

## CHAPTER VII

# QUESTIONS RELATING TO AFRICA

## MATTERS CONCERNING SOUTH AFRICA'S APARTHEID POLICIES

The apartheid policies of the Government of South Africa continued to be examined in 1969 by the General Assembly and its 11-member Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa. The Economic and Social Council and the Commission on Human Rights also considered aspects of those policies and the situations resulting therefrom.

In its report to the General Assembly, the Special Committee on Apartheid emphasized its view that there was an extremely grave threat to the peace posed by the further deterioration of the situation in the whole of southern Africa. Contributing to this deterioration were South Africa's continued defiance of the decisions of the United Nations, its intensification of apartheid policies, its massive build-up of military

and police forces, intervention against the forces of liberation movements in Southern Rhodesia and aid to Portugal in the latter's colonial wars.

The Special Committee felt that urgent action by the international community was imperative to avert a major conflict in the area. It urged that the three main lines of action be continued, namely: measures, including the arms embargo and universally applied economic sanctions, to oblige South Africa to renounce its apartheid policies and seek a peaceful solution under the United Nations Charter; moral, political and material assistance to the oppressed people of South Africa; and dissemination of information world-wide to secure full understanding and support of efforts to eliminate apartheid and avert the threat to peace.

At the twenty-fourth session of the General Assembly, which opened on 16 September 1969, the decisions and recommendations of the Special Committee on Apartheid and of other bodies were discussed and a number of resolutions on aspects of apartheid policies were adopted.

On 21 November 1969, the Assembly adopted two resolutions after discussion of the Special Committee's report. By the first resolution, the General Assembly condemned the South African Government for its refusal to comply with past United Nations resolutions and for its repressive acts against the liberation movement of the South African people. The Assembly urged the unconditional release of all political prisoners and persons restricted for opposition to apartheid and reiterated that freedom fighters taken prisoner in the course of their legitimate struggle for liberation should be extended humane treatment in accordance with the humanitarian principles of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949.

By the second resolution, the Assembly reiterated its condemnation of apartheid as a crime against humanity and urged all States and organizations to provide increased assistance to the national movement of the oppressed peo-

ple of South Africa in their legitimate struggle for their inalienable right of self-determination. In support of that struggle, the Assembly asked all States to apply various economic and financial sanctions and to implement the embargo called for by the Security Council on the supplying of arms and other military equipment to South Africa.

Further, the Assembly recommended that the Security Council resume consideration of the apartheid question with a view to adopting effective measures, including those under Chapter VII of the United Nations Charter,<sup>1</sup> to eliminate the threat to international peace and security posed by apartheid in the area.

In other actions that related to the question of apartheid, the General Assembly requested all States, as well as the specialized agencies and international institutions, to withhold assistance of any kind from the Government of South Africa until it had renounced its policy of racial discrimination. The Assembly also welcomed the Manifesto on Southern Africa. This Manifesto, among other things, declared the opposition of African States to policies of apartheid.

Four additional resolutions dealt with the question of racial discrimination and particularly the policies of the South African Government. One of these set forth the Assembly's designation of 1971 as the International Year for Action to Combat Racism and Racial Discrimination. Another dealt with measures to be taken against nazism and racial intolerance, and two resolutions dealt specifically with measures to combat racial discrimination, apartheid and segregation in southern Africa.

The Assembly also considered a report on the United Nations Educational and Training Programme for Southern Africa and called for generous contributions to the Programme.

These and other decisions of United Nations organs are described in the sections below.

<sup>1</sup> For text of Chapter VII of the Charter, see APPENDIX II.

## Political and Related Developments

### REPORT OF SPECIAL COMMITTEE ON APARTHEID

The General Assembly's Special Committee **on the Policies of Apartheid of the Government**

of the Republic of South Africa submitted its report to the General Assembly and to the Security Council on 13 October 1969. The report reviewed the Committee's work during

1969 and described new developments in South Africa since the previous report, submitted on 4 October 1968.

On 17 and 18 March 1969, the Special Committee held a special session at United Nations Headquarters, New York, to consider the question of economic sanctions and related measures to secure the elimination of apartheid. Participants included representatives of church, student, trade union and other non-governmental organizations in the United States concerned with the situation in South Africa, representatives of other United Nations bodies dealing with problems in southern Africa, officials of specialized agencies and the Organization of African Unity (OAU), a representative of the South African Liberation Movement and a number of experts on South Africa and southern Africa.

During the session, the Special Committee issued a statement urgently appealing to all States to exert all efforts to secure an end to the trial in Pietermaritzburg, South Africa, of 12 Africans under the Terrorism Act. The Special Committee transmitted its statement to the President of the Security Council and to the Commission on Human Rights.

A review of the special session was included in the Special Committee's report to the General Assembly, as was the Committee's consideration of the report of the six-member sub-committee which had visited Africa from 18 to 28 August 1969 to consult with representatives of the South African Liberation Movement, officials of OAU and the Governments of Ethiopia, the United Republic of Tanzania, and Zambia.

Also reviewed was the Special Committee's commemoration of the International Day for the Elimination of Racial Discrimination and its observance of South Africa Freedom Day. The Special Committee summarized the work of its Sub-Committees on Petitions and on Information on Apartheid and that of its Working Group on the implementation of United Nations resolutions on the question of apartheid.

The Special Committee emphasized the extremely grave threat to the peace posed by the further deterioration of the situation in the whole of southern Africa. Contributing factors, it said, were South Africa's continued defiance of United Nations resolutions, intensification

of its apartheid policy, massive build-up of its military and police forces, intervention against the forces of liberation movements in Southern Rhodesia and assistance to Portugal in its colonial wars. Urgent action by the international community was imperative to avert a major conflict in the area.

The Special Committee remained convinced that three main lines of activity were the most appropriate and effective for solving the problem of apartheid. These were: (a) measures, including an arms embargo and universally applied economic sanctions under Chapter VII of the United Nations Charter,<sup>2</sup> to oblige the South African Government to renounce the inhuman policies of apartheid and seek a peaceful solution under the Charter; (b) the provision of moral, political and material assistance to the oppressed people of South Africa in their legitimate struggle to achieve their inalienable rights; and (c) the dissemination of information on a world-wide basis in order to secure full understanding and support for the efforts directed towards the elimination of apartheid and avert the grave threat to international peace and security.

The policies and actions of the South African Government in Namibia and in neighbouring colonial territories, the Special Committee added, had aggravated the situation in the whole of southern Africa. Questions relating to South Africa, Namibia, Southern Rhodesia and Portuguese territories should therefore be considered in the southern African context. The Special Committee suggested that arrangements regarding committees with competence on the southern African questions should be reviewed to promote co-ordination and facilitate more effective action by the international community.

#### REPORT ON INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

The Special Committee on the Policies of Apartheid observed the International Day for the Elimination of Racial Discrimination—21 March 1969—at a special meeting at United Nations Headquarters. The meeting was attended by representatives of virtually all the

<sup>2</sup>For text of Chapter VII of the Charter, see APPENDIX II.

United Nations Member States, of the specialized agencies of the United Nations and of OAU. On that day, the Special Committee issued an appeal for the liberation of all South African prisoners. Another special meeting in observance of this International Day was held on 21 May 1969 in Geneva.

In a report on the commemoration of the International Day, the United Nations Secretariat noted that in many parts of the world the International Day was observed at both governmental and non-governmental levels, as well as by the United Nations specialized agencies and other inter-governmental organizations. The observances were marked by a wide variety of activities designed to emphasize abhorrence of the philosophy of apartheid. (See also pp. 487-88.) Contributions and pledges were also made to the United Nations Trust Fund for South Africa and to the Educational and Training Programme for Southern Africa.

ACTION BY COMMISSION  
ON HUMAN RIGHTS AND  
ECONOMIC AND SOCIAL COUNCIL

DECISIONS OF HUMAN RIGHTS COMMISSION

The Commission on Human Rights, at its twenty-fifth session held at United Nations Headquarters from 17 February to 21 March 1969, adopted six resolutions in connexion with its annual consideration, initiated in 1967, of the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories.

On 26 February 1969, the Commission denounced the intensification of the policy of apartheid practised by the rulers of South Africa and the increasing aggravation of its consequences, and, in particular: the iniquitous measures inflicted retroactively on numerous non-whites and some whites; measures compelling coloured persons to separate from their families; forced labour imposed on coloured workers for derisory wages; the prohibition of "mixed" group activity in cultural, political or trade union affairs; and concentration in a poor and tiny area of coloured people who were deprived of all medical care. The Commission

also appealed to world public opinion to support and encourage the efforts of the international community designed to eliminate the odious practice of apartheid.

By the terms of a resolution adopted on 27 February 1969, the Commission proposed that the Economic and Social Council ask the General Assembly to establish an ad hoc committee to submit proposals concerning, among other things, the responsibilities of various United Nations organs and bodies concerned with combating policies of racial discrimination, apartheid and segregation in southern Africa. (For further details, see page 495. Also, see below, page 96, for Economic and Social Council action.)

By another resolution adopted on 27 February, entitled "Measures for effectively combating racial discrimination, the policies of apartheid and segregation in southern Africa," the Commission reaffirmed that the practice of apartheid was a crime against humanity and the situation in southern Africa a threat to international peace and security. It denounced the laws and practices instituted and imposed to oppress the non-white populations in southern Africa and, among other things, called upon all Governments which still maintained diplomatic, commercial, military, cultural and other relations with the racist Government of South Africa and the racist illegal régime of Southern Rhodesia to terminate such relations immediately in accordance with the resolutions of the General Assembly and the Security Council.

By the same resolution, the Commission on Human Rights endorsed the conclusions and recommendations of its Special Rapporteur, Manouchehr Ganji, who had been asked in 1967 and 1968 to survey United Nations activities aimed at eliminating the policies and practices of apartheid and to study legislation and practices in South Africa, Namibia and Southern Rhodesia instituted to establish and maintain apartheid and racial discrimination. The Commission invited non-governmental organizations, including trade unions and religious bodies, to intensify their efforts in mobilizing public opinion against repressive legislation and other acts against the non-white populations of South Africa, Namibia and Southern Rhodesia. It also requested the Secretary-General further to intensify, through all United Nations

information media, efforts to inform the peoples of southern Africa of the activities of the United Nations organs to eliminate the policy of apartheid and racial discrimination, with emphasis on the positive alternative of a multi-racial society based on the principle of racial equality. The Commission also decided that the Special Rapporteur should continue his task and submit a further report. (For further details, see pp. 495-96.)

On 7 March 1969, the Commission adopted a resolution by which, among other things, it expressed its concern that the revival of groups and organizations professing totalitarian and racist ideologies promoted the policy of apartheid, colonialism and racial intolerance. The Commission asked its Sub-Commission on the Prevention of Discrimination and Protection of Minorities to deal in its current study of the revival of nazism with the danger of the revival of that ideology and how it might affect the existence and safeguarding of fundamental human rights and freedoms. (For further details, see pp. 490-91.)

That Sub-Commission having designated a Special Rapporteur to study the question of slavery and the slave trade, including the slavery-like practices of apartheid and colonialism, the Human Rights Commission, by a resolution of 11 March 1969, recommended confirmation of that designation by the Economic and Social Council. (For further details, see pp. 533-34.)

By another resolution, adopted on 19 March 1969, the Human Rights Commission welcomed the observations, conclusions and recommendations of its Ad Hoc Working Group of Experts on the treatment of political prisoners in the Republic of South Africa, Namibia, Southern Rhodesia and the African territories under Portuguese administration. It decided that the mandate of the Working Group of Experts should be further extended to include: an inquiry into the question of capital punishment in southern Africa, in accordance with the General Assembly's resolution of 26 November 1968;<sup>3</sup> an inquiry into the treatment meted out to political prisoners, as well as to captured freedom fighters, in southern Africa; an investigation into the conditions of Africans in the so-called Transit Camps, as well as on the so-called Native Reserves, in the Republic of

South Africa, in Namibia and in Southern Rhodesia; and a further investigation of grave manifestations of apartheid in South Africa and of colonialism and racial discrimination in Namibia, Southern Rhodesia, Angola, Mozambique and Guinea (Bissau) resulting from the actions of their respective régimes. (For further details, see pp. 503-504.)

#### DECISIONS OF ECONOMIC AND SOCIAL COUNCIL

At its forty-sixth session, held from 12 May to 6 June 1969, the Economic and Social Council adopted a series of resolutions—on 6 June 1969—relating to the policies of apartheid and situations arising therefrom in southern Africa.

By the terms of resolution 1414(XLVI), the Council, recognizing the need to co-ordinate the activities of the various United Nations bodies with respect to apartheid and racial segregation in southern Africa, requested the Secretary-General to report to the forty-eighth (early 1970) session of the Council on: the terms of reference of the different United Nations organs and their subsidiary bodies dealing with violations of human rights and fundamental freedoms in southern Africa; a brief survey of activities so far undertaken by the various organs designed to bring about respect for human rights in southern Africa; and a statement of the activities so far undertaken by the specialized agencies, particularly the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), in the same field.

The Council adopted this text unanimously on the recommendation of its Social Committee, which had unanimously approved it on 29 May 1969. The proposal was originally made by the Commission on Human Rights and was amended in the Social Committee by the United Kingdom. (For text of resolution, see DOCUMENTARY REFERENCES below.)

By resolution 1412(XLVI) of 6 June, the Economic and Social Council, noting that infringements of trade union rights continued unabated in South Africa, Southern Rhodesia and Namibia, and concerned that they were the direct outcome of the policies of apartheid and

<sup>3</sup> See Y.U.N., 1968, pp. 606-7, text of resolution 2394(XXIII).

racial discrimination pursued by the régimes in these countries, again called upon the South African Government to conform to the generally accepted international standards pertaining to the right to freedom of association of trade union organizations and, among other things, to repeal its discriminatory labour laws. The Council made many specific recommendations and asked the Ad Hoc Working Group of Experts (established by the Commission on Human Rights) to continue its investigations of infringements of trade union rights in South Africa, Namibia and, in co-operation with ILO, in Southern Rhodesia. (For details, see pp. 534-37.)

By another resolution of 6 June—1415(XLVI)—the Economic and Social Council recommended to the General Assembly the adoption of a resolution whereby that body, expressing alarm at the evidence of gross and systematic violations of human rights and fundamental freedoms in South Africa, Namibia and Southern Rhodesia, would call upon the South African Government to repeal various discriminatory laws and to assist the United Nations in restoring the human rights of the inhabitants of Namibia by immediately terminating that Government's illegal occupation of Namibia. The Assembly would also, among other things: condemn the South African Government for its perpetuation and further intensification of the inhuman policy of apartheid in South Africa and Namibia; call upon the South African Government to rescind immediately the "banning orders" issued under the Suppression of Communism Act against the opponents of apartheid: express regret that several Member States were not observing the relevant United Nations resolutions urging severance of diplomatic, commercial, military, cultural and other relations with the racist Government of South Africa and the racist illegal minority régime of Southern Rhodesia and call upon them to terminate such relations; and request the Secretary-General to establish a unit of the United Nations Radio in Africa to produce and broadcast radio programmes to the peoples of southern Africa and to give the widest publicity to the evils of the apartheid policies and to the actions of the racist régimes of South Africa, Namibia and Southern Rhodesia through non-governmental and other organizations.

On 15 December 1969, the General Assembly adopted the text recommended by the Council as its resolution 2547 B (XXIV).

(For further details, see pp. 497-502.)

The Economic and Social Council also recommended to the General Assembly the adoption of a resolution renewing that body's strong condemnation of racism, nazism, apartheid and all other totalitarian ideologies and practices and urgently calling upon those States which had not yet done so to take immediate and effective measures for the prohibition of nazi, néo-nazi and racist organizations and groups and for their prosecution in their courts. The Council's recommendation was embodied in resolution 1417(XLVI) of 6 June 1969.

On 11 December 1969, the General Assembly adopted the recommended text as its resolution 2545 (XXIV).

(For further details, see pp. 489-93.)

By another resolution of 6 June—1419(XLVI)—the Economic and Social Council confirmed, as recommended by the Human Rights Commission, the designation of a Special Rapporteur by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study measures to implement United Nations recommendations relating to slavery, including the slavery-like practices of apartheid and colonialism. (For further details, see pp. 533-34.)

On the same date, the Council also adopted resolution 1424(XLVI) by which it reiterated its condemnation of every practice of torture and ill-treatment of prisoners, detainees and freedom fighters perpetrated by the régimes in South Africa, Namibia, Southern Rhodesia and the territories under Portuguese administration and postponed, for lack of time, detailed consideration of the various recommendations for action contained in the report of the Human Rights Commission's Ad Hoc Working Group of Experts on the treatment of political prisoners in southern Africa. (For details, see p. 504.)

Finally, the Economic and Social Council, by a decision taken on 6 June 1969, without adoption of a resolution, asked the General Assembly to extend the scope of the United Nations Trust Fund for South Africa to provide assistance to the victims of apartheid and racial discrimination in Southern Rhodesia. The Council took this decision on the recommendation of its Social Committee.

REPORTS BY  
SECRETARY-GENERAL

On 2 January 1969, the Secretary-General transmitted to all Member States and the specialized agencies the text of the General Assembly's resolution 2396(XXIII) of 2 December 1968.<sup>4</sup> By this resolution, the Assembly had addressed wide-ranging appeals and requests to States concerning various activities they could initiate with a view to creating a favourable climate for the eradication of apartheid. In several notes dated between 7 April and 1 December, the Secretary-General transmitted to United Nations Members the substantive parts of communications received from 10 States in response. All reiterated their recognition of the legitimacy of the South African people's struggle against the policy of apartheid, their repugnance at the policy and their solidarity with the oppressed majority brutalized and victimized by apartheid. A few gave details of public enlightenment campaigns and programmes conducted in their countries.

CONSIDERATION BY  
GENERAL ASSEMBLY  
GENERAL ASPECTS

The item relating to the policies of apartheid of the Government of the Republic of South Africa was included in the agenda of the twenty-fourth session of the General Assembly, in 1969, on the recommendation of the Assembly's General Committee. During the discussion by the General Assembly of the adoption of the agenda, South Africa's representative, expressing reservations on the item, stated that its inclusion on the agenda and its subsequent consideration would contravene Article 2, paragraph 7, of the United Nations Charter, which precludes the United Nations from intervening in matters which are essentially within the domestic jurisdiction of any State.<sup>5</sup> The General Committee, however, approved adoption of the item and allocated it to the Assembly's Special Political Committee, which devoted 20 meetings to its consideration between 21 October and 14 November 1969.

Presenting the report of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa, its Rapporteur said that the situation in South Africa had continued to deteriorate. He declared

that United Nations decisions were being flouted with impunity, that the arms embargo called for by the Security Council had been violated, that South Africa's major trading partners had increased their financial and economic involvement in the apartheid system, and that the South African Government had set itself on an expansionist and militarist course in its relations with some neighbouring States and had moved closer to the brink of what might prove to be a disaster for all mankind.

The Rapporteur drew attention to more stringent measures for racial separation and discrimination enforced by new South African laws, some of which were further eroding all basic human rights. Arbitrary detention, banishment and banning of all opponents of apartheid had increased.

The Chairman of the Special Committee on Apartheid, who also addressed the Special Political Committee, referred to the arms embargo and pointed out that statistics showing that 95 per cent of the United Nations membership was observing the arms embargo became meaningless when the other 5 per cent consisted of rich industrialized countries which supplied large quantities of arms and which, he stated, put profit before principle. Touching on the question of general economic sanctions against South Africa, he stated that no such boycott could succeed as long as South Africa's main trading partners—the United Kingdom, the United States, the Federal Republic of Germany and Japan— withheld their co-operation.

The Chairman of the Special Committee on Apartheid drew particular attention to a number of the Special Committee's recommendations. That Committee had expressed the hope that the United Nations and the specialized agencies would refrain from co-operating with banks and other financial enterprises which provided assistance to the South African Govern-

<sup>4</sup> See Y.U.N., 1968, pp. 120-22, text of resolution 2396 (XXIII).

<sup>5</sup> Article 2, paragraph 7, of the Charter states: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter: but this principle shall not prejudice the application of enforcement measures under Chapter VII."

ment and South African companies. Such co-operation, the Special Committee on Apartheid had pointed out, would make a mockery of the United Nations appeal to individual States and organizations to boycott firms and institutions which openly co-operated with the South African Government and supported its economy. Noting that certain States had allowed increased air services between their countries and South Africa, contrary to the recommendation of the Special Committee on Apartheid, he stated his disagreement with the view that by keeping open such lines of communications outside influence might weaken the appeal of apartheid. Far from having such an effect, he said, the publicity and high-powered advertising which accompanied reciprocal air services with South Africa accorded its Government a measure of respect and dignity which could pave the way for wider acceptance and tolerance of the policy of apartheid.

