representative to the Middle East since the Security Council's adoption of resolution 242 (1967). After recalling his previous reports on the subject issued on 22 December 1967, 17 January, 29 March, 29 July and 3 December 1968 (S/8309 and Add.1-4), the Secretary-General stated that, in the first meeting between the parties and the Special Representative in December 1967, Israel had expressed the view that a settlement of the Middle East question could be reached only through direct negotiations and that there could be no question of withdrawal of its forces prior to such a settlement. The United Arab Republic and Jordan had insisted that there could be no question of discussion between the parties until Israel had withdrawn its forces to positions prior to 5 June 1967. Faced with those conflicting positions, Ambassador Jarring had sought to obtain from the parties an assurance that they would implement resolution 242 (1967), in the hope that such a declaration would be regarded as a basis for discussions. Subsequently, he had received from the parties a number of formulations of their position on the issues. Although Israel considered direct negotiations the best way to achieve the objectives of resolution 242 (1967), it was willing that that be done in a meeting convened by the Special Representative. The United Arab Republic would accept indirect negotiations, provided Israel first declared clearly that it would implement the resolution. Jordan had expressed a similar view. After consulting the Secretary-General at Headquarters, the Special Representative had returned to the area at the beginning of March 1968 and made efforts designed to hold conferences within the framework of the Security Council's resolution in Nicosia or elsewhere. Returning to New York, he had pursued his contacts with the representative of the parties. However, those contacts had failed to break the deadlock between the parties

both as regards the interpretation of the resolution and the manner in which it should be implemented. After a short visit to various capitals in Europe, where he had met with the Foreign Ministers of Israel, Jordan and the United Arab Republic, he had returned to New York on 22 July, then had again returned to the Middle East, where he had undertaken a second round of discussions in August 1968, which had taken the form of an exchange of questions and comments between the parties through him. The opening of the twenty-third session of the General Assembly in New York had provided the Special Representatives with another opportunity to hold meetings with the Foreign Ministers of the parties, who, however, had restated the positions of their respective Governments.

109. After resuming for a time his duties as Ambassador of Sweden to the Union of Soviet Socialist Republics, Ambassador Jarring had returned to Headquarters on 29 January 1969 and undertaken personal contacts with the permanent representatives of the parties and of other Member States. In a further visit to the Middle East in March and April 1969, he had submitted to the parties a series of questions designed to elicit their attitudes towards Security Council resolution 242 (1967). The texts of the questions and replies were annexed to the report. However, the replies he had received from the parties continued to show serious divergencies between them. He had therefore been compelled to conclude that the conditions for convening a useful series of meetings at that time did not exist. Consequently, he had returned to Moscow to resume his duties. However, he had returned to Headquarters from 12 September to 8 October 1969 and from 10 to 26 March 1970 but had found no new elements that would permit him to organize active discussions with the parties.

110. On 3 April 1969, the Permanent Representatives of France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America had begun a series of meetings on the Middle East question that had continued at various intervals up to the date of the report. After each such meeting, the Chairman had reported to the Secretary-General on the substance of the discussions, and the Secretary-General had kept Ambassador Jarring informed.

111. The report also gave an account of the United States peace initiative undertaken in June 1970 and of its acceptance by the parties in August, as noted above, and also referred to the arrangements made by the United States Government and accepted by the United Arab Republic and Israel for a standstill cease-fire.

112. Subsequently, Ambassador Jarring had invited the parties to take part in discussions opening at New York on 25 August and had met on that day with each of their representatives. However, the representative of Israel had stated that he had been instructed by his Government to return to Israel. On his return on 8 September, he had informed Ambassador Jarring that Israel's acceptance of the United States peace initiative was still in effect but that, in view of Egypt's grave violation of the cease-fire standstill agreement, and inasmuch as the strictest observance of the cease-fire standstill agreement was one of the central elements of the American peace initiative, Israel would be unable to participate in the talks under the auspices of the Special Representative so long as the cease-fire



standstill agreement was not observed in its entirety and the original situation restored.

113. While the Special Representative's talks with the representatives of the Arab States had continued, they could not be productive because of lack of contact with the Israeli representative. However, he had held a wide range of contacts with representatives of the parties and of other Member States during the commemorative session of the General Assembly and during the Assembly debate on the Middle East.

114. After the adoption of General Assembly resolution 2628 (XXV), the Special Representative had invited representatives of the parties to resume talks under his auspices. Although the representatives of Jordan and the United Arab Republic had informed him of their willingness to do so, the representative of Israel had stated that the matter was under consideration by his Government. On 19 November, the Special Representative had addressed a letter to Israel's Foreign Minister formally inviting the Israeli Government to resume its participation in the discussions. On 30 December, Ambassador Jarring had received in Moscow, where he had returned to resume his duties as Sweden's Ambassador, a letter from Israel's Foreign Minister stating his Government's readiness to resume its participation in the talks. The texts of those communications were annexed to the report.

115. In letters dated 20 and 25 January 1971 (S/10083 and 10089), the representatives of the United Arab Republic and Jordan transmitted to the Security Council the texts of an aide-mémoire and a statement submitted respectively by their Governments to Ambassador Jarring. After reiterating their willingness to implement resolution 242 (1967) in all its parts, they stated that it was essential that Israel should also express such willingness, particularly with respect to its withdrawal from the Arab territories occupied by its forces since 5 June 1967. In order to reach a lasting settlement in accordance with resolution 242 (1967), Israel must repudiate its policy of territorial expansion and must agree to a just settlement for the Palestine refugees, in accordance with United Nations resolutions; the termination of all claims or states of belligerence; and respect for the sovereignty, territorial integrity and political independence of all States in the area. The two States considered that the Security Council should provide security to all States in the area through establishment of a United Nations peace-keeping force, with the possible participation of the four permanent members of the Security Council, and of demilitarized zones astride the borders.

116. On 1 February, the Secretary-General reported (S/10070/Add.1) to the Security Council that his Special Representative had resumed his discussions with the parties at Headquarters on 5 January. At the request of the Israeli Government, meetings had been held in Jerusalem with the Prime Minister and the Foreign Minister from 8 to 10 January. The Israeli Government had presented to Ambassador Jarring, for transmission to the Governments concerned, papers containing its views on the "essentials of peace", and, subsequently, the United Arab Republic and Jordan had presented papers containing their views concerning the implementation of resolution 242 (1967). Ambassador Jarring had also held meetings with the Permanent Representative of Lebanon, whose Government was directly concerned with the Middle East settlement.

117. The Secretary-General stated that while recognizing that the resumed discussions were still at

an early stage, he had found grounds for cautious optimism in the fact that the parties had resumed the talks through his Special Representative in a serious manner and that there had been some progress in the definition of their positions. The parties, who had already indicated their willingness to carry out resolution 242 (1967), were describing in greater detail their view of their obligations under that resolution. After expressing the hope that the talks would continue in a constructive manner, the Secretary-General appealed to the parties to withhold fire, to exercise military restraint and to maintain the quiet that had prevailed in the area since August 1970.

118. By a letter dated 2 February (S/10098), the representative of the United Arab Republic transmitted to the Security Council the text of an aide-mémoire he had communicated the previous day to the Special Representative of the Secretary-General, contrasting the United Arab Republic's readiness to implement resolution 242 (1967) as a "package deal" with Israel's continued refusal to implement that resolution and its evasion of the issue of total withdrawal. It was therefore incumbent on the Security Council to take the necessary measures required to assist the Special Representative in the discharge of his mandate.

119. In a letter dated 2 March (S/10141) addressed to the Secretary-General, the representative of the United Arab Republic, after referring to the appeal by the Secretary-General to the parties to withhold fire and exercise military restraint, stated that, in that connexion, he was forwarding relevant portions of a statement made on 4 February by the President of the United Arab Republic. In that statement, the President, declaring that the United Arab Republic could not let the cease-fire be renewed automatically as long as no progress had been made in Ambassador Jarring's efforts, but noting the "cautious optimism" of the Secretary-General and the views of some members of the Security Council that there was a possibility of achieving real progress, stated that he had decided to maintain the cease-fire for a period not exceeding 30 days, ending 7 March.

120. In a further report dated 5 March 1971 (S/10070/Add.2), the Secretary-General, after referring to his report of 1 February, in which he had appealed to the parties to withhold fire, to exercise military restraint and to maintain the quiet that had prevailed in the area since August 1970, stated that, in response to that appeal, Israel had announced on 2 February its intention to preserve the cease-fire on a mutual basis and that the President of the United Arab Republic had declared his decision to refrain from opening fire for a period of 30 days ending on 7 March. The Secretary-General further stated that his Special Representative shared his cautious optimism that the parties had seriously been defining their positions and wished to move forward to a permanent peace, but noted with growing concern that each side had been insisting that the other should make certain commitments before it would formulate the provisions of a final peace settlement. Israel had insisted that the United Arab Republic should give specific, direct and reciprocal commitments that it would be ready to enter into a peace agreement with Israel and to make towards it the various undertakings referred to in paragraph 1 (ii) of Security Council resolution 242 (1967). When agreement had been reached on those points, it would then be possible to discuss other points, including the refugee problems, questions relat-

ing to secure and recognized boundaries and withdrawal and other arrangements. The United Arab Republic had continued to maintain that resolution 242 (1967) contained provisions to be implemented by the parties and for its part had once again expressed its readiness to carry out its obligations on a reciprocal basis. In the view of the United Arab Republic, Israel had persisted in its refusal to implement resolution 242 (1967), inasmuch as it would not commit itself to withdraw its forces from all Arab territories occupied in June 1967; nor would it commit itself to implement the resolutions relevant to a just settlement of the refugee problem.

121. The papers received by Ambassador Jarring from Israel and Jordan had shown similar divergence of views. Israel had stressed that Jordan should enter into a peace agreement that would specify each party's direct and reciprocal obligation; and Jordan, after emphasizing the inadmissibility of the acquisition of territory by war, had expressed the view that an Israeli commitment to evacuate all Arab territories was the essential first step towards peace.

122. At that stage of the talks, the Secretary-General stated, his Special Representative had reached the conclusion, which he shared, that the only possibility of breaking the imminent deadlock arising from the different views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings was for him to seek from each side the parallel and simultaneous commitments that seemed to be the inevitable prerequisites of an eventual peace settlement. Thereafter, it would be possible to proceed to formulate the terms of a peace agreement not only for the topics covered by the commitments made by the parties but for other topics, in particular the refugee question.

123. In an identical aide-mémoire to Israel and the United Arab Republic on 8 February 1971, Ambassador Jarring had requested them to make to him certain prior commitments. His initiative was on the basis that the commitments should be made simultaneously and reciprocally and subject to the eventual satisfactory determination of all other aspects of a peace settlement. Israel would commit itself to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine. The United Arab Republic would commit itself to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, various undertakings and acknowledgements arising directly or indirectly from paragraph 1 (ii) of resolution 242 (1967).

124. In an aide-mémoire received by the Special Representative on 15 February, the United Arab Republic indicated that it would accept the specific commitments requested of it, as well as other commitments arising directly from resolution 242 (1967), and that it would be ready to enter into a peace agreement with Israel, provided Israel would likewise give commitments covering its own obligations under resolution 242 (1967), including commitments for the withdrawal of its armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement for

the refugee problem in accordance with United Nations resolutions.

125. On 17 February, the Special Representative had informed Israel of the United Arab Republic's reply to his aide-mémoire, and, on 26 February, he had received from Israel a paper in which, without reference to the commitment that he had sought from Israel, it was stated that Israel had viewed favourably "the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel" and had reiterated its readiness for meaningful negotiations on all subjects relevant to a peace agreement. Israel also had given details of the undertakings which, in its opinion, should be given by the two countries in that peace agreement. Israel considered that the stage had been reached when the two sides should pursue the negotiations in a concrete manner without prior conditions. On the crucial question of withdrawal, on which the Special Representative had sought a commitment from Israel, the Israel position was that it would give an undertaking to withdraw from "the Israeli-United Arab Republic cease-fire line" to secure, recognized and agreed boundaries to be established in the peace agreement and that it would not withdraw to the lines existing prior to 5 June 1967. Israel's reply had been communicated to the United Arab Republic on 28 February.

126. After pointing out that, as a result of the above initiative, the problems to be settled had been more clearly identified and that there had been general agreement on some, the Secretary-General stated that he wished to note with satisfaction the positive reply given by the United Arab Republic to Ambassador Jarring's initiative. However, the Government of Israel had not so far responded to the request of the Special Representative that it should give a commitment on withdrawal to the international boundary of the United Arab Republic. In view of that, the Secretary-General appealed to Israel to give further consideration to that question and to respond favourably to Ambassador Jarring's initiative.

127. The Secretary-General concluded his report by appealing again to the parties to withhold fire, to exercise military restraint and to maintain the quiet that had prevailed in the area since August 1970.

#### **F. Information concerning the consultations among the representatives of the four permanent members of the Security Council on the question of a peaceful settlement in the Middle East**

128. During the period under review, the representatives on the Security Council were regularly informed by the presiding member at the consultative meetings of the representatives of the four permanent members of the Council—France, the USSR, the United Kingdom and the United States—on the progress of those consultations on the question of promoting a peaceful political settlement in the Middle East on the basis of the implementation of Security Council resolution 242 of 22 November 1967 in all its parts. In such cases all representatives taking part in the four-Power consultations were present.

## THE SITUATION IN NAMIBIA

**A. Report of the *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970)**

129. The *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970), comprising all members of the Security Council, submitted its report (S/9863) on 7 July 1970. The report described the Sub-Committee's activities at seventeen meetings held between 4 February and 7 July 1970, at which it had studied ways and means by which the relevant Security Council resolutions could be effectively implemented, heard five experts or petitioners and addressed requests for information relevant to its work to States, specialized agencies, the International Atomic Energy Agency, the United Nations Development Programme, the United Nations Council for Namibia, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee on *Apartheid*. Annexed to the report were the substantive parts of replies received from 51 States and the various United Nations bodies to which the request had been addressed.

130. The Sub-Committee considered that it could best serve the Security Council by drawing attention to such proposals as would be likely to command sufficiently broad support to ensure effective implementation and agreed that its report would contain any conclusions on which it had been able to reach agreement and also reflect the views of members on questions where unanimity had not been reached. Accordingly, the Sub-Committee's report contained a series of recommendations on political, economic, legal, military and other aspects of the question of Namibia. Annexed to the report were the texts of statements made at the 17th meeting by the representatives of France, Poland, Syria, the USSR and the United Kingdom expressing certain reservations.

131. Possible political measures recommended by the *Ad Hoc* Sub-Committee included requesting all States to refrain from any diplomatic or consular relations with South Africa that implied recognition of South African authority over Namibia; calling on States having relations with South Africa to issue formal declarations to the South African Government that they considered South African authority in Namibia illegal; and calling for the termination of all diplomatic and consular representation extending to or residing in the Territory of Namibia.

132. Possible economic measures included calling upon all States to terminate all commercial and industrial dealings with Namibia by state enterprises; to withhold from private enterprises any State financial support in Namibian commerce; to cease all State-controlled investment activities or concessions in Namibia; and to discourage private investment in Namibia by withholding protection of such investment against claims of a future lawful Government of Namibia.

133. In the legal field possible measures included a request, in accordance with Article 96, paragraph 1, of the Charter, for an advisory opinion from the International Court of Justice on "the legal consequences for States of the continued presence of South

Africa in Namibia, notwithstanding Security Council resolution 276 (1970)"; a review by all States of all bilateral treaties between themselves and South Africa in so far as they applied to Namibia; and a request to the appropriate organs of the United Nations to review all multilateral treaties to which South Africa was a party that might relate to Namibia.

134. The military measures suggested were the possibility of requesting more stringent measures by States to give effect to the Council's resolutions calling upon all States to cease the sale and shipment to South Africa of arms, ammunition and military vehicles and all materials for their manufacture in that country. The Sub-Committee further suggested the possibility of requesting the United Nations Council for Namibia to report on its study concerning the issuance of passports and visas for Namibians and to undertake a study regarding special visa and passport regulations to be adopted by States concerning travel of their citizens to Namibia. It also recommended the possibility of calling upon all States to discourage the promotion of tourism and emigration to Namibia and of requesting the General Assembly to establish a United Nations Fund for Namibia to assist persecuted Namibians and to finance education and training for Namibians with special regard to their future administrative responsibilities in the Territory.

135. In conclusion, the Sub-Committee suggested that the Security Council should consider requesting it to study further effective ways and means of implementing the relevant resolutions of the Council, in accordance with the appropriate Charter provisions, in the light of the flagrant refusal of South Africa to withdraw from Namibia.

136. An addendum to the report of the *Ad Hoc* Sub-Committee (S/9863/Add.1/Rev.1), containing the substantive parts of two additional replies from States to the Sub-Committee's inquiry, was issued on 23 September 1970.

**B. Request for a meeting and consideration at the 1550th meeting (29 July 1970)**

137. In a letter dated 27 July 1970 addressed to the President of the Security Council (S/9886), the representatives of Burundi, Finland, Nepal, Sierra Leone and Zambia requested an early meeting of the Council to consider the report of the *Ad Hoc* Sub-Committee.

138. On 29 July, at its 1550th meeting, the Council included in its agenda the report of the *Ad Hoc* Sub-Committee, as well as the letter from the representatives of the five countries requesting a meeting of the Council.

139. The Council had before it two draft resolutions. The first, sponsored by Burundi, Finland, Nepal, Sierra Leone and Zambia (S/9891), read as follows:

"The Security Council,

"Reaffirming once more the inalienable right of the people of Namibia to freedom and independence recognized in General Assembly resolution 1514 (XV) of 14 December 1960,

*"Reaffirming* Security Council resolutions 264 (1969) of 20 March 1969 and 276 (1970) of 30 January 1970 in which the Council recognized the decision of the General Assembly to terminate the Mandate for South West Africa and assume direct responsibility for the Territory until its independence and in which the continued presence of the South African authorities in Namibia, as well as all acts taken by that Government on behalf of or concerning Namibia after the termination of the Mandate, were declared illegal and invalid,

*"Recalling* its resolution 269 (1969) of 12 August 1969,

*"Noting with great concern* the continued flagrant refusal of the Government of South Africa to comply with the decisions of the Security Council demanding the immediate withdrawal of South Africa from the Territory,

*"Deeply concerned* that the enforcement of South African laws and juridical procedures in the Territory have continued in violation of the international status of the Territory,

*"Reaffirming* its resolution 282 (1970) of 23 July 1970 on the arms embargo against the Government of South Africa and the significance of that resolution with regard to the Territory and people of Namibia,

*"Recalling* the decision taken by the Security Council on 30 January 1970 to establish, in accordance with rule 28 of the provisional rules of procedure, an *Ad Hoc* Sub-Committee of the Security Council to study, in consultation with the Secretary-General, ways and means by which the relevant resolutions of the Council, including resolution 276 (1970), could be effectively implemented in accordance with the appropriate provisions of the Charter of the United Nations, in the light of the flagrant refusal of South Africa to withdraw from Namibia, and to submit its recommendations to the Council,

*"Having examined* the report submitted by the *Ad Hoc* Sub-Committee (S/9863) and the recommendations contained in that report,

*"Bearing in mind* the special responsibility of the United Nations with regard to the Territory of Namibia and its people,

*"1. Requests* all States to refrain from any relations—diplomatic, consular or otherwise—with South Africa implying recognition of the authority of the Government of South Africa over the Territory of Namibia;

*"2. Calls upon* all States maintaining diplomatic or consular relations with South Africa to issue a formal declaration to the Government of South Africa to the effect that they do not recognize any authority of South Africa with regard to Namibia and that they consider South Africa's continued presence in Namibia illegal;

*"3. Calls upon* all States maintaining such relations to terminate existing diplomatic and consular representation as far as they extend to Namibia, and to withdraw any diplomatic or consular mission or representative residing in the Territory;

*"4. Calls upon* all States to ensure that companies and other commercial and industrial enterprises owned by, or under direct control of, the State

cease all dealings with respect to commercial or industrial enterprises or concessions in Namibia;

*"5. Calls upon* all States to withhold from their nationals or companies of their nationality not under direct governmental control, government loans, credit guarantees and other forms of financial support that would be used to facilitate trade or commerce with Namibia;

*"6. Calls upon* all States to ensure that companies and other commercial enterprises owned by, or under direct control of, the State cease all further investment activities, including concessions in Namibia;

*"7. Calls upon* all States to discourage their nationals or companies of their nationality not under direct governmental control from investing or obtaining concessions in Namibia, and to this end withhold protection of such investment against claims of a future lawful government of Namibia;

*"8. Requests* all States to undertake without delay a detailed study and review of all bilateral treaties between themselves and South Africa in so far as these treaties contain provisions by which they apply to the Territory of Namibia;

*"9. Requests* the Secretary-General of the United Nations to undertake without delay a detailed study and review of all multilateral treaties to which South Africa is a party and which either by direct reference or on the basis of relevant provisions of international law, might be considered to apply to the Territory of Namibia;

*"10. Requests* the United Nations Council for Namibia to make available to the Security Council the results of its study and proposals with regard to the issuance of passports and visas for Namibians, and to undertake a study and make proposals with regard to special passport and visa regulations to be adopted by States concerning travel of their citizens to Namibia;

*"11. Calls upon* all States to discourage the promotion of tourism and emigration to Namibia;

*"12. Requests* the General Assembly, at its twenty-fifth session, to set up a United Nations fund for Namibia to provide assistance to Namibians who have suffered from persecution and to finance a comprehensive education and training programme for Namibians, with particular regard to their future administrative responsibilities in the Territory;

*"13. Requests* all States to report to the Secretary-General on measures they have taken in order to give effect to the provisions set forth in the present resolution;

*"14. Decides* to re-establish, in accordance with rule 28 of the provisional rules of procedure, the *Ad Hoc* Sub-Committee on Namibia and to request the Sub-Committee to study further effective recommendations on ways and means by which the relevant resolutions of the Council can be effectively implemented in accordance with the appropriate provisions of the Charter of the United Nations, in the light of the flagrant refusal of South Africa to withdraw from Namibia;

*"15. Requests* the Sub-Committee to study the replies submitted by Governments to the Secretary-General in pursuance of operative paragraph 13 of the present resolution and to report to the Council as appropriate;



"16. *Requests* the Secretary-General to give every assistance to the Sub-Committee in the performance of its tasks;

"17. *Decides* to remain actively seized of this matter."

The other draft resolution, sponsored by Finland (S/9892), read as follows:

"*The Security Council,*

"*Reaffirming* the special responsibility of the United Nations with regard to the Territory and the people of Namibia,

"*Recalling* its resolution 276 (1970) of 30 January 1970 on the question of Namibia,

"*Taking note* of the report and recommendations<sup>1</sup> submitted by the *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970),

"*Taking further note* of the recommendation of the *Ad Hoc* Sub-Committee on the possibility of requesting an advisory opinion from the International Court of Justice,

"*Considering* that an advisory opinion from the International Court of Justice would be useful for the Security Council in its further consideration of the question of Namibia and in furtherance of the objectives the Council is seeking,

"1. *Decides* to submit, in accordance with Article 96, paragraph 1, of the Charter of the United Nations, the following question to the International Court of Justice, with the request for an advisory opinion which shall be transmitted to the Security Council at an early date:

"What are the legal consequences for States of the continued presence of South Africa in Namibia, notwithstanding Security Council resolution 276 (1970)?"

"2. *Requests* the Secretary-General to transmit the present resolution to the International Court of Justice, in accordance with Article 65 of the Statute of the Court, accompanied by all documents likely to throw light upon the question."

140. Opening the discussion, the representative of Burundi stated that the military expansion of South Africa had reached enormous proportions and was a certain source of a future world conflagration. The fate of Namibians could not be discussed without taking into account the colossal military machinery assembled by South Africa to frustrate the self-determination of Africans in that Territory. South Africa had an astronomical defence budget, which had increased from 44 million rands in 1960 to 225 million rands in 1966-1967. The Council could not, as a guarantor of international peace, minimize the danger. The Pretoria leaders were prepared to carry their militaristic attitude beyond the frontiers of the two countries that they had subjugated. The main targets of the massive war preparations in South Africa were the indigenous people of the area. South Africa and Namibia had been turned into a base for aggression against the liberation movements in southern and central Africa and against the independent African States within immediate reach of South Africa. South Africa's trading partners surely could not fail to recognize its aggressive objectives. Continuing, he said that the actions of the countries

competing for the South African arms market were incompatible with their professed friendship for the African States. The attitude of the Pretoria régime called for effective treatment. South Africa had violated every principle of non-annexation and self-government that its leaders had once espoused, as well as General Smuts' proclamations regarding self-determination under the mandate system. He cited reports that South Africa had established air bases in Namibia that constituted a threat to independent African States and had neglected the health needs of Africans to an extent that was tantamount to genocide. Those were some of the principal reasons that should prompt all Governments to disassociate themselves from the proponents of *apartheid*. The representative of Burundi, on behalf of the sponsors, then introduced the five-Power draft resolution, which had been inspired by the recommendations of the *Ad Hoc* Sub-Committee.

141. The representative of Finland said that the various steps envisaged in the five-Power draft resolution flowed directly from the key provisions of Security Council resolution 276 (1970) declaring that South Africa's presence in Namibia was illegal and calling on States to refrain from any dealings with South Africa consistent with that stand. Turning to his delegation's draft resolution, he pointed out that an advisory opinion from the International Court of Justice would assist considerably in defining and spelling out in legal terms the implications for States of South Africa's continued presence in Namibia. It would also prove valuable in defining more precisely the rights of Namibians either in Namibia or abroad. Moreover, the opinion could underline that South Africa, through its own actions, had forfeited its Mandate. It was important to expose the false front of legality that South African authorities attempted to present to the world. There was, moreover, a need to reactivate the International Court, which was one of the principal organs of the United Nations and the highest international authority on law. Its role was essential for the development of a peaceful international order. The decline of its authority was damaging to the interests of the United Nations system and to the structure of international law. The request for an advisory opinion on a matter of great interest to the international community would reactivate it at a difficult time in its existence. In conclusion, he said that the two draft resolutions, together, constituted a programme of action for the United Nations in its efforts to help the Namibian people achieve self-determination and independence.

142. The representative of Sierra Leone said that his delegation endorsed the recommendations of the *ad hoc* Sub-Committee and urged all delegations that had reservations concerning the report to support it, as its adoption would contribute towards a solution of the problem. He also considered that the Council should not be discouraged from proceeding further on the matter to the International Court of Justice. Countries like Canada, France, the United States, the United Kingdom, Italy, Japan, Belgium and, particularly, the Federal Republic of Germany, which had participated in the economic development of Namibia, could bring pressure to bear on South Africa to change its policy with regard to that Territory. The liberation movements in Namibia had asked for recognition of the legitimacy of their struggle and for United Nations assistance in making available material aid for that struggle, for Namibian refugees in Zambia and Botswana and for the education of Namibians. His delegation urged the

<sup>1</sup> S/9863.

United Nations, its specialized agencies and its Member States to take full cognizance of those requests.

143. The representative of Nepal said that the report of the *Ad Hoc* Sub-Committee had been weakened by reservations and the need to reduce the sub-Committee's conclusions to the lowest common denominator; nonetheless, it represented some progress, and the five-Power draft resolution based on its recommendations was designed to secure the widest possible support. He noted that certain provisions of the draft were based upon steps taken recently by the United States Government and urged that other States, particularly South Africa's main trading partners, take similar steps. At the same time, he hoped that the United States would take more effective measures in the future. His delegation strongly regretted that certain States were still supplying arms to South Africa and was not at all convinced by the argument of the British Government regarding the need for a defence arrangement with South Africa, which had no application in the present age. By occupying Namibia, South Africa had placed itself in the position of an aggressor vis-à-vis the United Nations and all Member States, individually and collectively. He noted signs portending a violent race conflict in Africa that merited action under Chapter VII of the Charter but recognized the impossibility of having an appropriate resolution adopted in view of the selfish activities of some permanent members. He stated that he would vote for the two draft resolutions and that his support of the Finnish draft resolution was on the understanding that the International Court of Justice would limit its opinion strictly to the question presented and not review or examine the legality or validity of the resolutions adopted by the General Assembly and the Security Council.

144. The representative of Colombia said that his delegation was in basic agreement with both draft resolutions. In connexion with the five-Power draft resolution, he felt that there should be close and, if possible, planned co-operation between the United Nations Council for Namibia and the *Ad-Hoc* Sub-Committee. The problem of Namibia, he emphasized, was a constant concern to his delegation. Even though Colombia was not directly or materially affected, it was certainly not indifferent. The United Nations, he pointed out, would not be truly universal if the interests of all countries, no matter how weak or remote, were not recognized and constantly protected by all Members of the Organization.

145. The representative of Syria stated that the intransigence of South Africa in failing to heed any United Nations resolutions had made it abundantly clear that its aim was to annex Namibia and deny its people their most elementary rights. It was painful to realize that the Security Council had not applied the required sanctions because certain powerful members opposed such action. The Sub-Committee had recognized that reality and recommended measures designed to put moral and material pressure on South Africa to change its policies. However, it was his delegation's belief that nothing short of sanctions would deter South Africa. The Finnish draft resolution did not ask for suspension of Security Council consideration of the matter before the Court reached a decision; rather it sought to add a valuable element to the range of actions that might be taken by States in opposing South

Africa's occupation of Namibia. Accordingly, his delegation would vote for both resolutions.

146. The representative of Zambia said that the Sub-Committee's report listed a number of measures that every Government might take in order to put pressure on South Africa to end its illegal occupation of Namibia. The United States, France and the United Kingdom were obstructing a settlement of the problem by blocking measures under Chapter VII of the Charter that would bring that occupation to an end and, instead, were providing South Africa with moral, political and economic support that enabled it to continue to defy world opinion and to subject the people of Namibia to inhumane treatment. The time had come for the Security Council to appeal to all trade unions throughout the world to refuse to handle shipments of arms to South Africa. In addition to its practical effect, an approach to the trade unions would serve to focus public attention on the problem of Namibia. In supporting the principle of self-determination as the basis for independence, States should bear in mind that southern Africa, with a common pattern of white domination, must be treated as a unit that the privileged white minorities in the region were not going to abdicate power voluntarily. It was also crucial to ensure that the response of the West to the issues of southern Africa should be in terms of freedom rather than race. Turning to the Finnish draft resolution, he said that despite some reservations, his delegation would support it, on the understanding that it would not affect efforts to continue pressing for political action on the question of Namibia.

147. The representative of Spain said that the work done by the *Ad Hoc* Sub-Committee was positive and fruitful. It combined various initiatives and put its conclusions within the appropriate framework. As its task was not finished, he was pleased with the proposal to extend its mandate. South Africa's presence in Namibia and its failure to comply with the resolutions of the Security Council constituted a breach of international law. Moreover, South Africa had been practising the unanimously condemned policy of *apartheid* in that Territory. Thus, there had been violations of moral law and the principles of the Charter as well as international law. His delegation supported the five-Power draft resolution but had entered a reservation to operative paragraph 2 as juridically unnecessary. He supported the request for an advisory opinion in the hope that it would provide a definition of the international legal consequences of failure to comply with resolutions of a United Nations body and thus aid in achieving the United Nations objectives in Namibia.

148. The representative of the Union of Soviet Socialist Republics stated that the South African authorities had continued to defy the United Nations and apply their repressive policies in Namibia because of the political, economic and military support that they received from the leading NATO Powers, which were trying to preserve their economic, military and political positions in southern Africa. In order for Namibia to achieve its independence, South Africa would have to withdraw its administration and armed forces from the Territory; only after the Western Powers ceased assistance to South Africa could that end be achieved. The *Ad Hoc* Sub-Committee had done some useful work, and the Soviet Union had proposed that, in order to exert pressure on South Africa and put an end to the unlawful occupation of Namibia, the Sub-Committee

should recommend to the Security Council to call on all States strictly to observe the decisions of the Security Council and the General Assembly on Namibia and to put an end to all economic, trade, transport and other relations with the South African Republic. That was a more correct approach, so that the recommendations prepared by the *Ad Hoc* Sub-Committee and reflected in the draft resolutions which had been submitted could, in the opinion of his delegation, not be regarded as entirely adequate. More effective measures were required. At the same time, he had reservations regarding operative paragraphs 10 and 12 of the draft resolution. His delegation had doubts regarding the appropriateness of broadening the powers of the United Nations Council for Namibia, particularly with regard to the issuance of passports and visas. It supported the aims of the proposed fund for Namibia but thought that the fund should be supported by special taxes on foreign companies operating in African countries, including Namibia and South Africa. However, inasmuch as the African and Asian sponsors considered that the draft resolution would contribute to a solution of the problem, he would vote for it. His delegation had serious doubts about the draft resolution proposing that the matter should be referred to the International Court of Justice, since such a proposal could not be regarded as an effective measure and its adoption would merely delay the settlement of the question by creating the illusion that it could be settled by legal means instead of by recourse by the Security Council to serious political action.

149. The representative of Poland said that his Government's policy was to have the Declaration on the Granting of Independence to Colonial Countries and Peoples implemented with respect to Namibia. The main obstacle remained the policy of aggression and expansion followed by South Africa, buttressed by the economic and military assistance from a number of Western Powers. His delegation would vote for the five-Power draft resolution, even though it would have preferred a stronger one. Its hesitations stemmed from its view that it was not politically defensible to confine the measures which the Council would take to the Territory of Namibia independently of the occupying Power, as proposed in some provisions of the draft. It was illusory to deal with the economic relations of particular States with Namibia while disregarding their relations with South Africa. Operative paragraphs 1 and 2 of the draft resolution should not be interpreted by South Africa as representing a disavowal of previous decisions calling for a complete severance of economic and military relations with South Africa. In his delegation's view, the realization of the United Nations objectives in respect of Namibia required taking effective measures against South Africa. Regarding the proposal for the establishment of a United Nations fund for Namibia, his delegation supported the view that it should be financed from levies on firms that operated in Namibia. Poland continued to provide the people of Namibia with direct assistance. In view of several considerations, including past experience with the handling of the question of Namibia by the International Court of Justice and the need to concentrate on political action based on political and legal decisions of the United Nations, his delegation would abstain on the draft resolution proposed by Finland.

150. The representative of Burundi said that the Finnish draft resolution was a corollary to the five-Power draft resolution in a global sense. However,

there were apprehensions arising from the very bitter disappointment over the fate of the Namibian submission to the Court in 1966. The new request for an advisory opinion was not identical to the previous request, and the prestige of the Court could gain by a new attitude. The political decision of the General Assembly on the status of Namibia was irrevocable, whatever else happened. He would vote for the Finnish draft resolution.

151. The President, speaking as the representative of Nicaragua, said that he would vote for the two draft resolutions.

**Decisions:** *At the 1550th meeting, on 29 July 1970, the five-Power draft resolution (S/9891) was adopted by 13 votes to none, with 2 abstentions (France and United Kingdom), as resolution 283 (1970)*

152. The representative of France asked for a separate vote on the last part of the operative paragraph 1 of the Finnish draft resolution reading "notwithstanding Security Council resolution 276 (1970)".

**Decisions:** *The phrase was retained by 11 votes to none, with 4 abstentions (France, Poland, USSR, United Kingdom). The Council then adopted the Finnish draft resolution (S/9892) as a whole by 12 votes to none, with 3 abstentions (Poland, USSR, United Kingdom), as resolution 284 (1970).*

153. In explanation of vote, the representative of the United States said that the substantial support given the two resolutions was a fitting tribute to the *Ad Hoc* Sub-Committee. His Government had announced measures to discourage investment in Namibia that he believed were reflected in the provisions of the five-Power resolution just adopted. United States support for the five-Power draft resolution did not, however, constitute an undertaking to contribute to a special fund for Namibia; nor could his delegation join in the reaffirmation, in the sixth preambular paragraph, of resolution 282 (1970), for which his delegation had not voted. The Council's decision to request an advisory opinion of the International Court of Justice for the first time was welcome because the international community had serious need for impartial and authoritative legal advice on the question of Namibia. The two resolutions would make a useful contribution to efforts to find a constructive solution to the problem. The United States would continue its efforts to persuade South Africa to acknowledge United Nations responsibility for Namibia.

154. The representative of France said that his delegation had on many occasions opposed the extension of a discriminatory and repressive policy to a Territory with international status in contradiction of the spirit of the Mandate. For that reason, it had opposed any move by South Africa to divide or incorporate the Territory. At the same time, it was doubtful that power of the United Nations exceeded that of the League of Nations, and the latter did not seem to have been empowered unilaterally to deprive a country of its Mandate. In view of such doubts, his delegation had supported the Finnish draft resolution because it provided an opportunity for the International Court of Justice to clarify the legality of the revocation of the Mandate. There was no doubt, however, that the Mandatory Power had disregarded its obligations under Article 22 of the Covenant of the League of Nations.

155. The representative of the United Kingdom said that his delegation's basic position on both the legal and political aspects of the question had in no



way changed. His delegation believed that the people of the Territory had an undisputed right to self-determination, but it could hardly support a draft resolution whose basis lay in earlier resolutions on which it had abstained in the past. Practical considerations had to be faced, and the United Nations should act within its capabilities. His delegation had abstained on the Finnish draft resolution because it believed that the submission to the International Court of Justice should be the issue of the status of South West Africa as a whole, and the resolution just adopted was based on certain assumptions that should be examined by the Court. There was a question whether the General Assembly was competent to terminate the Mandate, and if so, whether it was competent to vest in the United Nations responsibility for the Territory.

### C. Subsequent communications

156. On 29 July, the Secretary-General transmitted to the International Court of Justice the text of resolution 284 (1970).

157. By a note dated 7 August, the Secretary-General transmitted Council resolutions 283 (1970) and 284 (1970) to States Members of the United Nations or members of the specialized agencies, drawing attention to the requests and calls to all States contained in resolution 283 (1970). A number of replies that have been received are being studied by the *Ad Hoc* Sub-Committee on Namibia.

158. By a letter dated 11 August (S/9903) addressed to the President of the Security Council, the Acting Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples transmitted the text of a statement drawing the Council's attention to the dangerous situation prevailing in Namibia and expressing the hope that the Council, in the light of the relevant provisions of resolution 283 (1970), would take effective steps to ensure achievement of the objective of ending the illegal occupation of the Territory by South Africa and enabling the people of Namibia to enjoy their fundamental rights.

159. On 18 August, the President of the Security Council issued a note (S/9911) stating that, after consultations among members of the Council, it had been agreed that the *Ad Hoc* Sub-Committee on Namibia established under Security Council resolution 283 (1970) should be composed of all members of the Security Council and that its rules of procedure and its officers should be the same as those of the former *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970).

160. In a letter dated 3 November (S/9973) addressed to the President of the Security Council, the President of the United Nations Council for Namibia, in pursuance of the request contained in paragraph 10 of Security Council resolution 283 (1970), drew attention to the fifth report of the United Nations Council for Namibia to the General Assembly containing an account of the action taken by the Council with regard to the issuance of travel documents to Namibians and informed the Security Council that the United Nations Council for Namibia proposed to undertake a study of the question of special passport and visa regulations to be adopted by States concerning the travel of their citizens to Namibia and to report to the Security Council in due course.

161. By a letter dated 19 January 1971 (S/10086), the Secretary-General transmitted to the President of the Security Council the text of General Assembly resolution 2678 (XXV) concerning the question of Namibia, in which the Assembly invited the Security Council to consider taking effective measures, including those provided for under Chapter VII of the Charter, in view of the continued refusal by the Government of South Africa to comply with Security Council resolutions 264 (1969) and 269 (1969).

162. By a letter dated 8 February (S/10108) addressed to the President of the Security Council, the President of the United Nations Council for Namibia transmitted a letter dated 11 January 1971 addressed to him by the Acting Commissioner for Namibia, announcing that the travel documents scheme authorized by the General Assembly had entered into operation with the issuance of United Nations travel and identity documents to two Namibians currently residents of Zambia by the office of the Commissioner for Namibia in Lusaka on 30 December 1970.

163. In letters dated 5 October 1970, 2 December 1970 and 16 April 1971, respectively (S/9956, S/10020 and S/10178), addressed to the Secretary-General, the representatives of Finland, Argentina and Chile replied to a note by the Secretary-General of 7 August 1970 transmitting the text of Security Council resolution 283 (1970), wherein the Security Council had addressed requests and calls to all States. In their replies, which they requested should be circulated as Council documents, those representatives transmitted the texts of notes by their respective Governments to the Government of South Africa which declared that, in conformity with Security Council resolution 283 (1970), the Governments of Finland, Argentina and Chile did not recognize any authority of South Africa with regard to Namibia and considered South Africa's continued presence in Namibia illegal.

## Chapter 4

### QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA

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

164. On 1 July 1970, the Secretary-General issued a report (S/9853) containing sixty-one replies he had received from States Members of the United Nations or members of the specialized agencies and from the

specialized agencies and other international organizations to his communications requesting information on implementation of Security Council resolution 277 (1970) concerning the situation in Southern Rhodesia. An addendum to the report (S/9853/Add.1) containing 10 additional replies was issued on 1 October.



165. On 31 July, an addendum (S/9844/Add.3) was issued to the third report of the Committee established in pursuance of Security Council resolution 253 (1968), containing a note dated 9 July prepared by the Secretariat on Southern Rhodesian trade for 1969, together with statistical data on imports of commodities to and exports from Southern Rhodesia as reported by countries listed.

166. By a letter dated 26 August (S/9920), 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 President of the Security Council the text of a resolution on the question of Southern Rhodesia adopted at the Special Committee's 759th meeting on 25 August 1970, paragraph 9 of which drew the attention of the Security Council to "the increasingly dangerous situation in the Territory on account of the further repressive measures taken by the illegal racist minority régime".

167. In a note dated 30 September (S/9951), the President of the Security Council, recalling his earlier note of 10 April 1970 concerning the membership of the Committee established in pursuance of Security Council resolution 253 (1968), stated that, as a result of consultations concerning the question of enlarging the Committee held since the submission of the Committee's third report on 15 June 1970, it had been agreed that, as of 1 October 1970, the Committee should be composed of all the members of the Security Council. He further stated that it had been agreed that the chairmanship of the Committee should rotate every month in English alphabetical order according to the Presidency of the Security Council.

168. In a letter dated 5 October (S/9960) addressed to the President of the Security Council, the representative of Brazil stated that, as an additional provision in compliance with Security Council resolution 253 (1968) and other relevant resolutions of the Council on the matter, the Brazilian Government had decided to adopt the exceptional measure of re-establishing the requirement of a certificate of origin, valid only if issued by a government authority of the country of origin, for all goods imported from South Africa, Angola and Mozambique.

169. In a letter dated 6 November (S/9975/Rev.1) addressed to the President of the Security Council, the representatives of Burundi, Nepal, Sierra Leone, Syria and Zambia stated that, since the adoption of Security Council resolution 277 (1970), a number of disturbing political and economic developments had taken place in the Territory of Southern Rhodesia that required the close examination and attention of the Security Council and requested an early meeting of the Security Council.

#### **B. Consideration at the 1556th and 1557th meetings (10 and 17 November 1970)**

170. At its 1556th meeting on 10 November, the Security Council included the letter from the representatives of Burundi, Nepal, Sierra Leone, Syria and Zambia in the agenda without objection, and the President of the Security Council drew attention to a draft resolution submitted on 6 November by the same five Powers (S/9976). Under the operative part of that draft, the Council, acting under Chapter VII of the Charter, would call upon the United Kingdom as the

administering Power not to grant independence to Southern Rhodesia without the fulfilment of majority rule; decide that the current sanctions against Southern Rhodesia should remain in force; urge all States to implement fully all Security Council resolutions on Southern Rhodesia, in accordance with their obligations under Article 25 of the Charter; deplore the attitude of those States that had persisted in giving moral, political and economic assistance to the illegal régime; urge all States, in furtherance of the objectives of the Security Council, not to grant any form of recognition to the illegal régime in Southern Rhodesia; and decide to remain actively seized of the matter.

171. Introducing the draft resolution, the representative of Nepal pointed out that two important United Nations documents, which had come out after adoption of the last Security Council resolution on Southern Rhodesia, gave a fair and accurate picture of the state of affairs in that Territory and an unbiased assessment of the effects of sanctions on the Southern Rhodesian economy. He referred to the third report of the Security Council Committee on sanctions, dated 15 June, and to the Secretary-General's introduction to his annual report. The incontrovertible evidence presented by the Committee on sanctions and the Secretary-General made it clear that the policies of sanctions had failed in their objective of bringing down the illegal régime of Southern Rhodesia. The leaders of the rebel régime remained as determined as ever ruthlessly to pursue policies designed, in the words of Mr. Smith, "to retain Western civilization in Southern Rhodesia and to stem the tide of rampant black nationalism along the Zambezi". Though not surprising, those developments nevertheless were disturbing. It was, therefore, the clear duty of the Council members to take stock of the situation periodically and to consider appropriate measures for achievement of their common objective. The draft resolution was self-explanatory in nature. The preamble reaffirmed previous Security Council resolutions adopted since the illegal declaration of independence five years ago, as well as the primary responsibility of the administering Power to enable the people of Southern Rhodesia to achieve self-determination and independence and, in particular, its responsibility of bringing about the end of the rebel régime. It expressed grave concern that certain States, contrary to their obligations under Article 25 of the Charter, had not complied with the provisions of the resolutions concerning application of sanctions. In that connexion, he recalled paragraph 104 of the third report of the Committee on sanctions, in which the Committee considered that the Security Council should again draw the attention of Member States to their obligations under the Charter, in particular the obligations to abide by decisions of the Security Council. Lastly, the preamble would have the Council act under Chapter VII.

172. He pointed out that the most important part of the draft resolution was operative paragraph 1, which sought to clarify and state unequivocally the central issue involved in the situation in Southern Rhodesia, namely, the existence of a racist minority régime that denied the majority its inalienable right to self-determination. The responsibility of the United Nations and the administering Power did not end with the overthrow of the racist régime but with the full and effective application of the principle of self-determination as recognized in Security Council resolution 217 (1965). His delegation remained convinced that more

energetic Council action was required to achieve that common goal.

173. The representative of Zambia stressed that since the Security Council had last discussed the question of Southern Rhodesia in March 1970, the Smith régime had consolidated its political, military and economic position and had embarked on a systematic campaign of genocide directed against leaders of the liberation movement, some of whom were dying in Rhodesian concentration camps. He said that although, statistically, sanctions had had some effect, the economy of Southern Rhodesia had survived without causing the white community any major difficulty. Indeed, the Smith régime was more strongly entrenched than before and received moral, political, economic and military support from South Africa and Portugal. One of the most disturbing developments was the attitude of the new British Government towards the question of sanctions against the rebel colony; it appeared to be willing to accept a settlement that would leave the African majority of the Territory under the control of the white minority. Accordingly, concerted action by Member States to maintain pressure on the Smith régime was very important, and he hoped that the Council would adopt the draft resolution unanimously.

174. The representative of Burundi warned that the continual violation of the embargo by many of Southern Rhodesia's trading partners would not only perpetuate the Smith régime's flouting of the most sacred human rights but its stubborn defiance of the supreme authority of the Security Council. In his view, therefore, it was the business of the Security Council, using the powers and prerogatives entrusted to it by the Charter, to reaffirm with redoubled force the invalidity of the independence flaunted by Ian Smith. That reaffirmation of the powers of the Security Council could best be effected by unanimous adoption of the draft resolution that the Afro-Asian members of the Council had submitted.

175. The representative of Sierra Leone stressed the need to confirm the Council's determination not to recognize the illegal régime of Southern Rhodesia and welcomed the approval in the British Parliament of continuing economic sanctions against it. He said that his delegation was especially concerned about the question of refugees. In interviewing members of liberation movements, which it supported and would encourage all members to support, his Government had discovered that there was much room for greater co-operation between the United Kingdom and the United Nations High Commissioner for Refugees in making certain that black Rhodesians were not left stranded outside their country where they might become a burden to neighbouring African countries that had offered them hospitality.

176. The representative of the United Kingdom of Great Britain and Northern Ireland questioned the procedure followed by sponsors of the draft resolution, if they hoped to achieve a constructive result inasmuch as they had made no effort to consult his delegation, or even inform it, before asking for a debate and submitting a draft resolution reaffirming the primary responsibility of his Government. In describing the positive steps that his Government was taking to meet its responsibilities with regard to the Rhodesian problem, he said that the British Government had a commitment to the electorate to see whether or not there was a realistic basis for a settlement of the Rhodesian problem

in accordance with the five principles adhered to by Britain over the years. The first of those principles was that "the principle and intention of unimpeded progress to majority rule . . . would have to be maintained and guaranteed"; the British Government was committed to seeing that any settlement was acceptable to the Rhodesian people as a whole. His Government could not accept any fresh commitment in the Security Council that would restrict it in any way in reaching such a settlement, if that proved practicable. Nor did his Government consider it acceptable that the Security Council should, at that juncture, seek to lay down any conditions for a settlement. On the question of sanctions, his delegation regretted that they had not achieved their major political objective. However, it was undeniable that sanctions continued to exert pressure on the Rhodesian economy and to restrict its rate of development. Far from relaxing its attitude towards sanctions, the British Parliament had decided by an overwhelming vote to renew legislation imposing sanctions for another year. As for the draft resolution before the Council, it was a classic case of both too little and too much. It was too little in that two of its operative paragraphs seemed to repeat in less precise terms steps that the Council had already taken; it was too much in that operative paragraph 1 attempted to bind the United Kingdom not to grant independence to Southern Rhodesia without the fulfilment of majority rule. His Government had never accepted that commitment in a United Nations resolution and still could not do so. In conclusion, he said that the United Kingdom was not prepared to enter into negotiations with its negotiating position publicly dictated from outside; for that reason the draft resolution was unacceptable to his Government and, if pressed to a vote, his delegation would have to vote against it.

177. The representative of Spain said that the intolerable situation in Southern Rhodesia was due to the passivity of the administering Power. However, it would be of little avail to adopt another resolution, if the administering Power did not help to put it into practice. It was regrettable that the delegation of the United Kingdom was under instructions to oppose the draft resolution. Nevertheless, it was balanced and logical, and his delegation would vote in favour of it.

178. The representative of France stated that nothing new had occurred to change decisively the Rhodesian situation since the adoption of resolution 277 (1970) on 18 March. After admitting that some aspects of the third report of the Committee established in pursuance of resolution 253 (1968) were disappointing, he nevertheless noted with satisfaction that the rebel authorities were, in fact, being affected by the sanctions. He observed that the United Nations, in concert with the United Kingdom as the Administering Power, should take concrete initiatives to contribute to peaceful self-determination for the Rhodesian inhabitants, rather than making recommendations which were sometimes immoderate or inapplicable. Although his delegation had no objection to the substance of the draft resolution, it considered operative paragraph 1 legally doubtful, as its language seemed to go beyond the powers of the Council. If it was not changed, his delegation would have to abstain.

179. The representative of Poland said that the existence of the minority racist régime in Southern Rhodesia was an open challenge to the people of Zimbabwe, of Africa and of the world, as well as to the

United Nations, and that that régime had persisted and grown stronger despite the measures and resolutions approved by the Security Council and the General Assembly. The key to the paradox lay in the will and determination of the administering Power to discharge the responsibilities that it had always asserted. Had it demonstrated its determination, the declaration of independence could not have been made in 1965; nor would a series of negotiations have encouraged the Smith régime to stop fearing any external action and to proceed with subsequent political acts. Moreover, he pointed out, the minority régime continued to feel secure economically as well as morally and politically as a result of the support received from South African as well as from British and American interests operating in Southern Rhodesia. Although he endorsed the sanctions, he felt that they were still incomplete and ineffective, inasmuch as they could be circumvented through South Africa and the Portuguese colonies. Measures had to be taken commensurate with the situation in southern Africa as a whole, since the minority régime in Southern Rhodesia was the vassal of South Africa and a part of the ideological, military and economic system of that region. Accordingly, his delegation favoured the strengthening and full application of sanctions and supported the reference to Article 25 in operative paragraph 3. Recent developments, including two vetoes cast against the Afro-Asian draft resolution in March 1970 and open attempts to set aside sanctions, made it very clear that determination was vital to the success of any action by the Council to make the sanctions effective. He reiterated Poland's position of consistent non-recognition of the illegal régime and support of the liberation movement of the Zimbabwe people.

180. The representative of the Union of Soviet Socialist Republics said that the Security Council decision on Southern Rhodesia had been ineffective because the Salisbury racists had influential friends and protectors — South Africa and Portugal, who were their direct partners and allies in a colonial bloc engaging in racist terror in southern Africa; Britain, which bore the brunt of the responsibility for the establishment and maintenance of the present Southern Rhodesia régime, and a number of Britain's allies in the NATO military bloc. It was quite clear that if the Salisbury régime did not enjoy the protection and support of those countries and of certain other western Powers and did not receive direct economic and military aid from South Africa and Portugal, and through them from the western Powers, that régime would not be able to continue to exist and to exercise its tyrannical rule over the people of Zimbabwe. Furthermore, as the third report of the Committee established in pursuance of resolution 253 (1968) indicated, a number of States continued to trade directly with Southern Rhodesia and were even investing capital in that country's economy in gross violation of Security Council resolutions. The number of probable violations of sanctions had also increased. Certain Western States were also giving the Southern Rhodesian régime political and moral support and were resorting to various manoeuvres designed to prevent the adoption of decisions in the Security Council and in other organs of the United Nations on full-scale sanctions against Southern Rhodesia. That was confirmed by the actions of the representatives of the United Kingdom and the United States in the Security Council in March 1971, when they had jointly applied the veto in the vote of the draft resolution of

the African and Asian countries which provided, *inter alia*, for the extension of economic sanctions to South Africa and Portugal. His delegation viewed the draft resolution as not strong enough and considered operative paragraph 1 ambiguous. It would be desirable to redraft that paragraph to the effect that the Security Council called upon the United Kingdom to take the necessary steps for the immediate granting of independence to Southern Rhodesia, on the basis of a system of democratic government compatible with the aspirations of the majority of the population of that country. Subject to those remarks, the USSR delegation considered the draft resolution to be acceptable and would support it.

181. The representative of Syria said that the administering Power had condemned the racist minority in words, but in deeds it had shrunk from using effective means to ensure the supremacy of law and morality; that failure, he pointed out, was at the root of the problem. Even though only the use of force could dissuade the usurpers from their illegal enterprise, the international community should reaffirm its resolve not to recognize that régime and reaffirm the responsibility of the administering Power. The draft resolution not only condemned violations of the past decisions but reaffirmed and implicitly emphasized the need for more effective Council action.

**Decision:** *At the 1556th meeting, on 10 November, the five-Power draft resolution (S/9976) received 12 votes in favour to one against (United Kingdom), with two abstentions (France and the United States), and was not adopted, owing to the negative vote of a permanent member of the Security Council.*

182. Speaking in explanation of vote, the representative of Finland said that his delegation had voted for the draft resolution in order to reaffirm its support for the policy of sanctions against the illegal régime in Southern Rhodesia. Although that policy had not yet achieved its purpose, it had resulted in isolating the illegal régime diplomatically, economically, legally and morally. A further effort should be made, however, to find means by which sanctions might be applied more effectively. His delegation regretted that Council unanimity on the issue had broken down, inasmuch as the unity of purpose that had enabled it to take the historic step of imposing sanctions had not been destroyed.

183. The representative of the United States said that his delegation would have been able to vote for most of the draft resolution but for its serious reservations about operative paragraph 1. It seemed inconsistent to reiterate in the fourth preambular paragraph the primary responsibility of the United Kingdom for self-determination in Southern Rhodesia and in operative paragraph 1 to prescribe in advance under Chapter VII of the Charter how that goal was to be achieved. Such a binding injunction could only complicate an already difficult situation. His delegation shared the concern of other Council members over the failure of the illegal régime to agree to majority rule but considered it unwise to impede achievement of that objective by prescribing too rigid a framework for its pursuit. He expressed regret that procedures of consultation, which in the past had produced unanimity in the Council, had not been employed.

184. At the beginning of the 1557th meeting of the Security Council on 17 November, the President announced that during consultations held since the pre-



vious meeting, a draft resolution on the question had been prepared that appeared to have the support of all Council members. He added that, although the French delegation had repeated its reservations of 10 November, it had associated itself with the consensus favouring adoption of the draft resolution.

185. The draft resolution read as follows:

*"The Security Council,*

*"Having considered the question of Southern Rhodesia,*

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

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

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

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

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

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

*"2. Calls upon the United Kingdom of Great Britain and Northern Ireland, as the administering Power in the discharge of its responsibility, to take urgent and effective measures to bring to an end the illegal rebellion in Southern Rhodesia and enable the people to exercise their right to self-determination, in accordance with the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960;*

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

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

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

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

**Decision:** *At the 1557th meeting, on 17 November 1970, the draft resolution was adopted unanimously, as resolution 288 (1970).*

186. After the vote the representative of Zambia expressed his disappointment that the Council had not been able to pronounce itself on the question of no independence before majority rule. His delegation had voted for the resolution because it reaffirmed all previous Security Council resolutions on the matter and on the understanding that it would supplement the armed struggle of the Zimbabwe people.

187. The representative of Nepal observed that the resolution took note of the third report of the Committee on sanctions and affirmed the Council's condemnation of the illegal declaration of independence in Southern Rhodesia. His delegation, however, was not entirely satisfied with the last preambular paragraph, which contained vacillating and tendentious wording; it would have preferred a direct, simple paragraph like that of the previous draft and of every Council resolution adopted since 16 December 1966. The matter was patently of world concern and the Council was duty-bound to see that its settlement conformed with the aim of full application of the principle of self-determination.

188. The representative of the United Kingdom said that his delegation had been able to support the resolution because it was a reiteration of measures already decided by the Council and because, unlike its predecessor, it took account of his Government's position that it could not accept any fresh commitment in the Security Council that would restrict its attempts to discharge its responsibility for Rhodesia.

189. The representative of Burundi said that paragraph 2 of the draft resolution contained a clear reference to the rights of the people of Zimbabwe and the responsibility of the British Government to grant them independence as soon as possible, in accordance with the principles of the United Nations Charter. His delegation deplored the failure of the United Kingdom to seize the opportunity to put an end to the rebellion and its decision to continue its timid approach to the problem.

190. The representative of the Union of Soviet Socialist Republics stated that the vote taken at the preceding meeting illustrated the direct support given the racist régime by individual permanent members of the Security Council, a situation that could not lead to any strengthening of the United Nations or enhancement of its effectiveness. His delegation had voted in favour of the resolution just adopted because it reaffirmed the condemnation of the illegal declaration of independence in Rhodesia; appealed to the administering Power to discharge, and not to evade, its responsibility to take urgent measures to bring to an end the illegal régime in Southern Rhodesia, which had instituted a system of terror and oppression against the majority of the indigenous population; and reaffirmed earlier Council decisions, including sanctions.

### **C. Subsequent reports and communications**

191. In a telegram dated 17 November, circulated at the direction of the President of the Security Council as document S/9985, the Minister of Foreign Affairs of the German Democratic Republic informed the President of the Security Council that the Government of the German Democratic Republic welcomed the Council's renewed discussion of the situation and condemned the disregard for the Security Council's decisions against

the racist minority régime of Southern Rhodesia by a number of imperialist States.

192. By a letter dated 16 December (S/10048), the Secretary-General transmitted to the President of the Security Council the text of resolution 2652 (XXV), adopted by the General Assembly on 3 December 1970, concerning the question of Southern Rhodesia.

193. On 16 December (S/10049), the Secretary-General transmitted to the President of the Security Council the text of resolution 2621 (XXV), adopted by the General Assembly on 12 October 1970, concerning the programme of action for full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, drawing the Security Council's attention to the need for consideration of imposing an embargo on arms to the illegal régime in Southern Rhodesia.

194. On 16 June 1971, the Committee established in pursuance of Security Council resolution 253 (1968) submitted its fourth report (S/10229 and Add.1) to the Security Council covering its work since 15 June 1970 (S/9844). The report said that as a result of consultations held after the publication of its third report, the President of the Security Council had announced agreement that, as of 1 October 1970, the Committee would be composed of all members of the Council. Since then, the Committee had met 29 times, during which it had continued examination of 36 cases of suspected violations of the provisions of resolution 253 (1968) listed in its previous report and had considered 40 new cases brought to its attention, as well as information on attempts to evade sanctions against Southern Rhodesia. It had also received information from Governments on action taken to prevent violations or against violators. The Committee had also considered certain procedural issues aimed at facilitating its future conduct of work and the questions of consular and other representation in and outside Southern Rhodesia, delegations entering or leaving Southern Rhodesia, airlines operating to and from Southern Rhodesia, and immigration to and tourism in that Territory.

195. The Committee attached five annexes (S/10229/Add.1) to its report consisting of factual accounts of the cases carried over from previous reports, of new cases brought to its attention and of transactions conducted with and without the knowledge of reporting Governments; a note on the automobile industry in Southern Rhodesia; and a note on imports of ammonia into Southern Rhodesia as a basic element for fertilizers.

196. The Committee noted that there were several commodities in which there appeared to be considerable trade with Southern Rhodesia in contravention of resolution 253 (1968), despite the efforts being made by the reporting Governments. Certain goods destined for Southern Rhodesia were being declared as destined for neighbouring countries in southern and eastern Africa, and goods exported from Southern Rhodesia were being imported into or allowed transit through

countries on the basis of fraudulent or accommodation documents.

197. The Committee felt it necessary to draw the attention of the Security Council to four specific cases of transactions with Southern Rhodesia. In the case of the sale of an aircraft to Air Rhodesia by the Middle East Airlines via an intermediary in Mozambique, the Government of Lebanon had informed the Committee that the transaction had been conducted without its knowledge. In the three other cases, which concerned imports of Southern Rhodesia graphite into the Federal Republic of Germany and Rhodesian meat into Switzerland and exports of wheat by Australia to Southern Rhodesia, the Governments concerned had acknowledged, in their communications to the Committee, that those operations had been conducted with their knowledge and consent. With regard to the export of wheat from Australia, the Committee had taken under consideration the explanation given by the Government of Australia that, in view of the nature of wheat as a basic food-stuff of the people of Southern Rhodesia, the majority of whom were Africans, the export of wheat thereto was a humanitarian action permitted under the provisions of paragraph 3 (d) of resolution 253 (1968). Because of differences of opinion among members of the Committee, the report stated, particularly with regard to the claim that the transactions in question were of a humanitarian nature, the Committee had not passed any judgement on the question, leaving it for consideration by the Security Council.

198. The report further indicated that, in view of the fact that some Governments had allowed long periods of time to elapse before replying to its inquiries into the operations of sanctions, the Committee had decided that three months should be the maximum period of time in which such replies should be expected, after which automatic reminders would be sent to those Governments that had still not replied. Noting that Rhodesian commodities had continued to be accepted as emanating from neighbouring countries, the Committee reported that a note for Governments was being prepared which it believed would be a welcome complement to the Secretary-General's memorandum of 2 September 1969. It would deal with the attitude to be adopted towards documentation accompanying goods and information that Governments might bear in mind when faced with a suspect consignment.

199. In the final chapter of its report, the Committee expressed regret that it had been unable to reach agreement on a concluding chapter corresponding to chapter X, "Observations and recommendations", of its third report. It appended the original views and proposals of different members of the Committee and the summary records of its last three meetings, at which it had attempted to reach a compromise. In that endeavour, the delegations of Argentina and Nicaragua had suggested appropriate means of seeking to reconcile the different positions. A working group had been established to that end, but the desired consensus had not been reached.

## THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

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

200. By a letter dated 2 July 1970 (S/9858 and Corr.1), the Chairman of the Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa informed the President of the Security Council of the Special Committee's decision to bring to the Council's attention the question of the arms embargo against South Africa, together with a note on the military forces and equipment of South Africa and the texts of the statements made by the Chairman and the Rapporteur at the Committee's 138th meeting. Recalling Security Council resolution 191 (1964), in which the Council had reaffirmed its previous call upon all States to observe the arms embargo against South Africa, the Special Committee recommended that the Council should call upon all States to (a) implement fully the arms embargo against South Africa without reservations and restrictive interpretations; (b) withhold supply of all vehicles and equipment for use of the South African armed forces; (c) cease supply of spare parts for military equipment used by the South African armed forces; (d) revoke all licences granted to the South African Government or to South African companies for the manufacture of arms and ammunition and military vehicles; (e) prohibit investment in, or technical assistance for, the manufacture of arms and ammunition, aircraft, naval craft or other military vehicles; and (f) cease provision of military training for members of the South African armed forces and all other forms of military co-operation with South Africa.

201. By a letter dated 15 July (S/9867), the representatives of 40 African States requested an urgent meeting of the Security Council to resume consideration of the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa with a view to examining, in particular, the situation arising from the violations of the arms embargo called for in Security Council resolution 181 (1963), 182 (1963), and 191 (1964).

### B. Consideration at the 1545th to 1549th meetings (17-23 July 1970)

202. The Council placed the question on its agenda at the 1545th meeting on 17 July, and the President, with the consent of the Council, invited the representatives of Mauritius, Somalia and India, at their request, to participate in the discussion without the right to vote.

203. Opening the discussion, the representative of Mauritius, speaking as Chairman of the African group, said that, despite the arms embargo imposed by the Security Council, South Africa continued to receive arms, military equipment and spare parts, as well as licences, technical assistance and foreign capital for expanded manufacture of arms, ammunition, military vehicles and other equipment. France, which was the major supplier, had argued that the embargo covered only arms that could be used for internal repression and did not apply to arms and equipment for external

defence. Such a restrictive interpretation of the embargo defeated its purpose. The distinction between arms and equipment for internal security and those for external defence was no longer valid, inasmuch as South Africa had committed itself not only to repression of organized opposition to its own racial policies but to military and economic support of the white minority régimes elsewhere in southern Africa. The African States called for a complete embargo on arms, ammunition, military equipment and vehicles to South Africa and hoped that those who were contravening the embargo would realize that they were sowing the seeds of a violent conflict in the whole of Africa that would certainly involve other nations. The African States were concerned about the position that the new United Kingdom Government might take on the matter. They were disturbed by press reports that the new Government might lift the embargo and make arms sales to South Africa that could amount to \$225 million over the next three years and that France and West Germany were preparing to supply South Africa with arms if the United Kingdom did not. The action contemplated by the United Kingdom would seriously prejudice efforts to uphold the purpose of the Charter and fundamental freedoms and human rights in South Africa. The Security Council must face up to its responsibilities and take all necessary steps to strengthen its arms embargo and make it mandatory.