Referring to a recommendation relating to enlargement of the Special Committee on Apartheid, the Chairman said the time had come to deal with the problem of apartheid in conjunction with other political situations in southern Africa. Since first proposed in 1967, the idea had received growing support from many sources including the South African liberation movements, which had recognized the need for co-ordinating their efforts in the common struggle. The Chairman further stated that the interrelationship of southern African problems had been clearly demonstrated in the United Nations whenever attempts had been made to deal piecemeal with the questions of Namibia, Southern Rhodesia and the territories under Portuguese domination.

In the present circumstances, the only alternatives open to the non-white population were to accept the status quo and remain permanently enslaved or to pursue their resort to force, the Chairman continued. The international community should provide the third alternative—a peaceful and speedy solution of the problem. The fact that some special interests of certain powerful States were affected did not justify inaction by the Organization.

During the debate in the Special Political Committee, there was unanimous condemnation of the South African Government's policies of apartheid as a violation of the principles of

the United Nations Charter, as well as the Universal Declaration of Human Rights.

A majority of the Members deplored the failure of the United Nations to take effective measures to end the policy of apartheid, maintaining that the responsibility for such failure rested with the main trading partners of South Africa. They contended that by refusing to implement United Nations resolutions calling for the severance of economic and political ties with South Africa, the main trading partners of that country—all of them Members of the United Nations—had ensured the survival of the apartheid régime. Those countries, they stated, had given more weight to economic considerations than to moral principles, and their refusal to co-operate in implementing United Nations resolutions had not only emboldened South Africa to assume a defiant attitude towards the United Nations but was also undermining the prestige and authority of the Organization.

The representative of the USSR declared that South Africa's Western trading partners had not only failed to implement United Nations resolutions, but had recently increased collaboration with the South African régime, thereby undermining the efforts of those States which had made economic sacrifices to comply with those resolutions. During the period from 1962 to 1968, he said, South Africa had increased its imports from the United Kingdom by 47 per cent, from the United States by 98 per cent and from the Federal Republic of Germany by 149 per cent, while its exports to those countries had increased by 97 per cent, 33 per cent and 40 per cent respectively. Seven Western countries, principal among which were the United Kingdom, the United States and the Federal Republic of Germany, had absorbed 75 per cent of South Africa's export trade.

With such powerful support, the USSR representative continued, South Africa found it easy to go on flouting United Nations resolutions. He urged that the General Assembly should therefore call upon that country's main trading partners unconditionally to end any political, economic, military or other assistance.

A number of representatives—among them those of Cyprus, Ecuador, India, Iraq, Jamaica, Morocco, Nepal, the Philippines and Sierra

Leone—recalling that the General Assembly had drawn the attention of the Security Council to the grave situation in South Africa, urged that the Council should resume urgently the consideration of the question of apartheid in the light of Chapter VII of the United Nations Charter.<sup>6</sup>

The representative of Norway held that economic sanctions and other measures recommended by the General Assembly and Security Council had failed because they had been non-obligatory. To be effective, they must be compulsory. Caution should be exercised in advocating them as at present they did not seem to have the desired effect.

In the view of the representative of Malawi, resolutions on apartheid adopted by the United Nations had had no practical value, principally because they were not supported by the only countries with the power to coerce South Africa into changing its apartheid policies. Assuming the impossibility of effective sanctions, Malawi submitted that the General Assembly should discard the over-belligerent resolutions of recent sessions. Continued empty threats would only produce the negative results of creating in white South Africans an attitude of mind comparable to the "psychosis of the besieged." Opponents must always be left room for withdrawal from stated positions with the minimum loss of face, he said. Malawi favoured a resolution which, while reiterating unequivocal condemnation of apartheid, would avoid showing an antagonistic attitude to South Africa and provide for assistance to black South Africans in their efforts towards self-organization and for measures to influence the white South Africans.

The United States representative said his Government had repeatedly urged the South African Government to change its racial policies, warned it of the dangers of its course and enforced the arms embargo. His Government was not convinced that sanctions taken under Chapter VII of the Charter would be effective either economically or politically. Their effect in the long run would depend on how long the present and potential trading partners—and not only South Africa's major trading partners—could be expected to co-operate. The application of sanctions would only complicate the situation and claim as its first victims the non-white population. Pressure must be maintained

against South Africa, he said, but in practical and peaceful ways. It was his view that the process of evolution in South Africa would be long and hard. It involved changing not merely a policy, but the hearts and minds of men and of bringing about acceptance of realities.

The United Kingdom maintained that a resolution which could be implemented by all and showed that all participants in the United Nations debates agreed that apartheid was a hateful political and social system would be much more effective than some strong resolution on which there was dissent.

The representative of Italy insisted that only peaceful means were suitable for solving the problems of apartheid. He strongly urged that rather than isolate South Africa, all possible ways of communicating with it should be opened, so that its people could benefit from contact with the ideas and ways of life of freedom-loving countries. Imposing economic sanctions would raise various problems for the United Nations, he believed. Italy did not see how some measures proposed could bring about the complex transformation that would replace the policy of apartheid with one of social harmony. Notwithstanding these views, Italy would abide by any decision taken with due respect for the Organization's Charter.

A number of speakers, among them the representatives of Algeria, the Democratic Republic of the Congo, Ghana, Kenya, Libya, Mauritania, Nepal, Romania, Somalia, the United Arab Republic and Yugoslavia, stressed the interrelationship of the problems of southern Africa. They maintained that the South African Government was attempting to extend the system of apartheid to neighbouring territories. It was continuing not only to occupy Namibia illegally, but also to implement its policy of "separate homelands" in that territory. South Africa, they said, was also encouraging and collaborating with the racist minority regime in Salisbury to defeat the purpose of the economic sanctions against Southern Rhodesia. By strengthening the position of its Portuguese and Southern Rhodesian partners, the South African Government was aiming at securing white minority domination over not

<sup>6</sup> See footnote 2.

only South Africa, but over the whole of southern Africa as well.

The representatives of Algeria, Libya, Nigeria, Somalia, Syria, the United Republic of Tanzania, and Zambia were among those who argued that the South African liberation movements had no choice but to resort to armed struggle since all avenues for peaceful settlement had been tried to no avail. They said that since Member States had recognized the legitimacy of the struggle of the oppressed non-white majority in South Africa for their inalienable rights to freedom and justice, it was incumbent on those Member States to provide the South African liberation movements with adequate moral, political and financial assistance.

In this connexion, support was expressed for a recommendation of the Special Committee on Apartheid that the international community should provide greater assistance to the oppressed people of South Africa and their movement for liberation in their legitimate struggle.

Numerous representatives, including those of Afghanistan, Bulgaria, Burma, Cameroon, the Central African Republic, Chile, the Democratic Republic of the Congo, Denmark, Ghana, Italy, Japan, Jamaica, Kenya, Liberia, Mali, Mauritania, Norway, the Philippines, Romania, Rwanda, Togo and Uganda, saw in the Manifesto on Southern Africa, adopted by the Organization of African Unity (OAU) in September 1969, a new gleam of hope towards a peaceful solution of the problem of apartheid. (See pp. 147-52 for summary of the Manifesto and General Assembly resolution thereon.)

The Manifesto, these Members stated, reaffirmed the desire of the African States, in their pursuit of the universal principles of human equality and dignity and of basic human rights, including the right to self-determination, to restore those principles to southern Africa by peaceful means. While some representatives laid emphasis on the peaceful approach advocated by the Manifesto, others stated that it had not recommended dialogue with South Africa unconditionally, but had simply stated that such dialogue was possible on the proviso that South Africa recognized the rights of the majority of its population and began to secure those rights for them. It was emphasized by various speakers that the Manifesto had reaffirmed the com-

mitment of OAU to the liberation of all inhabitants of Africa, black and white alike.

Another aspect discussed was the dissemination of information on apartheid. Many Members, among them Afghanistan, Brazil, Finland, Poland, Sweden and Turkey, stressed the importance of the dissemination of such information and expressed support for activities aimed at promoting greater international awareness not only of the evils of apartheid, but also of securing better understanding of the efforts of the international community to eradicate apartheid.

Burma held that the dissemination of information should be directed particularly at the masses of the people in the countries which were South Africa's major trading partners in order that they might bring pressure to bear on their Governments and thus prevent them from supporting the South African Government's apartheid policies.

Morocco suggested that an information centre, financed from voluntary contributions, be set up to work in collaboration with the Secretary-General, the Special Committee on Apartheid, OAU, national committees and the non-governmental organizations.

Cyprus reiterated a suggestion made previously that national committees be established in each Member State to enlighten public opinion on the evils of apartheid; Sweden proposed that more effective information campaigns might be launched by voluntary organizations, and particularly by churches, with the co-operation of the United Nations. Sweden's representative further drew attention to the proposal for the organization of broadcasts to South Africa through the establishment of a United Nations-operated radio station.

A representative of the African National Congress, Robert Resha, who was granted a hearing by the Special Political Committee on 5 November 1969, reviewed the history of efforts made since 1912 by the African National Congress to defend the rights of the African people by non-violent methods and the Congress' decision in 1961, in the face of the South African regime's contempt, to add to its forms of struggle that of armed combat. He believed that the United Nations was in duty bound to support the non-white South African population's struggle, on the one hand, because such

support would be consistent with the principles of the United Nations Charter, and on the other hand, because the action of the forces that were supporting the oppressors should be counteracted.

Rejecting the argument that sanctions were impracticable, he suggested that for sanctions to be effective, the United Nations must take disciplinary action against those States which, in violation of Chapter VII of the Charter, were providing South Africa with military equipment and financial assistance. Furthermore, he said, the fate of political prisoners, all of whom were leaders and activists who defended the ideals of the United Nations, should command the particular attention of the Organization, whose former resolutions calling for their release had gone unheeded. Although the African National Congress relied on United Nations assistance, he concluded, it was convinced that the struggle for emancipation of the South African people would be fought and won by the African people themselves.

Two draft resolutions were approved by the Special Political Committee and adopted by the General Assembly. The first—resolution 2506 A (XXIV)—was sponsored, as amended, by the following 46 Member States: Afghanistan, Algeria, Burma, Burundi, the Congo (Brazzaville), the Democratic Republic of the Congo, Cyprus, Dahomey, Ethiopia, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Jordan, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, the Philippines, Saudi Arabia, Senegal, Somalia, Southern Yemen, Sudan, Syria, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia.

By the operative part of resolution 2506 A (XXIV), the General Assembly: (1) condemned the Government of South Africa for its refusal to comply with the resolutions of the General Assembly and the Security Council calling for an end to the oppression and persecution of all persons opposing the policies of apartheid; (2) further condemned the Government of South Africa for its repressive acts against the political movement of the oppressed people of South Africa and, in particular, for

its enactment of the Terrorism Act, 1967; (3) urged all States and organizations to exert every appropriate effort to secure the unconditional release of all political prisoners and persons subjected to restrictions for opposing apartheid; (4) reiterated that freedom fighters taken prisoner in the course of their legitimate struggle: for liberation should be extended humane treatment in accordance with the Geneva Convention of 12 August 1949 relative to prisoners of war; and (5) expressed solidarity with all those persecuted in South Africa for their opposition to apartheid.

The Special Political Committee approved the revised draft resolution as a whole on 14 November 1969, by a roll-call vote of 101 to 1, with 4 abstentions, following separate votes approving operative paragraphs 2 (condemning the South African Government for repressive acts) and 4 (reiterating that freedom fighters should be extended humane treatment).

On 21 November, the Assembly adopted the text by 101 votes to 2, with 6 abstentions.

(For text of resolution, see DOCUMENTARY REFERENCES **below**.)

Speaking before the vote was taken, the representative of Canada expressed his country's concern at the continuing consolidation of apartheid and its spread to other parts of Africa. Racial discrimination, manifested in the formalized doctrine of apartheid, was totally abhorrent and might lead to bloodshed unless reason intervened. Majority support for the resolution, he added, would marshal world opinion in favour of the unconditional liberation of the opponents of apartheid. Canada supported the draft resolution on the understanding that the phrase "freedom fighters" in operative paragraph 4 referred to all opponents of apartheid.

The representative of the United Kingdom stated that his Government interpreted the reference to the Geneva Convention of 1949, in operative paragraph 4 of the draft, in the light of the resolution adopted by the twenty-first International Conference of the Red Cross at Istanbul, Turkey, which had called upon "all authorities in armed conflict to abide by the Convention." The United Kingdom representative noted that efforts to obtain political freedom and justice were legitimate and should be

encouraged when pursued by peaceful means, but he regretted the use of "freedom fighters" instead of "national movements" in the draft.

Commenting on the United Kingdom's objection to the use of the expression "freedom fighters," the representative of Hungary said this revealed that the United Kingdom remained faithful to its colonialist policy and was opposed to any fight for the liberation of colonial and oppressed peoples.

The second draft resolution was sponsored by 42 Members, as follows: Afghanistan, Algeria, Burma, Burundi, the Congo (Brazzaville), the Democratic Republic of the Congo, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Libya, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, the Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Syria, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia.

The text, as revised by the sponsors, was approved by the Special Political Committee on 14 November 1969 by a roll-call vote of 83 to 4, with 20 abstentions. On 21 November, the Assembly adopted it as resolution 2506 B (XXIV) by a vote of 80 to 5, with 23 abstentions.

The Assembly thereby:

(1) reaffirmed its resolution 2396(XXIII) of 2 December 1968<sup>7</sup> and other resolutions of the General Assembly on the question of apartheid<sup>1</sup>,

(2) reiterated its condemnation of the policies of apartheid practised by the Government of South Africa as a crime against humanity;

(3) reaffirmed its recognition of the legitimacy of the struggle of the oppressed people of South Africa for the exercise of their inalienable right of self-determination and their attainment of majority rule based on universal suffrage;

(4) urged all States and organizations to provide increased assistance to the national movement of the oppressed people of South Africa in the light of the recommendations contained in the report of the Special Committee on Apartheid;

(5) invited all States, in recognition of their

obligations under the United Nations Charter and in support of the legitimate struggle of the oppressed people of South Africa to: (a) desist from collaborating with the South African Government by taking steps to prohibit financial and economic interests under their national jurisdiction from co-operating with the South African Government and companies registered in South Africa; (b) prohibit airlines and shipping lines registered in their countries from providing services to and from South Africa and to deny all facilities to air flights and shipping services to and from South Africa; (c) refrain from extending loans, investments and technical assistance to the South African Government and companies registered in South Africa; (d) take appropriate measures to dissuade the main trading partners of South Africa and economic and financial interests from collaborating with the South African Government and companies registered in South Africa;

(6) called upon all States to implement fully and scrupulously the provisions of the Security Council resolutions concerning the embargo on the supplying of arms and other military equipment to the South African Government;

(7) called upon all States to desist from providing the South African Government with technical and other assistance for the manufacture of arms, ammunition and military vehicles;

(8) called upon all organs of the United Nations, the specialized agencies and other international organizations to refrain from extending facilities to banks and other financial institutions which provided assistance to the South African Government and to companies registered in South Africa;

(9) drew the attention of the Security Council to the grave situation in South Africa, and in southern Africa as a whole, and recommended to the Security Council that it resume urgently consideration of the question of apartheid with a view to adopting effective measures, including those under Chapter VII of the United Nations Charter,<sup>8</sup> to eliminate the threat to international peace and security posed by the situation;

<sup>7</sup> See footnote 4.

<sup>8</sup> See footnote 2.

(10) urged all specialized agencies of the United Nations and other international organizations to withhold the benefits of international co-operation from the South African Government so long as it persisted in its policies of apartheid;

(11) invited all States and organizations to observe the International Day for the Elimination of Racial Discrimination on 21 March 1970—the tenth anniversary of the Sharpeville massacre—in solidarity with the oppressed people of South Africa, and to make special contributions on that day in support of the struggle against apartheid;

(12) requested the Special Committee on Apartheid to: (a) take additional steps to promote assistance to the national movement of the oppressed people of South Africa, in consultation with the Secretary-General of the United Nations and the Organization of African Unity; (6) hold consultations with representatives of that movement on the various aspects of the question; (c) take further steps, including holding of joint meetings with other appropriate United Nations organs, to increase its co-operation with the specialized agencies and non-governmental organizations concerned with the problems of southern Africa; and

(13) requested the Secretary-General and Member States to intensify dissemination of information on the problems of the policies of apartheid of the South African Government in the light of the recommendations in the report of the Special Committee on Apartheid.

(For text of resolution, see DOCUMENTARY REFERENCES **below**.)

Canada and the United States, explaining abstention on the resolution, said they could not agree that the present situation in South Africa was a threat to international peace and security calling for action under Chapter VII of the United Nations Charter. They considered certain provisions impractical or unrealistic, the United States, for instance, citing the paragraph which requested States to prohibit air and shipping lines of their registry from providing service to and from South Africa and to deny facilities to such services to and from South Africa. The United States, representative declared that such too far-reaching proposals could prove detrimental to the people of South Africa and to the United Nations.

The United Kingdom believed that parts of the resolution could be interpreted as encouraging and assisting the use of force and seemed to usurp the functions of the Security Council.

Madagascar said it could not accept the idea of applying compulsory measures upon which only the Security Council could decide.

Also having abstained, Sweden reaffirmed its support for the objectives of the resolution and for the appeal to States to implement Security Council resolutions concerning the embargo on arms and military equipment. Sweden, however, was convinced that the effectiveness of such measures as those recommended in operative paragraph 5 (prohibiting financial and economic co-operation) depended on a decision by the Security Council. Although not opposed to economic sanctions, Sweden feared that, having been decided upon in such circumstances by the Assembly, they would be counterproductive because they would not be respected by the majority of the Members.

Norway and Denmark also opposed several of the same recommendations in the conviction that only the Security Council was competent to decide on economic sanctions and in the fear that they would be ineffective.

France said it had abstained because parts of the resolution repeated provisions on which it had previously abstained. Such an abstention could not in any way be interpreted as a sign of acquiescence in the policy of apartheid, which the French Government had often and unequivocally condemned. By various actions, its representative stated, France had shown its concern for the plight of those persecuted for their opposition to apartheid.

The representative of Pakistan, replying to these various objections on behalf of the sponsors, recalled that the representatives of the United States, Canada and the United Kingdom had said economic measures were not practical and asked what then were practical measures. It could not be said that the South African Government would now enter into a dialogue in the light of the abortive history of that idea. He added that as for the doubts expressed regarding the recommendation made in the resolution for Security Council action, the text had not indicated what action the Council should take and the sponsors believed they were within their competence in making

the recommendation under Article 11 of the United Nations Charter.<sup>9</sup>

OTHER GENERAL ASSEMBLY DECISIONS

The General Assembly also adopted at its twenty-fourth session a number of other resolutions which referred to apartheid and to South Africa. These are described below.

DECLARATION ON GRANTING INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

On 11 December 1969, the Assembly adopted a resolution (2548(XXIV)) on the question of implementing the Declaration on the Granting of Independence to Colonial Countries and Peoples.<sup>10</sup> The preamble of the resolution contained a statement that the continuation of colonialism and its manifestations, including racism, apartheid and activities of foreign economic and other interests which exploited colonial peoples, and the attempts of some colonial powers to suppress national liberation movements were incompatible with the United Nations Charter, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples. The preamble also contained a statement whereby the Assembly deplored the attitude of certain States which defied United Nations resolutions and continued to co-operate with the Governments of Portugal and South Africa and with the illegal régime in Southern Rhodesia.

By the operative part of the resolution, the Assembly, among other things, declared that the continuation of colonial rule threatened international peace and security and that the practice of apartheid and all forms of racial discrimination constituted a crime against humanity. It requested all States, as well as the specialized agencies and international institutions, to withhold assistance of any kind from the Governments of Portugal and South Africa and from the illegal racist minority regime in Southern Rhodesia until they renounced their policy of colonial domination and racial discrimination. (For further details, see pp. 648-50.)

MANIFESTO ON SOUTHERN AFRICA,

On 20 November 1969, the General Assembly adopted a resolution (2505(XXIV)) noting

that it had received the Manifesto on Southern Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity (OAU) at its sixth ordinary session in September 1969.

By the resolution, the General Assembly, convinced of the need for intensifying international efforts for the elimination of apartheid, racial discrimination and colonialism in order that peace and security in southern Africa be assured, (1) welcomed the Manifesto on Southern Africa and recommended it to the attention of all States and all peoples; and (2) expressed once again the firm intention of the United Nations, acting in co-operation with OAU, to intensify its efforts to find a solution to the grave situation in southern Africa. (For further details, see pp. 147-52.)

MEASURES TO COMBAT RACIAL DISCRIMINATION, Apartheid AND SEGREGATION IN SOUTHERN AFRICA

Two resolutions on measures for effectively combating racial discrimination, apartheid and segregation in southern Africa were adopted at the twenty-fourth session on the recommendation of the Assembly's Third (Social, Humanitarian and Cultural) Committee.