204. The representative of Somalia said that, contrary to the hopes raised by establishment of the arms embargo and the renewed commitment of the permanent members of the Security Council to take appropriate action to persuade South Africa to abandon its racist policies, the political situation in that country and the neighbouring Territories had deteriorated since the Council first considered it in 1963 and 1964. At that time, several Council members, including the African and Asian members, had considered the situation dangerous enough to warrant coercive action under Chapter VII of the Charter. Since then, the situation had become a clear threat to international peace and security. The Council must take stock of the situation in southern Africa and inquire into how the South African Government was able to maintain the military and economic power to carry out its internal and external aggression with impunity while subject to an arms embargo. In that connexion, he cited reports that France played the central role in such assistance and that a major loophole in the arms embargo enabled South Africa to purchase licences and blueprints for military equipment from Western Governments, including the United Kingdom, the United States, West Germany, Belgium, Italy and France. Another loophole was the interminable life of some of the arms contracts negotiated with South Africa before imposition of the embargo. The arms embargo established by resolutions 181 (1963) and 182 (1963) had been weakened from the start by the reservations of some States and had been made virtually ineffective by the non-compliance of others. The Council should discredit, with all the authority at its command, attempts to undermine the force of the embargo by unrealistic distinctions among types of weapons and measures that expanded South

Africa's arms industry. The possible attitude of the newly elected Government of the United Kingdom towards the embargo was a cause for deep concern. Resumption of the sale of arms to South Africa by the United Kingdom would give moral and material support to extension of the policies of *apartheid* and to suppression of South African liberation movements. The argument that resumption of arms supply to South Africa was necessary in order to maintain the security of the Cape route was untenable in the nuclear age. The Council should strengthen the embargo and fill the many loopholes in its application, secure universal adherence to the embargo and call upon those States that were violating it to refrain from doing so. His delegation would suggest two measures in addition to those recommended by the Special Committee on *Apartheid*: a prohibition on the supply of military patents and effective action by all States to discourage skilled technicians from migrating to South Africa to work in the armaments industry.

205. The representative of India stated that numerous United Nations resolutions calling upon South Africa to desist from its discriminatory policies had produced no positive results; nor had resolutions calling upon Member States to take measures of a political and economic nature against those policies. Referring to the intention of the United Kingdom to renew arms supply to South Africa, he stated that arguments advanced to justify that plan were not convincing. The Simonstown Agreement was out of date and irrelevant, and the argument of Communist and Soviet influence in the area was not credible. The real threat to peace and security in southern Africa came from the South African régime's subversion against neighbouring independent countries and colonial subjects struggling for their freedom. United Nations action against South Africa had proved unsuccessful because exports of armaments by certain States to that country made the crucial difference between success and failure of the embargo. The Security Council should call upon Member States to take effective steps to prevent the flow of arms and military hardware to South Africa, directly or through third parties; withhold the supply of all vehicles, equipment and spare parts for the use of the South African armed forces; prohibit all investment and technical assistance in armaments, including prohibition of licences for the manufacture of arms and ammunition, naval aircraft and the like; and finally, discontinue military training and other forms of military co-operation with the South African armed forces. The Council might also consider the possibility of creating a sub-committee to keep the specific question of an arms embargo under constant review. It might also request the Secretary-General to keep the matter under continuing review, either directly or through a special representative authorized to intercede with Governments supplying arms and equipment to South Africa and to persuade them to discontinue such supplies.

206. The representative of Syria said that South Africa had succeeded in escaping a total arms embargo imposed by the international community owing to the unrelenting opposition of certain key members of the Security Council to application of the relevant Chapters of the Charter. The supposed distinction between weapons for external defence and those for internal use was illusory, as had recently been pointed out in the *Economist* of London, where it was stated that the *Buccaneer*, which was capable of reaching out to the

north beyond the boundaries of South Africa, was probably the plane best suited for operations over the vast land spaces of southern Africa. The request of the African and other delegations for Council consideration of the question of arms supply to South Africa was acutely relevant, inasmuch as force was being supported and enhanced to defeat the right of peoples to self-determination. The African States sought only implementation of past Security Council resolutions on the arms embargo and removal of sophistic interpretations of their clauses so that the embargo might be as total as was intended. His delegation believed that the Council should act in positive response to that just and reasonably minimal request. Implementation of the resolutions should not depend on any change of government but on a fundamental change in the policies of South Africa.

207. The representative of Zambia said that no distinction could be made between arms for internal suppression and weapons for external defence, as argued by the United Kingdom, and by France, which was the largest supplier of weapons to South Africa. There was no external threat against South Africa; the only threat to its security came from within. It was the African people of South Africa who must and would destroy white supremacy in that country. The West had a clear economic interest in white South Africa's defence; and South Africa had tried to give the West a strategic interest and to build up its own importance as the turning point on the Cape route. Observance of the arms embargo by the United Kingdom under the Labour Government, had been more formal than real. It had continued to supply spare parts for equipment furnished before the embargo entered into force. Moreover, it had not included in the embargo naval equipment supplied under the Simonstown Agreement or licences and blueprints for military equipment. Under that Agreement there was also close naval co-operation between the United Kingdom and South Africa. France, too, had openly defied the Council resolution on the sale of arms to South Africa; it had supplied South Africa with its most modern fighter planes, jet bombers and helicopters and had negotiated agreements with it for the sale of submarines and gun-boats. The practical consequences of enabling South Africa to use Western arms against liberation movements would be to force those movements to align themselves with the Communist Powers. South Africa's real aim was more than a resumption of arms sales; it wanted a place in the defence system of the Western Powers. Zambia opposed the supply of arms to South Africa because it would increase the intransigence of South Africa, enable it to release part of its military resources for aggression against its independent African neighbours and help strengthen the policy of *apartheid*. Moreover, it would severely undermine the authority of the United Nations, make it impossible for the United Nations to establish its authority in Namibia and put the Western Powers in direct confrontation with independent African countries. The Security Council must urge all States to implement fully the arms embargo against South Africa, without reservations and restrictive interpretations; to withhold the supply of all vehicles, equipment and spare parts from the South African armed forces; to revoke all licences granted to South Africa for the manufacture of arms, ammunition and military vehicles; to prohibit investment in, or technical assistance for, the manufacture of arms and ammunition,



aircraft, naval craft or other military vehicles; and to cease provision of military training for members of the South African armed forces and all other forms of military co-operation with South Africa.

208. The representative of Finland said that the racial policies of South Africa were contrary to the obligations that States had assumed under Articles 55 and 56 of the Charter. In the view of the Finnish Government, the system of *apartheid* constituted a source of potential conflict endangering the stability of international relations. It was therefore a legitimate concern of the United Nations, which must not fail in its efforts to put an end to that system. The Finnish Government was ready to do whatever was necessary to enable the United Nations to achieve those ends by peaceful means. In those efforts, the decisions of the Security Council on the arms embargo were of crucial significance. Nevertheless, the aims of the embargo had not been achieved, and the military might of South Africa continued to grow. The essence of the arms embargo lay in its political importance, and the embargo itself had become a test of the resolve of the international community to carry out the pledge it had undertaken under Article 56 of the Charter.

209. At the 1546th meeting, held on 20 July, the Council invited the representatives of Ghana and Pakistan, at their request, to participate in the discussion without the right to vote.

210. At the same meeting, the representative of the United Kingdom read to the Council a statement made by the Foreign Secretary of the United Kingdom in Parliament a few hours earlier, in which he expressed his Government's intention to consider the export to South Africa of certain limited categories of arms for the specific purpose of maritime defence related to the security of the vital sea route around southern Africa in order to give effect to the Simonstown Agreement. Under no circumstances would there be sales of arms to South Africa for enforcement of the policies of *apartheid* or internal repression. In conclusion, the Foreign Secretary declared that consultations would be held with Commonwealth Governments and with the South African Government and that no decisions would be taken pending completion of those discussions.

211. The representative of the United Kingdom said that the statement made it obvious that no final decision had been taken and that some of the fears expressed at the previous Council meeting had gone far beyond anything his Government had in mind. There was no question of lifting the arms embargo entirely; all that was under study was any future application for the purchase of limited categories of arms for the defence of the sea lanes because of the importance of their security to the United Kingdom. It was certainly not a question of South Africa's external defence as a whole. His Government believed that there was a valid distinction and was determined that no arms would be sold for the enforcement of *apartheid* or internal repression.

212. The representative of Ghana said that the arms embargo was one of the ways in which the international community had sought to eliminate *apartheid* and to weaken the hold of the South African Government over its oppressed peoples. Therefore, any nation which broke the arms embargo or added to South Africa's military build-up was an enemy of Africa. Since 1963, when the first Council resolution on the

arms embargo was adopted, Canada, France, the United Kingdom, Belgium, West Germany, Italy, Japan, Switzerland and the United States had, in one way or another, supplied arms and spare parts to South Africa, contending that those arms were outside the purview of the Council resolutions. Brazil and Argentina had also reportedly agreed to supply arms to South Africa. It was clear that the arms embargo was not being properly implemented and that loopholes in the existing resolutions had enabled a tremendous military build-up to take place in South Africa. The socialist countries of Eastern Europe on the whole had scrupulously complied with the arms embargo resolutions, but Western countries had subverted and violated it whenever it suited their purpose. In order to strengthen the arms embargo the Council must set up some kind of implementation and review machinery. Any resolution that did not deal adequately with ways of stopping South Africa's defiance of the Security Council would be inadequate. His delegation rejected the reasons given by the United Kingdom to justify its intention to resume the sale of arms to South Africa and found the argument of strategic and security interests most unconvincing of all. In the nuclear age, the Cape route sea lanes were just as vulnerable as the United Kingdom itself. The Simonstown Agreement did not make it obligatory for the United Kingdom to sell arms to South Africa. The real reason for United Kingdom efforts to resume the sale of arms was to reinforce Western European supremacy and racism in southern Africa. The task of the Council was clear: to condemn all States that violated the arms embargo, particularly the permanent members of the Council involved; to seek ways to end the defiance of South Africa; to warn intending violators of the embargo not to do so; to strengthen the embargo resolutions and make them mandatory; and to establish some implementation and review machinery that would make the embargo truly effective.

213. The representative of Sierra Leone stated that several countries, especially France, continued to violate the arms embargo and that the USSR was the only permanent member to have fully observed the embargo. The United Kingdom's case for resuming arms supply to South Africa seemed to rest on its maritime defence needs and on the commercial interests involved, neither of which was any longer valid. Strategically, the Simonstown base was not essential, and the arms supplied to South Africa for maritime defence would be used to repress the freedom-fighters and to carry out attacks on independent African States. His delegation urged France, Italy and others to desist from engaging in illegal arms traffic with South Africa. It welcomed the announcement that the United Kingdom was deferring a decision on the matter and urged it to consider the strong feelings of African States. His delegation further called for mandatory sanctions against selling and exporting arms to South Africa as long as that country pursued its policy of *apartheid*, its attacks on the freedomfighters in neighbouring countries and its threatening posture against independent African States.

214. The representative of Nepal said that with generous aid from the West, South Africa had become a vast military empire in the last decade, despite the arms embargo. As noted in the letter of the forty Member States that had requested the meeting, the continuing state of affairs was seriously prejudicing relations between African States and those States that were



contravening the embargo. It was in that context that the Security Council should view and consider the matter. The existing arms embargo had been made totally ineffective by the restrictive interpretations of certain countries that drew a distinction between arms to be used for the imposition of *apartheid* and arms required for external defence. His delegation supported the measures to strengthen the arms embargo that had been suggested by the forty Member States requesting the meeting of the Council and by the Special Committee on *Apartheid*. In addition, it felt that the Security Council should call upon all States to refrain from placing reservations and restrictive interpretations on Security Council resolutions, to cease supplying spare parts for military equipment for use by the South African armed forces, to cancel licences granted to South Africa for the manufacture of arms, to prohibit investment in South Africa for the purpose of arms production and to sever all military and paramilitary co-operation and relations with South Africa. The Security Council, in co-operation with the Special Committee on *Apartheid*, should also create its own machinery to watch over the situation, particularly the status of the arms embargo.

215. The representative of Pakistan said that South Africa's extension of the policy of *apartheid* was by far the gravest potential threat to peace in Africa. The weakening of the arms embargo would undermine whatever confidence there was in the United Nations. Council resolutions 181 (1963), 182 (1963) and 191 (1964) were unequivocal, and the permanent members who had voted for those resolutions had the obligation to carry them out, inasmuch as they had had a legal right to prevent adoption of the resolutions had they so wished. The reservations of certain permanent members, drawing a distinction between arms for external defence and those for internal use, implied that the resolutions did not apply to collective self-defence arrangements. Thus, the question arose whether those reservations could be permitted to allow the supply of other kinds of arms, even if that defeated the very objective of the resolutions. Any increase in South Africa's capacity for external defence would inevitably and automatically increase its resources for persevering in its policy of *apartheid*. The contemplated relaxation of the embargo by the United Kingdom could not be viewed in the context of national interest alone. Its impact on the world as a whole could not be disregarded. The Council should caution all Powers against any relaxation of the arms embargo, and it should strengthen the embargo. In view of South Africa's industrial potential, no arms embargo would be effective unless it included the sale of spare parts, licences, blueprints and patents for military equipment; military training in Western countries of South African personnel; immigration to South Africa of skilled technicians for the armaments industry; and provision of capital to that country. Unless those loopholes in the arms embargo were closed, the situation in southern Africa would further deteriorate. It was entirely within the power of the Council to act decisively, if it had the political will to do so.

216. At the 1547th meeting, on 21 July, the representative of the USSR stated that the Council should not only condemn the racist and fascist régime in South Africa but draw attention to the existence of widespread economic and military links between the Western Powers and the Republic of South Africa which promoted the survival of that régime and its stubborn pursuit of its policies and enabled it to extend its racist practices by

force, to intensify its terrorism against participants in national liberation movements and to reject resolutions of the United Nations with unprecedented cynicism. Trade and military relations between those Western countries and South Africa increased yearly. Listed as South Africa's main trading partners by the Special Committee on *Apartheid* were the United States, the United Kingdom, the Federal Republic of Germany, Italy, France, the Netherlands, Japan, Sweden, Canada and Australia, many of which also had substantial investments in South Africa. Thus, it was clear that the interests of the imperialist monopolies in southern Africa were closely interwoven with those of the racist régime of South Africa. The Western Powers had never fully complied with the embargo, and the United Kingdom's declared intention to sell arms to South Africa was a challenge by British imperialism to all world opinion and to the principles of the United Nations Charter. To justify its open military support of the South African racists, the United Kingdom Government referred to the "defensive" nature of those weapons and even advanced the argument of the need to defend the seaways surrounding southern Africa and to prevent so-called "Soviet infiltration". The real designs of the United Kingdom and the other Western Powers in South Africa were quite different. By assisting the Republic of South Africa, they were striving to maintain the colonial and racist order in southern Africa, to establish bases there for combating the national liberation movement in Africa and to retain the possibility of obtaining fabulous profits for imperialistic monopolies, which set profit and gain far above any humanitarian and moral principles. The Soviet Union and many other States fully implemented the resolutions of the Security Council and the General Assembly on *apartheid*, and it was essential that all States should do so. The trading partners of South Africa must be required to halt their support of that Government. His delegation endorsed the call of the forty African and Asian States for the strengthening and full implementation of the arms embargo. In the view of the Soviet delegation, the Security Council, in formulating its decisions, should promote adoption of such measures as would lead to a genuine international political isolation of South Africa and assist the peoples suffering under the colonialist and racist yoke.

217. The representative of Colombia stated that his Government had always condemned the policy of *apartheid* and was confident that a firm stand by the United Nations and the spirit of rebellion among the subjugated people would put an end to all such segregation. The arms embargo was merely one means towards that end. It was obvious, however, that the United Nations did not command sufficient strength to ensure compliance with its decisions, whether because of lack of will on the part of Member States or because of a need for fundamental structural change in the system. If structural modification was required, the United Nations should be given the authority necessary to make the change. Moreover, the Council should concern itself with preventing an arms race among nations, particularly among the developing countries, which needed all their spare resources for the strategy of the Second Development Decade.

218. The representative of France reaffirmed his Government's categorical opposition to *apartheid*. France, which was hostile to racial discrimination in all its forms, had long ago proclaimed that all men were equal before the law. After reminding members that his

delegation had voted in favour of General Assembly resolution 1663 (XVI) denouncing the racist policies of South Africa and in favour of the resolution creating the United Nations Trust Fund for South Africa, he pointed out that his country had contributed to that Fund and had supported General Assembly resolution 2506 (XXIV) condemning the Government of South Africa for its repressive acts, in particular its Terrorism Act of 1967. The French delegation had noted, moreover, that a thaw seemed to be setting in in South Africa, partly owing to the adoption of the various resolutions; but if those resolutions were accompanied by enforcement measures, might they not amount to interference in the internal affairs of a Member State, in contravention of the Charter? The prevailing situation in South Africa, however regrettable, could not be construed as a threat to peace within the meaning of Chapter VII of the Charter, and the Council had so far avoided recourse to that Chapter, with good reason. It was on a voluntary basis that Member States had responded to the appeal addressed to them with a view to putting an end to the sale of military supplies to South Africa, and some of them had entered reservations, doubtless because they felt that a Member State should not be denied the right of self defence against aggression recognized under Article 51 of the Charter. They had therefore made a distinction between arms for external defence and arms which might be used for carrying out the policy of *apartheid*. The Council itself seemed to have accepted that distinction implicitly in its resolutions of 6 August and 13 December 1963. Consequently, his delegation could not accept assertions that the French Government had violated the resolutions concerning the arms traffic with South Africa, and no one could challenge that Government's good faith regarding its commitments. He was authorized to state that his Government was anxious to avoid anything that might jeopardize the security of friendly African States, particularly Zambia, and, accordingly, would consider whether it was appropriate to take additional steps along those lines. Its constant concern was to help to restore in southern Africa a situation more in line with the legitimate aspirations of the oppressed peoples there.

219. The representative of Poland said that the importance of the Council's debate, in the eyes of the people of South Africa, would rest on whether the embargo would or would not be maintained, strengthened and made effective. The debate was also important because of the central role played by South Africa in southern Africa and because of the part the Security Council should play in upholding the position and authority of the United Nations as an organization dedicated to equality, decolonization and the maintenance of peace and security. In considering the matter before it, the Council must concentrate on the main element, which was the role of the United Nations and all States and the influence of both on the fundamental political equation in South Africa: the relationship of strength between the national liberation movements, on the one hand, and the South African régime on the other; for that was how the national liberation movements, as well as the Pretoria Government, assessed the situation. The United Nations had taken a clear political and legal position by recognizing the legitimacy of the struggle of the national liberation movements and urging political and material assistance to them. South Africa had ignored 20 years of appeals and moral condemnation, but it could not remain insensitive to practical measures that would strengthen moral condemnation

and result in reducing considerably the superiority over the anti-*apartheid* forces currently enjoyed by the South African Government. Unfortunately South Africa continued to receive economic co-operation and financial assistance from several Western countries, including the United States, the United Kingdom and the Federal Republic of Germany, as well as French, British, American, Italian and other military equipment and arms which enabled it to pursue its oppressive and aggressive policies. It was characteristic that those countries simultaneously opposed assistance to liberation movements and advocated a peaceful solution of the conflict. The declared intention of the United Kingdom to supply arms to South Africa, if implemented, would seriously undermine the effectiveness of the measures provided for in Security Council resolutions 181 (1963), 182 (1963) and 191 (1964) and would strengthen South Africa's potential for repression and aggression. The current debate in the Council should indicate to the Government of the United Kingdom not only the Council's opposition to any relaxation of the arms embargo but its intention to strengthen that embargo. It should also indicate that the Council rejected the distinction between arms for external use and those for internal use and the validity of the so-called strategic arguments invoked by the United Kingdom. In consonance with Poland's consistent position, the Polish delegation would support a resolution designed to help put an end to the system of *apartheid* in all its aspects.

220. The representative of Burundi stated that the zeal displayed by the new Government of the United Kingdom in breaking the arms embargo showed that the United Kingdom was trying to identify its own interests with those of South Africa. It was absurd to make a distinction between light weapons and heavy weapons in the case of South Africa. Bombers and helicopters sold to South Africa were being used to bomb African populations, destroy entire towns and villages, asphyxiate thousands of Africans and threaten the people of Namibia and the black South African people as a whole. Similarly, tanks and heavy weapons could be used for internal repression as well as for external defence. The United Kingdom, in trying to justify its military collusion with South Africa by invoking mythical Communist threats and phantom aggressors, was serving as the instigator of racial wars in southern Africa. Its abandonment of the arms embargo was motivated by its resolve to strengthen blood ties with South African whites, even at the price of strangling the African peoples; by the need to counter the influence that France was gradually establishing in South Africa through its arms supply; by the dream of reconquering all its former colonies; and, with the assistance of South Africa and Portugal, by a final attempt to perpetuate the domination of African countries. The best road for Africa and the European countries concerned would be for the latter to renounce the selfish and short-sighted policy that sacrificed the fundamental rights of the Africans and their most vital interests; to refrain from supporting the régimes of Salisbury, Pretoria and Lisbon; to eliminate all the causes of provocations and wars being implanted by the arms trade in South Africa; and to acquire the diplomatic far-sightedness and political wisdom essential to realize that Africa, with its fabulous resources and inexhaustible potential, was about to enter into enormous co-operation with all countries. The enemies of Africa had much to gain by allying themselves with that young continent instead of plundering it.

221. At the 1548th meeting, on 22 July, the representative of Spain said that his country shared the grave concern expressed by the forty signatories of the letter requesting a meeting of the Council and by the delegations that had taken part in the debate. His country had always supported United Nations action against racial discrimination in word and deed and, accordingly, would support any appropriate initiative designed to end racial segregation. His delegation believed that it was fundamental for decisions of the Security Council and resolutions of the General Assembly to be respected, without which the future of the United Nations would be undermined and confidence in its organs impaired. Thoughtful consideration should be given to suggestions made by the representative of Colombia that ways of strengthening the effectiveness of the Organization must be pondered carefully. United Nations decisions had to be taken in connexion with specific events, which set limits for those decisions; therefore, the practicability of measures must be always kept in mind, if they were to be effective. As a Member, Spain had always abided strictly by Article 25 of the Charter.

222. The representative of China said that the policy of persuasion adopted by the United Nations and other efforts to induce South Africa to change its oppressive policies had failed. Moreover, the arms embargo had not been a great success, and the Council could no longer allow the situation to deteriorate. The distinction between arms for the maintenance of internal order and arms for external defence had no substantive meaning, as the latter could always be used for internal repression. The embargo could not be successful without the full and unreserved support of the United Kingdom; and without the co-operation of the major Powers, a total mandatory arms embargo, even if the Council should so decide, would only raise false hopes. That was a point the Council should ponder. His delegation was prepared to support any constructive and practicable proposal to make the embargo more effective.

223. The representative of Zambia said that it was clear that the United Kingdom had already decided to sell arms to South Africa and was sending out trial balloons to reduce the political impact of its decision when it was made public. No distinction could be made between arms for naval purposes and those for internal repression. His Government rejected categorically the contention that the Soviet naval presence in the waters around South Africa was the basic and decisive factor in influencing the United Kingdom decision to resume the sale of arms to South Africa. There was every reason to suspect that the United Kingdom intention was motivated by racial and economic considerations. Such an act of bad faith would increase South Africa's capacity to expand its racist policies beyond its frontiers and make peaceful change in southern Africa unattainable. He then introduced the following draft resolution (S/9882), which had been submitted on 21 July and was sponsored by Burundi, Nepal, Sierra Leone, Syria and Zambia:

*"The Security Council,*

*"Having considered the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa, as submitted by forty Member States,*

*"Reiterating its condemnation of the evil and abhorrent policies of apartheid and the measures*

*being taken by the Government of South Africa to enforce and extend those policies beyond its borders.*

*"Recognizing the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights as set forth in the Charter of the United Nations and the Universal Declaration of Human Rights,*

*"Gravely concerned by the persistent refusal of the Government of South Africa to abandon its racist policies and to abide by the resolutions of the Security Council and the General Assembly on this question and others relating to southern Africa,*

*"Gravely concerned by the situation arising from violations of the arms embargo called for in its resolution 181 (1963) of 7 August 1963, 182 (1963) of 4 December 1963 and 191 (1964) of 18 June 1964,*

*"Convinced of the need to strengthen the arms embargo called for in the above resolutions,*

*"Convinced further that the situation resulting from the continued application of the policies of apartheid and the constant build-up of the South African military and police forces, made possible by the continued acquisition of arms, military vehicles and other equipment and of spare parts for military equipment from a number of Member States and by local manufacture of arms and ammunition under licences granted by some Member States, constitutes a potential threat to international peace and security,*

*"Recognizing that the extensive arms build-up of the military forces of South Africa poses a real threat to the security and sovereignty of independent African States opposed to the racial policies of the Government of South Africa, in particular the neighbouring States,*

*"1. Reiterates its total opposition to the policies of apartheid of the Government of the Republic of South Africa;*

*"2. Reaffirms its resolutions 181 (1963), 182 (1963) and 191 (1964);*

*"3. Condemns the violations of the arms embargo called for in resolutions 181 (1963), 182 (1963) and 191 (1964);*

*"4. Calls upon all States to strengthen the arms embargo:*

*"(a) By implementing fully the arms embargo against South Africa unconditionally and without reservations whatsoever;*

*"(b) By withholding the supply of all vehicles and equipment for use of the armed forces and paramilitary organizations of South Africa;*

*"(c) By ceasing the supply of spare parts for all vehicles and military equipment used by the armed forces and paramilitary organizations of South Africa;*

*"(d) By revoking all licences and military patents granted to the South African Government or to South African companies for the manufacture of arms and ammunition, aircraft and naval craft or other military vehicles and by refraining from further granting such licences and patents;*

*"(e) By prohibiting investment in, or technical assistance for, the manufacture of arms and ammunition, aircraft, naval craft, or other military vehicles;*

*"(f) By ceasing provision of military training for members of the South African armed forces and all*



other forms of military co-operation with South Africa;

"(g) By undertaking the appropriate action to give effect to the above measures;

"5. *Requests* the Secretary-General to follow closely the implementation of the present resolution and report to the Security Council from time to time;

"6. *Calls upon* all States to observe strictly the arms embargo against South Africa and to assist effectively in the implementation of the present resolution."

224. In introducing the draft resolution, the representative of Zambia said that it was intended to reaffirm and strengthen previous resolutions on the arms embargo. The measures provided for were the very minimum that could be expected in the circumstances. The sponsors were prepared to enter into consultations with other members of the Council to improve the text, as they realized that it was necessary to maintain the unanimity of the Council on the question, including its unanimous condemnation of the policy of *apartheid*.

225. The representative of Mauritius supported the presentation of the draft resolution. He said that the draft did not contain all the provisions that the African States had advocated, but that they had accepted it as a compromise for the sake of unanimity. His Government hoped that the situation in southern Africa would be viewed in the context of the violent conflict opposing the forces of the freedom-fighters to the armed forces of the racist white minority régimes in the area. Members should also take into consideration the real threat that the military build-up in South Africa posed to the security and sovereignty of independent African States. In that connexion, it was grateful that the representative of France had expressed concern about the security of African States, especially Zambia.

226. Following the meeting, and after consultations, the sponsors submitted a revised text of the draft resolution (S/9882/Rev.1), in which the last preambular paragraph was deleted and operative paragraphs 4, 5 and 6 were amended to read:

"4. *Calls upon* all States to strengthen the arms embargo

"(a) by implementing fully the arms embargo against South Africa unconditionally and without reservations whatsoever;

"(b) by withholding supply of all vehicles and equipment for use of the armed forces and paramilitary organizations of South Africa;

"(c) by ceasing supply of spare parts for all vehicles and military equipment used by the armed forces and paramilitary organizations of South Africa;

"(d) by revoking all licences and military patents granted to the South African Government or to South African companies for the manufacture of arms and ammunition, aircraft and naval craft or other military vehicles and by refraining from further granting such licences and patents;

"(e) by prohibiting investment in, or technical assistance for, the manufacture of arms and ammunition, aircraft, naval craft, or other military vehicles;

"(f) by ceasing provision of military training for members of the South African armed forces and all other forms of military co-operation with South Africa;

"(g) by undertaking the necessary legislative or executive action as appropriate to enforce the above measures;

"5. *Requests* the Secretary-General to follow closely the implementation of the present resolution and report to the Security Council from time to time;

"6. *Calls upon* all States to observe strictly the arms embargo against South Africa and to assist effectively in the implementation of this resolution."

227. At the 1549th meeting, on 23 July, the President drew the attention of the Council to a revised text of the five-Power draft resolution (S/9882/Rev.2). In the new version, the seventh preambular paragraph was reworded by the sponsors to read as follows:

"*Convinced further* that the situation resulting from the continued application of the policies of *apartheid* and the constant build-up of the South African military and police forces made possible by the continued acquisition of arms, military vehicles and other equipment and of spare parts for military equipment from a number of Member States and by local manufacture of arms and ammunition under licences granted by some Member States constitutes a potential threat to international peace and security,"

Operative paragraph 4 (g) was reworded to read:

"(g) by undertaking the appropriate action to give effect to the above measures;"

228. The representative of Zambia, in introducing the revised draft resolution, stated that, as a result of consultation with all Council members, the sponsors had made certain amendments in order to eliminate some of the difficulties encountered by some members in the belief that such minor changes would not alter the substance of the draft.

229. The President, speaking as the representative of Nicaragua, said that he would vote in favour of the draft resolution.

230. The representative of the United States said that his country strongly opposed *apartheid*, which was in violation of Charter obligations, and did not believe that it was in the interests of a long-term solution to send arms and lethal equipment to South Africa. Since 1962, even before the Council's embargo, the United States had voluntarily and scrupulously avoided the sale of arms that might be used to enforce *apartheid*. It had also voted for various Council resolutions establishing an arms embargo against South Africa, and it intended to continue to carry them out faithfully. Current deliveries of arms to South Africa consisted entirely of spare parts supplied under contracts entered into before 31 December 1963. His Government supported the basic intentions of the draft and many of its specific provisions; but it could not support the draft in its entirety. Its more sweeping provisions went beyond the limits to which his Government could commit itself; moreover, they could not command the wide support in the Council that would make them effective. On the contrary, they might weaken the measure of compliance required to give practical effect to the recommendations of the Council. Accordingly, his delegation would abstain from the vote with regret, because it would have wished to support a text that commanded unanimous support in the Council, inasmuch as the Council remained unanimous in its condemnation of the policies of *apartheid*.

231. The representative of the United Kingdom said that his delegation accepted the seventh preambular

paragraph of the revised draft resolution inasmuch as its wording was not taken from Chapter VII of the Charter. It also accepted the reference to a potential threat, because that term adequately reflected the real and understandable fears of South Africa's neighbours about that Government's intentions towards them. However, "violations" in the fifth preambular paragraph was not a suitable word to use regarding implementation of the Council's recommendations. His Government had made known its views on how it would carry out those recommendations at the time that the Council made them. Nothing was further from the truth than contentions that his country was the main supplier of arms to South Africa; on the contrary, the United Kingdom currently supplied only a small proportion of the arms received by South Africa and had willingly forgone orders amounting to tens of millions of pounds. Operative paragraph 4 of the draft resolution contained wide-ranging provisions that would conflict with existing commitments. Although his Government had no intention of abandoning the arms embargo or of supplying arms for the wide category implied by "external defence", it did have under consideration certain limited exceptions that it considered related to its essential interests on which it had not yet reached any decision. For those reasons his delegation would abstain on the draft resolution, although it was most willing to join in condemning *apartheid*.

**Decision:** At the 1549th meeting, on 23 July 1970, the revised five-Power draft resolution (S/9882/Rev.2) was adopted by 12 votes to none, with 3 abstentions (France, United Kingdom and United States), as resolution 282 (1970).

232. Speaking in explanation of vote, the representative of Finland said that the essence of the arms embargo in South Africa lay in its political importance and that it was natural for the Council to consider ways in which the embargo might be made more effective. Accordingly, his delegation had voted for the resolution. His Government had faithfully complied with the Council's resolutions on the arms embargo and would comply scrupulously with the new resolution.

233. The representative of the USSR said that although the Soviet delegation considered that the explosive situation in southern Africa required more effective measures, it had voted for the draft resolution because strict implementation of its provisions could contribute to the struggle against *apartheid*. The resolution was addressed to those States, including members of the Security Council, that maintained close political, economic and military ties with South Africa and were delivering arms to it in violation of Security Council decision. In that context, the fact that the three Western Powers in the Council had abstained in the voting on the resolution, which called for minimum Council action, was indeed alarming. At a time when the racist régime was intensifying its policy of *apartheid*, in defiance of the United Nations, world public opinion was entitled to expect from the Western Powers, not evasive and ambiguous statements, but cessation of their aid and support for the Republic of South Africa and above all cessation of the supply of arms.

234. The representative of Mauritius, speaking on behalf of the African group, expressed regret that France, the United Kingdom and the United States had abstained but hoped that they would nonetheless co-operate in implementing the resolution or at least not hamper its implementation.

### C. Subsequent reports and communications

235. In a letter dated 23 July (S/9887) transmitting to the Secretary-General a statement by his Prime Minister, the representative of Jamaica stated that the Government of Jamaica would not support the United Kingdom in its decision to resume the sale of any type of arms to South Africa.

236. In a letter dated 25 July (S/9889), the representative of Barbados transmitted to the Secretary-General a communication in which his Government stated that it would oppose any resumption of the sale of arms of any kind by Britain to South Africa.

237. In a letter dated 31 July (S/9900), the representative of Trinidad and Tobago transmitted to the Secretary-General the text of his Government's denunciation of the United Kingdom's proposal to sell arms to South Africa.

238. In a letter dated 4 August (S/9899), the Chargé d'affaires *a.i.* of Cameroon transmitted to the President of the Council a statement from the Office of the President of the Federal Republic of Cameroon condemning all supply of arms to South Africa and requesting the Governments providing military assistance to South Africa to stop such deliveries.

239. In a telegram dated 10 August (S/9909) addressed to the President of the Council and circulated at his instruction, the Minister of Foreign Affairs of the German Democratic Republic stated that his Government would strictly observe the ban on supplies of arms and other goods to South Africa and that it condemned the decision of the British Government to resume arms deliveries and assured the peoples and States of Africa that the German Democratic Republic would fulfil the provisions of all United Nations resolutions aimed against the racist bloc in southern Africa.

240. In a letter dated 19 August (S/9914) to the President of the Council, the representative of Brazil stated that his Government would comply fully with resolution 282 (1970) and that appropriate measures were being adopted for ensuring its implementation. In connexion with statements made during the Council's discussion concerning the possible participation of Brazil in a military or naval pact covering the South Atlantic, he added that conclusion of such an arrangement had not been considered by his Government during the private visit of the Minister of Foreign Affairs of South Africa to Brazil.

241. On 9 September, the Special Committee on the Policies of *Apartheid* of the Government of South Africa submitted a report to the Security Council (S/9939), pursuant to General Assembly resolutions 1761 (XVII) and 1978 (XVIII), in which it reviewed its work and developments in South Africa since its report of 7 October 1969 (S/9473) and made a number of recommendations. In its conclusions, the Special Committee stated that, during the period under review, the South African Government not only had continued to persecute the opponents of its policies of *apartheid* but had pursued the widest and severest application of the measures of separation and segregation, thus heightening racial bitterness and increasing the danger of violent conflict inside South Africa. The Committee drew attention to the fact that South Africa had continued to challenge the United Nations openly throughout southern Africa in an effort to consolidate a bloc of white supremacist régimes. The Committee felt that it was necessary to consider all the questions relating to South Africa,



Namibia, Southern Rhodesia and the Portuguese Territories in a southern African context. It reaffirmed its conviction that the struggle of the non-white people of South Africa for equality and justice could be successful if Member States of the United Nations took strong and resolute action in support of that struggle. The lack of progress, in its view, was attributable to two main factors: the intransigence of the Government of South Africa, and the unco-operative attitude of those States that continued to maintain diplomatic, economic, commercial and military relations with the racist régime. The Special Committee noted with satisfaction that the Security Council, in adopting resolution 282 (1970), had expressed its concern about the situation arising from violations of its arms embargo and had endorsed the Committee's recommendations for strengthening that embargo. It expressed the view that the situation in South Africa was sufficiently grave to merit measures of a mandatory character under the Charter of the United Nations. Finally, the Committee made a number of recommendations concerning economic sanctions and related measures, assistance to the liberation movement, co-operation among United Nations organs dealing with the question and dissemination of information. It felt that comprehensive consideration of the question of *apartheid* should be undertaken by the Security Council as a matter of priority with a view to taking effective measures along the lines of those recommendations.

242. In a letter dated 9 September (S/9938) to the President of the Council, the representative of Argentina, referring to charges made at a meeting of the Council concerning the sale of Argentinian vehicles, rifles and ammunition to South Africa, said that after thorough investigation his Government was in a position to state that the Talleres Armas Livianas Argentinas had sold only four weapons to a Johannesburg businessman for sporting use. The letter added that the Argentine Government considered the case an isolated one and not related to the Council resolutions banning the sale of war materials to South Africa.

243. By a note dated 22 September (S/9946), the President of the Security Council circulated the text of a letter addressed to him by the Permanent Observer of the Federal Republic of Germany on 15 September denying a statement made in the Council to the effect that the Federal Republic of Germany was a prominent supplier of arms to South Africa and asserting that his Government had faithfully observed the arms embargo against South Africa.

244. By a letter dated 9 October (S/9962) addressed to the President of the Security Council, the Executive Secretary of OAU in New York, in accordance with Article 54 of the Charter, transmitted the texts of resolutions adopted at meetings of the Council of Ministers of OAU in August, including a recommendation to OAU heads of State and Government regarding supply of arms to the racist régime of South Africa, a resolution on decolonization and a resolution on *apartheid* and racial discrimination.

245. By a letter dated 16 December (S/10049), the Secretary-General transmitted to the President of the Security Council the text of resolution 2621 (XXV) adopted by the General Assembly on 12 October 1970 by which the Council was requested to give urgent consideration to the question of imposing fully and unconditionally, under international supervision, an embargo on arms of all kinds to the Government of

South Africa and to the illegal régime in Southern Rhodesia.

246. By a letter dated 21 December (S/10051), the Secretary-General transmitted to the Security Council the text of resolution 2671 F (XXV) adopted by the General Assembly on 8 December 1970, in paragraph 6 of which the Assembly drew the attention of the Council to the grave situation in South Africa and southern Africa and recommended that the Council, in the light of relevant General Assembly resolutions, should urgently resume consideration of effective measures, including those under Chapter VII of the Charter.

247. On 3 February 1971, in pursuance of Security Council resolution 282 (1970), the Secretary-General submitted a report (S/10092) to the Council, in which he indicated that, on 31 July 1970, he had transmitted the text of that resolution to all States Members of the United Nations or members of the specialized agencies. As of 15 October 1970, replies had been received from six Member States. On 13 October, the General Assembly had adopted resolution 2624 (XXV) calling on all States to take immediate steps to implement fully the provisions of resolution 282 (1970), and, on 22 October, the Secretary-General had transmitted that resolution, also with a request for relevant information. On the basis of replies thereto, the Secretary-General had submitted a report to the General Assembly on 7 December (A/8208), to which he issued an addendum (A/8208/Add.1) on 15 December, concerning the 34 replies he had received. As of 29 January 1971, the Secretary-General had received 44 replies to his notes of 31 July and 22 October 1970, and the substantive portions of those not reproduced elsewhere were contained in an annex to his report of 3 February.

248. By a letter dated 24 February (S/10132), the Executive Secretary of OAU in New York transmitted to the President of the Security Council, in accordance with article 54 of the Charter, the text of a memorandum on the Simonstown Agreement prepared by OAU analysing the exchange of letters between the British and South African Defence Ministers on 30 June 1955 known as the Simonstown Agreement and concluded that, under the Agreement, the United Kingdom, despite its claims to the contrary, had no legal obligation to sell any further military equipment to South Africa and that the Agreement was anachronistic and had little current validity.

249. By a letter dated 1 March (S/10143), the President of the United Nations Council for Namibia transmitted to the Security Council the text of a statement expressing regret over the decision of the United Kingdom to supply certain categories of arms and spare parts for previously supplied military equipment to South Africa, which the Council for Namibia considered to be contrary to the provisions of various Security Council resolutions calling upon all States to refrain from selling arms and ammunition to South Africa.

250. By a letter dated 5 March (S/10147), 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 consensus adopted by the Committee the preceding day concerning the decision of the United Kingdom to proceed with the sale of helicopters and

spare parts for military equipment to South Africa. The consensus expressed grave concern over the decision, asserting that it would have serious repercussions in southern Africa, and urged all States to desist from the sale or supply of arms or military equipment to South Africa.

251. By a letter dated 23 March (S/10162), the representative of the United Kingdom transmitted to the Security Council the text of the "Opinion of the Law Officers of the Crown for England and Wales on the extent of the existing legal obligations of Her Majesty's Government, arising under the Simonstown Agreement of 1955" stating that, in terms of that Opinion, the United Kingdom, contrary to the allegations contained in the OAU memorandum of 24 February, had certain legal obligations under the Agreement to supply helicopters and replacement equipment to keep efficient the vessels supplied under the Agreement.

252. By a letter dated 7 May 1971 (S/10190) addressed to the Security Council, the Chairman of the Special Committee on *Apartheid* transmitted a note concerning implementation of the arms embargo and the text of a communiqué on the resumption of arms sales to South Africa by the United Kingdom. The letter stated that, despite resolutions 282 (1970) of the Security Council and 2624 (XXV) of the General Assembly, serious breaches of the arms embargo had continued. Moreover, on 22 February, the United Kingdom had accorded export licenses for WASP helicopters and spare parts to South Africa. The Committee viewed that decision as a breach by the United Kingdom of Council resolutions 181 (1963), 182 (1963), 191 (1964) and 282 (1970) and of its international obligations under the Charter. The letter added that French sales of military helicopters had continued and that helicopters made in the United States were also being openly advertised and sold in South Africa. It added that, in the case of France, the main supplier of arms, and of the Federal Republic of Germany, Israel, Switzerland, Belgium, the United States and others, information on the extent of the arms trade had been restricted.

253. In a letter dated 14 May (S/10195) addressed to the President of the Council, the representative of Israel stated that the reports referred to by the Special Committee on *Apartheid* of alleged Israeli involvement

with South Africa in the matter of military supplies were false and unfounded.

254. By a letter dated 19 May (S/10201) addressed to the President of the Council, the representative of Belgium transmitted a copy of a letter he had sent to the Chairman of the Special Committee on 7 May on instructions of his Government, stating that a licence to produce a light gun had been granted to South Africa in 1960, long before the introduction of arms embargo, and that since the Council's resolutions of 1963 and 1964 Belgium had not been exporting arms or granting licences for the manufacture of weapons to that country.

255. By a letter dated 20 May (S/10202) to the President of the Security Council, the Vice-Chairman of the Special Committee on *Apartheid* transmitted an addendum to the Committee's note on implementation of the arms embargo calling attention to press reports that South Africa was manufacturing an Israeli sub-machine-gun under a sublicense agreement concluded with a Belgian firm and stating that Israel had denied all other allegations of co-operation with South Africa.

256. By a note dated 27 May (S/10211), the President of the Security Council circulated the text of a letter addressed to him on 26 May by the Permanent Observer of the Federal Republic of Germany. The Permanent Observer stated that, contrary to the assertion made by the Chairman of the Special Committee on *Apartheid* in his letter dated 7 May, his Government had strictly and consistently observed the arms embargo against South Africa in compliance with the decisions of the Security Council and, accordingly, protested the statements made in the Special Committee's communication.

257. In a letter dated 25 May (S/10212), addressed to the President of the Council, the representative of the United States, on instructions of his Government, stated that the United States had exercised particular care to implement the embargo on both arms and military equipment. It licensed the export of helicopters for civilian commercial use only. His Government had no evidence that helicopters sold or advertised in South Africa were being adapted for military use. Should it be ascertained that such conversion was being carried out, his Government would take prompt measures to deal with the situation.

## Chapter 6

### LETTER DATED 26 DECEMBER 1963 FROM THE PERMANENT REPRESENTATIVE OF CYPRUS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

#### A. Communications and reports received between 16 July and 10 December 1970

258. In a letter dated 15 October 1970 (S/9964), the representative of Turkey forwarded to the Secretary-General the text of a message from the Vice-President of Cyprus, Mr. Fazıl Küçük calling attention to the fact that the President of Cyprus had unilaterally appointed a Greek Cypriot as Minister of Health, in violation of article 46 of the Constitution, which stipulated that such designations should be made jointly by the President and Vice-President.

259. On 2 December 1970, the Secretary-General submitted to the Council his 18th report on the United

Nations operation in Cyprus covering the period from 2 June to 1 December 1970 (S/10005 and Corr.1). The Secretary-General said that the situation prevailing in the island was one of "negative stability", quiet on the surface but strained and fraught with the danger inherent in the continuing close confrontation of well-armed forces. With time that condition threatened to become the way of life of all Cypriots, thus perpetuating the need for the United Nations Peace-keeping Force in Cyprus (UNFICYP). Regrettably, no significant progress had been made towards a return to normal conditions, especially freedom of movement; moreover, both parties had failed to respond to the urgings of his Special Representative and the Force Commander

to reduce the danger of military confrontation in sensitive areas. However, he felt, there were a number of helpful measures that both sides could take without endangering their positions. Thus, suggestions had been made to the Turkish Cypriots which, if agreed to, could generate an atmosphere of confidence. For its part, the Government could also move to solve the problem of displaced persons. As an exception to the current immobility, he noted the increased co-operation between the communities in the economic field.

260. In connexion with the problem of the inter-communal talks, the Secretary-General said that, after two and a half years, the expectations voiced by the Security Council had failed to materialize. However, despite all difficulties, they remained the sole available method for achieving an eventual agreement between the two communities, and he felt that a new dynamism and direction was needed in those negotiations. He believed that both sides realized that the Cyprus problem could not be solved by force, and they had indicated that a settlement could be worked out on the basis of an independent and unitary State of Cyprus in which the two parties participated. That limited consensus suggested that there was a basis for accommodation.

261. In view of the prevailing circumstances the Secretary-General recommended further extension of the mandate of UNFICYP until 15 June 1971, to which the three Governments concerned had agreed. As on previous occasions, the Secretary-General expressed his concern over the high deficit in the budget of the Force, which was related to the unsatisfactory method of its financing by voluntary contributions.

#### **B. Consideration at the 1564th meeting (10 December 1970)**

262. At the 1564th meeting of the Security Council, on 10 December, the report of the Secretary-General (S/10005 and Corr.1) was included in the agenda. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote. The President of the Council announced that, as a result of prior consultations, an agreement had been reached on the text of the following draft resolution (S/10036):

*"The Security Council,*

*"Noting from the report of the Secretary-General of 2 December 1970 (S/10005) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,*

*"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 December 1970,*

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

*"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244*

*(1967) of 22 December 1967, 247 (1968) of 18 March, 254 (1968) of 18 June and 261 (1968) of 10 December 1968, 266 (1969) of 10 June and 274 (1969) of 11 December 1969 and 281 (1970) of 9 June 1970, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 25 November 1967;*

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

*"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1971, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force".*

263. The representative of Cyprus expressed regret that there had been no progress on the vital aspects of freedom of movement and deconfrontation. He hoped that the process of normalization in respect of the opening of roads and the return of the Turkish Cypriots to their homes would be approached by the other side in a constructive spirit, thereby creating a new climate of confidence. Among the encouraging signs of co-operation, he mentioned the increased participation of both sides in the economic, public and agricultural sectors. Furthermore, a situation of drought had created a spirit of solidarity between the Greek and Turkish farmers, which had been a powerful factor in showing them the value of collaboration. The intercommunal talks, he stated, although proceeding at a slow pace, had contributed to a better climate in the island. His Government was determined to continue the talks with patience and goodwill; its objective was an independent, unitary State in which all Cypriots would enjoy equal rights of citizenship. He hoped that progress in normalization and the continuation of talks would create the necessary climate for the settlement, which would also serve the interests of peace in the sensitive area of the Mediterranean.

264. The representative of Turkey, referring to the Secretary-General's report, said that certain incidents had had an unfavourable impact on the process of building confidence between the two communities. He added that trust was the basic problem of security, which was particularly true with Turkish Cypriots. Two developments, he said, had aroused concern of his Government: one was the distribution of arms imported in 1966 to the Greek Cypriot police; the other was the refusal of access of a United Nations Civilian Police patrol to the Limassol docks, where military stores had been unloaded. The latter event involved the security of the Turkish community and also the problem of mutual trust. Since 1964 an agreement on arms imports had been in operation, and his Government could not accept any change in its implementation. There were more than 20,000 displaced Turkish Cypriots in the island; unfortunately, the efforts of UNFICYP and suggestions of the Turkish community for the return of that segment of population had not been successful. In the intercommunal talks, the Turkish community had directed itself to establishment of an independent and unitary State, based on local autonomy, not self-government.

265. The representative of Greece said that the intercommunal talks were the best formula for a positive settlement in the island and should be speeded up. In this spirit, his Government supported all measures aimed at promoting normalization between the two communities. He said that Greece would maintain its contribution to the Force at its previous level.

**Decision:** *At the 1564th meeting, on 10 December 1970, the draft resolution (S/10036) was adopted unanimously as resolution 291 (1970).*

266. The representative of the United Kingdom of Great Britain and Northern Ireland said that the only basis for a permanent settlement would be found in the continued existence of an independent and unitary State, in which all the peoples of the island could live peacefully. Efforts must be made to overcome the differences between the two communities. This aim could best be attained through the intercommunal talks. The Secretary-General's report brought out well how much UNFICYP contributed to an atmosphere which allowed these talks to continue and have some chance of success. The United Kingdom, he stated, would maintain its contingent in UNFICYP and meet all its costs. It would also maintain its contribution to the cost of the Force at the previous level, provided other major contributors agreed to maintain the amounts of their contributions. His delegation hoped that the Secretary-General would continue to keep in mind the possibility of further reductions in the strength and cost of the Force. Those who bore the burden of providing support for the Force could not be expected to do so indefinitely. The parties to the dispute should therefore make a more intense effort to achieve a settlement.

267. The representative of the United States of America said that his Government still considered the presence of UNFICYP to be necessary for the maintenance of peace in Cyprus. Accordingly, it supported extension of its mandate, in the expectation that that measure would facilitate a settlement and thus permit the eventual withdrawal of the Force. The United States was prepared to do its part in financing the Force but considered that no single Member should bear a disproportionate share of the burden. By linking the amount of its payment to that of others, it hoped to encourage additional contributions. He regretted that the intercommunal talks had made no progress during the latest period. The talks, he felt, represented the best method of settling the issues. Therefore, he appealed to both sides to redouble their efforts to that end. His delegation hoped that the current efforts would produce positive results. If they should not, his delegation suggested that the parties should consider third-party assistance, which the United Nations was best fitted to provide.

268. The representative of Syria said that, despite a few regrettable incidents, the situation had remained basically calm in Cyprus. Both sides were showing statesmanship and exercising restraint in dealing with issues confronting them. Although the talks had not removed the differences, there were signs of progress. He appealed to both sides to intensify their efforts.

269. The representative of Sierra Leone considered that United Nations efforts had contributed to reducing the number of shooting incidents. He noted that there had been some improvements in co-operation between the two communities but that the intercommunal talks had failed to produce any substantial progress after two and a half years. All sides, he felt, understood

that the Cyprus problem could not be settled by force and agreed on the goal of an independent and unitary State.

270. The representative of France observed that, despite the efforts of UNFICYP, no progress had been made towards military disengagement, freedom of movement remained blocked and mistrust between the communities persisted. Over the years that abnormal situation had become a way of life for Cypriots. It was now clear that the indefinite maintenance of the United Nations Force, which fortunately had prevented the worst, was not sufficient to prevent the rising danger. A return to normal conditions would require a political solution based on coexistence and mutual respect of the rights of the two communities. Maintenance of the Force for six more months might facilitate the settlement, but he felt that its presence was justified only to that end. He regretted that the parties had not responded to the conciliatory appeals of the Special Representative and the Force Commander and hoped that the leaders of both sides would display greater moderation.

271. The representative of Zambia regretted that the situation in Cyprus was still characterized by instability; he felt that the intransigence of the parties might result in the Force becoming a permanent feature of the island. However, he hoped the talks would produce a long-term settlement. He added that the system of voluntary contributions was insufficient and hoped the Council would take corrective measures.

272. The representative of Finland said that the report of the Secretary-General did not convey any sense of progress. His delegation was aware of the complexity of the issues involved in the talks, but the Council could not resign itself to the automatic renewal of UNFICYP every six months. The Council had created the conditions for the talks and was entitled to expect that they would be carried on with energy and determination. While the issues remained unsolved, the Force continued to guarantee the tranquillity essential to progress in those talks. He stated that Finland would maintain its contingent and its financial contribution. However, he stressed that reliance on voluntary contributions from a small number of Member States was unsatisfactory and that decisions taken on behalf of all Members by the Security Council should be paid for by all.

273. The representative of Nicaragua expressed his Government's hope that a fraternal understanding between the two communities in Cyprus would be achieved and that soon the United Nations presence would no longer be required.

274. The representative of the Union of Soviet Socialist Republics said that the question of Cyprus should be settled peacefully, on the basis of respect for the independence and territorial integrity of Cyprus, and with full respect for the legitimate rights of all its people. His Government was convinced that, in the interest of the complete independence of Cyprus, all foreign troops should be withdrawn and military bases on the island dismantled. He hoped that the negotiations between Greek and Turkish Cypriots would create conditions ensuring security and a peaceful life for all Cypriots. At the same time, he shared the concern of the Secretary-General at the lack of progress on the basic issues in those negotiations. The lengthy stay of the foreign troops in Cyprus could not be regarded as normal, and the United Nations operation could not continue indefinitely. His Government had agreed



to further extension of the mandate of the Force on the understanding that its renewal was effected in conformity with resolution 186 (1964), and it hoped that before the six-month renewal expired the opportunity would arise for termination of the Force.

275. On 18 January 1971, the Secretary-General issued an appeal (S/10082) to States Members of the United Nations and members of the specialized agencies for voluntary contributions for the financing of UNFICYP for the period from 16 December 1970 to 15 June 1971.

### C. Communications and reports received between 10 December 1970 and 26 May 1971

276. By a letter dated 10 April 1971 (S/10174), the representative of Turkey forwarded the text of a message from the Vice-President of Cyprus, Mr. Fazıl Küçük, to the Secretary-General, drawing his attention to recent declarations of Archbishop Makarios and Greek Cypriot Cabinet Ministers in which they had stressed their continued adherence to the policy of *enosis*. Furthermore, Mr. Küçük stated, the Greek Cypriot administration had hardened its attitude towards the Turkish Cypriot community by increasing the number of unfounded arrests, assaults and indiscriminate searches of vehicles. There had been no progress in the talks, because the Turkish Cypriots understandably could not agree to any proposals that left the door open to *enosis*. They had always sought a peaceful solution based on independence, guaranteed fully against *enosis*, and on retaining the political status of partnership of the two communities.

277. By a letter dated 19 April 1971 (S/10179), the representative of Turkey transmitted the text of another message from Mr. Küçük to the Secretary-General calling attention to what he considered pro-*enosis* speeches made by three Cabinet Ministers of the Greek Cypriot administration. The letter stated that those declarations were openly defying the Council's resolutions on Cyprus and were designed to undermine the spirit of the intercommunal talks.

278. In a letter dated 3 May 1971 (S/10185 and Corr.1) addressed to the Secretary-General, the Permanent Representative of Cyprus referred to a statement made by the Prime Minister of Turkey on 23 March 1971 and said that such bellicose declarations were calculated to create tension. Furthermore, he added, a spokesman of the Turkish Foreign Ministry had referred to Cyprus as "the sixty-eighth province of Turkey" on 16 April 1971. He stated that the intercommunal talks had been stalled because the Turkish Cypriots insisted on introducing partitionist elements under the guise of "local government", which meant, in reality, creation of a State within a State. He hoped that the other side would eventually realize that the anachronistic concepts of division and partition could lead only to destruction and that the common interests of all concerned lay in co-operation.

279. In a letter dated 6 May 1971 (S/10187) addressed to the Secretary-General, the representative of Cyprus, referring to the communication from Mr. Küçük (S/10174, S/10179), said that the Turkish side had attempted to shift the responsibility to his Government for the difficulties blocking the progress of local talks. Those difficulties in the talks had been related to unfeasible provisions for a divided State formulated by the Turkish Cypriot leadership. He added that,

despite the ethnic sentiment of the majority of the Cypriot people for union with Greece, his Government was working for solution of the problem on the basis of an independent and unitary State. In that sense, his Government was determined to continue, despite all difficulties, its policy of goodwill towards the Turkish Cypriots and would further rely on local talks within the framework of the good offices of the Secretary-General.

280. In a letter dated 12 May (S/10194) addressed to the Secretary-General, the representative of Turkey, referring to the letter of 6 May from the representative of Cyprus (S/10185), said that the history of the Cyprus problem was clear proof that the demand for *enosis*, not partition of the island, had been the core of the problem. He added that statements of responsible members of the Greek Cypriot administration showed that *enosis* was still the real aim of their policy. That had been confirmed at Yialousa on 14 March, when Archbishop Makarios referring to Cyprus, had declared that "Greek and undivided, we shall deliver it to Greece". The Turkish representative also noted that the letter from the representative of Cyprus contained some inaccuracies and misinformation, inasmuch as no Turkish spokesman had referred to Cyprus as "the sixty-eighth province of Turkey". Finally, he reaffirmed his Government's willingness to work for a just and equitable solution, safeguarding the independence of Cyprus and maintaining the balance of rights of the two communities.

281. By a letter dated 18 May (S/10200), the representative of Turkey forwarded the text of a message from Mr. Fazıl Küçük to the Secretary-General stating that the representative of Cyprus, in his letter (S/10187), had tried to divert attention from the grave situation created in Cyprus by Archbishop Makarios' Yialousa speech and *enosis* agitation. Mr. Küçük added that the Greek Cypriot side had tried to blame the Turkish Cypriot leadership for obstructing the intercommunal talks, although the position of the Turkish Cypriots had clearly been explained by Mr. Rauf Denktaş in his memorandum of 27 April 1971. Thus, the failure to produce positive results in the talks was due to the untenable *enosis* policy pursued by the Greek Cypriot side. Mr. Küçük invited the Greek Cypriot administration to state that it was ready to renounce *enosis* and to work for the permanent independence of Cyprus based on a compromise solution, which should include political and economic elements and protect the legitimate rights of both communities. He assured the Secretary-General that the Turkish Cypriot leadership would continue to be guided by those principles.

282. By a letter dated 26 May (S/10217), the representative of Turkey transmitted to the Secretary-General the text of a message from Mr. Küçük informing him that Turkish Cypriot members of Parliament and other officials had been stopped and assaulted by Greek Cypriot policemen while travelling from Yeriğra to Famagusta on 23 May. It added that the incident had caused great indignation in the Turkish Cypriot community.

283. On 20 May, the Secretary-General submitted to the Security Council his nineteenth report (S/10199 and Corr.1) on the United Nations operation in Cyprus covering the period 2 December 1970 to 19 May 1971. The Secretary-General said with concern that, since

his last report, there had been little improvement in the situation and no sign of progress towards a negotiated solution of basic problems. The uncompromising attitudes adopted by spokesmen for both the Government of Cyprus and the Turkish Cypriot community in their public statements had contributed to an aggravation of tensions. Although the situation in the island remained calm, recent developments had again shown the depth of feeling that divided the two communities. The Secretary-General stated that he and the UNFICYP staff had urged both parties to exercise restraint and moderation towards each other and to avoid the threat or use of any drastic retaliation that might lead to renewed conflict or prolong tensions. He was still convinced that the best interests of all parties lay in continuing the intercommunal talks, which represented the only way to an agreed settlement. On some substantive issues the position of the parties had recently been clarified and even brought closer; but recent statements by both Greek and Turkish Cypriot leaders had eroded mutual confidence. Greek Cypriots were reluctant to accept any agreement that might result in partition, and, similarly, Turkish Cypriots were alarmed at statements suggesting a settlement leading to *enosis*. Leaders of both sides needed to exercise statesmanship whereby they would confirm their determination to solve the problem of Cyprus peacefully on the basis of an independent and unitary State. The Secretary-General noted that problems of solutions to the displaced Turkish Cypriots and deconfrontation by the military forces in the island were of crucial importance for a return to normal conditions. The Cyprus Government had proposed a formula for solution of the first problem, but the Turkish Cypriot leadership had disagreed with some of its basic provisions, consequently, there had been little progress in the resettlement of refugees. Deconfrontation had long been the subject of efforts by UNFICYP, but regrettably there had been no progress on that problem either. Regarding freedom of movement, he expressed hope for an early solution. The Secretary-General indicated that, unless bold and sincere effort was made on all sides to overcome difficulties, Cyprus might enter a new period of tension in which little progress towards settlement might be expected and the danger of unrest was seriously to be feared. In such a situation, he had no alternative but to recommend, with the agreement of all the parties concerned, extension of the UNFICYP mandate until 15 December 1971. The possibility of further reduction of the Force had been under consideration, but it had become clear that, despite the highly unsatisfactory budgetary situation, any sizable reduction of the operation would be inadvisable in the current circumstances. He felt that it would not be wise to postpone for much longer a comprehensive review of that problem and hoped that members of the Council would give serious consideration in the near future to constructive alternatives to the existing management.

#### **D. Consideration at the 1567th and 1568th meetings (26 May 1971)**

284. At the 1567th meeting of the Security Council, on 26 May, the report of the Secretary-General (S/10199 and Corr.1) was included in the agenda. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote. The President of the Council announced that, as a result of prior con-

sultations, an agreement had been reached on the text of the following draft resolution (S/10209):

*"The Security Council,*

*"Noting from the report of the Secretary-General of 20 May 1971 (S/10199) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,*

*"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 June 1971,*

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

*"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, 247 (1968) of 18 March, 254 (1968) of 18 June and 261 (1968) of 10 December 1968, 266 (1969) of 10 June and 274 (1969) of 11 December 1969, 281 (1970) of 9 June and 291 (1970) of 10 December 1970 and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 24 November 1967;*

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

*"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1971, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."*

285. The representative of Cyprus said that the general situation in Cyprus during the six-month period under review had been calmer than in any previous period. The co-operation between the two communities on economic matters, as well as in the agricultural field had increased. Progress had also been registered in supply of electricity, telephone and postal services and new water schemes for Turkish Cypriot villages. However, further progress was prevented by the Turkish Cypriot leadership, although both communities would benefit from an integrated economy. His Government had agreed to UNFICYP proposals regarding deconfrontation in order to promote relaxation in the tension, but, regrettably, the other side had rejected those measures aimed at advancing normalization. The Turkish Cypriot armed elements, moreover, had increased their training activity and, according to information received by his Government, had been supplied with heavy weapons. There had been no improvement on the long-standing problem of freedom of movement. His Government had lifted restrictions on freedom of movement for all inhabitants, but the other side still prevented Greek Cypriots from using roads under their control. Regarding the issue of displaced persons,

he said that, in February, his Government had offered to reconstruct damaged Turkish houses in 21 villages in order to facilitate the return of those persons. However, three months had already passed without a reply from the other party. He stated that the intercommunal talks, which were constructive and useful and had received general support, had been practically stalled for nearly 30 months over the question of local government. Local government was an element that had not been provided for in the Constitution; to institute it to the extent asked would create a State within a State and possibly lead to partition. The need for a positive approach was therefore obvious. His Government hoped that the Turkish Cypriots would join them in efforts to overcome those difficulties so that the talks could progress towards a solution based on the independence of a unitary State of Cyprus.

286. The representative of Turkey said that his Government concurred with the Secretary-General's assessment that there had been little improvement in the over-all situation. As a result of mistrust, the intercommunal talks had made little progress, and efforts towards normalization had suffered. He said that the Greek Cypriots had benefited almost exclusively from international and governmental programmes, that public services were not effectively available to Turkish Cypriots, that, under the planning currently being discussed, less than 20 per cent of the Turkish Cypriot villages would be supplied with electricity and that the Turkish community had been eliminated from the national social insurance plan. Moreover, 20,000 displaced Turkish Cypriots were being kept away from their homes for the eighth consecutive year. Contrary to the claims of the other side, movement in the island was not entirely free, for Turkish Cypriots were denied access to areas declared to be restricted by the Greek Cypriot administration, that were much larger than those under control of the Turkish Cypriots. In addition to mistrust, the recent emphasis on *enosis* and the harassment of Turks, including a member of Parliament, had also endangered efforts towards a peaceful solution. The policy of *enosis* was the main reason for the failure of the talks, which could only be held on the basis of independence and a guarantee of the constitutional rights of the Turkish community. Under such conditions, partition had always been a self-defensive measure for Turks, and if there were no talk of *enosis*, the subject of partition would not be heard. Nevertheless, the Turkish Cypriots would continue to work for permanent independence based on a compromise solution of differences. His Government was ready to work constructively for it. Referring to the assertion of the representative of Cyprus concerning the supply of heavy weapons to the Turkish Cypriots, he stated that the data had been based on misinformation. The record of the Turkish contingent in that regard was spotless. Regarding the Turkish Cypriot freedom-fighters, he said that it was an organization for defence and had no offensive weapons.