By resolution 2547 A (XXIV) of 11 December 1969, the General Assembly, among other things, reaffirmed its recognition of the legitimacy of the struggle by the opponents of apartheid, racial discrimination and Portuguese colonialism in southern Africa to realize their human rights and fundamental freedoms; condemned the Government of South Africa for the inhuman and degrading treatment and torture meted out to political prisoners and detainees and to captured freedom fighters in South Africa and Namibia; further condemned the South African Government for its refusal to permit an impartial inquiry into the deaths of political prisoners and detainees; and strongly censured the South African Government for its illegal occupation of Namibia.

By other provisions of the resolution, the General Assembly called upon the South Afri-

<sup>9</sup> For text of Article 11 of the Charter, see APPENDIX II.

<sup>10</sup> See Y.U.N., 1960, pp. 49-50, for text of resolution 1514(XV) containing the text of the Declaration.

can Government to observe the terms of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949; requested the Secretary-General to establish, maintain and publicize an up-to-date register of persons subjected to imprisonment, detention, banishment and other restrictions, and of persons victimized and brutalized for their opposition to apartheid and racial discrimination, as well as of captured freedom fighters held in South Africa, Namibia, Southern Rhodesia, Angola, Mozambique, Guinea (Bissau), and Sao Tome.

The Assembly also requested the Secretary-General, in consultation with the Committee of Trustees, to study the question of enlarging the scope of the United Nations Trust Fund for South Africa to include all persons in Southern Rhodesia and Namibia persecuted under repressive and discriminatory legislation, as well as persons victimized by Portuguese colonial practices in Africa; and appealed to all Governments to contribute more generously to the United Nations Trust Fund for South Africa and to voluntary organizations active in providing assistance to victims of apartheid and racial discrimination in southern Africa. (See also pp. 505-6 and pp. 110-12.)

By resolution 2547 B (XXIV) of 15 December 1969, the General Assembly adopted the draft resolution recommended to it by the Economic and Social Council on 6 June 1969. (See above, page 97, for summary of resolution and see pp. 502-6 for further details.)

#### MEASURES TO BE TAKEN AGAINST NAZISM AND RACIAL INTOLERANCE

On 11 December 1969, the General Assembly adopted resolution 2545 (XXIV) as recommended to it by the Economic and Social Council on 6 June 1969, on measures to be taken against nazism and racial intolerance.

(For summary of resolution, see above, page 97; for additional details, see pp. 489-91.)

#### PROGRAMME TO OBSERVE INTERNATIONAL YEAR TO COMBAT RACISM

By the terms of another resolution (2544 (XXIV)), adopted on 11 December 1969, the

General Assembly designated the year 1971 as the International Year for Action to Combat Racism and Racial Discrimination. It considered that the Year should be observed in the name of the ever-growing struggle against racial discrimination in all its forms and manifestations and in the name of international solidarity with those struggling against racism. The Assembly also appealed urgently to all States to intensify and expand their efforts to eradicate racial discrimination, including the policy of apartheid, nazism and all of its contemporary forms. (For further details, see pp. 484-86.)

#### CO-OPERATION OF SPECIALIZED AGENCIES

Another Assembly resolution (2555 (XXIV)), adopted on 12 December 1969 on the recommendation of the Assembly's Fourth Committee, called for the co-operation of the specialized agencies, the International Atomic Energy Agency and other international agencies associated with the United Nations to extend their full co-operation to the Organization in the achievement of the objectives and provisions of the General Assembly's resolution of 14 December 1960 on the granting of independence to colonial countries and peoples<sup>11</sup> and other relevant resolutions. Under other provisions of the text, the Assembly recommended that the specialized agencies and international institutions concerned, as well as the various programmes within the United Nations system, should take measures individually and in collaboration with one another to increase the scope of their assistance to refugees from colonial territories and to the peoples struggling to liberate themselves from colonial rule. It urged them—in particular, the International Bank for Reconstruction and Development and the International Monetary Fund—to take all necessary steps to withhold from the Governments of Portugal and South Africa financial, economic, technical and other assistance until they renounced their policies of racial discrimination and colonial domination. (For further details, see page 650.)

<sup>11</sup> Ibid.

DOCUMENTARY REFERENCES

REPORT OF SPECIAL COMMITTEE ON APARTHEID

A/7625 (S/9473). Report of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

A/7625/Rev.I, Annexes. Report of Special Committee on Apartheid. Annex I: List of representatives; Annex II: Review of developments in South Africa since 4 October 1968; Annex III: Special Committee documents issued, October 1968-7 October 1969.

A/7625/Rev.I, Chapter II F. Report of Special Committee on Apartheid. Commemoration of International Day for Elimination of Racial Discrimination.

DECISIONS OF ECONOMIC AND SOCIAL COUNCIL

STUDY OF Apartheid AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

ECONOMIC AND SOCIAL COUNCIL—46TH SESSION  
Social Committee, meetings 617, 619-621, 623, 624, 626.

Plenary Meeting 1602.

E/4621. Report on 25th session of Commission on Human Rights, Chapter IV A and Chapter XVIII, resolution 4(XXV).

E/4621, Chapter XIX. Draft resolution I, as recommended by Commission, and as amended by United Kingdom, E/AC.7/L.557, adopted unanimously by Social Committee on 29 May 1969, meeting 624.

E/AC.7/L.557. United Kingdom: amendment to draft resolution I of Commission on Human Rights.

E/4693. Report of Social Committee, draft resolution I.

RESOLUTION 1414(xlvi), as recommended by Social Committee, E/4693, adopted unanimously by Council on 6 June 1969, meeting 1602.

The Economic and Social Council,

Noting that questions of violation of human rights and fundamental freedoms particularly manifested in policies of racial discrimination, apartheid and segregation in southern Africa are being considered by various United Nations organs, including subsidiary bodies of the Council, and a number of specialized agencies,

Mindful of the fact that there is proliferation and duplication in the efforts to combat policies of racial discrimination, apartheid and segregation which must be avoided if the result which the international community desires from that effort is to be achieved,

Recognizing, therefore, the need to co-ordinate the activities of the various organizations in the United Nations system and of its organs with respect to apartheid and racial segregation in southern Africa,

1. Requests the Secretary-General to prepare a concise report containing:

(a) The terms of reference of the different United Nations organs dealing at present with violations of

human rights and fundamental freedoms in southern Africa, including the terms of reference of any of their subsidiary ad hoc or standing committees, working groups or other bodies;

(b) A brief survey of the activities so far undertaken by the different organs designed to bring about respect for human rights and fundamental freedoms in southern Africa ;

(c) A statement of the activities undertaken by the specialized agencies, particularly the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, in the same field;

2. Invites the specialized agencies concerned to cooperate with the Secretary-General in the preparation of his report;

3. Further requests the Secretary-General to submit his report to the Economic and Social Council, at its forty-eighth session;

4. Decides to consider this matter further at its forty-eighth session.

UNITED NATIONS TRUST FUND FOR SOUTH AFRICA

ECONOMIC AND SOCIAL COUNCIL—46TH SESSION  
Social Committee, meetings 627, 628.  
Plenary Meeting 1602.

E/4621. Report on 25th session of Commission on Human Rights, Chapter IV A, resolution 5(XXV).

E/4693. Report of Social Committee, para. 31 (b), recommendation (e).

E/4715. Resolutions adopted by Economic and Social Council at its 46th session, 12 May-6 June 1969. Other decisions, p. 19, recommendation (e).

CONSIDERATION BY GENERAL ASSEMBLY

GENERAL ASPECTS

GENERAL ASSEMBLY—24TH SESSION  
Special Political Committee, meetings 645-664.  
Fifth Committee, meeting 1332.  
Plenary Meetings 1758, 1816.

A/7516 (S/9019). Letter of 20 February 1969 from Chairman of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

A/7524 (S/9050). Letter of 5 March 1969 from United States.

A/7538 and Add.1-3. Note by Secretary-General. Replies received from Governments.

A/7601. Annual report of Secretary-General on work of the Organization, 16 June 1968-15 June 1969, Chapter III F.

A/7601/Add.1. Introduction to annual report of Secretary-General, September 1969, Chapter VII.

A/7602. Report of Security Council to General Assembly, 16 July 1968-15 July 1969, part IV, Chapter 9.

A/7625/Rev.1. Report of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

A/7715. United Nations Trust Fund for South Africa. Report of Secretary-General.

A/SPC/L.172 and Rev.1 and Rev.I/Add.]. Afghanistan, Algeria, Burma, Burundi, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Dahomey, Ethiopia, Ghana, Haiti, Hungary, India, Indonesia, Iraq, Jordan, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Somalia, Southern Yemen, Sudan, Syria, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia: draft resolution and revision.

A/SPC/L.172/Rev.2. Revised draft re-solution sponsored by 45 powers listed above and, in addition, by Guinea, approved by Special Political Committee on 14 November 1969, meeting 664, by roll-call vote of 101 to 1, with 4 abstentions, as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cameroon, Canada, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Democratic Republic of Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Equatorial Guinea, Ethiopia, Finland., France, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia. Southern Yemen, Spain, Sudan, Sweden, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Kingdom, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yemen. Yugoslavia, Zambia.

Against: Portugal.

Abstaining: Australia, Malawi, New Zealand, Peru.

A/7773. Report of Special Political Committee, draft resolution A.

RESOLUTION 2506A(xxiv), as proposed by Special Political Committee, A/7773, adopted by Assembly on 21 November 1969, meeting 1816, by 101 votes to 2, with 6 abstentions.

The General Assembly,

Taking note of the report of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa and the report of the Committee of Trustees of the United Nations Trust Fund for South Africa,

Bearing in mind its resolutions calling on the Government of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for their opposition to apartheid,

Noting with grave concern that the Government of South Africa has continued to persecute the opponents of apartheid, that detainees are subjected to brutal treatment and that several such persons have died following this inhuman treatment,

Convinced that such actions further aggravate the deteriorating situation in South Africa,

1. Condemns the Government of South Africa for its refusal to comply with the resolutions of the General Assembly and the Security Council calling for an end to the oppression and persecution of all persons opposing the policies of apartheid;

2. Further condemns the Government of South Africa for its repressive acts against the political movement of the oppressed people of South Africa and, in particular, for its enactment of the Terrorism Act, 1967;

3. Urges all States and organizations to exert every appropriate effort to secure the unconditional release of all political prisoners and persons subjected to restrictions for opposing apartheid;

4. Reiterates that freedom fighters who are taken prisoner in the course of their legitimate struggle for liberation should be extended humane treatment in accordance with the humanitarian principles laid down in the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949;

5. Expresses solidarity with all those persecuted in South Africa for their opposition to apartheid.

A/SPC/L.173 and Add.1. Afghanistan, Algeria, Burma, Burundi, Congo (Brazzaville), Democratic Republic of Congo, Ethiopia, Ghana, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Libya, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia: draft resolution.

A/SPC/L.173/Rev.1. Afghanistan, Algeria, Burma, Burundi, Congo (Brazzaville), Democratic Republic of Congo, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Libya, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Syria, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia: revised draft resolution, approved by Special Political Committee on 14 November 1969, meeting 664, by roll-call vote of 83 to 4, with 20 abstentions, as follows:

In favour: Afghanistan, Algeria, Austria,\* Barbados, Bolivia, Bulgaria, Burma, Burundi, Byelorussian SSR, Cameroon, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Democratic Republic of Congo, Costa Rica, Cyprus, Czechoslovakia, Dahomey, Equatorial Guinea, Ethiopia, Ghana,

Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, Portugal, United Kingdom, United States.

Abstaining: Argentina, Belgium, Brazil, Canada, Cuba, Denmark, Finland, France, Greece, Iceland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Spain, Sweden.

\* The representative of Austria announced that his delegation had been instructed to abstain on the draft resolution. He therefore wished to record that his affirmative vote had been cast in error.

A/SPC/L.174. Administrative and financial implications of draft resolution contained in document A/SPC/L.173. Statement by Secretary-General.

A/C.5/1262, A/7775, A/7778 and Corr.1. Administrative and financial implications of draft resolution B contained in report of Special Political Committee, A/7773. Statement by Secretary-General and reports of Advisory Committee on Administrative and Budgetary Questions (ACABQ) and Fifth Committee.

A/7773. Report of Special Political Committee, draft resolution B.

RESOLUTION 2506B(xxiv), as proposed by Special Political Committee, A/7773, adopted by General Assembly on 21 November 1969, meeting 1816, by 80 votes to 5, with 23 abstentions.

The General Assembly,

Recalling its resolutions and those of the Security Council on the question of apartheid,

Having considered the report of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa,

Noting with concern that the Government of South Africa continues to intensify and extend beyond the borders of South Africa its inhuman and aggressive policies of apartheid and that these policies have resulted in violent conflict,

Noting further that the Government of South Africa, in collaboration with the illegal racist minority régime in Southern Rhodesia and the Government of Portugal, continues to defy the United Nations and denies the peoples of southern Africa their inalienable right to self-determination, equality and independence,

Convinced that the policies and actions of the Government of South Africa are contrary to the obligations of a Member State and constitute a grave threat to international peace and security,

Noting with regret that the collaboration between

the Government of South Africa and its main trading partners and certain financial and economic interests has encouraged that Government to pursue its policies of apartheid, thereby nullifying all efforts made so far by the United Nations to solve the problems,

Recognizing the obligations of the United Nations to take urgent and effective measures to resolve the situation in accordance with the purposes and principles of the Charter,

Noting with interest the Manifesto on Southern Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its sixth ordinary session,

Noting that the Security Council has not considered the problem of apartheid since 1964,

1. Reaffirms its resolution 2396(XXIII) of 2 December 1968 and its other resolutions on the question of apartheid;

2. Reiterates its condemnation of the policies of apartheid practised by the Government of South Africa as a crime against humanity;

3. Reaffirms its recognition of the legitimacy of the struggle of the oppressed people of South Africa for the exercise of their inalienable right of self-determination, and thus to attain majority rule based on universal suffrage;

4. Urges all States and organizations to provide increased assistance to the national movement of the oppressed people of South Africa against the policies of apartheid, in the light of the recommendations contained in the report of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa;

5. Invites all States, in recognition of their obligations under the Charter of the United Nations and in support of the legitimate struggle of the oppressed people of South Africa:

(a) To desist from collaborating with the Government of South Africa, by taking steps to prohibit financial and economic interests under their national jurisdiction from co-operating with the Government of South Africa and companies registered in South Africa;

(b) To prohibit airlines and shipping lines registered in their countries from providing services to and from South Africa and to deny all facilities to air flights and shipping services to and from South Africa;

(c) To refrain from extending loans, investments and technical assistance to the Government of South Africa and companies registered in South Africa;

(d) To take appropriate measures to dissuade the main trading partners of South Africa and economic and financial interests from collaborating with the Government of South Africa and companies registered in South Africa;

6. Calls upon all States to implement fully and scrupulously the provisions of the Security Council resolutions concerning the embargo on the supplying of arms and other military equipment to the Government of South Africa;

7. Calls upon all States to desist from providing the Government of South Africa with technical and other assistance for the manufacture of arms, ammunition and military vehicles;

8. Calls upon all organs of the United Nations, the specialized agencies and other international organizations to refrain from extending facilities to banks and other financial institutions which provide assistance to the Government of South Africa and to companies registered in South Africa;

9. Draws the attention of the Security Council to the grave situation in South Africa, and in southern Africa as a whole, and recommends the Council to resume urgently the consideration of the question of apartheid with a view to adopting effective measures, including those under Chapter VII of the Charter, to eliminate the threat to international peace and security posed by the situation;

10. Urges all specialized agencies and other international organizations to withhold the benefits of international co-operation from the Government of South Africa so long as it persists in its policies of apartheid;

11. Invites all States and organizations to observe with appropriate ceremonies the International Day for the Elimination of Racial Discrimination on 21 March 1970—the tenth anniversary of the Sharpeville massacre—in solidarity with the oppressed people of South Africa, and to make special contributions on that day in support of the struggle against apartheid;

12. Requests the Special Committee:

(a) To take additional steps to promote assistance to the national movement of the oppressed people of South Africa against the policies of apartheid, in consultation with the Secretary-General of the United Nations and the Organization of African Unity;

(6) To hold consultations with representatives of this movement on various aspects of the question;

(c) To take further steps, including the holding of joint meetings with other appropriate organs of the

United Nations, to increase its co-operation and co-ordinate its efforts with such organs;

(d) To continue its co-operation with the specialized agencies and non-governmental organizations concerned with the problems of southern Africa;

13. Requests the Secretary-General and Member States to intensify dissemination of information on the problems of the policies of apartheid of the Government of South Africa, in the light of the recommendations set forth in paragraphs 155 to 160 of the report of the Special Committee.

A/7843. Question of violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories: measures for effectively combating racial discrimination and policies of apartheid in southern Africa. Note by Secretary-General.

#### OTHER DOCUMENTS

S/9096. Letter of 18 March 1969 from Chairman of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

S/9203. Letter of 9 May 1969 from Secretary-General to President of Security Council (transmitting relevant extracts of resolutions III and VIII adopted by International Conference on Human Rights, Teheran, Iran, 22 April-13 May 1968).

S/9523. Letter of 2 December 1969 from Secretary-General.

Industrialization, Foreign Capital and Forced Labour in South Africa (ST/PSCA/SER.A/10). U.N.P. Sales No.: E.70.II.K.8.

## United Nations Trust Fund for South Africa

### REPORT OF SECRETARY-GENERAL AND THE COMMITTEE OF TRUSTEES

The United Nations Trust Fund for South Africa was established by the General Assembly on 15 December 1965 to make grants to voluntary organizations,, Governments of host countries of refugees from South Africa, and other appropriate bodies towards: legal assistance to persons charged under discriminatory and repressive legislation in South Africa; relief for dependants of persons prosecuted by the Government of the Republic of South Africa for acts arising from opposition to the policy of apartheid; education of prisoners, their children and other dependants, and relief for refugees from South Africa.<sup>12</sup>

In a report of 17 October 1969 to the General Assembly on the operation of the United Nations Trust Fund for South Africa, the Sec-

retary-General and the Committee of Trustees of the Fund stated that since its last report, the Fund had received contributions totalling \$221,524 from 20 Governments; pledges of \$34,100 from six Governments were outstanding. That brought the total of contributions to the Fund since its inception to \$856,949. Contributions and pledges made in 1969 are listed in the following table.

#### CONTRIBUTIONS AND PLEDGES MADE IN 1969 FOR TRUST FUND FOR SOUTH AFRICA (in U.S. dollars)

Belgium	20,000*
Brazil	2,000
Cambodia	2,000*
Cyprus	240
Denmark	53,209

<sup>12</sup> See Y.U.N., 1965, pp. 115-16, for text of resolution 2054 B (XX).

Finland	10,000
Ghana	1,000
Iran	3,000
Ireland	1,500*
Italy	2,500*
Italy	2,500
Japan	10,000
Liberia	6,000*
Malaysia	1,000
Mauritania	2,100*
Mongolia	500
Morocco	3,972
Nepal	500
Nigeria	1,400
Norway	20,014
Philippines	3,500
Poland	2,000
Sweden	96,689
Tunisia	3,000
USSR	5,000
United Arab Republic	2,000

\* Pledge

Since its inception, grants made from the Fund totalled \$784,400. During 1969, five grants totalling \$251,000 were made. The Committee of Trustees had also been informed by Governments of contributions totalling \$126,000 that had been made directly to non-governmental organizations engaged in relief and assistance to victims of apartheid.

The Committee of Trustees noted in its report that the financial requirements of voluntary organizations for purposes within the terms of reference of the Trust Fund had continued to increase because of the continued discriminatory and repressive actions of the Government of South Africa, notably the persecution of persons under the Terrorism Act of 1967. Expressing the hope that more generous contributions would be forthcoming, the Committee of Trustees suggested that all Member States and organizations should consider making annual special contributions on the International Day for the Elimination of Racial Discrimination (21 March) and that the Secretary-General be requested to take appropriate steps for wider dissemination of information on the continued repression of opponents of apartheid by the South African Government.

#### CONSIDERATION BY GENERAL ASSEMBLY

In 1969, at the twenty-fourth session of the General Assembly, the Chairman of the Committee of Trustees told the Assembly's Special

Political Committee, which was considering the Secretary-General's report, that the need for legal defence and relief to families was increasing because the South African Government continued to subject large numbers of people to imprisonment, detention, house arrest and banishment. The Committee of Trustees hoped that attempts by the South African Government to dissuade potential donors from contributing would be firmly rejected. He maintained that members of the Committee had made every effort to ensure that the Fund was used efficiently, and strictly for the purposes laid down by the General Assembly.

The Chairman of the Committee of Trustees also stated that the humanitarian assistance the Trust Fund provided was in no way a substitute for the political action required to solve the political and social problems in South Africa, but that it represented tangible proof of world-wide concern for the fate of the victims of racial discrimination. The concern and assistance was highly appreciated by those who bore the brunt of the burden in the fight for freedom, he said.