287. The representative of Greece said that his delegation had repeatedly pointed out that time was of the essence and that delay in the talks could only harden opposing positions. His delegation agreed with the Secretary-General that those talks represented the only means to a settlement. He noted that the Government of Cyprus had played a positive role in the removal of restrictions on movement and in promoting economic co-operation and the normalization of public services. He reaffirmed his Government's position on

Cyprus, stating that it had always been for conciliation of the differences between the two communities and for creation of an independent unified State.

**Decision:** At the 1567th meeting, on 26 May 1971, the draft resolution (S/10209) was adopted unanimously, as resolution 293 (1971).

288. In the statements after the voting, the representative of the United States said that the Secretary-General's report showed that a solution remained as far away as ever; therefore his Government supported the extension of the Force's mandate, because without the presence of UNFICYP, a serious threat to international peace and security could develop in the island. He said that Cyprus was one of the areas of outstanding United Nations achievement, but that UNFICYP could only help to create a climate for agreement. It was up to the parties to show good faith, a spirit of compromise and statesmanship to resolve the difficulties. The world community was not prepared to bear indefinitely the burdens created by failure to make concessions. The intercommunal talks represented the best procedure for solving the conflict, and from the beginning his Government had supported them. Meanwhile, it favoured the efforts advocated by the Secretary-General to reach agreement on deconfrontation and refugee settlement. He appealed to the parties to refrain from statements referring to *enosis* or partition that would only aggravate the situation. Regarding the costs of UNFICYP, he said that his Government had pledged up to 40 per cent but had not made payment in full because contributions to cover the remaining 60 per cent were not forthcoming. He noted that many countries had pledged sums in the past but had not done so in recent years; others with a direct interest in peace in the Mediterranean had never contributed anything. He stated that the United States was prepared to play its part, but the interests of others in preserving peace should also be reflected in their financial support of UNFICYP.

289. The representative of the United Kingdom said that although it had supported the resolution just adopted, his delegation shared the Secretary-General's view that the Force should not remain in Cyprus indefinitely. The United Nations had done a good job in keeping the peace in Cyprus, but there had been less success in making the peace. He recalled his Government's position that a peace-keeping operation should be a temporary one. His delegation, therefore, supported the Secretary-General's suggestion concerning an over-all review of the problem. Turning to the intercommunal talks, he urged both sides to proceed with maximum flexibility and goodwill. Everyone should make every effort to see whether anything more might be done to promote progress and create conditions in which UNFICYP would be no longer needed. He stated that his Government would keep its contingent in Cyprus for the period of the renewed mandate and make a financial contribution in support of the Force to include both the extra costs of the British contingent and a cash element. He expressed concern about the financial situation of UNFICYP and supported the plea made by the United States in this connexion.

290. At the 1568th meeting, on 26 May, the representative of Japan said that his delegation was discouraged over the lack of progress in the talks and deterioration of the communal situation because of the continued confrontation of two armed forces. His delegation therefore shared the conviction that UNFICYP had a vital role to play in preserving calm and had



contributed to maintaining international peace. However, his delegation had supported the resolution with reluctance because the indefinite prolongation of UNFICYP had produced a tendency for the parties to postpone the compromise necessary for a settlement. He expected that both sides would make sincere efforts for reaching a solution by the end of the current year. He observed that mutual mistrust had hindered progress in the communal situation; in order to restore confidence, he urged both parties to exercise restraint and moderation, to refrain from threats or provocative statements, to concentrate first on the solution of practical problems in the talks and to intensify their efforts to achieve deconfrontation and de-escalation. In this respect, he stressed his delegation's view that the Special Representative of the Secretary-General should play a more active role in the exercise of his good offices. He hoped that when mutual trust between the parties concerned was restored the Council would consider the possibility of reactivating the concept of the mediator envisaged in the original 1964 resolution.

291. The representative of Syria said that the Secretary-General had warned that an eventual crisis in Cyprus might constitute a threat to peace and security in the eastern Mediterranean. Syria was part of that area, the history of which had been marked by great human suffering; hence, it was imperative that his delegation should approach the situation in Cyprus with all the objectivity and devotion it required. He noted that although the tendency towards separate economic development had not been reversed, there had been more co-operation in certain agricultural projects. Concerning extension of the UNFICYP mandate, he expressed agreement with the statements made by the representatives of France and the USSR at the 1564th meeting on 10 December 1970 that the quasi-automatic prolongation of the peace-keeping operation should not serve as a pretext for postponing the necessary compromise and that it must not continue indefinitely. He hoped that the co-operative spirit of the intercommunal talks would prevail over suspicion and tension.

292. The representative of France said that, despite some progress in the intercommunal life, the situation had remained basically unchanged, the atmosphere of suspicion and insecurity had been sustained and the growing strength of the two military forces had brought a shadow of confrontation. So far UNFICYP had been able to maintain the fragile *status quo*, but in such overheated conditions a spark could easily cause a conflagration that could spread beyond the limits of the island. His delegation had supported extension of the mandate, but it considered that those quasi-automatic renewals ran counter to the interests of the United Nations and of the inhabitants of the island themselves, if the interested parties regarded them as a means of postponing the necessary *rapprochement* indefinitely. The tendencies towards separate economic development and the threat of armed confrontation made the situation more difficult as time passed. Hence, he supported the suggestion of the Secretary-General concerning an over-all review of the operation. He hoped that the warning of the Secretary-General would also be understood in Cyprus. Despite all the difficulties, he hoped the intercommunal talks would lead to a just settlement.

293. The representative of Somalia said that the uncompromising attitudes of the parties had not stimulated a return to normal conditions. Although the

persisting difficulties could not be solved overnight, the leaders of both communities must show goodwill and determination to solve their differences in order to preserve the independence and nationhood of their country. Because the basis of the island's life remained precarious his delegation had supported the resolution to extend the mandate of the Force.

294. The representative of Italy, after setting forth his Government's position on United Nations peace-keeping responsibilities, said that his delegation had supported UNFICYP from the beginning because it was consistent with his Government's views on the necessity of increasing the peace-keeping capability of the United Nations and demonstrated the Organization's capacity to restore peace. He expressed deep concern on the precarious situation in Cyprus inasmuch as it might develop into a new crisis encompassing the eastern Mediterranean. Despite the complexity of issues involved, he felt that the interests of the two communities were reconcilable. The talks could lead to a lasting solution, if both parties searched for it on the basis of independence and unity. In that respect, the essential task was to restore confidence. He expressed hope that the talks would produce an early settlement, but if that should not come about, his delegation would be ready to consider an over-all review of the problem as suggested by the Secretary-General.

295. The representative of Poland said that the debate had shown the Council's concern about the deterioration of the situation in Cyprus. His delegation had always maintained that normalization could be obtained only through respect for the independence, sovereignty, and territorial integrity of the island and the right of the whole Cypriot people to decide its internal affairs. The realization of that goal required the elimination of all imperialist influences. His delegation considered the intercommunal talks to be a domestic factor of normalization and hoped for their earliest fruitful completion. He reiterated his delegation's view that the presence of the Force in Cyprus for more than seven years could not be considered normal, hence its vote had been cast in expectation of an early opportunity to withdraw the United Nations troops.

296. The representative of China welcomed the unanimous decision to extend the mandate of UNFICYP, as conditions on the island required it. Referring to the report of the Secretary-General, he said that despite calm in the military situation, the political atmosphere had become more tense. Thus far UNFICYP had succeeded in keeping local conflicts from degenerating into confrontation, but it could not do more than prepare the ground for a political settlement, which could only come about through direct negotiations between the parties. So long as the talks continued there was hope. His delegation hoped they would be speeded up and produce a constructive solution.

297. The representative of Sierra Leone said that the Secretary-General's report showed a deterioration in intercommunal relations, although his delegation, after seven years, had expected a general easing of tension. In such a situation, political leaders should be given strength and encouragement to preach accommodation and neighbourliness. He appealed for conciliation between the communities and supported the Secretary-General's call for continued talks in a spirit of give and take. His delegation looked forward to the day when a citizen of a unified Cyprus could



identify himself as a Cypriot without reference to the country from which his ancestors originated. He appealed to Greece and Turkey to use their influence to contribute to reconciliation.

298. The representative of the USSR, after reviewing the decisions of the Twenty-fourth Congress of the Communist Party of the Soviet Union concerning liquidation of existing hotbeds of war and prevention of new ones and more active use of the United Nations for the strengthening of international peace, reaffirmed his Government's previous position on Cyprus. He stated that a solution depended on the Cypriots themselves, whose rights must be respected by all. The complete independence of Cyprus would require withdrawal of all foreign forces and elimination of military bases. Furthermore, all States should refrain from actions contrary to Council resolutions on the question. Because of its closeness to Europe, he noted, Cyprus might benefit from the current easing of tension there. Regarding the intercommunal talks, he said that only through negotiations could conditions of peace and normal life be assured. Regarding the extension of the UNFICYP mandate, he pointed out that such a lengthy stay of foreign troops, even under the aegis of the United Nations, could not be regarded as normal and should not serve as a model for other such operations. After taking into account the position of the parties concerned, the Soviet delegation had supported the new resolution on the understanding that it would be carried out in full conformity with Council resolution 186 (1964).

299. The representative of Belgium said that although the report reflected some progress in economic matters and the restoration of public services, it nevertheless indicated a deterioration in the political situation. Hence his delegation supported the Secretary-General's conclusion that the prevailing calm must be preserved and the talks continued. He welcomed the declarations by the leaders of the two communities that they would pursue the talks with a view to reaching a peaceful solution. He said that quiet diplomacy was necessary and endorsed the Secretary-General's call to both sides to exercise statesmanship. He stated that his Government would contribute to UNFICYP but would welcome an exchange of views, particularly on the legal basis of the operation.

300. The representative of Argentina said that his delegation had stated its position on previous occasions with mixed feelings of optimism and disappointment. Since then, the situation had not improved, although the presence of the Force had contributed to cessation of the fighting which was a positive element in the Cyprus situation. Although UNFICYP could prevent hostilities, it could not bring about settlement; thus, its presence could not become an end in itself. The

basic solutions must be sought by the parties. He said that the report rightly indicated that the problem must be settled by peaceful means, based on the independence of unitary State, and he noted that all the elements of a settlement must be respected and that balance among them must not be disturbed.

301. The representative of Nicaragua said that he had supported the resolution for reasons that his delegation had stated on the problem of the past.

302. The President, speaking as the representative of Burundi, said that the main task for Cyprus was to build brotherhood among all its peoples. He felt that the two communities must work together for the achievement of a united country but that their leaders had first to create favourable conditions to that end. A campaign for reconciliation should also be undertaken in order to dispel mutual recriminations. Furthermore, the rights of all citizens must be respected, and no pretext should prevent Cypriots from the full enjoyment of their rights. Respect for those factors would contribute to the formation of a united, independent State of Cyprus. He said that his delegation had supported the resolution in the light of the Secretary-General's report.

303. The representative of Cyprus, speaking in exercise of the right of reply, reiterated that the one thing required to solve the question of Cyprus was understanding and conciliation on the basis that the country would remain an integral, undivided and unpartitioned unit. The attitude of the Turkish Cypriots, however, was opposed to contacts between its people and Greek Cypriots, and, in fact, the Turkish military régime in the enclaves punished those who showed a tendency towards conciliation. The Turkish side also rejected UNFICYP suggestions for deconfrontation and opposed freedom of movement. The Government of Cyprus had made concessions in its proposals, but the Turkish Cypriot side had responded with more intransigent claims that would split the State in two and make it unworkable.

304. The representative of Turkey, also exercising his right of reply, stressed again that the idea of *enosis* was at the heart of the problem, which could be solved if the Greek Cypriot community were willing to renounce *enosis* as a policy. He expressed regret that an atmosphere of insecurity and tension existed in Cyprus but hoped that the situation would improve in the months ahead, inasmuch as the debate in the Council constituted encouragement to the representatives of the two communities in Cyprus to work in a spirit of goodwill and mutual accommodation in order to arrive at a substantive agreement for a constitutional régime that would insure a harmonious life based on mutual respect for legitimate rights while safeguarding the needs of security.

## Chapter 7

### COMPLAINT BY GUINEA

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

305. In a letter dated 22 November 1970 (S/9987) addressed to the President of the Security Council, the representative of Guinea, on instructions of his Government, requested him to convene the Security Council as a matter of extreme urgency, stating that

early that morning the territory of Guinea had been the object of an armed attack by Portuguese forces, who had landed at several points in the capital. Mercenary command troops had shelled the town, and his Government requested immediate intervention by airborne United Nations troops to assist the National Army of the Republic of Guinea.

306. In a telegram of the same date (S/9988) addressed to the Secretary-General, the President of the Republic of Guinea also reported that Guinean territory had been the object of armed aggression by Portuguese forces. According to the telegram, landing craft had put commando troops ashore in Conakry, and bombing raids had been carried out on several points in the town. He reiterated the request for the immediate intervention of United Nations airborne troops with a view, in co-operation with Guinea's National Army, to reducing the last positions held by Portuguese mercenaries and to driving the aggressor's vessels from Guinea's territorial waters.

307. In a letter of the same day, addressed to the President of the Security Council (S/9989), the *Chargé d'affaires a.i.* of Portugal categorically denied the accusations of the Government of Guinea. He stated that Portugal was not involved in the internal affairs of Guinea, a neighbouring country that had been following a policy of attributing to Portugal the responsibility for its internal difficulties, with which his Government was by no means connected. He reiterated his Government's policy of scrupulous respect for the sovereignty and territorial integrity of countries bordering on Portugal and expressed the hope that the Council would therefore reject the complaints raised by Guinea.

#### **B. Consideration at the 1558th meeting (22 November 1970)**

308. At the 1558th meeting, on 22 November, the complaint submitted by Guinea was included in the Security Council's agenda without objection. The representatives of Guinea, Senegal, Mali, Saudi Arabia and Mauritania were invited, at their request, to address the Council without the right to vote.

309. The Secretary-General informed the Council that, shortly after noon that day, he had received by telephone from the Permanent Representative of Guinea information that the President of Guinea had addressed an urgent message to the Secretary-General, which the Permanent Representative delivered at two o'clock that afternoon. After quoting the text of the message (S/9988), the Secretary-General stated that he and the representative of Guinea had informed the President of the Security Council of the situation so that steps might be taken to convene the meeting. Later that afternoon, the Secretary-General had received a message from the resident representative of the United Nations Development Programme (UNDP) in Conakry, sent at the request of the Government of Guinea, which confirmed that "at 2 a.m. local time debarkment of external forces described by the Government as Portuguese took place in Conakry" and that the representative had personally seen four debarkment ships and fighters flying over the city.

310. In his statement to the Council, the representative of Guinea recalled previous complaints brought against Portugal for acts of aggression against the African countries of Zambia, Congo (Kinshasa), Senegal and Guinea itself, as well as the statement made by the Guinean Secretary of State for Foreign Affairs at the twenty-fifth session of the General Assembly drawing the attention of the world to the military and psychological preparations said to be taking place in special training camps in Guinea (Bissau) for the purpose of invading the national territory of Guinea. He then informed the Council that early that morning

Guinea had been the object of premeditated armed aggression by Portuguese colonial forces, which, in violating Guinean territorial waters, had landed mercenaries at several points in the capital. It was reported that the mercenaries had come from Guinea (Bissau) on 10 Portuguese ships and that fighting was continuing. He requested that, in view of the seriousness of the situation, the Security Council should demand the immediate cessation of the aggression and the immediate withdrawal of all Portuguese and mercenary troops and all military equipment, should condemn the Government of Portugal for its premeditated attack and should decide to send troops immediately to restore peace and security in the area.

311. The representative of Senegal said that, amid the various reports concerning the situation in Guinea, the message sent by the resident representative of UNDP just read by the Secretary-General was sufficient grounds for the Security Council to take the necessary steps immediately, not only to protect the sovereignty and territorial integrity of a sovereign Government but to permit United Nations officials freely to carry out their duties there. He appealed to the members of the Council to act without delay.

312. Upon resumption of the meeting, which had been suspended for consultations, the representative of Saudi Arabia said that, in the light of the message sent by the President of the Republic of Guinea, the Security Council should not only adopt drastic measures to assist Guinea in repelling the aggressors, but find effective means of punishing them and, if need be, their accomplices. If the Council, as the guardian of international peace and security, should fail in its clear duty of stopping such aggression, small States would no longer have any assurances of security against the machinations of those bent on subverting them and interfering in their internal affairs. It was not enough for the Council merely to adopt another condemnatory resolution; it should take disciplinary action. However, should a fact-finding mission be decided upon, he suggested that, given the adverse financial position of the United Nations, the Secretary-General should be authorized to send a special representative for that purpose.

313. The representative of Mali charged that, in an unprecedented act in the history of the United Nations, Portugal, a Member of the Organization, had conceived, prepared and committed an act of aggression against the sovereignty of another Member State in defiance of the principles and provisions of the Charter. He declared that his Government, faithful to the solidarity binding all peace-loving peoples, had already pledged its unconditional support of the people and Government of Guinea. Similarly, he urged that the Council should unanimously and rapidly condemn Portugal for its aggression and urgently take all necessary measures to repel the Portuguese aggressors and to put an end to the violation of Guinea's sovereignty and territorial integrity.

314. The representative of Mauritania said that, although the Guinean national army and populace had checked the attack of the invading forces, the President of Guinea had nevertheless specifically requested United Nations airborne troops to help the national army repel the aggression. On many occasions since its independence Guinea had had to deal with similar neo-colonialist attempts to subvert the country. However, the world had not always taken seriously the African countries' denunciations of such attempts. In urging

the Council to take the necessary action to stop the latest invasion, he said that the request from Guinea might well be one of the last appeals from African countries based on the hope that the United Nations could help the smaller countries of the world.

315. The President of the Council drew attention to the text of a draft resolution (S/9990) sponsored by the delegations of Burundi, Nepal, Sierra Leone, Syria and Zambia and already circulated to the members. The representative of Nepal, on behalf of the sponsors, introduced a revised version (S/9990/Rev.1), which read as follows:

*"The Security Council,*

*"Having heard the statement made by the Permanent Representative of the Republic of Guinea,*

*"Having taken note of the request made by the President of the Republic of Guinea,*

*"1. Demands the immediate cessation of the armed attack against the Republic of Guinea;*

*"2. Demands the immediate withdrawal of all external armed forces and mercenaries, together with the military equipment used in the armed attack against the territory of the Republic of Guinea;*

*"3. Decides to send a special mission to the Republic of Guinea to report on the situation immediately;*

*"4. Decides that this special mission be formed after consultation between the President of the Security Council and the Secretary-General;*

*"5. Decides to maintain the matter on its agenda."*

316. The representative of Nepal said that the revised draft resolution was an interim measure intended, first, to effect an immediate end to the armed attack and the withdrawal of the attacking forces, and, secondly, to obtain an impartial report on the situation in Guinea. He requested that the draft resolution be put to the vote immediately.

317. A procedural discussion followed in connexion with operative paragraph 4 of the draft resolution concerning the composition of the proposed special mission and the method of selecting its members. The representative of the United States of America suggested that the Council might ask the Secretary-General to send a representative to the area, a procedure that had often been used in the past and would be acceptable to his delegation. The sponsors preferred a mission composed of representatives of Governments, not Secretariat officials, and that would be a political mission with a political complexion. Accordingly, consultations about its selection should be conducted among all members of the Council. His delegation therefore strongly appealed to the sponsors of the draft resolution to agree to amend operative paragraph 4 to provide that the special mission should be formed after consultation among members of the Security Council.

318. The representative of Burundi said that the responsibilities of the members should not be confused with those of the President of the Council and of the Secretary-General, which, if properly discharged, implied consultation with all the members.

319. The representative of the Union of Soviet Socialist Republics said that the proposal of the delegations of the five Afro-Asian States was fully compatible with the Charter and met the needs of the current critical situation; there should therefore be no attempt to delay creation of the proposed mission, and thus prevent an immediate investigation into the acts of

aggression that were taking place in Guinea. Members should place their confidence in both the President of the Council and the Secretary-General and should give them the opportunity to discharge their responsibilities without delay and thus avoid protracted consultations.

320. The representative of the United States considered that agreement could be reached very quickly among members of the Council. If speed was the only criteria, the Secretary-General could be asked to designate a representative from his staff in the area. However, the designation of a mission composed of governmental representatives was a matter of such importance that it should be passed on by all members of the Council. He therefore formally put forward his amendment to operative paragraph 4 of the five-Power draft resolution.

**Decisions:** *At the 1558th meeting, on 22 November 1970, the United States amendment received 3 votes in favour (China, United Kingdom, United States) to none against, with 12 abstentions, and, having failed to obtain the required majority was not adopted.*

*The five-Power draft resolution (S/9990/Rev.1) was then adopted unanimously, as resolution 289 (1970).*

321. After the vote, the representative of the United States said that his delegation regretted the rejection of its amendment but had voted for the resolution on the understanding that, as had been stated by one of the sponsors of the draft resolution, the President of the Security Council would consult with members of the Council about the mission.

322. The representative of the United Kingdom said that, although his delegation would have much preferred the United States amendment, it had voted for the resolution as a whole because it considered speedy Council action to be essential and because the representative of Burundi had indicated the understanding that the President would consult the members of the Council and secure their assent to his choice.

323. The representative of Zambia said that the aggression against Guinea was one of the worst crimes ever committed against any independent African State, particularly as it had been committed by Portugal in extension of that country's criminal colonial wars into the sovereign territory of an independent African State. As one of the victims of Portugal's continuous military aggression, Zambia fully appreciated the war situation that existed on the border between independent African States and the Portuguese Territories in Africa. Accordingly, his delegation would demand that the Security Council should apply the most severe measures under the Charter against Portugal.

324. The representative of Finland stated that his delegation had voted for the resolution on the understanding that its paragraphs 3 and 4 would be implemented in such a way that an objective and impartial study would be undertaken speedily and efficiently in order to establish the full facts of the situation necessary for further action by the Council in accordance with its responsibilities.

325. The representative of Burundi expressed his delegation's gratitude for the Council's unanimous adoption of the resolution, particularly in view of the hesitation that some delegations had expressed.

326. The representative of the USSR said that the fact that the Security Council was considering for the third time in 11 months a case of armed aggression by



Portugal against an African country established that country as a perpetrator of imperialism and colonialism on the African continent in disregard of the decisions of the United Nations. The messages received by the Council regarding the case at hand were sufficient to establish Portugal's new act of aggression, which should be viewed in the context of that country's colonialist policy, namely, waging a bloody war against the peoples of Angola, Mozambique and Guinea (Bissau), and committing acts of aggression against independent African countries that were engaged in liberating Africa from the remnants of colonialism. He stressed that the resolution adopted by the Security Council called for the urgent cessation of aggression against a sovereign African State, the Republic of Guinea, and for the immediate withdrawal of all Portuguese armed forces from its territory. That resolution must be implemented without delay. The mission that had been established must be constituted forthwith, so that it could proceed to the scene of events not later than the following day and could report to the Security Council on the actual situation as soon as possible, in order to enable the Council to discuss the question again and to take the most vigorous measures against the aggressor. Only such measures on the part of the Council could curb the aggressor and discourage it from continuing its aggressive policy in African territory, which undermined peace and security and threatened the security of African countries and peoples.

327. The representative of Guinea expressed his delegation's gratitude to the Council for its adoption of the resolution and hoped that the proposed mission would be sent out quickly not merely to establish the facts of the aggression, which had already been done, but to establish its motive, namely, the overthrow of all progressive régimes in Africa and the subordination of that continent and the will of imperialism.

### C. Further communications and reports to the Council

328. In a report submitted jointly to the Security Council on 24 November (S/9999), the President of the Council and the Secretary-General stated that, in accordance with Security Council resolution 289 (1970), and following consultations between themselves and between the President and members of the Council, it had been decided that the Special Mission to the Republic of Guinea would be composed of Nepal (Chairman), Colombia, Finland, Poland and Zambia. The report further stated that the Mission would be accompanied by a staff from the Secretariat and that it would leave for Guinea that same night.

329. Between 23 and 25 November, five communications addressed to the President of the Security Council by the representatives of Southern Yemen (S/9997), 37 African Member States (S/10002 and Add.1), Algeria (S/9998), Yugoslavia (S/10000) and Kenya (S/10004), and a cable addressed to the Secretary-General by the representative of Haiti (S/10001), were received, all transmitting statements by their respective leaders or heads of State that contained declarations of their Governments' positions concerning the situation in Guinea. The communication from the 37 African Member States, in particular, stated that, in expressing the grave concern of their Governments and their solidarity with their sister State of Guinea in the face of the premeditated bombardment of its

territory by the aggressive Portuguese forces, they were acting in conformity with the provisions of the charters of the Organization of African Unity (OAU) and of the United Nations regarding the preservation of world peace and security. They appealed to the Security Council to take adequate measures to put an end to the colonial occupation of African territory by Portugal.

330. In a letter dated 23 November (S/10003) addressed to the Secretary-General, the President of the Gambia stated that, in September 1970, 38 Guinean citizens had been arrested in the Gambia for engaging in the preparation of a military expedition against Guinea. They claimed to be in the pay of the Government of Portugal. After a trial, at which two had pleaded guilty to criminal charges of preparing a military expedition against a country friendly to the Gambia, had been sentenced to various terms of imprisonment and deportation. The Government of the Gambia protested in the strongest possible terms against the infringement of its territorial waters and the use of its territory by Portugal for subversive activities and urged that the aggressive and subversive practices of Portuguese colonialism should be put to a stop immediately.

331. On 3 December 1970, the Special Mission to the Republic of Guinea, established under resolution 289 (1970), submitted its report (S/10009) to the Security Council on 3 December. After reviewing the circumstances that had led to its establishment, the Special Mission reported that, shortly after arriving in Conakry on 25 November, its members had met with the President of the Republic of Guinea, who had reiterated his charges of Portugal's responsibility for the attack against Guinea and expressed his disappointment that the Security Council had not acceded to his request for military assistance. Thereafter, the report said, the special mission had held 10 meetings between 26 and 28 November, some of them in joint session with a five-man Government delegation headed by the Minister of Financial Affairs. During those meetings, the Special Mission heard statements by the head of the Government delegation, received oral or written statements from 19 diplomatic representatives in Conakry, heard statements by members of the African Independence Party of Guinea and Cape Verde (PAIGC) and by various individuals, personally observed the material effects of the hostilities and heard testimony from seven prisoners brought forward by the Guinean authorities from about 70 prisoners who, the Government authorities said, had been captured during the invasion. Verbatim records of the 10 meetings and written statements of Government representatives were also issued on 3 December in an addendum (S/10009/Add.1) to the Special Mission's report.

332. On the basis of information received and observations made, the Special Mission reported that a naval force of five or six ships had appeared off the coast of Conakry on the night of 21/22 November. Early on 22 November some 350-400 men had been taken ashore by a number of motor-boats in a well-planned and skilfully executed operation that seemed to have had three objectives, namely: to overthrow the Government and replace it with dissident elements, to strike at the headquarters of PAIGC, and to free Portuguese prisoners held in Guinea. The report concluded that, in the best judgement of the Special Mission, the force that invaded the Republic of Guinea on 22/23 November had been assembled in Guinea (Bissau) and was composed of naval and military units of the



Portuguese armed forces, acting in conjunction with Guinean dissident elements from outside Guinea.

333. In a letter dated 4 December (S/10014) addressed to the President of the Security Council, the Chargé d'affaires *a.i.* of Portugal to the United Nations, referring to the report of the Special Mission, declared on behalf of his Government that it had neither authorized nor consented to any military operations against Guinea. Portugal had repeatedly expressed its desire for genuine peace and co-operation, particularly with those States contiguous to its Territories. Nevertheless, he continued, it was Portugal that was sustaining daily attacks mounted from those countries, acts of aggression that the United Nations had never sought to verify. He protested the action of the Special Mission in reporting to the Council without first informing the Portuguese Government of its findings. In conclusion, he stated that, in the circumstance, the Portuguese Government rejected any resolution seeking to establish the culpability of Portuguese entities or individuals in a situation that was so blatantly contrary to natural justice.

#### **D. Further consideration at the 1559th to 1563rd meetings (4-8 December 1970)**

334. The report of the Special Mission to the Republic of Guinea was included in the agenda of the Security Council and was considered, together with the complaint by Guinea, at five further meetings of the Council.

335. At the 1559th meeting, on 4 December, the President, with the consent of the Council, invited the representatives of Algeria, Liberia, Tanzania, the People's Republic of the Congo, Yugoslavia, Mauritius, Sudan, the United Arab Republic and Ethiopia, at their request, to address the Council without the right to vote.

336. Introducing the report of the Special Mission, the representative of Nepal expressed the Mission's hope that the report would serve the purpose of fully clarifying the situation so that the Security Council might take any further action considered necessary.

337. The representative of Guinea recalled the incidents that his Government had brought to the attention of the Security Council since July 1961, ranging from incessant violation of Guinea's air-space to bombing of its border villages by Portuguese armed forces based in Guinea (Bissau), often resulting in loss of Guinean civilian lives and damage to property. The latest aggression by Portugal was therefore not an isolated incident but was in line with the pattern of imperialism aimed at denying independent African countries their newly won sovereignty and colonial peoples their right to complete political and economic independence. Regarding the most recent attack against Guinea, he charged that Portugal had committed treacherous aggression against his country in violation of Article 2, paragraph 4, of the United Nations Charter, because Guinea stood at the forefront of the anti-imperialist struggle of African peoples for freedom. Repeating in detail the events of 22 November, he asserted that a force of 380 men, composed of 150 foot soldiers from the regular Portuguese army, 80 Portuguese marines and 150 mercenaries of different nationalities, had invaded Guinea early that morning with the full sanction of the Portuguese Governor-General of Guinea (Bissau). He stated that, in appealing for

United Nations airborne troops, his Government had demonstrated its faith in the norms of international law and its belief in the ability of the United Nations to safeguard the sacred principles of the sovereignty and territorial integrity of its Member States.

338. The representative of Algeria said that the people of Africa were justifiably surprised that two weeks after aggression had been committed against Guinea, the Security Council had done nothing to help the victims of aggression or to condemn the aggressors. Such incapacity was due to the imperialist and colonialist influence still prevalent within the United Nations. Africa must therefore depend on its own resources to eradicate all imperialist, colonialist or racist presence from the continent through armed resistance and struggle.

339. The representative of Sierra Leone said that his delegation unequivocally condemned Portugal's unprovoked aggression, carried out with arms supplied by NATO, which had been proved beyond any doubt by the findings of the Special Mission. His Government had already pledged its complete support to Guinea, including military assistance. The recent incidents illustrated the danger faced by all African States and the need to take firm action to remove Portugal and Portuguese influence from the entire African continent.

340. The representative of Liberia said that Portugal, in continuation of its previously condemned policy of aggression against several African States, had attacked Guinea for the fourth time. No African country could be an idle witness to such aggression; consequently, his Government had issued a statement on 23 November, which he read to the Council, condemning the attack as a flagrant violation of the United Nations Charter and the charter of OAU. It called upon the United Nations and OAU to offer assistance to Guinea and to take appropriate measures to punish the aggressors and their accomplices. He also read a report received from his Government concerning the invasion, based on evidence given by a private in the Portuguese armed forces, who gave details of his training in commando operations and of the preparations undertaken by the Portuguese army authorities leading to the landing in Conakry. In order to eradicate the threat to peace in Africa created by Portugal's policies of aggression and oppression, he reiterated his Government's appeal to the Security Council for measures that would remove Portugal from the continent of Africa.

341. The representative of Tanzania expressed his delegation's disappointment at the decision of the Council to send a special mission to Guinea instead of acceding directly to Guinea's request for prompt military assistance. Nevertheless, the case against Portugal had been clearly proved by the conclusions contained in the Special Mission's report. Recalling the statement made by his President during the twenty-fifth session of the General Assembly, he again asserted that Portugal's partners in NATO, through their economic and military assistance to the aggressor, shared its responsibility for the latest attack against Guinea. He urged the Council to apply the provisions of Articles 39 and 41 against Portugal, recalling the recommendations of the General Assembly in resolution 2621 (XXV) for the application of sanctions and an embargo on the supply of arms to Portugal.

342. The representative of Zambia informed the Council that his Government had just decided to give the Government of Guinea a sum of \$2.1 million as

its practical contribution towards the defence and preservation of the territorial integrity of that republic.

343. At its 1560th meeting, on 5 December, the President of the Security Council invited the representatives of Southern Yemen and Cuba, at their request, to address the Council without the right to vote.

344. The representative of Southern Yemen said that the primary form of injustice still prevalent in the world was the denial of the right of self-determination to peoples under colonial rule, a right endorsed by the United Nations 10 years earlier in General Assembly resolution 1514 (XV). His Government professed a policy of decolonization, liberation and full recognition of the fundamental dignity and equality of all peoples; but it was a matter of grave concern that there existed everywhere in the world the kind of aggression committed by Portugal, despite the sacred principles of the Charter and of international law that should govern cordial relations among States. After reading the statement made by the Prime Minister of Southern Yemen on 23 November (S/9997) concerning the situation in Guinea, he urged the Council to think seriously about punishing Portugal, by expelling it from the United Nations and applying against it the measures laid down in Article 41 of the Charter, and to consider giving support to the liberation movements in the Portuguese Territories.

345. The representative of the People's Republic of the Congo said that the problem before the Council concerned the international community as a whole, for Portugal, in pursuit of its backward colonial policy and encouraged by its NATO partners, had once again committed aggression against an African State in violation of Article 2 of the Charter. For too long Portugal's belligerence had been tolerated in the United Nations. Inasmuch as that country's criminal activities had been clearly established by the Special Mission, the Council should not content itself with mere adoption of yet another resolution; the Council should bring about the necessary change, which would ensure complete independence for Africa and remove the threat to that continent posed by racists in Pretoria, Salisbury and Portugal.

346. The representative of Mauritius said that the conclusions contained in the Special Mission's report provided irrefutable evidence that what had happened in Guinea between 21 and 23 November was a clear case of premeditated armed aggression by Portugal. He urged the Council to face up to its responsibilities under the relevant provisions of the Charter by punishing Portugal and requiring it to pay reparations for the damages caused by its attack on Guinea. He also appealed to Portugal's allies, in the interest of the Organization, to stop providing that country with assistance that enabled it to wage its colonial wars.

347. The representative of the United Arab Republic paid tribute to the work of the Special Mission. The attack on Guinea, only the latest in a series of attacks by Portugal against African countries in an effort to perpetuate its occupation, was one of the battles for the exploitation and domination of the peoples of Africa, the Middle East and Asia by those who erroneously believed that violence and force could suppress the struggle of nations. The Council should surely condemn Portugal without reservation and call for compensation; but it should also apply the provisions of all the Chapters of the Charter, particularly Chapter VII. Only then would the Council make it

clear that aggression would never pay and thereby cause it to be abandoned everywhere.

348. Recalling the statement made by the President of his country concerning the situation in Guinea (S/10000), the representative of Yugoslavia stated that the recent armed aggression confirmed that Portuguese colonialism, supported by that country's allies, especially the racist régime of South Africa, was becoming a more dangerous source of instability and war in Africa. He said that his delegation drew five conclusions from that recent attack: first, that it was a brutal act of aggression; secondly, that, often, such aggression was concealed and camouflaged, owing to tolerance and various influences from outside; thirdly that the aggression was a serious warning to all free and independent countries in Africa and the world; fourthly, that the aggression against Guinea and other independent African States indicated the need for complete eradication of Portuguese colonialism from Africa to safeguard the existence of African States and to promote self-determination for the peoples of Angola, Mozambique and Guinea (Bissau); and, fifthly, that the situation presented a critical challenge for the United Nations and the Council. The Security Council had at its disposal a whole range of measures under Articles 39, 41 and 42 of the Charter; but in view of Portugal's incessant violations of the United Nations decisions, the Council should also consider the possible application of Article 5 of the Charter, that is, suspension of Portugal from membership in the Organization.

349. The representative of Mali referred to the solidarity with Guinea expressed by his Government and other African Governments at the time of the Portuguese aggression and contrasted their position with the reluctance of the Security Council to take adequate measures to put an end to Portuguese colonialism. In the light of the conclusions contained in the report of the Special Mission, he hoped that the Council would not fail to take steps rapidly against Portugal and demand reparations from it.

350. The representative of Senegal read the text of a communiqué issued by the Council of Ministers of the Senegal River States of Senegal, Mali, Mauritania and Guinea at their meeting held in Conakry on 24 November, in which it was stated that the Council of Ministers had most strongly condemned the attack on Guinea, invited all peace-loving people of the world to do the same and urged the Council of Ministers and the Defence Committee of OAU to examine the grave situation in Guinea. The Senegalese delegation believed that the Security Council, in spite of growing imperfections in the functioning of United Nations organs, could face up to its responsibilities and apply the provisions of the Charter to the situation.

351. The representative of Mauritania said that the Council should use the current situation to institute measures that would provide an example to all those who overtly and cynically threatened the freedom and independence of the third world countries. Appropriate measures by the Council were necessary, lest the African countries should lose their confidence in the United Nations.

352. The President of the Council, speaking as the representative of the USSR, cited a statement issued by his Government on 23 November and a statement issued in Berlin on 2 December (S/10032) by the participants in the Conference of the Political Consultative Committee of States Parties to the Warsaw Pact

categorically condemning Portugal's act of aggression. He said that the aggressive policy of imperialism darkened the international atmosphere, denied peoples the opportunity to live in peace as good neighbours and had as its sole objective the overthrow of progressive popular Governments and their replacement with puppet régimes headed by imperialist lackeys. In such a situation, as the General Secretary of the Central Committee of the Communist Party of the Soviet Union had stated at the fiftieth anniversary of Soviet Armenia, united action of all freedom-loving, anti-imperialist forces in rebuffing aggression was the best means of preventing the outbreak of local wars that might otherwise escalate into a military threat to all mankind. Certain delegations had from the very outset prevented the Security Council at that time from categorically and decisively condemning Portugal's aggression and from taking effective measures against the aggressor. At that time they had also refused to allow the Council, in its demand for the immediate withdrawal of all the aggressor's troops from Guinean territory, to state clearly and specifically that the forces concerned were Portuguese troops, as the USSR and other delegations had urged. It was now perfectly obvious from the report which the mission had submitted to the Security Council that Portugal had been caught red-handed as the aggressor and had been completely unmasked as the perpetrator of an international crime. Thus, the Council's action in appointing the Special Mission, in complete accordance with the Charter, had been thoroughly justified. Inasmuch as the Special Mission's report had unmasked the facts of the case, the Security Council and the United Nations as a whole should take urgent steps to increase the effectiveness of the Organization in ensuring the security of peoples. The recent aggression showed the necessity of completely liquidating all colonial and racist régimes from African soil. The Council should also take note of the fact that the weapons used by Portugal were supplied by that country's NATO partners. His delegation insisted that the Council should apply sanctions against Portugal under Article 41 of the Charter, as an urgent and priority measure. Should such measures fail to produce the required results, it would then be necessary to take urgently the measures provided in Article 42.

353. At the 1561st meeting, on 7 December, the President of the Security Council invited the representatives of Uganda, India and Somalia, at their request, to address the Council without the right to vote.

354. The representative of Zambia said that Portugal's responsibility for the premeditated armed attack against Guinea, as the conclusions in the Special Mission's report had shown, was unquestionable and irrefutable. He stated that Portugal's aggressive activities were founded on the extensive support that it received from some of its NATO partners, as well as from the whole Western economic, financial and other vested interests in the Territories under its control. In the final analysis, therefore, it was the whole Western political and economic power complex that was Africa's worst enemy. He emphasized that colonialism was a threat to international peace and security and that, once again, the events in Guinea had demonstrated the impotence and ineffectiveness of the Security Council in times of crisis. He urged the Council to punish Portugal severely by applying the full provisions of Chapter VII of the Charter, and he also urged that that country be made to relinquish without delay its domination over the Territories under

its colonial yoke, in accordance with General Assembly resolution 1514 (XV).

355. The representative of Cuba said that his delegation had come to express its solidarity with Guinea. The recent attack by Portugal had not been the first against an African country by a country supported in its activities by the racist régimes of Southern Rhodesia and South Africa and counting on the co-operation and material and military support of certain Western Powers, particularly the group in NATO. For that reason, his delegation considered that the aggression against Guinea constituted aggression against all the African people and was only one of a series of aggressions suffered by the peoples of Africa, Asia and Latin America at the hands of imperialists.

356. The representative of Syria outlined three implications of the attack on Guinea, upon which he urged the Council to base its actions: first, that the aggression against Guinea represented an open threat to every sovereign country that dared to oppose colonialism, racism and imperialist expansion; secondly, that the arms supplied to colonialists by their allies, purportedly for self-defence, were used instead to commit aggression against innocent, independent countries and to consolidate colonial hegemony; and thirdly, that there was a colonialist trend to obstruct the economic development of newly independent countries. Consequently, as the Special Mission had so clearly identified Portugal as the aggressor, he urged the Council immediately to invoke against that country the provisions of Chapter VII of the Charter, require adequate compensation and enjoin the aggressor to end its colonial rule in Africa.

357. The representative of Poland said that, as one of the members of the Special Mission, he fully subscribed to the conclusions in the Mission's report. He analysed all the elements and objectives of the attack and said that the conclusions drawn therefrom without ambiguity or bias presented the United Nations with a series of consequences. In the view of his delegation, what had happened in Guinea represented an attempted act of imperialist, neo-colonialist reconquest, psychologically, politically and militarily adjusted to current circumstances by colonialist Powers, who were using continued aggression against liberation movements and anti-colonialist African States in order to maintain the *status quo*. As one of the "strike forces" of the imperialist strategy to reconquer Africa, and as a member of NATO, he asserted, Portugal constituted part of a well-defined military, strategic and ideological system. His delegation urged that, in considering the measures to be applied against Portugal, the Council should have in mind: first, an unequivocal condemnation of that country, as well as the application of a series of sanctions under Chapter VII of the Charter; secondly, an assurance to Guinea that such an act of aggression would not be repeated and that, if need be, the Council would invoke all the provisions of Chapter VII; thirdly, reparations for the damage suffered by Guinea; and, last, the fact that the continued presence of Portuguese colonialism in Africa and its colonial wars there constituted a constant danger for the independent African countries, contrary to the most fundamental principles of the Charter. Only the immediate granting of independence to the peoples under Portuguese domination would remove that threat.

358. The representative of Uganda said that Portugal's recent aggression against Guinea was part of the colonialist and neo-colonialist manoeuvres aimed at



subjugating the peoples of Africa. Through the use of mercenaries and through Portugal, as the Special Mission had confirmed, certain great Powers sought to overthrow properly elected leaders in order to prove that the indigenous populations could not rule themselves, and thereafter to install their own puppet régimes. He stated that, without the support of NATO, Portugal alone could not subdue the liberation movements in Angola, Mozambique and Guinea (Bissau) or undertake aggression against independent African States. His delegation expected the Council, instead of merely adopting another condemnatory resolution, to take appropriate action under Chapter VII of the Charter, including payment of reparations to Guinea by Portugal.

359. The representative of Sudan emphasized that the attack by Portugal on Guinea, the African pilot socialist State and leader in the struggle against colonialism, was an attack on the whole of Africa. That was why all the peoples of Africa, awakened to the realities of colonialism, raised their voices against it. His country, together with its sister States of Libya and the United Arab Republic, had made available to Guinea all possible assistance to meet its defence needs. Portugal was determined to continue to occupy its Territories in Africa and only through the military and economic aid of its NATO allies was that Government able to defy the numerous United Nations resolutions. In conclusion, he expressed his delegation's hope that the Council's decisions would measure up to the needs of the situation and restore its prestige in the eyes of Africans.

360. The representative of Ethiopia said that the conclusive nature of the Special Mission's report had confirmed beyond any doubt Portugal's culpability, and no one could contend that the charges against Portugal were mere allegations and thus thwart effective action by the United Nations. He asked what action the Security Council was going to take and said that it would not be sufficient merely to condemn Portugal. His delegation therefore suggested that, in addition, the Council should agree to impose sanctions against Portugal, adopt the Special Mission's report, compel Portugal to compensate Guinea and use the current opportunity to eliminate once and for all Portugal's colonialism.

361. The representative of Somalia said that the evidence of Portugal's responsibility for the attack on Guinea presented in the Special Mission's report must have dispelled all doubts in the minds of members of the Council. The inability of the United Nations to provide assistance to Guinea, as requested at the time of the invasion, demonstrated the magnitude of the failure to solve the question of providing adequate peace-keeping machinery for the Organization. Members might well turn away from the Organization and devise other and more costly means for their own security. To restore the confidence of smaller States in the integrity and usefulness of the Organization, his delegation believed that the Council should apply measures under Chapter VII of the Charter. In addition, Portugal should be subjected to enforcement action for its lawless conduct and to persuade it to terminate its colonial wars in Africa, in which it employed mercenaries—another matter for international concern, which the United Nations should take forceful action to eliminate from Africa.

362. At the 1562nd meeting on 7 December the President, with the consent of the Council, invited the representatives of Haiti and Pakistan, at their request,

to participate in the discussion of the question without the right to vote.

363. The representative of Finland said that Portugal's attack on Guinea could not be viewed in isolation but as a symptom of a built-in tension along the borders of Portugal's Territories in Africa, arising from the suppression of the legitimate right of the peoples in those Territories to self-determination and independence. The exceptionally strong and unanimous reaction of the African people, as demonstrated in their statements to the Council, had been sufficient evidence of their concern about external interference in their independent development. His delegation held the view that the Council should not only condemn Portugal for the armed attack but should call upon it to recognize the right of the people under its rule to self-determination and independence. Small nations looked up to the United Nations for effective protection of their security, but the failure of the Organization to respond to the appeal of the Guinean Government must justifiably cause such nations to reflect seriously on its capability to do so. He recalled that in the final communiqué issued at the end of the first periodic meeting of the Security Council members had emphasized the importance of reaching early agreement on guidelines for future peace-keeping operations in conformity with the Charter, and he said that recent events in Guinea had underlined the urgency of such steps and demonstrated the need to make the Organization a more effective guardian of peace.

364. The representative of Haiti said that his country was outraged by the Portuguese attack on Guinea and that his Government most energetically protested that dastardly aggression. In view of the conclusive findings of the Special Mission's report, he said that his delegation would support any resolution by the Council intended to provide restitution for Portugal's acts of aggression against Guinea.

365. The representative of India read the text of a message sent by the President of India to the President of Guinea upon receiving news of the latest attack, in which it was stated that the Government and people of India deplored the attempt to violate the sovereignty and territorial integrity of Guinea, welcomed the Council's demand for withdrawal and expressed full support of Guinea's efforts to resist the gross interference in its internal affairs. The representative of India added that his country had had some experience in dealing with Portugal and charged that country with lack of elementary civility for not bothering even to explain to the Council its Government's point of view regarding the complaint by Guinea. Portugal, equipped with arms by its friends and allies, wished to maintain its domination over its colonial territories by the use of force, ignoring the fact of history that freedom-fighters were bound to win eventually. Portuguese colonialism did not understand reason; judging from India's experience, the only thing that it could understand was the use of force. He appealed to all mankind to work together to stop the insensitive anachronism of colonialism in an age considered to be enlightened.

366. Following a brief recess, the representative of Burundi introduced a draft resolution (S/10030) sponsored by the delegations of Burundi, Nepal, Sierra Leone, Syria and Zambia, which read as follows.

*"The Security Council,*

*"Having considered with appreciation the report of the Security Council Special Mission to the Re-*



public of Guinea established under resolution 289 (1970) of 23 November 1970,

*"Having heard* further statements by the Permanent Representative of the Republic of Guinea,

*"Gravely concerned* that the invasion of the territory of the Republic of Guinea on 22 and 23 November 1970 from Guinea (Bissau) was carried out by naval and military units of the Portuguese armed forces, and by the armed attack against the Republic of Guinea on 27 and 28 November 1970,

*"Gravely concerned* that such armed attacks directed against independent African States pose a serious threat to the peace and security of independent African States;

*"Mindful* of its responsibility to take effective collective measures for the prevention and removal of threats to international peace and security,

*"Recalling* its resolution 218 (1965) of 23 November 1965 and 275 (1969) of 22 December 1969 which condemned Portugal and affirmed that the situation resulting from the policies of Portugal both as regards the African population of its colonies and the neighbouring States adversely affects the peace and stability of the African continent,

*"Reaffirming* the inalienable right of the people of Angola, Mozambique and Guinea (Bissau) to freedom and independence in accordance with the Charter of the United Nations and the provisions of General Assembly resolution 1514 (XV) of 14 December 1960,

*"Grieved* at the loss of life and extensive damage caused by the armed attack and invasion of the Republic of Guinea,

*"1. Endorses* the conclusions of the report of the Special Mission to the Republic of Guinea;

*"2. Strongly condemns* the Government of Portugal for its invasion of the Republic of Guinea;

*"3. Demands* that full compensation by the Government of Portugal be paid to the Republic of Guinea for the extensive damage to life and property caused by the armed attack and invasion and requests the Secretary-General to assist the Government of the Republic of Guinea in the assessment of the extent of the damage involved;

*"4. Appeals* to all States to render moral and material assistance to the Republic of Guinea to strengthen and defend its independence and territorial integrity;

*"5. Declares* that the presence of Portuguese colonialism on the African continent is a serious threat to the peace and security of independent African States;

*"6. Urges* all States to refrain from providing the Government of Portugal with any military and material assistance enabling it to continue its repressive actions against the peoples of the Territories under its domination and against independent African States;

*"7. Calls upon* the Government of Portugal to apply without further delay to the peoples of the Territories under its domination the principles of self-determination and independence in accordance with the relevant resolutions of the Security Council and General Assembly resolution 1514 (XV);

*"8. Solemnly warns* the Government of Portugal that in the event of any repetition of armed attacks

against independent African States, the Security Council shall immediately consider appropriate effective steps or measures in accordance with the relevant provisions of the Charter of the United Nations;

*"9. Calls upon* the Government of Portugal to comply fully with all the resolutions of the Security Council, in particular the present resolution, in accordance with its obligations under Article 25 of the Charter;

*"10. Requests* all States, in particular Portugal's allies, to exert their influence on the Government of Portugal to ensure compliance with the provisions of the present resolution;

*11. Requests* the President of the Security Council and the Secretary-General to follow closely the implementation of the present resolution;

*12. Decides* to remain actively seized of the matter."

367. Introducing the draft resolution, the representative of Burundi said that the text of the draft submitted following consultations with all the members of the Council was not exactly what the people of Guinea or the African countries had wanted; nevertheless, it reflected a spirit of collective responsibility. The sponsors wished to emphasize operative paragraphs 5 and 8 and to stress that action should be taken under Chapter VII of the Charter in the event of a recurrence. Although fully aware of the difficulties that might be experienced by some of Portugal's NATO allies in the Council, the sponsors appealed to them to join the rest of the Council in supporting the draft resolution, because in so doing they would actually be serving Portugal's interests better. The facts established by the Special Mission should command unanimous support of the draft resolution and result in rapid, effective and appropriate action in fulfilment of the Council members' common responsibility for international peace and security.

368. The representative of Nepal emphasized the importance of the Council's decision to send its Special Mission to Guinea. Commenting on the Special Mission's report, he said that as could be seen from its conclusions, the motives and the nature of the invasion had been established beyond any doubt, the culpability of Portugal had been clearly proved and Portugal's denial of the facts was obviously incredible. It was therefore for the Council to live up to its responsibilities under the Charter by applying punitive, as well as preventive, measures, bearing in mind the fact that the colonial presence of Portugal in Africa was rightly regarded by all the African countries as a permanent threat to the peace and security of that continent.

369. The Council concluded its consideration of Guinea's complaint at its 1563rd meeting on 8 December. At that meeting, the representative of Colombia said that, as one of the members of the Special Mission, he, like all his colleagues, had gone to Guinea with an open mind in an objective search for the truth. Colombia believed firmly in the principle that no State had a right to intervene in the internal or external affairs of another. Defence of that principle was vital to the survival of all States; otherwise international peace and harmony would not be feasible. Considering also its awareness of the categorical terms of General Assembly resolution 1514 (XV), Colombia felt itself duty-bound to condemn strongly any foreign interven-

tion in the life of nations in any continent, be it Africa, Asia or Europe. In that context, and given the facts concerning the attack against Guinea, his delegation hoped that the United Nations, more specifically the Security Council, would not remain passive and thus encourage other aggression against other States. For that reason, he announced that his delegation supported the five-Power draft resolution before the Council and would vote for it.

370. The representative of Pakistan said that the question before the Council had several distinctive features, chief among which was the fact that a Special Mission of the Council itself, after careful investigation, had confirmed the fact of aggression against the territory and Government of a Member State. There were many suitable measures that the Council might adopt to meet the situation, and, without wishing to prejudice the outcome of the negotiations under way for such measures, his delegation suggested that the Council should consider full application against Portugal of measures under Chapter VII of the Charter, as well as restitution to the victim. Any hesitation on the part of the Council in that regard would undermine the trust that was the very foundation of international security. Furthermore, inasmuch as the attack against Guinea was one of a series of such attacks against several African States, springing from those countries' legitimate assistance to freedom fighters struggling against Portuguese domination, the Council should adopt appropriate measures to liquidate completely all such out-dated colonialism from Africa. Otherwise, in the absence of United Nations peace-keeping machinery, African States would be forced to assemble large arsenals of military weapons and to form new alliances, which would not be in the interest of international peace and security.

371. The representative of the United States read the text of a message sent by the President of his Government to the President of Guinea, assuring him of United States opposition to any infringement of Guinea's national sovereignty or to outside interference in its internal affairs. He welcomed the report of the Special Mission and said that his Government had no reason to question its considered opinion and judgement concerning Portugal's responsibility for the attack. It was clear that the attack, in its broader context, involved the unrest and violence in Portugal's colonial Territories. His Government had repeatedly affirmed its support for the legitimate right of the peoples in those Territories to self-determination, but it also believed that, in working towards that goal, violence must be avoided and peaceful methods sought. For that reason, his Government, provided no arms to Portugal for use in Africa and was also unwilling to give them to those who might use them against Portuguese Territories there. Regarding the Security Council's failure to comply with Guinea's request for United Nations peace-keeping forces, he stated that it was essential that the Council should first independently ascertain the facts of any complaint. That the United Nations did not have at its disposal peace-keeping forces that could be dispatched immediately to a troubled area, he said, was a situation for which his Government had long sought a remedy. With regard to the draft resolution before the Council, his delegation had already expressed its reservations, during consultations, about the Council acting under Chapter VII. Although the draft resolution did not constitute a finding that a

Chapter VII situation already existed or commit the Council to take action thereunder in any future situation, his delegation felt that it nevertheless went much too far in that direction. There were also a number of other provisions in it that his Government could not support. Consequently, he announced that his delegation would abstain from the vote.

372. The representative of Saudi Arabia decried what he called a watered-down, toothless draft resolution that had been reached by consensus after some members of the Council had objected to the application of Chapter VII of the Charter. If the provisions of that Chapter could not be applied, he wondered what had been the point of including it in the Charter at all. Moreover, those responsible for weakening the original draft resolution were themselves ready to use force when their own economic interests were threatened. It therefore seemed that there was a double standard in the United Nations. Given its own historical background as a former colony, Portugal should not continue to claim its colonial Territories in Africa as provinces. Examining individual paragraphs of the draft resolution, he said that the measures proposed by the Council would not be effective in dealing with the situation. He suggested that the Council might, instead, reactivate the work of the Trusteeship Council and appeal to members of NATO to exert pressure upon Portugal to relinquish its colonial claims over millions of people in those Territories.

373. The representative of Burundi said that despite the mass of evidence and proof against it contained in the report of the Special Mission, Portugal had the effrontery not only to call in question but to challenge the credibility and integrity of the Mission and the Security Council and to confine its defence to communications circulated within United Nations bodies. The situation called for recourse to Articles 41 and 42; if that were not done, it would be vain to pretend that the punishment inflicted on Portugal was proportional to the enormous gravity of its aggression against a Member State.

374. The representative of Sierra Leone said that the Government of Portugal had admitted that one of the key witnesses before the Mission was an officer in the Portuguese armed forces. Its complicity was further demonstrated by the fact that white Portuguese prisoners, who had been released during the raid in Guinea, had already arrived in Lisbon, leaving behind black Portuguese African soldiers, which demonstrated yet another fact: that of Portugal's racialism and hypocrisy, in spite of its declarations of racial brotherhood. He stated that, contrary to certain deliberately misleading international press reports, the invasion had been mounted from Guinea (Bissau), as the Special Mission had concluded, and not from Sierra Leone.

375. The representative of Finland announced that, in view of the sponsors' acceptance of suggestions that the draft resolution should not include any advance commitment by the Council to apply the measures in Chapter VII of the Charter, his delegation would vote for it.

376. The representative of France said that, although the report was not yet available in all the working languages, which presented difficulties for his delegation in making a thorough study of it, it seemed clear that Guinea had been the subject of an armed attack by units from Guinea (Bissau) in which Portugal was involved in one way or another, since it bore

responsibility for what happened in a Territory over which it claimed sovereignty. His delegation, which had denounced that attack as soon as it had learned of it, condemned any infringement of the sovereignty of a State, especially of one which had gained independence quite recently. The Council would understand France's feelings in the case of Guinea, since France had been the first to recognize that country's right to independence. With regard to the draft resolution before the Council, some of the paragraphs seemed to him to be quite acceptable and he was glad that the sponsors had deleted all reference to Chapter VII of the Charter. Nevertheless, his delegation had legal reservations about certain paragraphs and would therefore abstain in the vote but would not oppose the adoption of the draft resolution.

377. The representative of the United Kingdom stated that his Government considered that the oral evidence received by the Special Mission, together with the circumstantial evidence, justified the conclusions contained in its report. His Government deplored the events that had occurred in Guinea and the behaviour of those responsible for them; therefore, in view of those conclusions, a strong condemnation of the Portuguese authorities for the attack was justified. However, he rejected the accusations made by many speakers to the role of the NATO partners in the affair; NATO was merely a defence alliance operating only within its area, which did not include any part of Africa; in particular, he said, it provided no arms to Portugal, and his Government had not supplied any arms to Portugal for use in the Portuguese Territories since the adoption of Security Council resolution 180 (1963). Concerning the draft resolution, he said that his delegation did not believe that the situation in question justified a determination of a threat to peace in the terms of Chapter VII of the Charter, and the draft resolution rightly made no such positive assertion; nevertheless, the drafting of certain of its paragraphs was obscure, and certain others contained elements that seemed to go beyond what was reasonably justified by the Mission's report. His delegation would therefore abstain from the vote.

378. The representative of Spain said that his delegation had studied with due attention the report of the Special Mission and noted with regret the inability of the Security Council to act with the required speed when aggression was committed against Member States. Spain rejected any foreign invasion or interference in any State. Nevertheless, the draft resolution seemed to go beyond what his delegation would have wished; therefore it was compelled to abstain from the vote.

**Decision:** *At the 1563rd meeting, on 8 December, the five-Power draft resolution (S/10030) was adopted by 11 votes to none, with 4 abstentions (France, Spain, United Kingdom and United States), as resolution 290 (1970).*

379. The representative of Nepal, as Chairman and on behalf of the Special Mission, expressed the Mission's satisfaction that the Council had endorsed the report; he also congratulated members of the Mission for their work and the Secretariat for its advice and assistance during the Mission's performance of its work.

380. The representative of Guinea said that the debate that had just concluded went beyond the boundaries of Guinea; the events there had given a final warning to the Security Council to safeguard international peace and security. Nevertheless, his delegation

was disappointed that the Council had not invoked against Portugal the provisions of Chapter VII, especially Articles 41 and 42. It was also disappointed that the Council had not declared in the resolution that the attack against an African country constituted a threat to international peace and security but had merely termed it a threat to the security of African States. However, he stressed that Portugal's belligerence had effectively helped to cement African solidarity and to mobilize the African people for the defence of their own freedom and independence.

381. The President in his capacity as the representative of the USSR, said that by decisively condemning the aggression against an African Member State the Security Council had responded to the appeal of the African States. The resolution also provided that the aggressor should bear material responsibility for the damage caused and contained an appeal to all States, particularly Portugal's military allies, to refrain from supplying any military or material assistance to that country. In that regard, his delegation rejected the attempt by the representative of the United Kingdom to distinguish between the employment of weapons supplied to Portugal, since they could all be used to commit international crimes and aggressive acts against independent African States. Moreover, it was regrettable that, in spite of Portugal's responsibility for the aggression, as established in the Mission's report, which was endorsed by the Council, it had not been possible, owing to the influence of Portugal's friends on the Council, for the Council to invoke Article 41 of the Charter. The Council should exercise control over compliance with the resolution, through its President and the Secretary-General, and should be prepared to consider further and more effective measures, if Portugal or its protectors should create any obstacles to its implementation.

#### E. Subsequent communications and reports

382. On 7 December, the Chargé d'affaires *a.i.* of Portugal addressed a letter (S/10024) to the President of the Security Council transmitting the text of an official communiqué issued by the Ministry of Foreign Affairs in Lisbon on that day concerning the recent events in Guinea. The communiqué stated that the Security Council's Special Mission had conducted its work without due regard to the most elementary procedural principles and that, therefore, its conclusions were not acceptable to the Portuguese Government. Among the procedural misgivings it listed, the communiqué complained that the Mission's sources of information were all under the control of the Government of Guinea, including Government-selected, physically and psychologically controlled prisoners; that the Mission had decided to hear representatives of the PAIGC, a non-Guinean, anti-Portuguese political organization seeking to spread subversion and disorder in the Portuguese Territory of Guinea; and that, apparently, the Mission had visited only Conakry and the prison camp at Kindia.

383. Four letters were addressed to the President of the Security Council transmitting statements condemning the attack on Guinea or setting forth official positions concerning the situation. A letter dated 8 December (S/10032) from the representative of the Union of Soviet Socialist Republics transmitted a statement on the aggression by the colonialists against the



Republic of Guinea adopted at Berlin on 2 December 1970 by the participants in the Conference of the Political Consultative Committee of the States Parties to the Warsaw Treaty. A letter dated 14 December (S/10039) from the representative of Singapore transmitted the text of a message from the Foreign Minister of Singapore to the Foreign Minister of Guinea. A letter dated 14 December (S/10040) from the representative of Nigeria transmitted a message from the Nigerian Commissioner for External Affairs, in his capacity as the Chairman of the Council of Ministers of OAU, concerning the position taken by the Council of Ministers at its extraordinary session in Lagos. Finally, a letter dated 14 December (S/10041) from the representative of Iraq attached the text of an official statement made on 24 November by the spokesman of the Ministry for Foreign Affairs of Iraq.

384. In a note dated 19 December (S/10045), the Secretary-General transmitted a message from the President of the Republic of Guinea in which he stated that large military formations were being massed along Guinea's border with Portuguese Guinea and Senegal in preparation for a new attack on Guinea and appealed to the United Nations to take all necessary measures to safeguard the independence and sovereignty of Guinea. On the same day, the message (S/10046) was also transmitted to the President of the Security Council by the representative of Guinea.

385. By a letter dated 22 December (S/10052) addressed to the Secretary-General, the *Chargé d'affaires a.i.* of Portugal transmitted the text of a letter from the Minister for Foreign Affairs of Portugal dated 21 December, in which the Foreign Minister rejected the latest accusations by the President of Guinea and reiterated that Portugal had never authorized any preparations on Portuguese Territory for the invasion of Guinea. On the contrary, it was Guinea that, for the last seven years, had attacked, or allowed hostile groups operating from its territory to attack, Portuguese Guinea.

386. On 22 December, the President of the Security Council and the Secretary-General, in pursuance of Security Council resolution 290 (1970), jointly submitted an interim report (S/10054) on implementation of the resolution. The report stated that, as of 21 December, no replies had been received in response to the Secretary-General's request in his note dated 18 December for information from States Members of the United Nations or members of the specialized agencies on measures taken by them to implement the resolution. However, the report listed four communications concerning the complaint by Guinea received since adoption of the resolution from the representatives of the USSR (S/10032), Singapore (S/10039), Nigeria

(S/10040) and Iraq (S/10041), and quoted a message from the Chairman of the OAU Council of Ministers and another message from the Secretary-General of OAU.

387. The interim report further stated that, on 8 December, the Secretary-General, in view of the provisions of paragraph 3 of the resolution, had sent a cable to the Government of Guinea, informing it of his readiness to dispatch a team of officials to assist the Government in assessing the extent of the damage involved. In a message dated 16 December received in reply, the President of Guinea had asked the Secretary-General to cancel outright the dispatch of the appraisal mission to Guinea, saying that the moral and material damage caused to the Guinean nation could not be expressed in monetary terms and that the only reparation considered acceptable by the Government would be the immediate recognition and proclamation of national independence for the African Territories of Angola, Mozambique and Guinea (Bissau).

388. In two letters dated 22 (S/10057) and 23 December (S/10058), the representative of Guinea supplied further information concerning the attack on Guinea on 22 and 23 November, describing the types of boats used by the Portuguese naval units and transmitting a set of photographs, said to have been taken in the wake of the attack, which showed, among other things, the casualties, the damage to property and captured arms and ammunition.

389. In four other communications addressed to the President of the Security Council between 16 February and 12 March, the representatives of Portugal and Guinea lodged charges and countercharges, of aggression by one country against the other. Accusations by Portugal on 16 February (S/10118) that two Guinean aircraft had overflown the Portuguese province of Guinea on 13 February were denied on 17 February by Guinea (S/10125), which countercharged that, on the contrary, it was the Portuguese colonial occupation forces stationed in Guinea (Bissau) that were daily violating Guinean air space, territorial waters and soil. Accusations by Guinea on 4 March (S/10145) that Portugal had continued to commit aggression against it were repudiated by Portugal on 12 March (S/10156) as entirely unfounded.