A number of delegations expressed continuing support for the work of the Trust Fund. No resolution on the Trust Fund fier se was presented in the Special Political Committee; however, on the recommendation of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa, the Assembly, inter alia, took note of the report of the Committee of Trustees of the United Nations Trust Fund for South Africa. (See pp. 107-8 for text of resolution 2506 A (XXIV) of 21 November 1969.)

Furthermore, on the recommendation of its Third (Social, Humanitarian and Cultural) Committee, the Assembly on 11 December 1969 adopted resolution 2547A (XXIV), by which, inter alia, it requested the Secretary-General to study the question of enlarging the scope of the Trust Fund to cover all persons in the territories of Southern Rhodesia and Namibia persecuted under repressive and discriminatory legislation, as well as affected persons who were victims of Portuguese colonial practices in Africa. By this resolution, the Assembly also appealed to all Governments to contribute more generously to the Fund. (See pp. 508-9 for text of resolution 2574 A (XXIV) of 11 December.)

## DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—24-TH SESSION

Special Political Committee, meetings 64.5-664.  
Plenary Meetings 1758, 1816.

A/7715. Report of Secretary-General. Annex: Report of Committee of Trustees of United Nations Trust Fund for South Africa.

A/7773. Report of Special Political Committee, draft resolution A.

RESOLUTION 2506A(xxiv), as proposed by Special Political Committee, A/7773, adopted by Assembly on 21 November 1969, meeting 1816, by 101 votes to 2, with 6 abstentions. [For text of resolution and supporting documentation, see above, pp. 107-8.]

Third Committee, meetings 1697, 1699-1713.  
Plenary Meeting 1829.

A/7826. Report of Third Committee (on question of violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and peoples), draft resolution II A.

RESOLUTION 2547 A fxxiv), as recommended by Third Committee, A/7826, adopted by Assembly on 11 December 1969, meeting 1829, by 87 votes to 1, with 23 abstentions. [For text of resolution and supporting documentation, see pp. 506-9.]

## Education and Training Abroad of South Africans

Under the consolidated United Nations Educational and Training Programme for Southern Africa established by the General Assembly in 1967,<sup>13</sup> 170 applications from South Africans were received during the period 1 October 1968 to 30 September 1969. Forty-two new awards were made and another 161 awards were extended. Thus, at the end of September 1969,

there were 203 South Africans studying abroad in some 20 countries.

(For additional information on the Educational and Training Programme for Southern Africa, see pp. 646-48.)

<sup>13</sup> See Y.U.N., 1967, pp. 649-50, text of resolution 2349(XXII).

## THE SITUATION IN SOUTHERN RHODESIA

The question of Southern Rhodesia continued in 1969 to receive consideration by the Security Council, the General Assembly and the Assembly's 24-member Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as by the Economic and Social Council and other United Nations organs.

These bodies were concerned with bringing to an end the white minority régime of Ian Smith, which had unilaterally declared its independence from the United Kingdom on 11 November 1965,<sup>14</sup> and with enabling the African people of the territory to exercise their basic human rights, in particular their inalienable right to freedom and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the General Assembly in 1960.<sup>15</sup>

Also under consideration was the implementation of the various decisions of the Security Council calling for sanctions against the illegal

régime in Southern Rhodesia, particularly Council resolution 253(1968) of 29 May 1968.<sup>16</sup> By this resolution, the Council had, among other things, imposed more extensive mandatory economic sanctions against the illegal régime and emphasized the need for withdrawal of all consular and trade representation in Southern Rhodesia.

It had called upon all States to report to the Secretary-General on measures taken to implement the resolution and had also decided to establish a committee of the Security Council: (a) to examine such reports on implementation as were submitted by the Secretary-General; and (b) to seek from any States Members of the United Nations or members of the specialized agencies such further information regarding the trade of that State or any activities by nationals of that State that might constitute an

<sup>14</sup> See Y.U.N., 1965, pp. 117-28, for details.

<sup>15</sup> See Y.U.N., 1960, pp. 49-50, text of resolution 1514(XV) containing the Declaration.

<sup>16</sup> See Y.U.N., 1968, pp. 152-54, text of resolution 253(1968).

evasion of the measures decided upon in the resolution. The Committee was appointed by the Security Council in July 1968 and began work on 28 October. It submitted its first report on 30 December 1968.<sup>17</sup>

In 1969, this Committee, and the Secretary-General, continued to report on implementation of Council resolution 253(1968). The Security Council met in June, at the request of 60 Member States, to consider the question of Southern Rhodesia; a draft resolution proposed by five African and Asian States failed to receive the required majority of votes and was not adopted.

Decisions were, however, taken on various aspects of the question by the Special Committee of 24, the Commission on Human Rights, the Economic and Social Council and by the General Assembly at its twenty-fourth session held towards the end of 1969. Details of these decisions and other related matters are described in the sections below.

#### COMMUNICATIONS AND REPORTS TO THE SECURITY COUNCIL

In his report of 28 August 1968 and four addenda,<sup>18</sup> the Secretary-General had submitted 86 replies he had received from Governments of States Members of the United Nations or members of the specialized agencies in connexion with the implementation of the provisions of Security Council resolution 253(1968) of 29 May 1968.<sup>19</sup>

During 1969, in seven further addenda issued respectively on 30 January, 3 and 19 March, 11 April, 6 and 17 June and 23 September, the Secretary-General submitted a total of 56 original and additional replies. In the fifth and sixth addenda, the Secretary-General reported that, following the request of the Committee established in pursuance of resolution 253 (1968), he had, in November 1968 and January 1969, issued further appeals to those States which had still not reported to do so without delay, and had invited all States Members of the United Nations or members of the specialized agencies to provide information on any further measures taken by them since their last reports.

On 18 February 1969, the Minister for Foreign Affairs of Portugal replied to a note of 7 January from the Secretary-General in which the latter had drawn the attention of Portugal

to operative paragraph 10 of Security Council resolution 253(1968), emphasizing the need for the withdrawal of all consular and trade representation in Southern Rhodesia, in addition to the provisions of operative paragraph 6 of Security Council resolution 217(1965), which called upon all States not to recognize the illegal authority in Southern Rhodesia and not to entertain any diplomatic or other relations with it.<sup>20</sup>

The Portuguese Minister for Foreign Affairs stated that at no time had Portugal informed the Security Council that it had recognized as valid the above-mentioned resolutions; instead, in view of certain doubts raised for it by the texts of those resolutions, Portugal had sought clarifications on them in seven notes sent to the Secretary-General and the Security Council between 27 April 1966 and 2 December 1968, to none of which it had received any reply. Consequently, pending the receipt of such clarifications, Portugal considered itself exempted from taking a position on the resolutions in question.

The Foreign Minister confirmed that, without prejudice to the foregoing, Portugal had a Consulate General functioning in Salisbury, Southern Rhodesia, opened more than 40 years ago, and had no intention of closing it down. He also drew the attention of the Security Council and the Secretary-General to the existence in Southern Rhodesia of the diplomatic representation of South Africa, and to consular missions of 10 other countries, as well as to an official representation of the United Kingdom. In those circumstances, Portugal did not find any reason why only its consular representation should be singled out.

Also on 18 February, the Minister for Foreign Affairs of Portugal replied to the Secretary-General's note of 6 January drawing Portugal's attention to the continued maintenance of air services in Southern Rhodesia by Portuguese airline companies, contrary to the provisions of operative paragraph 6 of Security Council resolution 253(1968). (In this paragraph, the Se-

<sup>17</sup> *Ibid.*, pp. 139-40.

<sup>18</sup> *Ibid.*, p. 139.

<sup>19</sup> See footnote 16.

<sup>20</sup> See Y.U.N., 1965, p. 133, text of resolution 217(1965) of 20 November 1965.

curity Council decided that all States Members of the United Nations should prevent airline companies constituted in their territories and aircraft of their registration or under charter to their nationals from operating to or from Southern Rhodesia and from linking up with any airline company constituted or aircraft registered in Southern Rhodesia.)

The Foreign Minister stated that Portugal's attitude on the matter was based on the considerations contained in his letter on consular representation quoted above. He confirmed that, without prejudice to those considerations, two Portuguese airline companies continued to operate in Southern Rhodesia and had been functioning there for a long time. He drew the attention of the Secretary-General to the existence of air connexions with Southern Rhodesia and agencies or delegations maintained there by other foreign companies. In those circumstances, Portugal did not find any reason why only Portuguese airline companies should be singled out in that connexion.

By a letter dated 10 June 1969, the Chairman of the Special Committee of 24 transmitted the text of a resolution adopted on that date by which the Special Committee, among other things, drew the Council's attention to the gravity of the situation arising from the intensification of suppressive activities against the people of Zimbabwe and from the danger of aggression against neighbouring States, which it said constituted a threat to international peace and security. The Special Committee further drew the Council's attention to the urgent necessity of applying certain measures envisaged under Chapter VII of the Charter<sup>21</sup> for widening sanctions against Southern Rhodesia and imposing sanctions on South Africa and Portugal. (See below, pp. 122-23, for further details.)

On 12 June, the Committee established in pursuance of Security Council resolution 253 (1968) of 29 May 1968 submitted to the Security Council its second report, covering its work since the submission of its first report on 30 December 1968. The Committee attached 11 annexes to its report, including a note by the Secretariat containing an analysis of the trade of Southern Rhodesia and statistical data covering the year 1968, together with a United Kingdom note assessing the effects of the sanctions.

The annexes also contained, among other things, comments received from 20 States to inquiries sent by the Secretary-General, at the Committee's request, relating to the statistical data covering the first half of 1968 and the analysis thereof which had been included in the Committee's first report.

The report stated that in the course of 12 meetings of the Committee., as well as in consultations by the Chairman with its members, the Committee had, in pursuance of the tasks assigned to it by the Security Council: (a) examined the reports submitted by the Secretary-General on the implementation of resolution 253(1968); (b) considered the information provided by United Nations Member States or member States of the specialized agencies in response to requests by the Committee, made through the Secretary-General, on a number of matters relating to trade with Southern Rhodesia, on airlines operating to and from Southern Rhodesia and on consular trade representations; (c) examined information on immigration into Southern Rhodesia made available by the Secretariat at the request of the Committee; (d) considered the detailed trade statistics of Southern Rhodesia for 1968, together with an analysis thereof prepared by the Secretariat and a note by the United Kingdom containing its assessment of the effects of the sanctions on the Southern Rhodesian economy and the outlook for 1969; and (e) devoted considerable attention to investigating 13 specific cases of suspected violations of the sanction; decided upon in resolution 253(1968).

The Committee noted that, according to the Secretary-General's report on the implementation of resolution 253(1968), 97 States Members of the United Nations or members of the specialized agencies had, as at 6 June 1969, reported to him on the implementation of the resolution, whereas 37 had not so far replied to any of the communications from him on the matter.

The Committee noted that a great majority had reported that they were taking measures to comply with the provisions of the Security Council's resolution or that they had no relations of any kind with Southern Rhodesia.

<sup>21</sup>For text of Chapter VII of the Charter, see APPENDIX II

Botswana, the Democratic Republic of the Congo, Malawi and Zambia had pointed out the adverse effect on their economies of the sanctions against Southern Rhodesia. Certain States, however, the Committee further noted, were either not complying at all or were not yet complying fully with the measures imposed by the Council.

On the basis of the facts available to it, the Committee stated that the Governments of South Africa and Portugal had not taken any measures to implement the provisions of resolution 253(1968), had continued to maintain close economic, trade and other relations with the illegal régime in Southern Rhodesia and had permitted the free flow of goods from Southern Rhodesia through the territories of South Africa and the colony of Mozambique and their ports and transport facilities.

The Committee also noted with regret that the illegal régime in Southern Rhodesia had been carrying on trade with countries other than South Africa and Portugal in contravention of the sanctions imposed by the Security Council and that that illegal trade had amounted to approximately £44 million in 1968.

The Committee believed that the halting of that trade would greatly increase the effectiveness of the sanctions and that, by the exercise of greater vigilance and the application of more stringent requirements with regard to documents in the case of suspected transactions, much could be done by the States complying with sanctions to interrupt the flow of covert trade.

In the light of the information available to it in the course of its investigation of the specific cases of suspected violations of resolution 253 (1968), the Committee believed further that many States had not taken all possible measures to prevent their nationals from engaging in activities to promote the export of goods needed by the illegal régime or the use of ships and aircraft of their registration or under charter to their nationals.

The Committee further stated that, as a result of the refusal of South Africa and Portugal to take measures in accordance with the Council's decisions and the failure of some other States to implement fully the provisions of resolution 253(1968), it was compelled to observe that the sanctions established by that resolution

against the illegal régime in Southern Rhodesia had not yet brought about the desired results. The Committee therefore felt that consideration should be given to more effective measures to ensure full implementation of Security Council resolution 253(1968).

CONSIDERATION BY  
SECURITY COUNCIL  
(13-24 JUNE 1969)

On 6 June 1969, in a letter addressed to the President of the Security Council, the representatives of 60 Member States requested an urgent meeting of the Council to examine the situation in Southern Rhodesia. The letter stated that for various reasons, in particular because of the lack of co-operation on the part of several Member States, notably South Africa and Portugal, the comprehensive mandatory sanctions imposed by Security Council resolution 253(1968) of 29 May 1968 had failed to bring about the desired result.

The letter went on to state that the illegal racist minority régime continued to strengthen its authority over the territory and its population and was contemplating new measures designed to formalize the system of apartheid already in operation in the territory. According to the letter, the rapid deterioration in the situation and the refusal of the United Kingdom to act in an appropriate manner—namely, to resort to the use of force—had created a serious situation that constituted an increasing threat to international peace and security.

The 60 Governments requested the Council to take more energetic measures within the framework of Chapter VII of the United Nations Charter<sup>22</sup> so that the people of Southern Rhodesia (Zimbabwe) could exercise their right to self-determination in accordance with the General Assembly's resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples.<sup>23</sup>

The question of Southern Rhodesia was considered by the Security Council at seven meetings held between 13 and 24 June 1969. In addition to the letter of 6 June from 60 Member States, the Council had before it the two

<sup>22</sup> *Ibid.*

<sup>23</sup> See footnote 15.

reports of the Committee established in pursuance of the Council's resolution of 29 May 1968 (253 (1968))<sup>24</sup> On 17 June and at subsequent meetings, the representatives of Burundi, Guinea, India, Mauritania, Saudi Arabia, Somalia, Sudan and the United Republic of Tanzania were invited, at their request, to participate in the discussion without the right to vote.

The representative of Algeria, the first speaker, said it was necessary to undertake a new examination of the problem of Southern Rhodesia in order to evaluate the consequences of the policy of sanctions, which had clearly failed, and also to decide upon new measures necessitated by a dangerous situation that was becoming progressively uncontrollable. Instead of facing insurmountable difficulties as a result of the Security Council's adoption of its resolution of 29 May 1968, the illegal régime in Salisbury was on the verge of a new reaffirmation of its character by holding a referendum on a draft constitution marked by racism in its most brutal form.

The policy of economic sanctions had had practically insignificant results, the Algerian representative continued. Its ineffectiveness was due, to a large extent, to the fact that Southern Rhodesia had sources of supply offered by its allies, in South Africa and Portugal, through Mozambique. Obviously, the sealing off of the Southern Rhodesian frontiers could be ensured only if those import and export routes were closed or if the economic sanctions could be extended to Southern Rhodesia's allies. Since such a measure did not seem likely to obtain the agreement of those States having important economic relations with South Africa and Portugal, the policy of economic sanctions was bound to fail.

The Algerian representative went on to say that the United Kingdom, the administering power, while proclaiming its will and desire to re-establish legality in Southern Rhodesia, was not applying means and measures that could lead to that end. It had prematurely announced that it would not use force against the rebellious colony and had refused to resort to the determined measures urged by the African countries to put an end to the Ian Smith rebellion. He asserted that the Security Council, which had all the necessary means to carry out a more energetic action, should do so with all the de-

termination required by the situation and bring to bear its entire authority to ensure stricter application of its decisions.

The Foreign Minister of Zambia and the representatives of Senegal, Pakistan and Nepal all referred to the illegality of the referendum and the so-called constitution. They served notice, Pakistan said, of the Salisbury clique's defiance: of sanctions and its determination to deny the people of Zimbabwe their right to majority rule and to impose the system of apartheid forever. The Council should at once condemn such actions and proceed to consider further measures to end the settler régime and remove the threat to peace.

Zambia and Senegal recalled that they had been skeptical about sanctions from the very start. Together with Pakistan and Nepal, they emphasized that the policy of sanctions had failed, principally because of the defiant attitude of South Africa and Portugal towards implementing the resolutions of the Council, but also because of the failure of some other States to apply fully the provisions of the Council's resolution 253(1968) of 29 May 1968.

All four States said they considered it necessary, therefore, for the Council to strengthen the mandatory sanctions to cover all measures envisaged under Article 41 of the United Nations Charter<sup>25</sup> and to extend them to Portugal and South Africa. Zambia said the Council must also be prepared to apply the provisions of Article 42 of the Charter.<sup>26</sup>

Pakistan declared it was essential that the 12 countries which had continued to maintain

<sup>24</sup> See footnote 16.

<sup>25</sup> Article 41 of the Charter states: "The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations."

"Article 42 of the Charter states: "Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations."

consular representation should withdraw it without delay, and also urged that ways and means be devised to stop the inflow of capital into Southern Rhodesia.

All of these speakers stressed the primary responsibility of the United Kingdom as the administering power. Zambia noted that the United Kingdom had unfortunately ruled out the only weapon—force—which it could have used to topple the racist régime and had thus emboldened the Smith régime. The apartheid system was being strengthened daily, said Senegal, with the same torture as used in South Africa and with the execution of freedom fighters. In the face of the impossibility of a negotiated settlement and the failure of sanctions, the only alternatives, continued Zambia, were the use of force by the United Kingdom or by the people of Zimbabwe themselves. Zambia, Senegal and Pakistan stated that the United Kingdom, which had used force against other colonies, should use force to quell the racist minority rebellion in Southern Rhodesia; otherwise the racial conflict would spread.

The United Kingdom representative said the Council was faced with a new development in Southern Rhodesia—namely, a referendum called for among the minority on 20 June 1969 on proposals for a new constitution of which nearly every clause disclosed racial discrimination, oppression and injustice. The proposals would entrench forever the position of the white minority. There was no judicial safeguard to the so-called declaration of rights. The Council, he said, must act in unity to condemn the illegal régime and that constitution prior to the referendum date, so as to have maximum effect. Then, after consultations with the Commonwealth Governments and others, particularly African Governments, his Government would face the hard facts with the other Council members and consider what could be done.

The United Kingdom's clear commitment, he went on, was to continue denying recognition and to maintain sanctions against the illegal régime. The most important principle, he stressed, was that no settlement could be accepted which was not approved by the people of Southern Rhodesia as a whole. Unavoidable limitations meant that progress must be slow.

The representative of the United States, commenting on the constitutional proposals,

noted that they contained franchise provisions which assured that decisive political power would remain forever in white hands, a legislative power that completely ruled out an African majority, land tenure provisions providing equal areas for the 5 per cent who were white and the 95 per cent who were black, and an ironically titled "Declaration of Rights" with police state provisions.

The grave political significance of these unjust proposals meant, the United States representative said, that the illegal régime had abandoned all pretence of legitimizing its country's status in the international community and had set its face towards a usurped independence based on perpetual white supremacy. He agreed that the constitution must be condemned before the referendum date and said the Council could then consult on further appropriate steps with regard to Southern Rhodesia. Later, he stated that his Government had scrupulously applied the economic sanctions imposed on Southern Rhodesia by the Council.

The spokesman for the USSR said the constitutional proposals were aimed at perpetuating not only the political domination of the white minority over the African people of Zimbabwe but also the people's economic bondage and the exploitation of their wealth. The birth of the Salisbury régime and the proposed constitution were the logical consequences of the colonialist policy of the imperialist powers and above all the United Kingdom, which had abetted the appearance and the strengthening of that racist régime.

It was not only South Africa and Portugal that had violated the sanctions, he went on. The United Kingdom, the Federal Republic of Germany, the United States and others, especially members of the North Atlantic Treaty Organization (NATO), had taken no effective measures to bring down the régime, and had supported large-scale trade and economic relations with Southern Rhodesia and had undermined the effective implementation of the Council's resolution 253(1968). The miserly reduction in direct trade with Southern Rhodesia had been more than compensated for by the expansion of trade with South Africa and Portugal, through which the United Kingdom and some other Western countries continued in fact to trade with the Smith régime.

The USSR, he said, in view of the urgency of the question, supported the idea of an agreed decision on the intolerable nature of the so-called referendum before consideration of the whole problem of Southern Rhodesia. It also supported proposals of several African and Asian countries on the need for more energetic measures to enable the people of Zimbabwe to carry out their right to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

The USSR representative said his Government also supported the recommendation of the General Assembly to expand the sanctions against Southern Rhodesia to include all measures provided for under Article 41 of the Charter<sup>27</sup> and also to apply sanctions against South Africa and Portugal. The United Kingdom, as the administering power, must take effective measures against the racist minority in Southern Rhodesia to ensure elections on the basis of the principle of "one man, one vote" and the immediate transfer of power to a government of the majority.

China, Colombia, Finland, France, Paraguay and Spain considered that the Security Council must without delay unanimously condemn the projected referendum and constitution and then consider how its resolution 253(1968) of 29 May 1968 might be supplemented by more effective measures. The representative of France stressed that his Government had scrupulously complied with the economic sanctions against Southern Rhodesia. The spokesmen for Spain and France both emphasized the primary responsibility of the United Kingdom, as the administering power, to end the rebellion in that territory. At the same time, France reiterated its doubts regarding the wisdom of United Nations intervention in a matter which, in its view, fell within the competence of a Member State.

When the Council resumed consideration of the question on 17 June, the President noted that all Council members in the course of their statements had regarded the proposed referendum planned by the illegal régime of Southern Rhodesia for 20 June as illegal, considered that the so-called constitutional proposals were invalid and declared that any "constitution"

promulgated by the régime of the racist minority could have no legal effect.

At the meetings on 17 and 18 June, the invited representatives of Burundi, Guinea, India, Mauritania, Somalia, Sudan and the United Republic of Tanzania endorsed and amplified explanations of various aspects of the Southern Rhodesian problem presented by the African members of the Security Council. They drew particular attention to the primary responsibility of the United Kingdom, the administering power, which, they said, by its half-hearted and ineffective attitude had abdicated its legal and political responsibilities for the situation in Southern Rhodesia, and had failed to see that resort to force was the only way to end the rebellion of the white racist minority.

While agreeing that the referendum and the proposed racist constitution should be condemned, these States insisted that such a condemnation should not replace the duty of the Security Council to meet the challenge and confront the illegal and inhuman acts of the racist régime which were threatening peace and security in Africa. The existing policy of sanctions having failed, the Council, they insisted, must ensure implementation of broader sanctions against that régime under Article 41 of the Charter and also apply sanctions against South Africa and Portugal. The survival of the United Nations as an effective instrument was, they believed, at stake. Failure to act in the present crisis would further increase the danger of future racial conflict in the southern part of Africa.

The representative of Saudi Arabia suggested a new approach to the problem of Southern Rhodesia. Since the United Kingdom, he said, was unwilling or not in a position to use force to solve the problem, the United Nations could create a fund, financed by those directly concerned, for the purpose of wide publicity aimed at reassuring the indigenous people of Africa of their human rights and warning the white minority there that they were alienating themselves from the rest of the world by practising apartheid. This would be followed by an effective enforcement of the trade embargo against

<sup>27</sup> See footnote 25.

Southern Rhodesia to be mounted by a corps of the States of the Organization of African Unity (OAU). Should those measures fail, the Saudi Arabian representative said, then—with the permission of the United Kingdom—the two great powers and any other power concerned, in co-operation with certain African States, could take steps to seize and remove the leaders of the illegal régime.

On 19 June, a draft resolution was submitted by Algeria, Nepal, Pakistan, Senegal and Zambia, by the operative paragraphs of which the Security Council would:

(1) emphasize the responsibility of the United Kingdom, as the administering power, for the situation prevailing in Southern Rhodesia and condemn the so-called constitutional proposals of the illegal racist minority régime aimed at perpetuating its power and sanctioning the system of apartheid in Southern Rhodesia;

(2) urge the United Kingdom to take urgently all necessary measures, including the use of force, to bring an end to the rebellion in Southern Rhodesia and enable the people of Zimbabwe (Southern Rhodesia) to exercise their right to self-determination and independence in accordance with the General Assembly's resolution 1514(XV), of 14 December 1960 on the granting of independence to colonial countries and peoples;<sup>26</sup>

(3) decide that all States should sever immediately all economic and other relations with the illegal racist minority régime in Southern Rhodesia, including railway, maritime, air transport, postal, telephonic and wireless communications and other means of communication;

(4) censure the assistance given by Portugal and South Africa to the illegal racist minority régime in defiance of resolutions of the Security Council;

(5) decide that Member States and members of the specialized agencies should carry out the measures dealing with imports and exports envisaged in the Council's resolution 253(1968) of 29 May 1968 and in the present resolution against the Republic of South Africa and the Portuguese colony of Mozambique;

(6) call upon all Member States and members of the specialized agencies to carry out the decisions of the Security Council in accordance

with their obligations under the United Nations Charter;

(7) call upon Member States and, in particular, those with primary responsibility under the Charter for the maintenance of international peace and security to assist effectively in the implementation of the measures called for by the present resolution;

(8) urge all States to render moral and material assistance to the national liberation movements of Zimbabwe (Southern Rhodesia) in order to enable them to achieve their freedom and independence;

(9) request all States to report to the Secretary-General on the measures taken to implement the present resolution; and

(10) request the Secretary-General to report to the Security Council on the progress of the implementation of this resolution.

Introducing the draft resolution on behalf of the sponsors, the Algerian representative said there were three principal points upon which it was based, namely: the need for complete and mandatory sanctions under Article 41 of the Charter, in view of the failure of the current sanctions policy; the need for measures to forestall all attempts by South Africa and Portugal to hinder the efforts of the Council; and the continuing duty of the United Kingdom to use all its means, including resort to force, to put an end to the minority régime.

Replying on the question of using force, advocated by several speakers during the debate, the United Kingdom representative restated the position of his Government, namely, that it could not contemplate starting a war by invading Southern Rhodesia, a territory where there had not been a British army or a British official in an administrative capacity since 1923. Once force was used, he maintained, escalation could ensue with incalculable results.

Regarding the extension of sanctions to South Africa and Portugal, he said the United Kingdom could not go beyond the arms embargo it had already imposed against South Africa. A full campaign of economic sanctions backed by a naval blockade would do irreparable harm to the United Kingdom's trading and balance-of-payments position, and would

<sup>26</sup> See footnote 15.

also require resources well beyond the capacity of the United Nations.

As to the policy of sanctions against Southern Rhodesia, the United Kingdom representative said his Government had taken the lead in closing gaps and tightening controls. The pressure on the illegal régime should not be relaxed and his Government, he added, was ready to consider any effective measures of intensification.

Hungary's representative, after explaining the reasons that he felt had caused the failure of the policy of sanctions, said it was high time stricter measures were adopted, such as those contained in the African-Asian draft resolution before the Council. The past appeals for unity, based on the delaying tactics of the administering power, had led the Council up a blind alley; now it was up to the United Kingdom and its sympathizers to join the majority and help bring about a unity that would lead to results and not to repeated deadlocks.

Hungary would vote for the draft resolution, he said, but it was important to recognize that, although such new and resolute measures were needed, they would not be necessary if the United Kingdom exercised its responsibility in the matter and took all measures, including the use of force, to bring to an end the rebellion in Southern Rhodesia.

On 24 June, the five-power draft resolution was voted on as a whole, the sponsors having objected to separate votes on any of its parts, as suggested by Spain. The vote was 8 in favour to 0 against, with 7 abstentions, and the draft resolution was not adopted, having failed to obtain the required majority.

The United Kingdom's representative expressed regret at the Council's failure to act unanimously but emphasized that: the Council was fully agreed on several points, namely, that the referendum and the so-called constitution were illegal and invalid, and that a call should be renewed to all Member States not to recognize the illegal régime in any way.

The spokesmen for Zambia and Pakistan maintained that efforts by the United Nations to deal effectively with the situation in Southern Rhodesia could not succeed unless the United Kingdom changed its policy and until a new political will evolved that would supersede national economic interests.

The representatives of France, Colombia, the

United States and Paraguay, speaking in explanation of vote, said they had abstained from voting because the draft resolution contained provisions they considered grave and inappropriate, particularly those calling for the use of force against the rebel régime and the extension of economic sanctions to South Africa and Portugal.

In a letter of 13 October 1969, the Foreign Minister ad interim of Portugal informed the President of the Security Council that the Portuguese "Province of Mozambique" continued to suffer great economic losses as a result of action taken by the Security Council in adopting its resolutions of 9 April 1966,<sup>29</sup> 16 December 1966<sup>30</sup> and 29 May 1968.<sup>31</sup> The losses suffered up to mid-1969, he said, amounted to more than £28 million. He reaffirmed the desire of his Government to receive adequate compensation and its readiness to initiate consultations with the Security Council, in accordance with Article 50 of the Charter,<sup>32</sup> to determine the method of paying the compensation in question.

#### CONSIDERATION BY SPECIAL COMMITTEE

The General Assembly's 24-member Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples considered the question of Southern Rhodesia at meetings held at United Nations Headquarters, New York, between 4 and 26 March 1969, and at meetings held away from Headquarters between 12 and 23 May. On its return, the Special Committee resumed consideration of the item at meetings held from 5 to 10 June.

<sup>29</sup> See Y.U.N., 1966, p. 112, text of resolution 221 (1966).

<sup>30</sup> *Ibid.*, pp. 116-17, text of resolution 232(1966).

<sup>31</sup> See footnote 16.

<sup>32</sup> Article 50 of the Charter states: "If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems."

During its consideration of the question, the Special Committee heard three petitioners: T. G. Silundika of the Zimbabwe African Peoples Union (ZAPU) and T. Mutizwa and P. L. Chihota of the Zimbabwe African National Union (ZANU).

The petitioners informed the Committee that the war of national liberation which they were waging against the illegal régime in Southern Rhodesia continued unabated, and that it would go on until they had liberated their motherland. In this connexion, they noted that sanctions imposed by the United Nations on the illegal régime and the liberation struggle which they were waging were not mutually exclusive. The petitioners noted that the General Assembly had urged all States to render all moral and material assistance to the national liberation movements and called on United Nations Members to give this appeal whole-hearted support.

The petitioners also told the Special Committee that the fascist police methods of the white settler régime continued unabated. Thousands of Africans were cast into jail on trumped-up charges. Leaders of the African people of Zimbabwe and countless others were languishing in various jails and detention centres throughout the country. Since 1964, a situation had developed in the territory in which the illegal régime had admitted its inability to govern without resort to Gestapo-like emergency powers.

The petitioners said that fears had been expressed of victimization, loss of employment, ostracism, exposure to poverty and starvation and imprisonment in detention camps. The murders that had previously been committed after mock trials in the courts were now being carried out in the bush so as not to attract public attention.

It was imperative, the petitioners stressed, for the United Nations to demand that the freedom fighters who fell into the hands of the security forces of the illegal régime should be treated as prisoners of war; such a demand had been made before, but it had not been heeded.

The petitioners said there was a mutual defence treaty between the illegal régime and the Governments of South Africa and Portugal under which armed forces were deployed throughout southern Africa for the common purpose of suppressing the African's fight for

freedom. They said there were 3,000 uniformed South African troops in Southern Rhodesia whose presence was neither accidental nor temporary. The NATO powers had long-term interests in southern Africa and were the main source of arms to the colonial régimes of Portugal and South Africa, both of which were aiding the illegal régime in Southern Rhodesia.

The petitioners stated there was no chance that the economic sanctions could be effectively applied against the settler régime in Southern Rhodesia, no matter how many resolutions were passed, because foreign economic interests from Western countries entrenched in southern Africa would not co-operate in the implementation of sanctions.

In the course of the general debate on the question, members of the Special Committee reviewed developments in the territory since the illegal declaration of independence and reaffirmed their policies and views as stated in previous debates. New developments to which members drew special attention included the trial and conviction of the Reverend Ndabaingi Sithole; the continued detention, imprisonment and assassination of other nationalist leaders by the illegal racist minority régime; and the steps being taken by the illegal regime to entrench, under the guise of a so-called constitution, its policies of separate racial development in Southern Rhodesia, to the detriment of the legitimate rights of the African population. Committee members were unanimous in expressing their deep concern at these developments.

Many representatives, including those of Afghanistan, Honduras, India, Iran, Madagascar, Mali, Syria, the United Republic of Tanzania, and Yugoslavia, pointed out that the primary responsibility for bringing an end to the illegal situation in Southern Rhodesia rested with the Government of the United Kingdom. They said it was not enough for that Government to state that it accepted that responsibility; it should go further and take effective action to end the rebellion and subsequently hand over power to the representatives of the African people.

The representative of Tunisia expressed regret at the hesitation of the United Kingdom Government to provide a serious remedy to the situation in the territory. The illegal régime

could not, he believed, have undertaken the suppression of the African population if it had not been encouraged from the beginning by the decision of the United Kingdom not to use force and by the many concessions proposed to it by the United Kingdom at talks.

Most members of the Special Committee were of the view that the sanctions imposed by the Security Council had been ineffective. Bulgaria, Iraq, Poland and the USSR believed that the responsibility for this lay with the United Kingdom and other Western powers, as well as with the international monopolies which were undermining the sanctions.

These members and others, including Afghanistan, Ethiopia, Syria and Tunisia, also emphasized the role being played by South Africa and Portugal. They stated that these countries not only refused to comply with the sanctions imposed by the United Nations but were also providing support for the illegal régime in many ways. They therefore called for the extension of sanctions to cover these two countries.

Ecuador stressed the need for the Security Council to take appropriate steps, to end the situation in Southern Rhodesia. Mali believed that the United Nations should pursue its efforts to isolate the illegal régime. Venezuela recommended the adoption of new measures to ensure the implementation of United Nations resolutions on Southern Rhodesia.

The representatives of Italy, Norway and the United States, however, felt that, despite some shortcomings, the sanctions imposed against Southern Rhodesia had already had a noticeable effect on the territory's economy. They pointed out that the sanctions had been in force for a comparatively short time and that it was premature to conclude that they were a failure.

The representative of the United States stressed the need to ensure that the sanctions were made as effective as possible and said his Government believed that the Committee of the Security Council established in pursuance of the Council's resolution 253(1968) of 29 May 1968<sup>33</sup> could contribute to this goal by working for a tightening of sanctions and compliance.

The spokesman for the United Republic of Tanzania said that if the people of Southern

Rhodesia could not free themselves from white domination and oppression by peaceful means, then they would do so by armed struggle. He assured the people of Zimbabwe of his country's full support in their struggle. Similar views were expressed by Bulgaria, Honduras, India, the Ivory Coast, Mali, Poland, Syria, Tunisia, the USSR and Yugoslavia.

On 26 March 1969, the Special Committee, by a roll-call vote of 20 to 0, adopted a resolution on the question of Southern Rhodesia sponsored by Afghanistan, Ethiopia, India, Iran, Iraq, the Ivory Coast, Mali, Sierra Leone, Syria, the United Republic of Tanzania, Tunisia and Yugoslavia.

By this resolution, the Special Committee expressed its profound indignation at the trial and conviction of Rev. Ndabaningi Sithole and the continued detention, imprisonment and assassination of other nationalist leaders by the illegal racist minority régime; it also expressed its concern at the steps being taken by the illegal régime to entrench, under the guise of a so-called new constitution, its policies of separate racial development in Southern Rhodesia, to the detriment of the legitimate rights of the African population; and, finally, it called upon the administering power to take immediate measures to secure the release of all political prisoners and to prevent the introduction of the so-called new constitution in the territory.

On 10 June 1969, the Special Committee adopted a second resolution on the question of Southern Rhodesia, sponsored by Afghanistan, Ethiopia, India, Iraq, Madagascar, Mali, Sierra Leone, Syria, Tunisia, the United Republic of Tanzania, and Yugoslavia.

By this second resolution the Special Committee, among other things:

(1) reaffirmed the inalienable right of the people of Zimbabwe to freedom and independence and the legitimacy of their struggle to attain that right in conformity with the provisions of the General Assembly's resolution 1514(XV) of 14 December 1960 (containing the Declaration on the Granting of Independence to Colonial Countries and Peoples);<sup>34</sup>

<sup>33</sup> See footnote 16.

<sup>34</sup> See footnote 15.

(2) declared illegal all steps being taken by the racist minority régime, including the so-called referendum, further to deprive the people of Zimbabwe of their legitimate rights and to entrench, under the guise of a new so-called constitution, its policies of separate racial development in Southern Rhodesia;

(3) noted with concern that the sanctions adopted had so far failed to put an end to the illegal racist minority régime;

(4) condemned the failure and refusal of the United Kingdom, as the administering power, to take effective measures to bring down the illegal racist minority régime in Southern Rhodesia and to transfer power to the people of Zimbabwe on the basis of free elections by universal adult suffrage and of majority rule;

(5) condemned the intervention of South African armed forces in Southern Rhodesia which constituted an act of aggression against the people of Zimbabwe;

(6) condemned the policies of the Governments of South Africa and Portugal and other Governments which continued to have political, economic, financial and other relations with Southern Rhodesia in contravention of the relevant United Nations resolutions;

(7) condemned the activities of those foreign economic and other interests which enabled the illegal racist minority régime to circumvent the measures laid down in Security Council resolution 253(1968) of 29 May 1968 and which, by their exploitation of the people of Zimbabwe, were impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(8) called upon the United Kingdom, in fulfilment of its responsibility as the administering power, to take effective measures, including the use of force, to put an immediate end to the illegal régime in Southern Rhodesia and to transfer all powers to the people of Zimbabwe on the basis of majority rule;

(9) called upon the administering power to ensure the immediate release of African nationalists who were in detention and to prevent further assassinations and imprisonment of African nationalists in Southern Rhodesia;

(10) called upon all States, as well as the specialized agencies and other international organizations concerned, bearing in mind that the

Security Council in its resolution 253(1968) of 29 May 1968 had recognized the legitimacy of the struggle of the people of Zimbabwe to secure the enjoyment of their rights as set forth in the United Nations Charter and in conformity with the objectives of the General Assembly's resolution of 14 December 1960 on the granting of independence, to extend all moral and material assistance to the national liberation movements of Zimbabwe directly or through the Organization of African Unity;

(11) called upon the United Kingdom, in view of the armed conflict in the territory and the inhuman treatment of prisoners, to ensure the application to that situation of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949;

(12) drew the Security Council's attention to the gravity of the situation arising from the intensification of suppressive activities against the people of Zimbabwe and from the danger of aggression against neighbouring States which constituted a threat to international peace and security;

(13) further drew the attention of the Security Council to the urgent necessity of applying the following measures envisaged under Chapter VII of the Charter: (a) the scope of the sanctions should be widened further to include all the measures laid down under Article 41 of Chapter VII of the Charter with respect to the illegal racist régime in Southern Rhodesia; (b) sanctions should be imposed on South Africa and Portugal, the Governments of which had blatantly refused to carry out the mandatory decisions of the Security Council.<sup>35</sup>

The Special Committee adopted this resolution by a roll-call vote of 19 to 2 (the United Kingdom and the United States), with 2 abstentions (Italy and Norway).

Explaining his vote, the representative of Italy said the resolution contained a number of provisions that were not in accordance with the Charter. These and other considerations which indicated a lack of realism did not add to the prestige and efficiency of the Organization and called for a negative vote. However, Italy had abstained because it was firmly op-

<sup>35</sup> See footnote 21.

posed to the illegal régime and shared the view of those who wished to see it brought down.

The United States representative said his Government remained firmly dedicated to the principle of self-determination and independence for Southern Rhodesia. He had voted against the resolution since certain key provisions did not represent a realistic approach to the realization of those objectives.

The representative of Norway said his government had consistently supported the view that a peaceful solution must be found to the question of Southern Rhodesia. A call for the use of force would not contribute to such a solution. It was also Norway's view that the Security Council should continue to lead United Nations action with regard to Southern Rhodesia and that other organs should avoid actions that might tend to restrict the Council's choice of policy.

#### ACTION BY HUMAN RIGHTS COMMISSION AND ECONOMIC AND SOCIAL COUNCIL

##### DECISIONS OF HUMAN RIGHTS COMMISSION

At its twenty-fifth session, held at United Nations Headquarters, New York, from 17 February to 21 March 1969, the Commission on Human Rights adopted six resolutions in connexion with its annual consideration—initiated in 1967—of the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories.

In particular, the Human Rights Commission, by a resolution adopted on 19 March 1969, welcomed the observations, conclusions and recommendations of its Ad Hoc Working Group of Experts on the treatment of political prisoners in South Africa, Namibia, Southern Rhodesia and the African territories under Portuguese administration. It decided among other things that the mandate of the Working Group of Experts should be extended to include: an inquiry into the question of capital punishment in southern Africa; an inquiry into the treatment meted out to political prisoners, as well as to captured freedom fighters, in southern Africa; an investigation into the conditions of Africans

in the so-called Transit Camps, as well as on the so-called Native Reserves in the Republic of South Africa, in Namibia and in Southern Rhodesia; and a further investigation of grave manifestations of colonialism and racial discrimination present in the situation in Namibia, Southern Rhodesia, Angola, Mozambique and Guinea (Bissau), resulting from the actions of the illegal South African régime in Namibia, the illegal minority régime in Southern Rhodesia and the colonialist Portuguese régime in Angola, Mozambique and Guinea (Bissau). (For details, see pp. 502-6.)