390. On 23 April, the Secretary-General issued a note (S/10180) concerning replies of Governments to his note dated 18 December 1970 transmitting the text of Security Council resolution 290 (1970) and requesting information on its implementation. As of 23 April, 29 replies had been received, five of them simple acknowledgements. The substantive portions of the remaining 24 replies were reproduced in the note.



## Part II

### OTHER MATTERS CONSIDERED BY THE SECURITY COUNCIL

#### Chapter 8

##### ADMISSION OF NEW MEMBERS

###### A. Application of Fiji

391. In a letter dated 10 October 1970 (S/9957), the Prime Minister of Fiji submitted the application of Fiji for membership in the United Nations, together with a declaration bearing his signature, accepting the obligations contained in the Charter of the United Nations.

392. The Security Council considered the application of Fiji at its 1554th meeting on 10 October. The following draft resolution (S/9959) was submitted by Sierra Leone, the United Kingdom and Zambia:

*"The Security Council,*

*"Having examined the application of Fiji for admission to the United Nations (S/9957),*

*"Recommends to the General Assembly that Fiji be admitted to membership in the United Nations."*

**Decision:** *At its 1554th meeting, on 10 October 1970, by 10 votes to 1 (United States), with 4 abstentions (China, Colombia, Finland, Nicaragua), the Council adopted a motion by the representative of Zambia to suspend on that occasion the application of rule 59 of the provisional rules of procedure. The draft resolution (S/9959) was then adopted unanimously, as resolution 287 (1970).*

###### B. Application of Bhutan

393. In a letter dated 22 December 1970 (S/10050), the King of Bhutan, on behalf of the Government of Bhutan, submitted the application of Bhutan for admission to membership in the United Nations and declared that it accepted the obligations contained in the Charter of the United Nations.

394. At its 1565th meeting on 9 February 1971, the Security Council considered the application of Bhutan.

tan. It was decided that the application of Bhutan should be referred to the Committee on the Admission of New Members for examination and report, in accordance with rule 59 of the provisional rules of procedure of the Security Council.

395. At its 35th meeting held on 9 February, the Committee on the Admission of New Members examined the application of Bhutan and unanimously decided to recommend to the Security Council that Bhutan should be admitted to membership in the United Nations. The report of the Committee (S/10109) contained the following draft resolution:

*"The Security Council,*

*"Having examined the application of Bhutan for admission to the United Nations (S/10050),*

*"Recommends to the General Assembly that Bhutan be admitted to membership in the United Nations."*

396. The Security Council considered the Committee's report at its 1566th meeting on 10 February. The representatives of India and Pakistan were invited, pursuant to their requests, to participate in the discussion without the right to vote.

**Decision:** *At the 1566th meeting, on 10 February 1971, the draft resolution (S/10109), was adopted unanimously, as resolution 292 (1971).*

###### C. Application of Oman

397. In a letter dated 24 May 1971 (S/10216), the Prime Minister and Minister for Foreign Affairs of the Sultanate of Oman submitted the application of Oman 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.

#### Chapter 9

### THE SITUATION CREATED BY INCREASING INCIDENTS INVOLVING THE HIJACKING OF COMMERCIAL AIRCRAFT

398. In a letter dated 9 September 1970 (S/9931) addressed to the President of the Security Council, the representative of the United States of America requested that an urgent meeting of the Security Council should be called without delay to consider the situation created by increasing incidents involving the hijacking of commercial aircraft engaged in international commerce and the threat to the lives of innocent travellers.

399. By a letter sent on the same day (S/9932), the representative of the United Kingdom requested the President of the Security Council to convene as soon as possible an urgent meeting of the Council to

consider the question of the hijacking of civil aircraft, with particular reference to the incidents that had taken place during the preceding days.

400. In letters dated 9 September, Algeria and Israel requested that they should be invited to participate in the discussion.

401. At its 1552nd meeting on 9 September, the Security Council included the item on its agenda. The President stated that extensive consultations had taken place in order to meet the wishes of all parties concerned.

402. After the adoption of the agenda, the representative of Finland stated that it was his understanding that a consensus had been reached during the consultations preceding the formal meeting of the Council. He formally moved that the Council decide to adopt the text agreed upon immediately and then adjourn without debate.

403. The text, submitted as a draft resolution (S/9933/Rev.1 and Corr.1), read as follows:

*"The Security Council,*

*"Gravely concerned at the threat to innocent civilian lives from the hijacking of aircraft and any other interference in international travel,*

*"Appeals to all parties concerned for the immediate release of all passengers and crews, without exception, held as a result of hijackings and other interference in international travel;*

*"Calls on States to take all possible legal steps to prevent further hijackings or any other interference with international civil air travel."*

404. No objection having been raised to the formal motion made by the representative of Finland, the President declared it adopted. Stressing the gravity and extreme urgency of the matter, he stated that it was clearly the intention of the members of the Security Council that humanitarian considerations should be foremost. He therefore made an appeal to those concerned that all passengers and crews who were being held as a result of hijacking or interference during international travel should be released unharmed. He further expressed the hope that the draft resolution arrived at after lengthy consultations would be adopted without voting.

**Decision:** *At its 1552nd meeting, on 9 September 1970, the draft resolution (S/9933/Rev.1 and Corr.1) was adopted without objection, as resolution 286 (1970).*

## **Part III**

### **THE MILITARY STAFF COMMITTEE**

#### ***Chapter 10***

#### **WORK OF THE MILITARY STAFF COMMITTEE**

405. The Military Staff Committee functioned continuously under the draft rules of procedure during the period under review and held a total of twenty-six 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 11

### COMMUNICATIONS CONCERNING THE SITUATION IN TERRITORIES UNDER PORTUGUESE ADMINISTRATION

406. In a letter dated 21 August 1970 (S/9917), 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 Security Council the text of a resolution (A/AC.109/359) adopted by the Special Committee on 18 August. In paragraphs 10 and 11 of the resolution the Special Committee drew the attention of the Security Council to the grave situation created by the continued defiance by Portugal of its Charter obligations and to the urgent need for adoption by the Council of the necessary measures to make mandatory the provisions of its resolutions, particularly resolution 218 (1965) of 23 November 1965.

407. In a letter dated 16 December (S/10049), the Secretary-General transmitted to the Security Council the text of a resolution 2621 (XXV) adopted by the General Assembly on 12 October 1970. In paragraph 3 of that resolution the General Assembly drew the attention of the Security Council to the need for it to consider urgently the adoption of measures to prevent the supply of arms of all kinds to Portugal, as such arms enabled that country to deny the right of self-determination and independence to the peoples of the Territories under its domination.

408. By a letter dated 21 January (S/10087), the Secretary-General transmitted to the Security Council

the text of resolution 2707 (XXV) concerning the question of Territories under Portuguese Administration, adopted by the General Assembly on 14 December 1970. By paragraphs 12 and 13 of that resolution, the Assembly drew the Council's attention to the grave situation in the Territories of Angola, Mozambique and Guinea (Bissau) created by the continued violation by Portugal of its obligations under the Charter and to Portugal's growing collaboration with South Africa and the illegal régime in Southern Rhodesia and recommended that the Council should continue to give special attention to the problems of Portugal's colonialism in Africa and its collaboration with racist minority régimes and to take effective measures, in accordance with the Charter, to ensure full implementation of Assembly resolution 1514 (XV).

409. By a letter dated 13 April (S/10176), 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 on the question of Territories under Portuguese administration that the Special Committee had adopted on that date. Paragraph 3 of the resolution drew the Council's attention to "the urgent need to take the necessary measures to ensure the immediate cessation by Portugal of its colonial wars in Africa and its use of herbicides and defoliants to the detriment of the peoples of the Territories".

## Chapter 12

### COMMUNICATIONS CONCERNING RELATIONS BETWEEN SENEGAL AND PORTUGAL

410. In a letter dated 8 July 1970 (S/9861) addressed to the President of the Security Council, the representative of Senegal charged that, on 4 July, two Portuguese aircraft had violated Senegalese air space and on 6 July Portuguese soldiers had bombed three villages causing serious property damage. On 22 June, Portuguese army regulars had attacked a village in an area where a special group of experts of the Commission of Human Rights was conducting an investigation of Portuguese colonialism.

411. In a letter dated 16 July (S/9870), the Chargé d'affaires of Portugal denied the charges lodged by

Senegal on 8 July, stating that no Portuguese troops had violated Senegalese sovereignty and that the village of Sarré Samba Dialé had not been attacked by Portuguese soldiers on 22 June 1970. In reality, it stated, subversive elements from Senegal had penetrated Portuguese Guinea at that time and set fire to three hamlets.

412. In another letter dated 16 July (S/9871), the Chargé d'affaires of Portugal charged that, on the night of 12/13 July, about 300 subversive elements from Senegal had initiated an operation of vast proportions in Portuguese Guinea. As a result, 15 persons were



dead, 41 wounded and one was listed as missing, and 50 family dwellings were burnt. The letter stated that the Portuguese Government could not tolerate the continuous killings of the civilian population and hoped that measures would be adopted to put an end to such acts.

413. In a letter dated 17 July (S/9875), the Chargé d'affaires of Senegal charged that, on 14 July, Portuguese artillery had totally destroyed a Senegalese village, killing two persons and wounding two others. Attached to his letter was a list of acts of aggression committed by Portugal against Senegal since December 1969. The letter stated that Portugal had continuously violated Senegalese air space and shelled villages situated in border areas. As a result of those acts of aggression, 31 persons had been killed or wounded or taken away, and 293 houses and a considerable amount of property had been destroyed. His Government therefore warned Portugal that such actions should stop at once.

414. In a letter dated 16 December (S/10043), the representative of Senegal charged that Portuguese aircraft had been dropping leaflets over Senegal inviting the population of the southern part of the Republic to rebel against their Government. Furthermore, Portuguese soldiers had continued their intrusions into Senegalese territory, committing acts of banditry. The letter posed the question of how a poor country such

as Portugal could afford not only to sustain a struggle against Africans in the Territories under its administration, but to intervene in the affairs of a neighbouring sovereign State.

415. In a letter dated 27 April 1971 (S/10182), the representative of Senegal complained to the Security Council that, on the night of 31 March/1 April, units of the Portuguese army based in Guinea (Bissau) had attacked and burnt a Senegalese village. As a result of that attack, one person had been killed, five seriously and 12 slightly wounded and a considerable amount of personal property destroyed. On the night of 16/17 April, Portuguese units had launched an attack against two other villages that had resulted in the death of three persons and the wounding of another three. In addition, 75 huts and tons of rice and millet had been burnt. The letter stated that Portugal, in contempt of Security Council resolution 273 (1969), had continued its policy of aggression against Senegal and requested the Council to warn Portugal that Senegal would take appropriate measures to defend its territory.

416. In a letter dated 10 May (S/10191), addressed to the President of the Council, the representative of Guinea corroborated Senegal's complaints of 27 April and expressed his Government's support of the people of Senegal in the face of the attacks by Portugal.

### *Chapter 13*

#### **COMMUNICATIONS CONCERNING RELATIONS BETWEEN SENEGAL AND GUINEA**

417. In a letter dated 22 December 1970 (S/10053) addressed to the President of the Security Council, the representative of Senegal protested the accusation made against his country by the President of Guinea in his message (S/10045) of 19 December (see above, chapter 7, section E) to the effect that military formations were being massed along Guinea's border with Portuguese Guinea (Bissau) and Senegal. He stated that it was inconceivable that Senegal, a fellow member of the Organization of the Senegal Riparian States that had also been subjected to almost daily attacks by Portuguese regular armed forces and had been one of the first to speak out in support of Guinea, would ever allow its territory to be used as a drill-ground for Portuguese forces or for mercenaries preparing to invade Guinea.

418. In a letter dated 23 December (S/10056) to the President of the Security Council, the representative of Guinea pointed out that it was not his Government's intention to make unfounded accusations, as the representative of Senegal had charged. Guinea's national radio had broadcast a letter from a Guinean resident in

Senegal reporting a concentration of troops of African and European origin along the Guinea-Senegal border. Moreover, information subsequently provided by the Government of Senegal indicated that the troops were to hold joint manoeuvres. Such information had understandably alarmed the Government and people of Guinea.

419. The representative of Senegal, in a reply dated 28 December (S/10064), maintained that the grave misunderstandings occasioned by Guinea's circulation of reports obtained from a mere Guinean resident in Senegal could only serve the common enemies of the African peoples. He quoted from a press report indicating that the perplexing accusation by Guinea was detrimental to African unity and recalled the message of friendship and gratitude sent by the President of Guinea to the President of Senegal, following the meeting in Lagos of the Council of Ministers of OAU. He added that, immediately upon the announcement of an intended attack on Guinea, the routine joint French-Senegalese manoeuvres, normally held in various parts of Senegal, had been cancelled.

### *Chapter 14*

#### **COMMUNICATION CONCERNING RELATIONS BETWEEN ZAMBIA AND PORTUGAL**

420. In a letter dated 15 June 1971 (S/10225), the representative of Zambia requested the Secretary-General to inform members of the Security Council of the serious situation confronting his country. He mentioned an acute shortage of food and other imports as a result of action by Portuguese authorities, who,

since January, had cut off almost completely the flow of all categories of Zambian imports through Portuguese-controlled seaports in Mozambique and Angola and imposed a virtual blockade. He recalled that, in its resolutions 253 (1968) and 277 (1970), the Security Council had recognized Zambia's special circumstances and he stated that Zambia had not received any assistance of the nature envisaged by the Council.

## Chapter 15

### COMMUNICATIONS CONCERNING THE INDIA-PAKISTAN QUESTION

421. By a letter dated 15 September 1970 (S/9943), the representative of Pakistan transmitted the text of a note addressed by his Government on 29 August 1970 to the Government of India protesting a statement made by the Prime Minister of India on 14 July to the effect that the accession of Kashmir to India was final and irreversible.

422. By a letter dated 30 November (S/10008), the representative of Pakistan forwarded the text of a note sent by his Government to India on 9 November 1970. In that note Pakistan, after recalling that by its past declarations India had acknowledged its commitment to the position that the "accession" of the State of Jammu and Kashmir was provisional and subject to confirmation in a free and impartial plebiscite by the people of that State, reiterated that India's current position of regarding the State of Jammu and Kashmir as an integral part of India was in complete violation of international agreements on Jammu and Kashmir to which India was fully committed.

423. By a letter dated 23 December (S/10059), the representative of Pakistan forwarded the text of a note in which Pakistan had protested to India about the passing of a bill by the Indian Parliament on 3 December 1970, seeking to extend 19 central labour laws to the occupied State of Jammu and Kashmir.

424. By a letter dated 30 December (S/10066), the representative of India forwarded the text of two notes sent by his Government in reply to Pakistan's notes of 29 August and 9 November 1970. In its first note, dated 19 October, India said that the statement made by its Prime Minister was a reiteration of statements made by Indian authorities on several occasions in the past to the effect that the State of Jammu and Kashmir had acceded to India in 1947 and was part of it. Pakistan's attempt to distort that situation was regrettable, and India was obliged to reject it. The note pointed out that, although the State of Jammu and Kashmir was an integral part of India, Pakistan had continued to remain in illegal occupation of about 32,500 square miles of that State, and it concluded by stating that India was of the view that the issues between it and Pakistan could be settled bilaterally and through peaceful means. In its second note, India, after reiterating its stand that the State of Jammu and Kashmir had in its entirety become part of India as a result of its accession in 1947, stated that Pakistan's views with regard to the resolutions of the United Nations Commission for India and Pakistan (UNCTP) of 13 August 1948 and 5 January 1949 were entirely without substance.

425. In a letter dated 21 January 1971 (S/10084), the representative of Pakistan stated that a serious situation had arisen in the State of Jammu and Kashmir as a result of India's actions on 8, 9 and 12 January in prohibiting the entry of Shaikh Mohammad Abdullah,

Mirza Afzal Beg and Mr. G. M. Shah into the State; in banning the Plebiscite Front; and in subsequently arresting a large number of political workers in the Indian-occupied area of the State. India's admission of widespread agitation and discontent in the State of Jammu and Kashmir was proof of the fact that India had been keeping the State under forcible subjugation and that the people of the State were by no means reconciled to Indian occupation. Pakistan, therefore, wished the members of the Security Council to take cognizance of the fact that India's actions had aggravated tensions in the subcontinent of India and Pakistan and that responsibility for the consequent deterioration of relations between the two countries would rest with India.

426. In a letter dated 28 January (S/10094), the representative of India, after reiterating his Government's stand that the State of Jammu and Kashmir had become an integral part of India by virtue of its accession to India in 1947, stated that all the arguments raised by the representative of Pakistan in his letter of 21 January concerned matters that were entirely within the domestic jurisdiction of India. India had repeatedly made it clear that it would not discuss those questions with any other country or in the United Nations. Pakistan's letter was yet another effort to cloud the facts of its aggression in Jammu and Kashmir and to annex that Indian territory by force. Moreover, Pakistan had continued its policy of subversion and disruption against India, in spite of its commitment under the Tashkent Declaration not to do so.

427. By a letter dated 2 February (S/10100), the representative of India transmitted the text of a note that his Government had sent to Pakistan on 8 January 1971. In that note, after recalling its earlier note of 16 September 1969 rejecting Pakistan's note regarding the "Central Labour Laws (Extension to Jammu and Kashmir) Bill, 1969", India stated that, for the same reasons, it would reject Pakistan's note of 16 December 1970 as an unwarranted interference in the internal affairs of India in furtherance of Pakistan's ambitions with regard to Indian territory.

428. By a letter dated 5 February (S/10102), the representative of Pakistan replied to the Indian letters of 28 January and 2 February. He stated that India could not deny United Nations jurisdiction on the grounds that Jammu and Kashmir had acceded to India in 1947, because, after that date, India had submitted itself to the jurisdiction of the Security Council in the matter and had taken several other actions recognizing the authority of the United Nations. Nor could the later refusal of India to participate in Security Council discussions prevent the Council from acting.

429. In a letter dated 13 February (S/10116), the representative of Pakistan stated that his Government wished to bring to the urgent notice of the Security

Council the serious situation that had developed between Pakistan and India. That situation had resulted from a decision by India to prohibit the flight of Pakistan civil aircraft over Indian territory, thus disrupting a most vital communications link between the eastern and western wings of Pakistan, and from statements made by Indian authorities threatening Pakistan with dire consequences, if Pakistan did not comply with certain Indian demands. India's decision to "suspend" the overflights of Pakistan civil aircraft had imposed enormous hardship on the people of Pakistan and constituted an act clearly in violation of the Convention on International Civil Aviation signed at Chicago on 7 December 1944 and the India-Pakistan-Agreement relating to Air Services signed at Karachi on 23 June 1948. India had sought to justify its hostile act as a matter of retaliation against the seizure while in flight over Kashmir and forced landing in Lahore of an Indian plane by two Kashmiri youths on 30 January 1971. The facts about that hijacking incident, however, in no sense justified the Indian actions. Pakistan believed that any wrongful interference with civil air travel jeopardized the life and safety of human beings and was a matter of grave concern. Pakistan also rejected the allegation that it had in any way connived at, encouraged or assisted the act of hijacking that had taken place. India appeared deliberately embarked on a course that threatened to bring about a confrontation between the two nations.

430. In a letter dated 8 April (S/10171), the representative of India denied various assertions made in

Pakistan's letter of 13 February (S/10116). In suspending the overflights by Pakistan civil and military aircraft, India had acted in the interest of maintaining the minimum necessary standards of safety and security of international civil aviation against hijacking and its attendant dangers to life and property. However, India believed that the situation was a matter entirely amenable to settlement through bilateral negotiations.

431. In a letter dated 10 May (S/10193), the representative of Pakistan stated that India, in its letter of 8 April (S/10171), had attempted to side-track the issue arising out of its illegal action in banning overflights of Pakistan aircraft across Indian territory by linking it with the question of the hijacking of the Indian aircraft. India's ban on all Pakistan flights had been imposed in violation of the Convention on International Civil Aviation, the International Air Services Transit Agreement and the bilateral Agreement relating to Air Services between India and Pakistan signed in 1948. Pakistan's obligations with regard to the hijacking issue were governed by a different set of conventions and resolutions, and Pakistan had fully discharged its obligations under international law. The Indian action in banning overflights was thus unwarranted, indefensible and illegal, especially since a judicial enquiry commission had determined that the hijacking was engineered by the Indian Government. Nevertheless, Pakistan was willing to discuss all aspects of the issue bilaterally with India, if India would lift the ban on overflights of Pakistan aircraft.

## Chapter 16

### COMMUNICATION CONCERNING THE KOREAN QUESTION

432. By a letter dated 13 November 1970 (S/9982), the representative of the United States of America transmitted to the Security Council the report of the United Nations Command covering alleged North Korean violations of the Armistice Agreement during the period 1 August 1969 through 31 August 1970. The report charged North Korea with incidents of armed intrusion into the Republic of Korea by land across the military demarcation line and with clandestine attempts to infiltrate agents into the interior of the country by sea, on missions of ambush, raids, murder, espionage and subversion. In those incidents, the report charged, 40 North Koreans, 10 United Nations Command personnel and seven Republic of Korea National Police and civilians had been killed, 26 United Nations personnel wounded and four North Koreans apprehended. The report further stated that the frequency of those obviously pre-planned excursions by North Korean armed intruders into the Republic of Korea constituted clear evidence of North Korea's continued unwillingness to keep faith with the provisions of the Armistice Agreement and raised serious doubts about its attitude towards the promotion of peace and stability in Korea. In transmitting the report, the United States representative charged that the conduct of the North Korean representatives at the meetings of the Military Armistice Commission, where they engaged in political propaganda, reflected disdain and disregard for the provisions of the Armistice Agreement.

## Chapter 17

### COMMUNICATIONS RELATING TO COMPLAINTS BY THE KHMER REPUBLIC CONCERNING ACTS OF AGGRESSION AGAINST THE TERRITORY AND CIVILIAN POPULATION OF THE KHMER REPUBLIC

433. During the period under review the Government of the Khmer Republic addressed 39 communications to the President of the Security Council containing complaints of violation of its sovereignty and terri-

torial integrity by armed units of "Viet-Cong and North Viet-Nameese forces". The most frequent complaints related to armed incursions into its territory, attacks upon Khmer military posts, clashes with Khmer defence

forces and the occupation of several points in the country. As a result of those attacks, it was stated, scores of Khmer nationals, both military and civilian, including women and children, were reported to have died, several were missing and hundreds of buildings had been set on fire and destroyed. In some of the letters, it was reported that aircraft and troops belonging to Governments friendly to the Khmer Republic had participated on the side of the Khmer defence forces; in others, it was asserted that the invading forces had been equipped with modern weapons by foreign States friendly to them.

434. In its communications since December 1970, the representative of the Khmer Republic expressed his Government's firm protest against the illegal occupation of its territory and the attacks against a neutral and peace-loving country, in flagrant violation of the Charter of the United Nations, international law and the 1954 Geneva Agreements. The Government of the Khmer Republic held the Government of the Democratic Republic of Viet-Nam and the so-called Provisional Revolutionary Government of South Viet-Nam entirely responsible for all the very serious consequences resulting from that situation and reserved the right to take any necessary action to defend the independence, neutrality, sovereignty and territorial integrity of the Khmer Republic.

435. Listed below are letters containing charges of aggressive activity against his country by North Viet-Name and Viet-Cong forces that the representative of the Khmer Republic addressed to the President of the Security Council between 16 June 1970 and 15 June 1971.

Letter dated 18 June 1970 (S/9842), charging attacks from 5 to 28 May.

Letter dated 22 June (S/9847), transmitting a government message for the attention of world opinion, charging mass desecration and destruction of monuments and sacred places by North Viet-Name and Viet-Cong forces in the Khmer Republic.

Letter dated 24 June (S/9848), charging attacks from 22 May to 10 June.

Letter dated 1 July (S/9856), charging attacks from 9/10 June to 16/17 June.

Letter dated 9 July (S/9862), charging attacks from 14/15 June to 26 June.

Letter dated 14 July (S/9866), concerning hostilities in Khmer territory between 21 June and 2 July.

Letter dated 22 July (S/9884), concerning hostilities in Khmer territory from 24 June to 7 July.

Letter dated 29 July (S/9895), charging attacks from 10 to 12 July.

Letter dated 6 August (S/9901), concerning hostilities in Khmer territory from 13 to 22 July.

Letter dated 12 August (S/9907), charging attacks from 22 to 29 July.

Letter dated 26 August (S/9918), charging attacks from 30 July to 6 August.

Letter dated 1 September (S/9922), concerning hostilities in Khmer territory from 7 to 13 August.

Letter dated 29 September (S/9952), charging attacks from 14 to 26 August.

Letter dated 2 October (S/9954), charging harassment and attacks from 26 to 30 August.

Letter dated 14 October (S/9967), charging harassment and attacks from 30 August to 7 September.

Letter dated 29 October (S/9971), charging attacks from 5 to 21 September.

Letter dated 10 November (S/9979), charging harassment and attacks from 21 September to 5/6 October.

Letter dated 12 November (S/9983), charging harassment and attacks from 6 to 21 October.

Letter dated 13 November (S/9984), charging harassment and attacks from 21 to 28 October.

Letter dated 18 November (S/9986), charging harassment and attacks from 11 October to 3 November.

Letter dated 25 November (S/10007), charging attacks from 3 to 11 November.

Letter dated 4 December (S/10037), charging attacks from 5 to 19 November.

Letter dated 21 December (S/10062), charging harassment and attacks from 12 November to 6 December.

Letter dated 29 December (S/10071), charging attacks against and hostilities on Khmer territory from 6 to 14 December.

Letter dated 7 January 1971 (S/10077), charging attacks against and hostilities in Khmer territory from 14 to 21 December.

Letter dated 26 January (S/10093), charging an attack against Khmer military installations on the outskirts of the capital on 22 January.

Letter dated 27 January (S/10095), charging harassment and attacks from 21 to 30 December 1970.

Letter dated 28 January (S/10099), charging harassment and attacks from 30 December 1970 to 4 January 1971.

Letter dated 9 February (S/10114), charging harassment and attacks from 4 to 19 January.

Letter dated 16 February (S/10122), charging harassment and attacks from 18 to 25 January.

Letter dated 23 February (S/10131), charging harassment and attacks from 26 January to 1 February.

Letter dated 1 March (S/10137), charging harassment and attacks from 1 to 4 February.

Letter dated 9 March (S/10153), charging harassment and attacks from 4 to 9 February.

Letter dated 27 April (S/10183), charging attacks from 10 to 16 February.

Letter dated 5 May (S/10186), charging harassment and attacks from 16 to 20 February.

Letter dated 10 May (S/10192), charging harassment and attacks from 21 February to 7 March.

Letter dated 14 May (S/10198), charging attacks against and hostilities in Khmer territory from 7 to 26 March.

Letter dated 20 May (S/10206), charging attacks against and hostilities in Khmer territory from 28 March to 3 April.

Letter dated 9 June (S/10221), charging harassment and attacks from 3 April to 15 May.



## COMMUNICATIONS CONCERNING THE SITUATION IN THE AREA OF VIET-NAM

436. By a letter dated 19 June 1970, (S/9800), addressed to the President of the Security Council, the representative of Indonesia transmitted a letter dated 18 June from the Mission of the Special Representatives of the Foreign Ministers of Indonesia, Japan and Malaysia, who constituted a three-nation team appointed by the Djakarta Conference. The letter from the Mission of the Special Representatives stated that the Djakarta Conference had been held on 16 and 17 May and attended by representatives of eleven Asian Governments, in view of increasing anxiety among the participating countries about developments in Cambodia that, in their view, could have dangerous and unpredictable consequences for peace and stability in South-East Asia. The objective of the Conference had been to seek peaceful means of enabling the Cambodian people to maintain their national sovereignty, neutrality and territorial integrity. Although the Paris peace talks had been at a standstill for some time, the international community had remained hopeful that the framework for negotiations which had thereby been created would lead to a peaceful solution of the Viet-Nam conflict. The developments in Cambodia, however, had been a set-back to such hopes, aggravating the situation and widening the theatre of conflict. The Foreign Ministers meeting in Djakarta had entrusted the three-nation team to carry on urgent consultations with a view to urging concerted international action to bring about a peaceful settlement. The Mission of the three Special Representatives proposed to hold discussions with the President and members of the Security Council, the Secretary-General, the Co-Chairman of the Geneva Conference, the States members of the International Commission for supervision and control in Cambodia (ICC) and others. The Mission was aware of the limitations upon the United Nations to act in the matter, but current developments in the area were such that they could make a peaceful settlement more difficult than it was already. The Mission therefore urged the members of the Security Council to bring their collective influence to bear on the parties concerned to seek a peaceful settlement of the conflict. It maintained that the authority and prestige of the United Nations as an organization for the peaceful resolution of conflicts would be seriously jeopardized if the Security Council, despite its special responsibility to maintain international peace and security, were to remain passive in the face of a conflict that was convulsing the Indo-China area. Specifically, the Mission expressed the hope that the Security Council would exercise its best endeavours to urge the reactivation of the ICC and the early convening of an international conference to find a just, peaceful and effective resolution of the situation. At the same time, the Mission wished to explore further with the members of the Security Council ways and means of restoring peace and stability in the Indo-China area. Attached to the letter was the text of the communiqué issued by the Djakarta Conference, which stated that the participating Foreign Ministers had decided to place their views and recommendations on record with the United Nations. The communiqué further stated emphatically that

(1) All acts of hostilities should be stopped forthwith and all foreign forces be withdrawn from the territory of Cambodia.

(2) All parties should respect the sovereignty, independence, neutrality and territorial integrity of Cambodia and refrain from interfering in the internal affairs of that country in order to enable the Cambodian people to solve their problems by peaceful means of their own choice, without external interference or pressure.

(3) The Co-Chairmen and participants in the 1954 Geneva Conference and the members of the ICC set up by that Conference should consult together and co-operate in reactivating the said Commission.

(4) The participants in the 1954 Geneva Conference and all other interested parties should consult together with a view to arriving at a consensus for the early convening of an international conference to find a just, peaceful and effective resolution of the current situation.

437. In a letter dated 1 July (S/9854), the representative of the United States of America referred to his communication of 5 May (S/9781) and informed the Council that United States ground forces had been withdrawn from Cambodian territory, inasmuch as the objective of destroying military equipment and supplies used in aggression against the Republic of Viet-Nam had been achieved.

438. The letter stated that North Viet-Name and Viet-Cong use of the territory of Cambodia in violation of that nation's independence, neutrality and territorial integrity—guaranteed in the 1954 Geneva Agreements to which North Viet-Nam was a party—was the root of armed conflict on Cambodian territory. The immediate threat posed by expanded North Viet-Name and Viet-Cong activity there, directly threatening the Republic of Viet-Nam's security and necessitating self-defence measures, had been reduced through the seizure or destruction of substantial military supplies and equipment. Nevertheless, North Viet-Name and Viet-Cong forces remained in Cambodia in pursuance of their attack against the Republic of Viet-Nam. Therefore, the United States, with the Cambodian Government's approval, would conduct air interdiction missions against North Viet-Name efforts to move supplies and personnel through Cambodia and to re-establish bases for use in the Viet-Nam conflict. Such missions were appropriate measures of self-defence against continuing attacks against the Republic of Viet-Nam being carried out from Cambodian territory.

439. In conclusion, the letter said that, in announcing the withdrawal of United States ground forces, President Nixon had reiterated United States support for the sovereignty, independence, neutrality and territorial integrity of Cambodia and for the objective of a peace in which the peoples of Indo-China might develop their own societies and determine their own political future without outside interference.

440. By a letter dated 21 July (S/9880), the representative of the Union of Soviet Socialist Republics transmitted to the Secretary-General a statement of the Supreme Soviet of the Union of Soviet Socialist Republics, concerning "the expansion of the aggression by United States imperialism in Indo-China", in which the Supreme Soviet stated that the extension of United States military operations to Cambodia and threats to resume bombing of the Democratic Republic of Viet-

Nam constituted a direct continuation of United States aggression in Viet-Nam and armed intervention in Laos. The United States intended to continue its intervention against Cambodia through the actions of its accomplices in aggression, using United States aircraft and other *matériel*, in order to crush the national liberation movement of the peoples of the countries of the Indo-China peninsula, to impose neo-colonialist régimes on those countries and to turn all of Indo-China into a strategic bridgehead for the United States in South-East Asia. The United States military clique was continuing cynically to flout the international agreements on Laotian neutrality, was preventing the various political groups from reaching a political settlement based on the programme set forth in the Statement of the Central Committee of the Patriotic Front of Laos dated 6 March 1970. In an effort to reduce losses among United States forces, and in order to make Asians fight Asians, the Soviet statement continued, the United States had designed the so-called Guam doctrine, the practical manifestations of which could be seen in the United States Government's policy of "Viet-Namizing" the war in South Viet-Nam and its attempts to fabricate a Saigon-Bangkok-Phnom Penh bloc during the Cambodian adventure.