In another resolution, adopted on 27 February 1969, concerning measures for effectively combating racial discrimination, the policies of apartheid and segregation in southern Africa, the Human Rights Commission, among other things, deplored the refusal of the Government of the United Kingdom to suppress the racist and illegal minority régime in Southern Rhodesia and thus to restore the fundamental human rights of the people of Zimbabwe. (For details, see pp. 495-96.)

##### DECISIONS OF ECONOMIC AND SOCIAL COUNCIL

At its forty-sixth session, held from 12 May to 6 June 1969, the Economic and Social Council adopted a series of resolutions on 6 June 1969 relating to the policies of apartheid and situations arising therefrom in southern Africa.

By the terms of resolution 1414(XLVI), the Council, recognizing the need to co-ordinate the activities of the various organizations in the United Nations system and of its organs with respect to apartheid and racial segregation in southern Africa, requested the Secretary-General to report to the Council on the terms of reference of the different United Nations organs and their subsidiary bodies dealing with violations of human rights and fundamental freedoms in southern Africa, a brief survey of activities so far undertaken by the various organs designed to bring about respect for human rights in southern Africa, and a statement of the activities so far undertaken by the specialized agencies, particularly the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in the same field. (For details, see page 96.)

By resolution 1412 (XLVI), the Council, among other things, noted that the infringements of trade union rights continued unabated in the Republic of South Africa, Southern Rhodesia and Namibia and expressed concern that they were the direct outcome of the policies of apartheid and racial discrimination pursued by the régimes in those countries. With regard to Southern Rhodesia, the Council called upon the United Kingdom to intervene immediately in Southern Rhodesia with a view to, inter alia, checking further infringements of trade union rights in Southern Rhodesia and to restore the basic rights of trade unions there to freedom of association.

In this resolution, the Council also made further, specific recommendations with regard to trade union rights in Southern Rhodesia. These were based on the report of the Ad Hoc Working Group of Experts, which had been asked, among other things, to carry out—in co-operation with ILO—an examination of the denial and infringements of trade union rights by the illegal racist minority régime in Southern Rhodesia. (For further details, see pp. 534-37.)

By another resolution (1415 (XLVI)) adopted on 6 June 1969, the Council recommended to the General Assembly the adoption of a resolution whereby the Assembly, expressing alarm at the evidence of gross and systematic violations of human rights and fundamental freedoms in South Africa, Namibia and Southern Rhodesia would, with regard to Southern Rhodesia: deplore the refusal of the United Kingdom Government to suppress the racist and illegal minority régime in Southern Rhodesia and thus to restore the fundamental human rights of the people of Zimbabwe; regret that the relevant United Nations resolutions regarding the termination of diplomatic, commercial, military, cultural and other relations with the racist and illegal minority régime in Southern Rhodesia were still not being observed by several Member States; call for the termination of such relations immediately in accordance with the relevant resolutions of the Assembly and the Security Council; request the Secretary-General to set up a unit of the United Nations radio in Africa to produce and broadcast radio programmes to the peoples of southern Africa; and ask him to give the widest possible publicity to the evils and actions of the racist régimes in

South Africa, Namibia and Southern Rhodesia, through non-governmental and other organizations.

On 15 December 1969, the General Assembly adopted the text recommended by the Council as its resolution 2547 B (XXIV). (For further details, see pp. 496-98.)

The Economic and Social Council also on 6 June 1969 adopted resolution 1424 (XLVI), by which it reiterated its condemnation of every practice of torture and ill-treatment of prisoners, detainees and freedom fighters perpetrated in South Africa, Namibia, Southern Rhodesia and the territories under Portuguese administration and postponed, for lack of time, detailed consideration of the various recommendations for action contained in the report of the Ad Hoc Working Group of Experts on the treatment of political prisoners in southern Africa established by the Human Rights Commission. (For details, see page 504.)

Finally, the Economic and Social Council, by a decision taken on 6 June 1969 without adoption of a resolution, asked the General Assembly to extend the scope of the United Nations Trust Fund for South Africa to provide assistance to the victims of apartheid and racial discrimination in Southern Rhodesia. The Council took this decision on the recommendation of its Social Committee. (See also page 97.)

#### CONSIDERATION BY GENERAL ASSEMBLY

##### GENERAL ASPECTS

At its twenty-fourth session, which opened on 16 September 1969, the General Assembly referred the question of Southern Rhodesia to its Fourth Committee for consideration. The Fourth Committee decided to consider the item together with the questions of Namibia and the territories under Portuguese administration, and to hold a general debate covering all three items, it being understood that individual draft resolutions on the items would be considered separately after the conclusion of the general debate and the hearing of petitioners. On this basis, the Fourth Committee considered the question of Southern Rhodesia at meetings held between 3 October and 3 November 1969.

During its consideration of the question, the Fourth Committee heard a statement by Kotsho

Dube of the Zimbabwe African Peoples Union (ZAPU), in which he reiterated the points made by the petitioners appearing before: the Special Committee of 24 earlier in the year (see above).

H. M. Sahnoun, Deputy Secretary-General of the Organization of African Unity (OAU) and a representative of the World Health Organization (WHO) also made statements.

Following the general debate, the United Republic of Tanzania introduced a draft resolution on the question of Southern Rhodesia which was eventually sponsored by the following 41 Member States: Afghanistan, Algeria, Burundi, Cambodia, Cameroon, Chad, the Congo (Brazzaville), the Democratic Republic of the Congo, Cyprus, Ethiopia, Ghana, Guinea, Guyana, India, Indonesia, Iraq, Kenya, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, the Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Yemen, Yugoslavia and Zambia.

On 3 November 1969, the draft resolution, as orally amended by Trinidad and Tobago, was approved by the Fourth Committee by a roll-call vote of 79 in favour to 8 against, with 17 abstentions. On 21 November 1969, the General Assembly, without debate, adopted the text by a recorded vote of 83 to 7, with 20 abstentions, as resolution 2508 (XXIV).

By the preambular paragraphs to this resolution, the Assembly, after recalling previous resolutions adopted on the question, expressed its deep concern about the deteriorating situation in Southern Rhodesia resulting from the introduction by the illegal racist minority régime of new measures aimed at entrenching itself as well as repressing the African people in violation of Assembly resolution 1514 (XV) of 14 December 1960 on the granting of independence to colonial countries and peoples,<sup>36</sup> and about the continued presence of South African forces in the territory.

It expressed deep concern also about the persistent threat to the sovereignty and territorial integrity of neighbouring African States resulting from the existing situation in Southern Rhodesia and the presence of South African forces in the territory.

It also noted that the United Kingdom, as the administering power, had the primary responsibility for putting an end to the illegal racist minority régime in Southern Rhodesia and transferring effective power to the people of Zimbabwe on the basis of majority rule.

By the operative paragraphs of the resolution, the General Assembly:

(1) reaffirmed the inalienable right of the people of Zimbabwe to freedom and independence and the legitimacy of their struggle to attain that right in conformity with Assembly resolution 1514 (XV) of 14 December 1960;

(2) declared illegal all measures taken by the racist minority régime to deprive the people of Zimbabwe of their legitimate rights and to entrench its policies of apartheid in Southern Rhodesia;

(3) condemned the failure and refusal of the United Kingdom, as the administering power, to take effective measures to bring down the illegal racist minority régime in Southern Rhodesia and to transfer power to the people of Zimbabwe on the basis of majority rule in accordance with all the relevant resolutions of the General Assembly;

(4) condemned the intervention of South African armed forces in Southern Rhodesia, which constituted an act of aggression against the people and territorial integrity of Zimbabwe, and called upon the United Kingdom, as the administering power, to ensure the immediate expulsion of all South African forces from Southern Rhodesia;

(5) condemned the policies of the Governments of South Africa and Portugal and other Governments which continued to have political, economic, military and other relations with the illegal racist minority régime in Southern Rhodesia in contravention of the relevant United Nations resolutions, thereby violating their obligations under the Charter;

(6) condemned the policies of those States which made it possible for their nationals to emigrate to Southern Rhodesia in violation of Security Council resolution 253 (1968) of 29 May 1968;<sup>37</sup>

<sup>36</sup> See footnote 15.

<sup>37</sup> See footnote 16.

(7) called upon the United Kingdom, in fulfilment of its responsibility as the administering power, to take effective measures, including the use of force, to put an immediate end to the illegal racist minority régime in Southern Rhodesia and to transfer all powers to the people of Zimbabwe on the basis of majority rule;

(8) called upon the administering power to ensure the immediate release of the African nationalists who were in detention and to prevent further assassinations and imprisonment of African nationalists in Southern Rhodesia;

(9) called upon all States which continued to maintain political, economic, military and other relations with the illegal racist minority régime in Southern Rhodesia to bring them to an immediate end;

(10) called upon all States, specialized agencies and other international organizations concerned to extend all moral and material assistance to the national liberation movements of Zimbabwe, in co-operation with the Organization of African Unity;

(11) called upon the United Kingdom, in view of the armed conflict in the territory and the inhuman treatment of prisoners, to ensure the application to that situation of the Geneva Conventions of 12 August 1949 relative to the treatment of prisoners of war and the protection of civilians in time of war;

(12) drew the attention of the Security Council to the gravity of the situation arising from the intensification of suppressive activities against the people of Zimbabwe and from armed attacks perpetrated against neighbouring States in violation of international peace and security;

(13) reaffirmed its conviction that the sanctions would not put an end to the illegal racist minority régime in Southern Rhodesia unless they were comprehensive, mandatory, effectively supervised, enforced and complied with, particularly by South Africa and Portugal; and

(14) further drew the attention of the Security Council to the urgent necessity of applying the following measures envisaged under Chapter VII of the Charter: (a) the scope of the sanctions against the illegal racist minority régime should be widened to include all the measures laid down in Article 41 of the Charter; (b) sanctions should be imposed on South Africa and Portugal, the Governments of which

had blatantly refused to carry out the mandatory decisions of the Security Council.

(For full text of resolution and voting details, See DOCUMENTARY REFERENCES below.)

During the Fourth Committee's debate, Members supporting the draft resolution said the illegal régime was persisting in its oppression of the people of Zimbabwe. The United Nations, they pointed out, had already denounced the rebellion by the illegal régime; in addition, the Security Council was aware of the threat which that rebellion constituted to international peace and security and had drawn attention to the responsibility of the administering power in that respect. The situation in Southern Rhodesia was deteriorating because the United Kingdom, by refusing to use force, was not only supporting the illegal régime but was giving it time to entrench itself.

The sanctions imposed on the illegal régime by the Security Council, these speakers said, had failed because several States, particularly South Africa and Portugal, had not applied them. They denounced the torture of freedom fighters captured by the régime in Southern Rhodesia and called on the United Kingdom to use force to bring down the illegal régime.

The sponsors of the draft resolution stressed the need to impose sanctions on South Africa and Portugal and to widen the scope of sanctions against the illegal régime. Adding to the deterioration of the situation in Southern Rhodesia, they stated, was the intervention of armed South African forces. Such intervention, they pointed out, constituted a threat to the people of Zimbabwe and to neighbouring African countries.

The representative of the USSR, among others, said there was an alliance between South Africa, Portugal and Southern Rhodesia through which they were developing their military power and hoping to stop the liberation efforts of the peoples of southern Africa. The sanctions imposed against Southern Rhodesia had not produced the desired results because there was still a steady flow of trade with the colonialist bloc. The volume of trade of the United Kingdom, the United States, the Federal Republic of Germany and France with South Africa and Portugal amounted to more than \$3,000 million and it was common knowl-

edge that South Africa and Portugal refused to apply economic sanctions against the Smith régime and were openly trading with it. The assistance that régime was receiving from members of the North Atlantic Treaty Organization (NATO) encouraged it to commit fresh crimes. The country mainly responsible for the situation in Southern Rhodesia was the United Kingdom, which should long since have taken steps to transfer power to the African majority in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

The USSR representative also drew attention to the activities of foreign economic interests in southern Africa through which, he said, the Western powers were plundering the resources of the region and exploiting the Africans. The situation was worsening and called for vigorous measures by the United Nations so that the people could exercise their right to self-determination and independence.

The spokesman for Portugal stated that there were specific references to his country in certain of the operative paragraphs of the draft resolution which he considered unacceptable and which he therefore rejected. The Government of Portugal was continuing its policy of non-intervention with regard to the constitutional situation and internal affairs of Southern Rhodesia. For that reason, Portugal was keeping open the means of communication not only with the territory, which was land-locked, but also with countries which were hostile to it. If Portugal were to close down those communications unilaterally, other countries would suffer the consequences. Moreover, the maintenance of those channels of communication would be of no significance if no country had trading relations with Southern Rhodesia.

The United Kingdom representative said the draft resolution was very much the same as that of the previous year, in that it reiterated the call for the use of force and the demand for the extension of sanctions to South Africa and Portugal, and once again sought to condemn the United Kingdom Government for the present situation. Where the present draft resolution went further, he said, was in pointing towards force and violence, seeking to impose unrealistic demands and resorting to the facile language of condemnation. He wondered when heed would

be given to the warnings voiced in the General Assembly about the risks for the future of the United Nations itself if resolutions continued to be adopted which had no hope of being carried out.

The United Kingdom representative went on to recall that the United Kingdom Secretary of State for Foreign Affairs had said in the Assembly's general debate on 22 September 1969 that to pass resolutions demanding the use of force or a total economic confrontation with other States in southern Africa would be an error which it would be foolish to commit, particularly when there existed a practical and effective way of proceeding: namely, to see that the Security Council's resolution 253(1968) of 29 May 1968 was rigorously observed both in letter and in spirit.

No Member of the Committee, he added, could be in any doubt about where the United Kingdom stood with regard to the use of force in Southern Rhodesia and on the question of economic confrontation with South Africa. He regretted that the wording of the draft resolution made it impossible for the United Kingdom to support it.

The representative of Cuba said that, as Cuba did not consider that United Nations intervention in the question of Southern Rhodesia would enable the people of Zimbabwe to achieve their freedom, it would not support the draft resolution. The people of Zimbabwe had no choice but to surrender to their enemies or to resist and fight until victory was won.

Botswana's representative expressed doubts about the advisability of extending sanctions to South Africa and continuing to call upon the United Kingdom to use force when the United Kingdom had said it would not do so. Botswana would therefore abstain in the vote on the resolution.

The representative of Swaziland was of the same view concerning the use of force and the extension of sanctions to cover South Africa and Portugal. He would, however, support the draft resolution.

Venezuela, Uruguay, Colombia and Greece said they would support the draft resolution although they had some reservations.

Venezuela said the Zimbabwe people could derive no encouragement from the fact that the United Nations continued to condemn the

United Kingdom's failure to act and to take effective measures to bring down the régime, or that the use of force was specifically proposed when it was well known that the United Kingdom was not prepared to resort to force.

Uruguay considered that the use of force was not a desirable method of remedying the situation, while Colombia considered that force should only be resorted to when all other possible solutions had been exhausted.

Greece's representative said he did not share the general pessimism concerning the effectiveness of economic sanctions but he found surprising the proposals to extend these sanctions to other Member States, since that was the exclusive prerogative of the Security Council.

The representative of Norway said his Government fully supported United Nations policy with regard to Southern Rhodesia. His abstention on the draft resolution should in no way be considered as a deviation from that general policy. Norway, he said, did not share the belief that a recommendation to the United Kingdom to use force in Southern Rhodesia would contribute to a solution, and it did not believe that the General Assembly should seek to impose on the specialized agencies the task of providing material assistance to the liberation movements.

The representatives of Argentina, Mexico and Turkey said they had voted in favour of the draft resolution although with some reservations. Argentina had grave doubts about the effectiveness of repeating earlier resolutions which had not been implemented. It also had reservations about the paragraphs which referred to the specialized agencies and which encroached on the jurisdiction of the Security Council. The representative of Mexico said several paragraphs reiterated concepts which had appeared in previous resolutions and to which Mexico had raised objections.

Other Members said that, while they fully supported the ultimate objectives of the draft resolution, they had been obliged to abstain. Thus, Italy considered that many of the paragraphs of the draft resolution were contrary to the Charter and bore no relation to reality. In Brazil's view, the General Assembly should not prejudice the work of the Security Council, which was studying the effects of sanctions, nor did it consider the use of force to be appropriate for the solution of the problem.

Ireland said it had had to abstain because of the demand contained in the text that the United Kingdom should employ force to solve the problem. Japan had abstained because it too opposed that demand, nor did it approve the call for sanctions to be imposed against South Africa and Portugal. Spain said the resolution included provisions that tried to produce results which Spain could not accept since they entailed complex legal questions whose settlement should be left to the Security Council.

The Netherlands and the United States explained that, although they considered the Smith régime illegal, they had voted against the draft resolution because it contained provisions with which they could not agree. The Netherlands said that, for instance, the General Assembly ought not to recommend measures on matters that were being considered by the Security Council, unless the Council asked it to do so. Similarly, the use of force might bring about an escalation of the problem and aggravate the sufferings of the inhabitants. The United States considered that the use of force was an unacceptable solution, and it could not agree that sanctions should be extended to Portugal and South Africa since such a course could only complicate the situation further.

The representative of South Africa said that in his Government's view the situation in Southern Rhodesia was a matter to be settled between that country and the United Kingdom. He had, he said, previously explained the presence of South African police forces in Southern Rhodesia, and he denied that their presence constituted a danger to neighbouring countries.

#### OTHER DECISIONS OF GENERAL ASSEMBLY

At its twenty-fourth session, the General Assembly took several other decisions bearing on the situation in Southern Rhodesia. These are described briefly below.

#### FOREIGN ECONOMIC INTERESTS

On 12 December 1969, on the recommendation of its Fourth Committee, the General Assembly adopted resolution 2554(XXIV) on the activities of foreign economic and other interests impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern

Rhodesia, Namibia and territories under Portuguese domination and in all other territories under colonial domination, and impeding efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa.

In this resolution, the Assembly, among other things, expressed its conviction that any economic or other activity which impeded the implementation of its resolution 1514(XV) of 14 December 1960<sup>38</sup> and which obstructed efforts aimed at the elimination of colonialism, apartheid and racial discrimination in southern Africa and other colonial territories violated the political, economic and social rights and interests of the people in those territories and was therefore incompatible with the purposes and principles of the United Nations Charter.

The Assembly also reaffirmed the inalienable right of the peoples of dependent territories to self-determination and independence and to the natural resources of their territories, as well as their right to dispose of those resources in their best interest; and affirmed that foreign economic and other interests operating in colonial territories which were exploiting those territories constituted a major obstacle to political independence as well as to the enjoyment of the natural resources of the territories by the indigenous inhabitants.

Further, the Assembly declared that any administering power, by depriving the colonial peoples of the exercise of their rights or by subordinating them to foreign economic and financial interests, violated the obligations it had assumed under the Charter and impeded the implementation of resolution 1514(XV) on the granting of independence. It deplored the attitude of the colonial powers and States concerned which had not taken any action to implement the relevant Assembly resolutions.

By its resolution, the Assembly also requested the administering powers and States concerned whose companies and nationals were engaged in such activities to take immediate measures to put an end to all practices which exploited the territories and peoples under colonial rule, in conformity with relevant Assembly resolutions, in particular by preventing new investments—especially in southern Africa—which ran counter to the objectives of the above-mentioned resolutions. The Assembly requested all States to take effective measures to cease forthwith the

supply of funds or other forms of economic and technical assistance to colonial powers which used such assistance to repress the national liberation movements.

Finally, the Assembly asked the Special Committee of 24 to continue to study the question and report to the Assembly at its twenty-fifth (1970) session. (For further details, see pp. 653-54.)

#### MEASURES TO COMBAT AND ELIMINATE RACIAL DISCRIMINATION, Apartheid AND SEGREGATION IN SOUTHERN AFRICA

On 11 December 1969, the General Assembly adopted resolution 2547 A (XXIV) on measures for effectively combating racial discrimination and the policies of apartheid and segregation in southern Africa.

By this resolution, the Assembly, among other things, called upon the United Kingdom to reconsider its deplorable refusal to intervene in Southern Rhodesia by force and restore the human rights and fundamental freedoms of the people of Zimbabwe and in this manner, inter alia, automatically ameliorate the conditions of political prisoners, detainees and captured freedom fighters in Southern Rhodesia, as well as to ensure the application of the relevant Geneva Conventions of 1949 to the situation prevailing in Southern Rhodesia.

The Assembly asked the Secretary-General to establish, maintain and publicize an up-to-date register of persons subjected to imprisonment, detention, banishment and other restrictions, and of persons who had been victims of brutality, for their opposition to apartheid and racial discrimination, as well as of captured freedom fighters held in South Africa, Namibia, Southern Rhodesia and the Portuguese territories in Africa. It also asked the Secretary-General, in consultation with the Committee of Trustees of the United Nations Trust Fund for South Africa, to study the question of enlarging the scope; of the Fund to cover all persons in the territories of Southern Rhodesia and Namibia persecuted under repressive and discriminatory legislation. (For further details, see pp. 502-6 and 110-12.)

On 15 December 1969, the General Assembly adopted another resolution (2547 B (XXIV)),

<sup>39</sup> See footnote 15.

the text of which had been recommended by the Economic and Social Council in its resolution 1415 (XLVI). (For summary of resolution, see above, page 125, and for further details, see pp. 495-98.)

MANIFESTO ON SOUTHERN AFRICA

On 20 November 1969, the General Assembly adopted a resolution (2505 (XXIV) ), noting that it had received the Manifesto on Southern Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity (OAU) at its sixth ordinary session in September 1969.

By the resolution, the General Assembly, convinced of the need for intensifying international efforts for the elimination of apartheid, racial discrimination and colonialism in order that peace and security in southern Africa be assured: (1) welcomed the Manifesto on Southern Africa and recommended it to the attention of all States and all peoples; and (2) expressed the firm intention of the United Nations, acting in co-operation with OAU, to intensify its efforts to find a solution to the grave situation in southern Africa.

(For further details, see pp. 147-52.)

CO-OPERATION OF SPECIALIZED AGENCIES

On 12 December 1969, the General Assembly adopted resolution 2555 (XXIV) on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.

In this resolution, among other things, the Assembly reiterated its appeal to the specialized agencies, the International Atomic Energy Agency and the international institutions associated with the United Nations to extend their full co-operation to the United Nations in the achievement of the objectives and provisions of Assembly resolution 1514(XV) of 14 December 1960, on the granting of independence, and other relevant resolutions.

The Assembly also recommended that the specialized agencies and international institutions concerned, as well as the various programmes within the United Nations system, should give all possible assistance to the peoples struggling to liberate themselves from colonial rule and in particular to work out, within the scope of their respective activities and in co-operation with OAU and, through it, with the national liberation movements, concrete programmes for assisting the oppressed peoples of Southern Rhodesia, Namibia and the territories under Portuguese administration.

Also recommended by the Assembly was that all the specialized agencies and international institutions associated with the United Nations, particularly the International Civil Aviation Organization, the International Telecommunication Union, the Universal Postal Union and the Inter-Governmental Maritime Consultative Organization, should work out, within the scope of their respective activities, measures aimed at discontinuing any collaboration with the Governments of Portugal and South Africa, as well as with the illegal racist minority régime in Southern Rhodesia.

(For further details, see pp. 650-53.)

EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA

Under the consolidated United Nations Educational and Training Programme for Southern Africa, established by the General Assembly in 1967,<sup>39</sup> 140 applications from Southern Rhodesia were received during the period from 1 October 1968 to 30 September 1969. Thirty-six new awards were made and another seven awards were extended. At the end of September 1969, there were a total of 43 Southern Rhodesians studying abroad in eight countries.

(For additional information on the United Nations Educational and Training Programme for Southern Africa, see pp. 646-48.)

<sup>39</sup>See Y.U.N., 1967, pp. 649-50, text of General Assembly resolution 2349(XXII).

DOCUMENTARY REFERENCES

COMMUNICATIONS AND REPORTS TO THE SECURITY COUNCIL

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Council resolution 253(1968). Statement dated 27 January 1969 by President of Security Council. S/8786/Add.5-8, Add.S/Corr.1, Add.9-11. Report by Secretary-General in pursuance of resolution 253

(1968) adopted by Security Council at its 1428th meeting on 29 May 1968 concerning situation in Southern Rhodesia (addenda dated 30 January, 3 and 19 March, 11 April, 6 and 17 June, and 23 September 1969).

- S/8954, S/9252 and Add.1. Reports, dated 30 December 1968 and 12 June 1969, of Committee established in pursuance of Security Council resolution 253(1968) of 29 May 1968.
- S/8973. Note verbale of 20 January 1969 from Canada.
- S/8984. Letter of 20 January 1969 from Chile.
- S/8996. Note verbale of 3 February 1969 from Czechoslovakia.
- S/9015. Note verbale of 30 January 1969 from Guyana.
- S/9026, S/9027. Letters of 18 February 1969 from Portugal.
- S/9052. Note verbale of 6 March 1969 from Ukrainian SSR.
- S/9069. Note verbale of 11 March 1969 from Byelorussian SSR.
- S/9112. Note verbale of 20 March 1969 from Poland.
- S/9119. Note verbale of 25 March 1969 from Hungary.
- S/9244. Letter of 10 June 1969 from Chairman of Special Committee on Situation with regard to Implementation of Declaration on Granting of Independence to Colonial Countries and Peoples (transmitting text of resolution adopted by Special Committee on 10 June 1969, meeting 698).

#### CONSIDERATION BY SECURITY COUNCIL (13-24 JUNE 1969)

SECURITY COUNCIL, meetings 1475-1481.

- S/8954. Report, dated 30 December 1968, of Committee established in pursuance of Security Council resolution 253(1968) of 29 May 1968.
- S/9237 and Add.1,2. Letter of 6 June 1969 from Afghanistan, Algeria, Botswana, Burundi, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Laos, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Swaziland, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia (request to convene Council).
- S/9252 and Add.1. Second report, dated 12 June 1969, of Committee established in pursuance of Security Council resolution 253(1968) of 29 May 1968.
- S/9257, S/9260-S/9262, S/9267-S/9269, S/9272. Requests, dated 16-20 June 1969, to participate in Council's discussions, from Mauritania, United Republic of Tanzania, India, Guinea, Somalia, Sudan, Saudi Arabia and Burundi.

S/9270 and Rev.1. Algeria, Nepal, Pakistan, Senegal, Zambia: draft resolution and revision, rejected by Council on 24 June 1969, meeting 1481, by 8 votes in favour (Algeria, China, Hungary, Nepal, Pakistan, Senegal, USSR, Zambia) to none against, with 7 abstentions (Colombia, Finland, France, Paraguay, Spain, United Kingdom, United States).

#### OTHER COMMUNICATIONS

- S/9476 and Corr.1. Letter of 13 October 1969 from Portugal.
- S/9510. Letter of 21 November 1969 from Secretary-General (transmitting text of resolution 2508 (XXIV) adopted by Assembly on 21 November 1969, meeting 1816).

#### CONSIDERATION BY SPECIAL COMMITTEE

- Special Committee on Situation with regard to Implementation of Declaration on Granting of Independence to Colonial Countries and Peoples, meetings 658, 659, 662-665, 676-679, 682, 684-687, 689, 693, 695-698, 714, 720.
- A/7601. Annual report of Secretary-General on work of the Organization, 16 June 1968-15 June 1969, Chapter V A 1.
- A/7623/Rev.1. Report of Special Committee of 24, Chapter VI. (Part B: Resolutions adopted by Special Committee on 26 March and 10 June 1969, meetings 665 and 698.)

#### CONSIDERATION BY GENERAL ASSEMBLY

GENERAL ASSEMBLY—24TH SESSION

- General Committee, meetings 180, 181.
- Fourth Committee, meetings 1817-1837, 1839-1841, 1843.
- Plenary Meetings 1758, 1816.
- A/7601. Annual report of Secretary-General on work of the Organization, 16 June 1968-15 June 1969, Chapter III H and Chapter V A, 2 and 3.
- A/7602. Report of Security Council to General Assembly, 16 July 1968-15 July 1969, Chapter 5.
- A/7623/Rev.1. Report of Special Committee on Situation with regard to Implementation of Declaration on Granting of Independence to Colonial Countries and Peoples (covering its work during 1969) Chapter VI.
- A/7700. First report of General Committee, para. 8.
- A/7754. Co-operation between United Nations and Organization of African Unity. Manifesto on Southern Africa. Letter of 7 November 1969 from Kenya.
- A/C.4/723 and Add.1. Requests for hearings.
- A/C.4/L.936 and Add.1,2. Afghanistan, Algeria, Burundi, Cambodia, Cameroon, Chad, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Ethiopia, Ghana, Guinea, Guyana, India, Indonesia, Iraq, Kenya, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Togo,

Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Yemen, Yugoslavia, Zambia: draft resolution, as orally amended by Trinidad and Tobago, approved by Fourth Committee on 3 November 1969, meeting 1841, by roll-call vote of 79 to 8, with 17 abstentions, as follows:

In favour: Afghanistan, Algeria, Argentina, Barbados, Bulgaria, Burma, Burundi, Byelorussian SSR, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, Ghana, Greece, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, Belgium, Netherlands, New Zealand, Portugal, South Africa, United Kingdom, United States.

Abstaining: Austria, Botswana, Brazil, Canada, Cuba, Denmark, Finland, France, Iceland, Ireland, Italy, Ivory Coast, Japan, Lesotho, Norway, Spain, Sweden.

A/7759. Report of Fourth Committee.

RESOLUTION 2508(xxiv), as proposed by Fourth Committee, A/7759, adopted by Assembly on 21 November 1969, meeting 1816, by recorded vote of 83 to 7, with 20 abstentions, as follows:

In favour: Afghanistan, Algeria, Barbados, Bolivia, Bulgaria, Burma, Burundi, Byelorussian SSR, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Czechoslovakia, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, Gambia, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, Belgium, Netherlands, New Zealand, South Africa, United Kingdom, United States.

Abstaining: Austria, Botswana, Brazil, Canada, Cuba, Denmark, Finland, France, Gabon, Honduras, Ireland, Italy, Ivory Coast, Japan, Lesotho, Malawi, Norway, Spain, Swaziland, Sweden.

The General Assembly,

Having considered the question of Southern Rhodesia,

Having heard the statement of the petitioner,

Recalling its resolution 1514(XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling further all previous resolutions concerning the question of Southern Rhodesia adopted by the General Assembly and by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Bearing in mind the relevant resolutions of the Security Council, and particularly its resolutions 232 (1966) of 16 December 1966 and 253(1968) of 29 May 1968, in which the Council determined that the situation constituted a threat to international peace and security,

Deeply concerned about the deteriorating situation in Southern Rhodesia resulting from the introduction by the illegal racist minority régime of new measures aimed at entrenching itself as well as repressing the African people in violation of resolution 1514(XV), and about the continued presence of South African forces in the Territory,

Deeply concerned also about the persistent threat to the sovereignty and territorial integrity of neighbouring African States resulting from the existing situation in Southern Rhodesia and the presence of South African forces in the Territory,

Bearing in mind that the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, has the primary responsibility for putting an end to the illegal racist minority régime in Southern Rhodesia and transferring effective power to the people of Zimbabwe on the basis of majority rule,

1. Reaffirms the inalienable right of the people of Zimbabwe to freedom and independence and the legitimacy of their struggle to attain that right in conformity with the provisions of General Assembly resolution 1514(XV);

2. Declares illegal all measures taken by the racist minority régime to deprive the people of Zimbabwe of their legitimate rights and to entrench its policies of apartheid in Southern Rhodesia;

3. Condemns the failure and refusal of the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to take effective measures to bring down the illegal racist minority régime in Southern Rhodesia and to transfer power to the people of Zimbabwe on the basis of majority rule in accordance with all the relevant resolutions of the General Assembly;

4. Condemns the intervention of South African armed forces in Southern Rhodesia, which constitutes an act of aggression against the people and territorial

integrity of Zimbabwe, and calls upon the United Kingdom, as the administering Power, to ensure the immediate expulsion of all South African forces from Southern Rhodesia;

5. Condemns the policies of the Governments of South Africa and Portugal and other Governments which continue to have political, economic, military and other relations with the illegal racist minority régime in Southern Rhodesia in contravention of the relevant United Nations resolutions, thereby violating their obligations under the Charter of the United Nations;

6. Condemns the policies of those States which make it possible for their nationals to emigrate to Southern Rhodesia in violation of Security Council resolution 253(1968);

7. Calls upon the Government of the United Kingdom, in fulfilment of its responsibility as the administering Power, to take effective measures, including the use of force, to put an immediate end to the illegal racist minority régime in Southern Rhodesia and to transfer all powers to the people of Zimbabwe on the basis of majority rule;

8. Calls upon the administering Power to ensure the immediate release of the African nationalists who are in detention and to prevent further assassination and imprisonment of African nationalists in Southern Rhodesia;

9. Calls upon all States which continue to maintain political, economic, military and other relations with the illegal racist minority régime in Southern Rhodesia to bring them to an immediate end;

10. Calls upon all States, specialized agencies and other international organizations concerned to extend all moral and material assistance to the national liberation movements of Zimbabwe, in co-operation with the Organization of African Unity;

11. Calls upon the Government of the United Kingdom, in view of the armed conflict in the Territory and the inhuman treatment of prisoner, to ensure the

application to that situation of the Geneva Convention relative to the Treatment of Prisoners of War and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, both dated 12 August 1949;

12. Draws the attention of the Security Council to the gravity of the situation arising from the intensification of suppressive activities against the people of Zimbabwe and from armed attacks perpetrated against neighbouring States in violation of international peace and security;

13. Reaffirms its conviction that the sanctions will not put an end to the illegal racist minority régime in Southern Rhodesia unless they are comprehensive, mandatory, effectively supervised, enforced and complied with, particularly by South Africa and Portugal;

14. Further draws the attention of the Security Council to the urgent necessity of applying the following measures envisaged under Chapter VII of the Charter:

(a) The scope of the sanctions against the illegal racist minority régime should be widened to include all the measures laid down in Article 41 of the Charter;

(6) Sanctions should be imposed on South Africa and Portugal, the Governments of which have blatantly refused to carry out the mandatory decisions of the Security Council;

15. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to keep the situation in the Territory under review;

16. Calls upon the administering Power to report to the Special Committee on its action in the implementation of the present resolution.

#### OTHER DOCUMENTS

A Principle in Torment. I: The United Nations and Southern Rhodesia. U.N.P. Sales No.: E.69.I.26.

### THE QUESTION OF NAMIBIA

During 1969, the question of Namibia was considered by the Security Council, by the United Nations Council for Namibia, which met throughout the year, by the General Assembly and by the General Assembly's Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Various aspects of the question were also taken up by the Economic and Social Council and the Commission on Human Rights.

The Security Council considered the question of Namibia on two occasions, adopting resolution 264(1969) on 20 March 1969 and resolution 269(1969) on 12 August 1969. Among other things, the Security Council decided that

the continued occupation of Namibia by the South African authorities was an aggressive encroachment on the authority of the United Nations, a violation of the territorial integrity and a denial of the political sovereignty of the people of Namibia. The Council called on South Africa to withdraw its administration from the territory immediately.

The General Assembly adopted resolutions 2498(XXIV) and 2517(XXIV) on 31 October and 1 December 1969 respectively, again condemning the Government of South Africa for its refusal to withdraw from Namibia. The Assembly drew the attention of the Security Council to the need to take measures in accordance with relevant provisions of the United Nations

Charter to solve the situation arising as a result of South Africa's refusal to withdraw and it asked the Council for Namibia to continue to discharge the functions entrusted to it.

Various other General Assembly resolutions related in part to the question of Namibia. These included, among other things, resolutions dealing with the implementation of the Declaration on the Granting of Independence to

Colonial Countries and Peoples, with the activities of foreign economic interests which impeded implementation of the Declaration, with the Manifesto on Southern Africa and with measures to combat racial discrimination and apartheid in southern Africa.

(For details about the decisions taken by United Nations organs in 1969 on the question of Namibia, see pp. 675-701.)

## RELATIONS BETWEEN AFRICAN STATES AND PORTUGAL

### COMPLAINTS BY ZAMBIA AGAINST PORTUGAL

By a letter of 4 February 1969 to the President of the Security Council, Zambia stated that a skirmish had taken place on 24 January 1969 near Chingi, a Zambia police camp, in the Balovale District of Zambia, between Portuguese and Zambian soldiers, resulting in the deaths of three Portuguese soldiers.

In a letter dated 15 July 1969 to the President of the Security Council, Zambia further charged Portugal with calculated violations of the territorial integrity of the Republic of Zambia and also, on 30 June 1969, with bombing, destruction of property, and the wounding and killing of two unarmed civilians at Lote village in the Katete District of the Eastern Province of Zambia, situated along the border of Mozambique. The letter recalled previous reports to the Council of similar violations and requested an early meeting of the Security Council to consider the recent incidents.

On 18 July 1969, in a letter to the President of the Security Council, the representatives of 32 African States—Algeria, Cameroon, the Central African Republic, the Congo (Brazzaville), the Democratic Republic of the Congo, Dahomey, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta and Zambia—subsequently joined by Burundi, the Ivory Coast and Nigeria, stated on behalf of the Organization of African Unity (OAU) that they supported Zambia's request for a meeting and hoped that the Security Council would take, in accordance with Chapter VII of the United Nations Charter,<sup>40</sup> the

measures necessary to put an end to the acts of aggression by Portugal.

The Security Council considered the question between 18 and 28 July 1969. The representative of Portugal, at his request, was invited to participate without vote in the discussions. Similar invitations were subsequently issued by the Council to the representatives of Liberia, Madagascar, Sierra Leone and Tunisia on behalf of OAU, and to the representatives of the Democratic Republic of the Congo, Gabon, Kenya, Somalia, the United Arab Republic and the United Republic of Tanzania.

During the Council discussions, the representative of Zambia said that between 18 May 1966 and 30 June 1969 there had been 60 Portuguese military incursions into Zambia from Angola and Mozambique, 35 by land and 25 by air. He cited specifically some 20 acts of aggression that had resulted in the killing, wounding, and kidnapping of numerous innocent persons.

Despite negotiations and promises, he said, Portugal had continued to attack Zambia with increasing frequency in the course of its colonial war against the peoples of Angola and Mozambique. He indicated that such arms as members of the North Atlantic Treaty Organization (NATO) made available to Portugal were used not for the defence of Portugal or NATO countries but for Portugal's oppressive colonial policy and against Zambia. Following its preferred policy to negotiate bilaterally, the Zambian Government had taken up the question of the attacks on Lote village between 30 June and 3 July with the Portuguese authorities, but the latter's intransigence and rejection of the com-

<sup>40</sup>For text of Chapter VII of the United Nations Charter, see APPENDIX II.

plaint had led his Government to resort to the Security Council.

The Zambian representative warned Portugal that if it persisted in its policy of aggression, Zambia reserved its inherent right of self-defence under Article 51 of the United Nations Charter.<sup>41</sup> He asked the Council to call upon Portugal to cease its continuous, unprovoked and premeditated aggression against Zambia, to release Zambian nationals kidnapped by Portuguese soldiers in Angola and Mozambique, and to make amends for the destruction of Zambian homes and property by armed Portuguese units.

The representative of Portugal denied the specific Zambian allegation concerning Lote village, stating that between 30 June and 3 July Portuguese security forces had been attacked by armed raiders from Zambia. Describing encounters with Zambian soldiers and armed raiders inside Portuguese territory on 21 and 23 June, he said that he could cite many more such violations of Portuguese territory.

It was not in self-defence, he said, that Zambia had authorized hostile elements to establish bases on its territory and had permitted frequent armed attacks on the adjoining Portuguese territories. Zambian armed forces, including the air force, had also been involved. Zambia must assume responsibility for attacks by elements proceeding from its territory and fleeing back for sanctuary. The Portuguese Government ensured obedience to strict instructions to its own forces to respect the territorial integrity of Zambia. Portugal also denied it was using NATO arms in Africa.

Portugal had tried to deal with these frontier problems through the bilateral talks agreed to by Zambia, the Portuguese representative said. Despite Zambia's bypassing of the bilateral talks by coming to the Security Council, Portugal was willing to continue to negotiate bilaterally. The representative of Portugal formally proposed investigation by the Mixed Luso-Zambian Commission, which had met occasionally since 1968. He also asked the Security Council to call upon Zambia to release two Portuguese soldiers who had been invited to the frontier on 16 June, treacherously arrested, subsequently found innocent and ordered released by the High Court of Zambia, yet who continued to be detained.

In reply, the Zambian spokesman stated that there was no permanent Zambian-Portuguese joint commission to look into border incidents. Ad hoc committees had met from time to time. However, of the 60-odd incidents, only three had been investigated and only one settled. Portugal had rejected Zambia's complaint about the Lote incident; in the face of that intransigence, Zambia had decided to come to the Security Council.

Replying to the accusation that Zambia had authorized training bases for armed attacks against Portugal, he stated that Zambia had carried out its responsibilities to OAU and to the United Nations by opening its doors to thousands of refugees from Angola and Mozambique.