441. The Supreme Soviet appealed to the parliaments of all countries and to all men of goodwill to protest those aggressive actions and to call for the immediate, complete and unconditional withdrawal of all the armed forces of the United States and its allies from the area of Indo-China and urged that the peoples of those countries should be granted the right to decide their own destiny without foreign intervention.

442. By a letter dated 8 October (S/9955), the representative of the United States transmitted to the Secretary-General the text of a statement by the President of the United States, setting out five new proposals for peace in Indo-China. The first proposal was that all armed forces throughout Indo-China should cease firing and remain in the positions they then held. The proposal for a cease-fire in place was being put forward without preconditions and should be the subject for immediate negotiations. It must be effectively supervised by international observers, as well as by the parties themselves, and should not be the means by which either side should build up its strength by an increase in outside combat forces in any of the nations of Indo-China. The second proposal called for the holding of an Indo-China peace conference to deal with the conflict in all three States of Indo-China. The third proposal was negotiation of an agreed time-table for complete withdrawals of United States forces in South Viet-Nam as part of an over-all settlement based on the principles spelled out previously and set forth in the President's statement. Fourth, it was proposed that the other side join in a search for a political settlement that truly met the aspirations of all South Viet-Namese and reflected their will and the existing relationship of political forces. Fifth, it was proposed that all prisoners of war, without exception and without condition, should be released immediately to return to the place of their choice, together with all journalists and other civilian victims of the conflict, on humanitarian grounds and in order to improve the prospects for negotiation.

443. By a note dated 8 February 1971 (S/10104), the President of the Security Council circulated the text of a letter addressed to him on that date by the Per-

manent Observer of the Republic of Viet-Nam to the United Nations transmitting the text of a message from the President of the Republic of Viet-Nam to "the people, soldiers and cadres on the operations carried out on 8 February 1971 by the Armed Forces of the Republic of Viet-Nam on Laotian territory". The President stated that the Republic of Viet-Nam had always respected and continued to respect the independence, neutrality and sovereignty of Laos, had no territorial ambition whatsoever and had never interfered and would never interfere, in the internal politics of Laos. He pledged that when the military operation ended, the armed forces of the Republic of Viet-Nam would withdraw completely from Laotian territory.

444. By a letter dated 8 February (S/10106), the representative of the United States transmitted to the President of the Security Council the text of a statement issued on the same date by the official press spokesman of the United States Department of State. In the statement, it was noted that the Republic of Viet-Nam had announced that elements of its armed forces had crossed into enemy-occupied territory of Laos to attack North Viet-Namese forces and military supplies assembled in sanctuaries located close to the border of South Viet-Nam. The United States military command in Saigon had announced the limits of the United States military participation. The decision of the United States to assist was based on the following policy considerations:

(1) No American ground combat forces or advisors would cross into Laos.

(2) The operation would be a limited one both as to time and to area.

(3) The operation would promote the security and safety of American and allied forces in South Viet-Nam and was consistent with statutory requirements; it would make the enemy less able to mount offensives, strengthen South Viet-Nam's ability to defend itself as United States forces were withdrawn from South Viet-Nam and would protect American lives.

(4) The ground operation by the South Viet-Namese against the sanctuaries would aid in the Viet-Namization programme and the withdrawal of American forces from Viet-Nam would continue.

(5) The measures of self-defence being taken by the Republic of Viet-Nam were fully consistent with international law.

(6) That limited operation was not an enlargement of the war, as the territory involved had been the scene of combat since 1965. The principal new factor was that South Viet-Namese forces would move against the enemy on the ground to deny it sanctuaries and disrupt its main artery of supplies.

(7) The United States had consistently sought to end the conflict in Indo-China through negotiations. Its policy remained as President Nixon had specifically proposed in October 1970 that there should be (a) a cease-fire throughout Indo-China; (b) a negotiated time-table for the withdrawal of all forces; (c) immediate release of all prisoners of war; (d) an international peace conference for all of Indo-China; and (e) a political settlement.

(8) The Royal Laos Government had issued a statement that, although critical of the military action, had pointed out that primary responsibility for that development rested with the Democratic Republic of Viet-Nam, which had violated international law and the 1962 Geneva Agreements, and that the Democratic

Republic of Viet-Nam had violated and was continuing to violate the neutrality and territorial integrity of the Kingdom of Laos.

445. The United States Government continued to favour the neutrality of Laos and the restoration of the situation contemplated by the 1962 Geneva Agreements, by which all foreign forces would be withdrawn from Laos territory, which could be accomplished through a new Indo-China conference as proposed by President Nixon.

446. By a letter dated 11 February (S/10015), the representative of the Union of Soviet Socialist Republics transmitted to the Secretary-General a TASS statement of 4 February 1971 concerning the situation in Indo-China. According to the TASS statement, the situation in Indo-China had recently become decidedly more complicated, inasmuch as large numbers of Saigon ground forces with United States air support had invaded Laos and United States aircraft, including B-52 heavy bombers, were carrying out mass air raids over Laotian territory. Those acts constituted an act of aggression, a further direct violation of the United Nations Charter, a blatant outrage against the principles of international law and a further violation of the Geneva Agreements, to which the United States was a party. They would inevitably meet with ever greater resistance on the part of the people of Indo-China, who were fighting for freedom, independence and the right to decide their destiny independently. The statement held that, if the problem of Indo-China was to be solved, it would be necessary to reach a political settlement that was in accordance with the national interests of the people of Viet-Nam, Laos and Cambodia and would take into account their indisputable right to be the sovereign masters of their own territory. The full weight of responsibility for further complicating the situation in Laos, as in the whole of Indo-China, rested on the ruling circles in the United States. The peoples of the Soviet Union and other Socialist countries, as well as all the peace-loving forces of the world, gave unswerving support to the just struggle of the peoples of Indo-China and demanded that the crimes being committed against them be brought to an end.

447. By a letter dated 13 February (S/10017) the representative of Poland transmitted to the Secretary-General the text of an unofficial translation of the aide-mémoire that his Government had addressed on 12 February to the Co-Chairman of the Geneva Conference on Laos. The aide-mémoire made the following points:

(1) There had recently been an unparalleled intensification of the bombing of the territory of Laos by the United States Air Force and a violation of the Laotian frontier by troops of the Saigon régime. The violation of Laos territory and preparation of military operations on a very large scale had brought about a growth of tension in the whole of Indo-China and immensely complicated the internal situation of Laos.

(2) The action taken by the United States-Saigon troops had paralysed efforts towards better mutual understanding and the endeavours by the Laotian parties involved to find a peaceful solution of their domestic problems.

(3) The violation of the territory and air space of Laos was a glaring contradiction of the basic provisions of the Geneva Agreements of 1962, which had also been accepted by the United States and the Saigon side. The United States intervention had pushed Laos into

the tragedy of a civil war, and it was threatened with sharing the fate of Viet-Nam and Cambodia. The responsibility for that state of affairs rested with the United States of America.

(4) It was the considered view of the Polish Government that the United States should refrain from all armed attacks against the Kingdom of Laos, stop its intervention in the internal affairs of that country and respect the undeniable right of the Laotian people to decide their own future.

(5) The Polish Government appealed to the Co-Chairmen of the Geneva Conference on Laos to use their utmost influence to prevent the United States from escalating military operations in Indo-China and to induce it to refrain from any further aggression against Laos. As a member of the International Commission for Supervision and Control in Laos, the Polish Government reiterated its determination to spare no efforts to help seek for political solutions in the interest of the Laotian people, regarding the International Commission in Laos as an important instrument for exercising a constructive role, once conditions were favourable.

448. By a letter dated 12 February (S/10120) the representative of Bulgaria transmitted to the Secretary-General a statement of the BTA Agency concerning the United States-South Viet-Name invasion of Laos and the worsening of the situation in the Indo-China peninsula. The statement said that the invasion of Laos by the United States and its Saigon puppets was a flagrant violation of the Geneva Agreements, the basic norms of international law and the Charter of the United Nations. The United States was trying to disrupt the contacts established between political forces in Laos, to prevent the political solution of the problem of Laos and further to complicate the situation in Indo-China. A peaceful resolution of the Indo-China problem required a political solution in conformity with the legitimate rights and national interests of the peoples of Viet-Nam, Cambodia and Laos. The statement demanded the cessation of the aggression and placed the entire responsibility for the latest complication of the situation in Laos and in Indo-China on the ruling circles of the United States.

449. By a letter dated 26 February (S/10134), the representative of the Union of Soviet Socialist Republics transmitted a declaration of his Government concerning United States intervention in Laos. In the declaration the Soviet Government stated that, by invading Laos, the United States had continued to expand its aggressive actions, which the Soviet Government resolutely condemned as a new criminal act committed in gross violation of the accepted standards and principles of international law and contrary to the obligations assumed by the United States under the Charter of the United Nations. By its cynical policy of "Viet-Namization", the United States had promoted the armed forces of the puppet régime of Saigon to the role of an indirect instrument of its plans, with the intention of "using Asians to fight Asians". At a press conference held on 17 February, President Nixon of the United States had stated unambiguously that he did not exclude the possibility of again using United States air forces against the Democratic Republic of Viet-Nam. To all appearances, the Government of the United States was attempting to convince public opinion that the United States could act in Indo-China with impunity and that the United States aggressors could "get away with anything". The statement termed those dangerous delusions,

draught with the most serious consequences, above all for the United States itself. The Democratic Republic of Viet-Nam was a member of the Socialist family, and the Soviet Union and the other Socialist States would provide all the necessary assistance for repulsing United States aggression to the Democratic Republic of Viet-Nam and to the patriots of Indo-China, who, in defence of their legal rights, were fighting to achieve their fundamental interests and aspirations. The United States invasion of Laos and the threats to intensify provocation against the Democratic Republic of Viet-Nam could only further complicate the whole situation in Indo-China and make it more difficult to find ways of reaching a peaceful settlement in Viet-Nam while guaranteeing the neutral status of Laos and Cambodia. In conclusion, the declaration emphasized that, in the view of the Soviet Government, the main prerequisite for a settlement of the Indo-China problem was the cessation of United States aggression and *de facto* recognition of the essentially inalienable national right of the peoples of the area to settle their own fate without foreign interference. It maintained that the proposals of the Provisional Revolutionary Government of the Republic of South Viet-Nam, made on 17 September 1970 and supported by the Government of the Democratic Republic of Viet-Nam, as well as the proposals of the National United Front of Cambodia and the Patriotic Front of Laos, offered genuine and constructive programmes for the restoration of peace in Indo-China. It added that the just struggle of the peoples of Indo-China for their freedom and independence would meet with the unswerving support of the Soviet Union and the other Socialist countries, as well as all peace-loving forces in the world.

450. By a letter dated 5 March (S/10150), the representative of Czechoslovakia transmitted to the Secretary-General a statement of his Government dated

25 February concerning the situation in Indo-China. According to the statement, the escalation of aggressive actions on the part of the United States against the people of Laos was an attempt at thwarting a peaceful settlement in Laos through negotiations between the two Laotian parties on the basis of the proposal of the Patriotic Front of Laos of March 1970 and was part of the American endeavour to weaken and to suppress the national liberation struggle of the anti-imperialist forces in the region of Indo-China, contrary to its pretence of making peaceful efforts towards solving the Viet-Nameese conflict.

451. By a letter dated 26 March (S/10164/Rev.1), the representative of Mongolia transmitted to the Secretary-General the text of statements of the fourth session of the Great National Khural (Parliament) of the Mongolian People's Republic and of the MONTSAME agency on support of the struggle of the peoples of Indo-China. The parliamentary statement charged that the United States had recently sharply intensified its barbarous raids on South Viet-Nameese, Cambodian and Laotian territory, as well as on southern regions of the Democratic Republic of Viet-Nam, and that it had also, with its Saigon satellites, extended the escalated armed intervention to Laotian territory, thus producing an even more serious situation in Indo-China. The Great National Khural demanded that the United States withdraw all its troops from Indo-China, put an immediate end to its aggression in Viet-Nam, Laos and Cambodia and agree to a just political settlement based on the constructive proposals of the Government of the Democratic Republic of Viet-Nam and the Provisional Revolutionary Government of the Republic of South Viet-Nam, affording the peoples of Indo-China an opportunity of deciding their own future without any outside interference, in accordance with their national interests and aspirations.

## Chapter 19

### REPORTS ON THE STRATEGIC TRUST TERRITORY OF THE PACIFIC ISLANDS

452. The report of the Trusteeship Council on the Trust Territory of the Pacific Islands, covering the period from 20 June 1969 to 19 June 1970, was communicated to the Security Council in document S/9893 (*Official Records of the Security Council, Twenty-fifth Year, Special Supplement No. 1*).

453. On 17 May 1971 the Secretary-General transmitted to the members of the Security Council the report (S/10196) of the Government of the United States of America on the administration the Trust Territory of the Pacific Islands for the period from 1 July 1969 to 30 June 1970.

## Chapter 20

### COMMUNICATION CONCERNING COMPLAINTS BY THE PEOPLE'S REPUBLIC OF SOUTHERN YEMEN

454. In a letter dated 10 August 1970 (S/9908), the representative of Saudi Arabia referred to charges made by the representative of the People's Republic of Southern Yemen in a letter dated 11 June (S/9839) and stated, in that connexion, that his Government denied those charges and confirmed that no Royal Saudi Arabian Air Force fighter planes had flown over any but their own air space.



## COMMUNICATION CONCERNING THE QUESTION OF THE STRENGTHENING OF INTERNATIONAL SECURITY

455. By a letter dated 25 January 1971 (S/10091/Rev.1), the Secretary-General transmitted to the Security Council the text of the Declaration on the Strengthening of International Security, adopted by the General Assembly on 16 December 1970 as resolution 2734 (XXV). In his letter, the Secretary-General quoted the following paragraphs of the Declaration, which contained specific references to the Security Council:

"6. *Urges* Member States to make full use and seek improved implementation of the means and methods provided for in the Charter for the exclusively peaceful settlement of any dispute or any situation, the continuance of which is likely to endanger the maintenance of international peace and security, including negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, good offices including those of the Secretary-General, or other peaceful means of their own choice, it being understood that the Security Council in dealing with such disputes or situations should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court;

"...

"9. *Recommends* that the Security Council take steps to facilitate the conclusions of the agreements envisaged in Article 43 of the Charter in order fully to develop its capacity for enforcement action as provided for under Chapter VII of the Charter;

"10. *Recommends* that the Security Council consider, in conformity with Article 29 of the Charter,

whenever appropriate and necessary, the desirability of establishing subsidiary organs, on an *ad hoc* basis, and with the participation of the parties concerned, when conditions so warrant, to assist the Council in the performance of its functions as defined in the Charter;

"...

"12. *Invites* Member States to do their utmost to enhance by all possible means the authority and effectiveness of the Security Council and of its decisions;

"13. *Calls upon* the Security Council, including the permanent members, to intensify efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security;

"...

"16. *Urges* all Member States to implement the decisions of the Security Council in accordance with their obligations under Article 25 of the Charter and to respect, as provided for in the Charter, the resolutions of United Nations organs responsible for the maintenance of international peace and security and the peaceful settlement of disputes;

"...

"26. *Welcomes* the decision of the Security Council to hold periodic meetings in accordance with Article 28, paragraph 2, of the Charter and expresses the hope that these meetings will make an important contribution to the strengthening of international security".

## Chapter 22

### COMMUNICATIONS RELATING TO THE PRACTICES FOLLOWED IN CIRCULATING DOCUMENTS OF THE SECURITY COUNCIL

456. On 14 August 1970, Security Council document S/9909 was issued transmitting the text of a telegram dated 10 August 1970 from the Minister for Foreign Affairs of the German Democratic Republic addressed to the President of the Security Council (see above, chapter 5, section C). The document contained a foot-note stating that it had been circulated at the direction of the President of the Security Council.

457. On 29 September, the Permanent Representatives of France, the United Kingdom and the United States addressed a letter (S/9974) to the President of the Security Council concerning the procedure followed in circulating the above-mentioned communication. The letter contained a statement by the three representatives reaffirming their position as set out in their previous letters of 15 October 1969 and of 22 January 1970 (S/9486 and S/9624).

458. In a letter dated 10 November addressed to the President of the Security Council (S/9978), the Permanent Representative of the USSR stated that the letter from the Permanent Representatives of France, the

United Kingdom and the United States (S/9974) was a new attempt to challenge, in defiance of the principles of the Charter of the United Nations, the circulation as official Council documents of communications received by the President of the Security Council from the Government of the German Democratic Republic. On that question, the letter added, the Permanent Mission of the USSR reaffirmed its position as set forth in its previous letters of 7 November 1969 and 2 March 1970 (S/9498 and S/9674).

459. In a letter dated 8 December addressed to the President of the Security Council (S/10042), the Permanent Representative of Poland referred to the letter (S/9974) from the three representatives. He stated that his decision, as President of the Security Council for the month of August 1970, to circulate the telegram of 10 August 1970 from the Minister for Foreign Affairs of the German Democratic Republic (S/9909) was in full consonance with the established practice of circulating statements by Governments on matters with which the Security Council was dealing.

## APPENDICES

### I. Membership of the Security Council during the years 1970 and 1971

1970	1971
Burundi	Argentina
China	Belgium
Colombia	Burundi
Finland	China
France	France
Nepal	Italy
Nicaragua	Japan
Poland	Nicaragua
Sierra Leone	Poland
Spain	Sierra Leone
Syria	Somalia
Union of Soviet Socialist Republics	Syria
United Kingdom of Great Britain and Northern Ireland	Union of Soviet Socialist Republics
United States of America	United Kingdom of Great Britain and Northern Ireland
Zambia	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 were accredited  
to the Security Council during the period covered by the present report:

#### *Argentina<sup>a</sup>*

Dr. Carlos Ortiz de Rozas  
Dr. Ernesto Luis Enrique de la Guardia  
Mr. Gaston de Prat Gay

#### *Belgium<sup>a</sup>*

Mr. Edouard Longestaey  
Mr. Michel Van Ussel

#### *Burundi*

Mr. Nsanzé Terence  
Mr. Felix Magenge

#### *China*

Mr. Liu Chieh  
Dr. Chun-Ming Chang

#### *Colombia<sup>b</sup>*

Dr. Joaquin Vallejo Arbelaez  
Dr. Augusto Espinosa Valderrama  
Dr. Jose Maria Morales-Suarez

#### *Finland<sup>b</sup>*

Mr. Max Jakobson  
Mr. Ilkka Pastinen  
Mr. Ensio Helaniemi

#### *France*

Mr. Jacques Kosciusko-Morizet  
Mr. Claude Chayet  
Mr. Francois de la Gorce  
Mr. Marcel Bouquin  
Mr. Guy Scalabre

#### *Italy<sup>a</sup>*

Mr. Piero Vinci  
Mr. Mario Franzì  
Mr. Giovanni Migliuolo  
Mr. Massimo Castaldo

#### *Japan<sup>a</sup>*

Mr. Senjin Tsuruoka  
Mr. Toru Nakagawa  
Mr. Motoo Ogiso  
Mr. Nagao Yoshida

#### *Nepal<sup>b</sup>*

Mr. Padma Bahadur Khatri  
Mr. Uddhav Deo Phatt

#### *Nicaragua*

Dr. Guillermo Sevilla-Sacasa  
Dr. Alfonso Ortega-Urbina  
Mr. Guillermo Lang  
Mr. Jose Roman  
Mr. Gilberto Perez Alonso

#### *Poland*

Mr. Eugeniusz Kułaga  
Dr. Leszek Kasprzyk  
Mr. Zdzisław Ludwiczak

#### *Sierra Leone*

Dr. Davidson S. H. W. Nicol  
Mr. Freddie B. Savage  
Mr. Charles E. Wyse

***Somalia<sup>a</sup>***

Mr. Abdulrahim Abby Farah  
Mr. Hussein Nur Elmi

***Spain<sup>b</sup>***

Mr. Jaime de Piniés  
Mr. José Luis Messía Jiménez

***Syria***

Dr. George J. Tomeh  
Mr. Rafic Jouejati

***Union of Soviet Socialist Republics***

Mr. Yakov Aleksandrovich Malik  
Mr. Aleksei Vasilyevich Zakharov  
Dr. Viktor Levonovich Issraelyan  
Mr. Nikolai Konstantinovich Tarassov  
Mr. Vikenti Pavlovich Sobolev

***United Kingdom of Great Britain and Northern Ireland***

Lord Caradon  
Sir Colin Crowe

Mr. F. A. Warner  
Mr. K. D. Jamieson  
Mr. A. D. Parsons  
Mr. J. R. Freeland  
Mr. P. C. Petrie  
Mr. Michael Scott Weir

***United States of America***

Mr. Charles W. Yost  
Mr. George Bush  
Mr. William B. Buffum  
Mr. Christopher H. Phillips  
Mr. W. Tapley Bennet, Jr.

***Zambia<sup>b</sup>***

Mr. Vernon Johnson Mwaanga  
Mr. Lishomwa Sheba Muuka

<sup>a</sup> Term of office began on 1 January 1971.

<sup>b</sup> Term of office ended on 31 December 1970.

### III. Presidents of the Security Council

The following representatives held office of President of the Security Council during the period covered by the present report:

***Nepal***

Mr. Padma Bahadur Khatri (16 to 30 June 1970)

***Nicaragua***

Dr. Guillermo Sevilla-Sacasa (1 to 31 July 1970)

***Poland***

Mr. Eugeniusz Kułaga (1 to 31 August 1970)

***Sierra Leone***

Dr. Davidson S. H. W. Nicol (1 to 30 September 1970)

***Spain***

Dr. Jaime de Piniés (1 to 31 October 1970)

***Syria***

Dr. George J. Tomeh (1 to 30 November 1970)

***Union of Soviet Socialist Republics***

Mr. Yakov Aleksandrovich Malik (1 to 31 December 1970)

***United Kingdom of Great Britain and Northern Ireland***

Sir Colin Crowe (1 to 31 January 1971)

***United States of America***

Mr. Charles W. Yost (1 to 28 February 1971)

***Argentina***

Dr. Carlos Ortiz de Rozas (1 to 31 March 1971)

***Belgium***

Mr. Edouard Longerstaeck (1 to 30 April 1971)

***Burundi***

Mr. Nsanzé Terence (1 to 31 May 1971)

***China***

Mr. Liu Chieh (1 to 15 June 1971)

### IV. Meetings of the Security Council during the period from 16 June 1970 to 15 June 1971

<i>Meeting</i>	<i>Subject</i>	<i>Date</i>	<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
1545th	The question of race conflict in South Africa resulting from the policies of <i>apartheid</i> of the Government of the Republic of South Africa: Letter dated 15 July 1970 addressed to the President of the Security Council by the representatives of Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo	17 July 1970		(Democratic Republic of), Dahomey, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, India, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Pakistan, People's Republic of the Congo, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda,	

Meeting	Subject	Date	Meeting	Subject	Date
	United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia (S/9867)			Review of the International Situation	
1546th	Ditto	20 July 1970	1556th	Question concerning the situation in Southern Rhodesia:	10 November 1970
1547th	Ditto	21 July 1970		(a) Letter dated 6 November 1970 addressed to the President of the Security Council by the Representatives of Burundi, Nepal, Sierra Leone, Syria and Zambia (S/9975/Rev.1)	
1548th	Ditto	22 July 1970		(b) Third report of the Committee established in pursuance of Security Council resolution 253 (1968) (S/9844 and Add.1-3)	
1549th	Ditto	23 July 1970			
1550th	The situation in Namibia:		1557th	Ditto	17 November 1970
	(a) Report of the <i>Ad Hoc</i> Sub-Committee established in pursuance of Security Council resolution 276 (1970) (S/9863)	29 July 1970	1558th	Complaint by Guinea:	22 November 1970
	(b) Letter dated 22 July 1970 from the Permanent Representatives of Burundi, Finland, Nepal, Sierra Leone and Zambia addressed to the President of the Security Council (S/9886)			Letter dated 22 November 1970 from the Permanent Representative of Guinea to the United Nations addressed to the President of the Security Council (S/9987)	
1551st	The situation in the Middle East:	5 September 1970	1559th	Complaint by Guinea:	4 December 1970
	Letter dated 5 September 1970 from the Chargé d'affaires a.i. of Lebanon to the United Nations addressed to the President of the Security Council (S/9925)			(a) Letter dated 22 November 1970 from the Permanent Representative of Guinea to the United Nations addressed to the President of the Security Council (S/9987)	
1552nd	The situation created by increasing incidents involving the hijacking of commercial aircraft:			(b) Report of the Security Council Special Mission to the Republic of Guinea established under resolution 289 (1970) (S/10009 and Add.1)	
	(a) Letter dated 9 September 1970 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/9931)	9 September 1970	1560th	Ditto	5 December 1970
	(b) Letter dated 9 September 1970 from the Permanent Representative of the United Kingdom to the United Nations addressed to the President of the Security Council (S/9932)		1561st	Ditto	7 December 1970
1553rd (private)	Consideration of the report of the Security Council to the General Assembly	10 October 1970	1562nd	Ditto	7 December 1970
1554th	Admission of new Members:		1563rd	Ditto	8 December 1970
	Letter dated 10 October 1970 from the Prime Minister of Fiji addressed to the Secretary-General (S/9957)	10 October 1970	1564th	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	10 December 1970
1555th (private)	First periodic meeting of the Security Council:	21 October 1970		Report by the Secretary-General on the United Nations operation in Cyprus (S/10005 and Corr.1)	
			1565th	Admission of new Members:	9 February 1971
				Letter dated 10 December 1970 from the King of Bhutan addressed to the Secretary-General	



<i>Meeting</i>	<i>Subject</i>	<i>Date</i>	<i>Meeting</i>	<i>Subject</i>	<i>Date</i>
	tary-General (S/10050)			Bhutan for membership in the United Nations (S/10109)	
1566th	Admission of new Members:	10 February 1971	1567th	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	26 May 1971
	(a) Letter dated 10 December 1970 from the King of Bhutan addressed to the Secretary-General (S/10050)			Report by the Secretary-General on the United Nations operation in Cyprus (S/10199 and Corr.1)	
	(b) Report of the Security Council Committee on the Admission of New Members concerning the application of		1568th	Ditto	26 May 1971

## V. Representatives, chairmen and principal secretaries of the Military Staff Committee

### A. REPRESENTATIVES OF EACH SERVICE IN RESPECT OF EACH DELEGATION

*16 June 1970 to 15 June 1971*

	Period of service from 16 June 1970
<i>Chinese delegation</i>	
General Wang Shu-ming, Chinese Air Force	16 June 1970 to present time
Rear Admiral Hsiung Teh-shu, Chinese Navy	16 June 1970 to present time
Colonel Hwang Hsiung-sheng, Chinese Air Force and Acting Army Representative	16 June 1970 to present time
<i>French delegation</i>	
Brigadier General R. J. Pessey, French Army	16 June 1970 to present time
Colonel J. Faberes, French Air Force	16 June 1970 to present time
Commander J. P. Murgue, French Navy	16 June 1970 to 27 July 1970
Lieutenant Commander P. Andrieu, French Navy	27 July 1970 to present time
<i>USSR delegation</i>	
Major General M. I. Stolnik, Soviet Army	16 June 1970 to 18 April 1971
Colonel V. S. Tovma, Soviet Army	18 April 1971 to present time
Captain 1st Rank N. I. Roshchin, USSR Navy	16 June 1970 to present time
Colonel V. I. Pereverzev, USSR Air Force	16 June 1970 to present time
<i>United Kingdom delegation</i>	
Air Marshal Sir John Lapsley, Royal Air Force	16 June 1970 to present time
Rear Admiral C. C. H. Dunlop, Royal Navy	16 June 1970 to present time
Brigadier D. H. St. M. Tabor, British Army	16 June 1970 to 12 February 1971
Brigadier G. H. Mills, British Army	12 February 1971 to present time
<i>United States delegation</i>	
Lieutenant General J. W. Carpenter III, US Air Force	16 June 1970 to 1 August 1970
Lieutenant General A. J. Russell, US Air Force	1 August 1970 to present time
Vice Admiral A. F. Schade, US Navy	16 June 1970 to present time
Lieutenant General R. G. Stilwell, US Army	16 June 1970 to present time

### B. CHAIRMEN AT MEETINGS

*16 June 1970 to 15 June 1971*

<i>Meeting</i>	<i>Date</i>	<i>Chairman</i>	<i>Delegation</i>
653rd	18 June 1970	General Wang Shu-ming, Chinese Air Force	China
654th	2 July 1970	Colonel J. Faberes, French Air Force	France
655th	16 July 1970	Brigadier General R. J. Pessey, French Army	France
656th	30 July 1970	Brigadier General R. J. Pessey, French Army	France
657th	13 Aug. 1970	Captain 1st Rank N. I. Roshchin, USSR Navy	USSR
658th	27 Aug. 1970	Colonel V. I. Pereverzev, USSR Air Force	USSR
659th	10 Sept. 1970	Rear Admiral C. C. H. Dunlop, Royal Navy	U.K.
660th	24 Sept. 1970	Air Commodore C. W. Coulthard, Royal Air Force	U.K.
661st	8 Oct. 1970	Colonel G. M. Adams, US Air Force	U.S.A.

<i>Meeting</i>	<i>Date</i>	<i>Chairman</i>	<i>Delegation</i>
662nd	22 Oct. 1970	Vice Admiral A. F. Schade, US Navy	U.S.A.
663rd	5 Nov. 1970	General Wang Shu-ming, Chinese Air Force	China
664th	19 Nov. 1970	General Wang Shu-ming, Chinese Air Force	China
665th	3 Dec. 1970	Brigadier General R. J. Pessey, French Army	France
666th	17 Dec. 1970	Colonel J. Faberes, French Air Force	France
667th	30 Dec. 1970	Brigadier General R. J. Pessey, French Army	France
668th	14 Jan. 1971	Colonel V. I. Pereverzev, USSR Air Force	USSR
669th	28 Jan. 1971	Major General M. I. Stolnik, Soviet Army	USSR
670th	11 Feb. 1971	Air Marshal Sir John Lapsley, Royal Air Force	U.K.
671st	25 Feb. 1971	Air Marshal Sir John Lapsley, Royal Air Force	U.K.
672nd	11 March 1971	Lt. General A. J. Russell, US Air Force	U.S.A.
673rd	25 March 1971	Colonel G. M. Adams, US Air Force	U.S.A.
674th	8 April 1971	General Wang Shu-ming, Chinese Air Force	China
675th	22 April 1971	General Wang Shu-ming, Chinese Air Force	China
676th	6 May 1971	Brigadier General R. J. Pessey, French Army	France
677th	20 May 1971	Brigadier General R. J. Pessey, French Army	France
678th	3 June 1971	Colonel V. I. Pereverzev, USSR Air Force	USSR

#### C. PRINCIPAL SECRETARIES AT MEETINGS

*16 June 1970 to 15 June 1971*

<i>Meeting</i>	<i>Date</i>	<i>Principal Secretary</i>	<i>Delegation</i>
653rd	18 June 1970	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
654th	2 July 1970	Lieutenant Colonel J. F. Podeur, French Army	France
655th	16 July 1970	Major B. E. Amiet, French Army	France
656th	30 July 1970	Colonel J. Faberes, French Air Force	France
657th	13 Aug. 1970	Colonel R. N. Supryagin, Soviet Army	USSR
658th	27 Aug. 1970	Colonel R. N. Supryagin, Soviet Army	USSR
659th	10 Sept. 1970	Colonel A. G. H. Jukes, Royal Marines	U.K.
660th	24 Sept. 1970	Captain R. S. Browning, Royal Navy	U.K.
661st	8 Oct. 1970	Colonel A. A. Olson, US Army	U.S.A.
662nd	22 Oct. 1970	Colonel A. A. Olson, US Army	U.S.A.
663rd	5 Nov. 1970	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
664th	19 Nov. 1970	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
665th	3 Dec. 1970	Lieutenant Colonel B. E. Amiet, French Army	France
666th	17 Dec. 1970	Lieutenant Colonel L. R. Follain, French Army	France
667th	30 Dec. 1970	Lieutenant Colonel B. E. Amiet, French Army	France
668th	14 Jan. 1971	Colonel R. N. Supryagin, Soviet Army	USSR
669th	28 Jan. 1971	Colonel R. N. Supryagin, Soviet Army	USSR
670th	11 Feb. 1971	Colonel A. G. H. Jukes, Royal Marines	U.K.
671st	25 Feb. 1971	Group Captain H. A. Caillard, Royal Air Force	U.K.
672nd	11 March 1971	Colonel A. A. Olson, US Army	U.S.A.
673rd	25 March 1971	Captain B. T. Douglas, US Navy	U.S.A.
674th	8 April 1971	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
675th	22 April 1971	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
676th	6 May 1971	Lieutenant Colonel L. R. Follain, French Army	France
677th	20 May 1971	Brigadier General R. J. Pessey, French Army	France
678th	3 June 1971	Colonel R. N. Supryagin, Soviet Army	USSR

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