The representative of Zambia also said that his Government would hand over the two detained invaders if Portugal would release kidnapped Zambian nationals, despite the fact that one of those held by Zambia was the leader of the invading unit on 24 January 1969.

Portugal's spokesman denied that there were any kidnapped Zambians in Portuguese territory and stated that it should be a point of honour for Zambia to return the two detained Portuguese soldiers.

During the Council's discussion, Somalia expressed the view that Portugal's acts of aggression against Zambia were part of a wider pattern of actions committed by Portugal against African States bordering on Angola, Mozambique and so-called Portuguese Guinea. This view was shared by the Democratic Republic of the Congo, Gabon, Kenya, Liberia, Madagascar, Nepal, Pakistan, the United Arab Republic and the United Republic of Tanzania, among others. Other Portuguese actions were cited that several of those speakers felt perpetuated an inhuman colonialism and seriously threatened peace and security. These included the discredited practice by Portugal of the so-called right of pursuit under the guise of self-defence, Portugal's alliance with the racist régimes of South Africa and Southern Rhodesia, and the military support to Portugal from its NATO allies.

<sup>41</sup>For text of Article 51 of the United Nations Charter, see APPENDIX II.

Pakistan stated that the United Nations, in various resolutions, had long since recognized the legitimacy of national liberation movements in all colonial countries and had invited all States to provide those liberation movements with material and moral assistance.

Kenya, among others, expressed the hope that the Council would condemn Portugal not only for its repeated acts of aggression against Zambia but also for its entire colonial policy.

Hungary and the USSR felt that Portugal should also be condemned for suppressing by force the liberation movement, recognized as legitimate by the United Nations, of the people of Angola and Mozambique against Portuguese colonialism. The USSR said that Portugal could not defy the United Nations without the support of the NATO bloc and "the unholy alliance" of South Africa, Southern Rhodesia and itself.

The representative of Finland said Portugal's refusal to apply the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>42</sup> was the main cause for the continuous tension in the area, of which the incidents were but symptoms.

The representative of France expressed regret that the bilateral procedure had now been suspended by the parties. He said his Government had asked for and had received firm commitments from Portugal that no war material sent to Portugal by France would be used against any friendly African State.

On 28 July 1969, a draft resolution sponsored by Algeria, Nepal, Pakistan and Senegal was adopted.

By this text, the Council: (1) strongly censured the Portuguese attacks on Lote village in the Katete District of the Eastern Province of Zambia resulting in the loss of Zambian civilian life and property; (2) called upon Portugal to desist forthwith from violating the territorial integrity of, and from carrying out unprovoked raids against Zambia; (3) demanded the immediate release and repatriation of all civilians from Zambia kidnapped by Portuguese military forces operating in the colonial territories of Angola and Mozambique; (4) further demanded from Portugal the return of all property unlawfully taken by Portuguese military forces from Zambian territory; (5) declared that in the event of failure on the part of Portugal to comply with the second paragraph of this reso-

lution, the Security Council would meet to consider further measures; and (6) decided to remain seized of the matter.

The Council's decisions were embodied in resolution 268(1969), adopted by a vote of 11 to 0, with 4 abstentions. (For text of resolution, See DOCUMENTARY REFERENCES below.)

Spain and the United Kingdom, both of which abstained on the vote, explained that the facts of the incidents complained of were in dispute and required further investigation before any decision could be taken. The United Kingdom added that its abstention did not imply condonation of any Portuguese infringement of Zambian territory and that it regretted Portugal's continued denial of the basic right of self-determination to its African territories.

The United States, which also abstained, said it was unable to support the draft resolution because it had no impartial account of the developments along the borders between Zambia and Mozambique and Angola. That position had nothing to do with the United States attitude towards the more fundamental question of self-determination for the Portuguese territories, the United States said.

#### COMPLAINTS BY SENEGAL AGAINST PORTUGAL

By a letter dated 27 November 1969, Senegal requested the President of the Security Council to convene a meeting of the Council to consider its complaint that on 25 November regular Portuguese army forces situated at Bégène in Guinea (Bissau) had shelled the village of Samine in southern Senegal, killing one woman and seriously wounding eight other persons, causing damage to property, and rendering several villagers homeless.

In a letter to the Council President dated 2 December, that request was supported by the following Member States: Algeria, Burundi, Cameroon, the Central African Republic, Chad, the Congo (Brazzaville), the Democratic Republic of the Congo, Dahomey, Ethiopia, Gabon, Ghana, Guinea, the Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia,

<sup>42</sup> See Y.U.N., 1960, pp. 49-50, resolution 1514 (XV), for text of Declaration.

Sudan, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta and Zambia. The letter stated that those 36 Governments were demonstrating their solidarity with the sister State of Senegal in conformity with the provisions of the charter of the Organization of African Unity (OAU), and were also expressing Africa's concern at the threats and acts of aggression constantly committed by Portugal against the African States bordering on the territories under Portuguese domination.

The Security Council considered Senegal's complaint between 4 and 9 December. The representatives of Guinea, Liberia, Madagascar, Mali, Mauritania, Morocco, Portugal, Saudi Arabia, Sierra Leone, Syria, Tunisia, the United Arab Republic and Yemen were invited, at their request, to participate in the debate without the right to vote.

Senegal submitted another complaint on 7 December for consideration by the Council. That complaint, which concerned renewed shelling of Samine and further casualties, was considered with the previous one.

During the Council's discussions, the representative of Senegal cited numerous provocative violations of Senegal's sovereignty and territorial integrity by Portuguese forces between 8 April 1963 and November 1969, during which period the Security Council had adopted two resolutions—on 24 April 1963 and 19 May 1965<sup>43</sup>—both deploring such activities. Notwithstanding those resolutions, Portugal had in fact intensified its aggression, he charged. Between January and November 1969, the incidents had become more frequent and more serious, with Portuguese armed forces violating Senegalese air space and firing on Senegalese villages every month.

If Portugal were to continue its provocations, the representative of Senegal said, his country would have no choice but to resort to force in order to impose respect of its territorial sovereignty and integrity.

The representative of Portugal then asked three questions of the representative of Senegal: (1) whether or not anti-Portuguese organizations dedicated to violence had been allowed to operate from bases in Senegal; (2) whether or not Samine was such a base; and (3) whether

or not Senegal had contacted Portugal on its complaint before notifying the Security Council.

In reply to the questions posed by Portugal, the representative of Senegal stated that there were in Senegal approximately 50,000 refugees from Guinea (Bissau) who were supervised by the Office of the United Nations High Commissioner for Refugees, that the casualties at Samine had been civilians, and that Senegal had no need to contact Portugal with regard to the incident, since it had addressed itself to the Security Council.

The representative of Portugal explained that the significance of his questions, which he said had not been answered, was to ascertain whether in the case at issue the Portuguese forces had attacked or had reacted in self-defence. Since the beginning of the year, he stated, there had been many border violations involving firing of mortars and heavy artillery from Senegal, and armed attacks in which Senegalese troops had sometimes participated. The crux of the problem, he maintained, was that all such incidents resulted from armed attacks by anti-Portuguese organizations that were allowed to operate from bases inside Senegal, of which Samine was one. Portugal had limited itself to actions strictly in conformity with the needs of its rightful duty of self-defence.

Portugal's policy, he went on, had always been to respect scrupulously the sovereignty and territorial integrity of neighbouring countries; but in pursuit of invading raiders retreating to those countries, an error might have occurred along extensive and poorly demarcated borders. In his view, Senegal should have contacted Portugal so that a bilateral investigation and settlement through conciliation could have taken place. Portugal had no interest in antagonizing any African country and had unsuccessfully tried to seek co-operation and to conclude non-aggression pacts with the countries neighbouring its territories. However, those countries were avowedly hostile to Portugal and were aiding and encouraging violence against Portuguese territories in Africa.

With regard to the United Nations resolutions which had been referred to, the Portu-

<sup>43</sup> See Y.U.N., 1963, p. 26, text of resolution 178 (1963) of 24 April 1963; and Y.U.N., 1965, p. 136, text of resolution 204(1965) of 19 May 1965.

guese representative asserted that such resolutions were no more than recommendations that Member States could accept or reject in their sovereign judgements.

In later interventions, the representative of Senegal denied a Portuguese allegation that Senegalese forces had participated in attacks against Guinea (Bissau). In connexion with Senegal's second complaint of 7 December, he stated that Portugal's shellings and its lack of respect for the Council were its only answer to the four-point peace plan for Guinea (Bissau) publicly proposed by the President of Senegal, namely: a cease fire, followed immediately by negotiations between Portugal and the nationalist movements, and a period of internal autonomy to be followed by independence within the framework of a Lusitanian-African community.

Portugal later said that information it had obtained indicated no involvement by Portuguese forces in the new incident at Samine on 7 December.

During the debate, Algeria, Hungary, Liberia, Sierra Leone, the United Arab Republic, the USSR, Zambia and others declared that the complaints against Portugal constituted genuine cases of aggression by Portuguese forces. They rejected as untenable Portugal's claim to have acted in self-defence.

The representative of the United Arab Republic pointed out that the attacks alleged by Portugal could not be considered attacks on Portuguese Guinea: they were attacks on the forces of colonialism and the occupiers of Guinea (Bissau), a non-self-governing territory entitled to self-government and independence. Many references were made to United Nations resolutions, in particular to the General Assembly's resolution 2507 (XXIV) of 21 November 1969, (see pp. 711-13), which had reaffirmed the inalienable right of the peoples in territories under Portuguese domination to self-determination and independence.

Liberia and Zambia were among those that ascribed Portugal's intransigence to the material and moral support it obtained from its North Atlantic Treaty Organization (NATO) allies and from South Africa and Southern Rhodesia.

The representative of the USSR stated that, contrary to certain illusions resulting from its

new leadership, Portugal, supported by its NATO allies, had actually increased its military expenditure, its armies and its police force in order to fight the patriotic forces in its colonies. Indeed, he said, it had joined in alliance with the fascist and racist régimes of South Africa and Southern Rhodesia, whose purpose was to prevent the liberation of the oppressed African people and to maintain considerable territories of Africa as a base for imperialism and as a beach-head against independent African countries.

Whatever the reasons advanced by Portugal, France said it could not approve of actions contrary to Article 2 of the United Nations Charter,<sup>44</sup> which called on Member States to refrain from the use of force against the territorial integrity of any State. France wished that Portugal had sought by bilateral negotiations a solution to difficulties for which Senegal appeared in no way responsible.

Colombia stated that its position was against the maintenance of all colonial régimes and in favour of the self-determination of peoples.

The representative of Finland said the complaint before the Council should be seen in the larger context of Portugal's persistent refusal to make any advance towards granting the peoples in territories under its administration the self-determination and independence to which they had an inalienable right.

Pakistan also argued that Senegal's complaint should be viewed in the wider context of the confrontation between Portuguese colonialism and free Africa. To the Portuguese contention that such incidents should be settled by bilateral negotiations, the representative of Pakistan said the basic issue was not bilateral but concerned the international community and the primary responsibility of the Security Council for maintaining peace.

On 9 December 1969, the Security Council adopted a resolution by which it: (1) strongly condemned the Portuguese authorities for the shelling of the village of Samine on 25 November and 7 December 1969; (2) again called upon Portugal to desist forthwith from violating the sovereignty and territorial integrity of Senegal.

<sup>44</sup> For text of Article 2 of the Charter, see APPENDIX

gal; (3) declared that in the event of failure by Portugal to comply, the Security Council would meet to consider other measures; and (4) decided to remain seized of the question.

The text, sponsored and orally amended by Algeria, Nepal, Pakistan and Zambia, was adopted as resolution 273(1969) by a vote of 13 to 0, with 2 abstentions. (For text, see DOCUMENTARY REFERENCES below.)

Explaining his Government's support for the resolution, the United Kingdom representative noted that the Council was dealing not with the policies of Portugal in Africa but with specific complaints that had not been denied. His Government in no way supported the policies of Portugal in Africa, either by moral, military or economic means.

The United States, explaining its abstention, said the Council did not possess an impartially verified account of the incident, and force appeared to have been used on both sides. His Government's position had repeatedly been one of support for self-determination for the Portuguese territories.

Spain, which also abstained, said it would have preferred recourse to negotiations by the parties concerned; the primary responsibility of the Council in such a case was to ensure the maintenance of peace and to avoid a repetition of events that might disturb it.

The representative of Portugal regretted that the resolution took no account of Portugal's side and accepted as facts allegations that could only be proved by investigation on the spot. This situation, he said, raised serious doubts about the usefulness of Portugal continuing to maintain the attitude it had so far adopted towards the Council.

In a telegram dated 19 December 1969 to the President of the Security Council and circulated as a Security Council document, the Government of the German Democratic Republic condemned acts of aggression that had been committed by Portugal against Senegal and Guinea in violation of the Council's resolution of 9 December 1969.

France, the United Kingdom and the United States, in a letter dated 22 January 1970 to the President of the Council, stated that the procedure followed with regard to the circulation of that communication implied that there existed

a Government other than that of the Federal Republic of Germany entitled to speak as the representative of the German people in international affairs. This, they stated, was not the case, as the Government of the Federal Republic of Germany was the sole German Government, freely and lawfully elected and therefore authorized to speak as the representative of the German people in international affairs.

The USSR, in a letter of 2 March 1970 to the President of the Council, maintained that statements such as that made on 22 January 1970 by France, the United Kingdom and the United States had no legal basis, since the circulation as official Council documents, on the instructions of the President of the Council, of communications addressed to him by States, including statements by a sovereign State such as the German Democratic Republic, was quite consonant with established practice and procedure applied in the United Nations.

#### COMPLAINTS BY GUINEA AGAINST PORTUGAL

In a letter dated 2 December 1969 to the President of the Security Council, Guinea alleged that another aggressive act had been committed against it when regular forces of the Portuguese army had repeatedly shelled two Guinean villages several days before. On 4 December, Guinea requested the President to convene; a meeting of the Council to consider its complaint against Portugal.

Guinea's request for a meeting of the Council was supported by 40 African Member States in a letter to the Security Council President on 5 December. Those 40 States were: Algeria, Botswana, Burundi, Cameroon, the Central African Republic, Chad, the Congo (Brazzaville), the Democratic Republic of the Congo, Dahomey, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, the Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta and Zambia.

In their letter, these States said they were acting in accordance with the charter of the Organization of African Unity (OAU), which

required its members to promote mutual unity and solidarity and to eradicate all forms of colonialism from Africa. They were also expressing Africa's concern at the threats and acts of aggression constantly committed by Portugal against the African States bordering on the territories under its administration. They hoped that the Council would take the necessary steps under Chapter VII of the United Nations Charter<sup>45</sup> to end such acts of aggression.

On 12 December, Guinea again addressed the President of the Security Council, listing several incidents of aerial bombing and mortar shelling of Guinean villages, and an attack by five Portuguese military patrol boats on the unarmed Guinean motor barge, the Patrice Lumumba, all said to have been committed between 13 April and 13 November 1969 by Portuguese armed forces situated in Guinea (Bissau). Many huts had been destroyed in those incidents, four persons were killed, and six were wounded; the fate of 21 of the 32 passengers abducted with the barge was unknown.

In addition to the Guinean complaints, the Security Council had before it a letter dated 8 October 1969 from the representative of OAU to the Secretary-General of the United Nations transmitting a resolution adopted by the Sixth Assembly of African Heads of State and Government in September 1969. By the resolution, the Council of Ministers, *inter alia*, condemned an act of piracy allegedly perpetrated by the Portuguese against a Guinean vessel in Guinean territorial waters, called on Portugal to release the Guinean nationals it had detained and to return the seized vessel, requested the Secretary-General of OAU to take steps to induce the international community to force Portugal strictly to observe the sovereignty of States, called on Portugal to offer a formal apology and to make generous compensation, and addressed an urgent appeal to the Secretary-General of the United Nations to use his influence to make Portugal return the Guinean vessel and release its passengers.

The complaint by Guinea was considered by the Security Council between 15 and 22 December 1969. The representatives of Bulgaria, the Congo (Brazzaville), India, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritius, Portugal, Saudi Arabia, Sierra Leone, Syria, Tunisia and Yemen were invited, at their re-

quest, to participate in the discussion without the right to vote.

During the Council's discussions, Guinea's representative spoke of Portugal's record of acts of aggression and said that, after nine years of provocations, Guinea's patience had run out. He gave a detailed account of the incidents listed in Guinea's letter of 12 December, recalled that the incident of the Patrice Lumumba had provoked swift reaction from OAU, and referred to the continued detention by Portuguese authorities of a Guinean aircraft with two crew members, belonging to the national company of Air Guinea, that was said to have made a forced landing in Guinea (Bissau) in March 1968.

Guinea, its representative said, requested the Council to condemn Portugal unanimously and to demand that it return immediately the Guinean boat and aircraft, as well as all Guinean nationals arbitrarily held in Guinea (Bissau), that it compensate the victims of its aggression, and that it cease all acts of provocation against the Republic of Guinea.

The representative of Portugal said it would require some time to investigate the allegations in Guinea's letter of 12 December. His Government proposed that the Council should investigate the charges made on both sides so as to place the responsibility where it belonged.

Stating that Guinea had apparently taken it upon itself to enforce the resolutions of the General Assembly, Portugal's spokesman recalled that those were only recommendations to be accepted or rejected by Member States in exercise of their sovereign right. He denied Guinea's contention that Portugal was permanently, constantly, and daily committing aggression; on the contrary, it was Guinea, aided by foreign powers outside Africa, that had authorized the organization of violent movements to operate against Portuguese Guinea, as witness one incident in August and ten in November 1969, when six frontier villages there had been attacked by rocket, mortar and long-range artillery coming directly from inside Guinea.

With regard to the Guinean motor barge and airplane, Portugal was prepared, its representative stated, to consider the release of the plane and its crew and the boat and its passengers on condition that Guinea first release and return

<sup>45</sup> See footnote 40.

24 Portuguese military personnel, unlawfully kidnapped from Portuguese Guinea and detained in Guinea.

Later in the discussion, Portugal's representative denied Guinea's allegations of shelling supposed to have taken place on 10 September and 13 November 1969, and said his Government had no evidence of any air raid; or shelling alleged to have occurred over the previous six months. He claimed that three Portuguese Guinea villages had suffered four attacks on 12 and 17 December by shelling or by armed bands from Guinea. Whatever action Portuguese forces might have taken in reply, its representative emphasized, had occurred on Portuguese territory, and had always been exclusively in self-defence, the right to which was clearly enshrined in Article 51 of the United Nations Charter.<sup>46</sup>

The representative of Guinea replied that Portugal had implicitly recognized its guilt for its acts of aggression. The fact was that Portugal was unwilling to admit the successes of the national army of liberation of Guinea (Bissau), which was now in effective control of a part of that territory. Frustrated by such reversals, Portugal had turned to indiscriminate bombing of the liberated part of the territory and neighbouring countries.

Concerning the release of the Portuguese military personnel claimed to be held in Guinea, the Guinean representative said that if there were such soldiers held by the national liberation movements, it was up to Portugal to enter into a dialogue with those liberation movements over their release.

During the course of the debate, the representatives of Algeria, Hungary, Nepal, Pakistan, the USSR and Zambia, among others, condemned Portugal for acts of aggression against Guinea which they said followed the pattern of active hostility against all the African countries adjoining Portugal's colonial territories of Angola, Mozambique and Guinea (Bissau). Behind the specific complaints, they stated, was Portugal's anachronistic colonial policy and its stubborn refusal to heed numerous United Nations resolutions.

The border clashes between Portuguese territories and the neighbouring African countries resulted inevitably from the activities of national freedom fighters whom all States had not

only a right but a duty to help, they argued. It was stated that the right of self-defence could not be invoked to perpetuate colonialism and to flout the right of self-determination and independence. Several speakers ascribed Portugal's intransigence to the material and moral support it obtained from its North Atlantic Treaty Organization (NATO) partners and from South Africa and Southern Rhodesia.

Syria said that the situation caused by Portugal's perpetuation of colonialism and harassment of independent States in Africa had been declared by the United Nations to be a crime against humanity.

Before India's representative spoke, the Portuguese representative withdrew from the Council Chamber, stating that Portugal recognized no moral right for India to participate in the debate, since in 1961 it had committed premeditated aggression against Goa, an overseas province of Portugal, and had been condemned by the Council.

The representative of India said that he was not ashamed to declare that if colonies could not be liberated through peaceful efforts, then there was no alternative but to drive out the colonial power by force. In the case before the Council, he said, India's position was that the process of bilateral negotiation was not applicable because the United Nations was committed to the elimination of colonial régimes, and Portugal had refused to abide by that principle or to carry out any of the relevant resolutions adopted by the United Nations.

On 19 September, a draft resolution sponsored by Algeria, Nepal, Pakistan, Senegal and Zambia was submitted to the Council. By its operative paragraphs, the Security Council would: (1) deeply deplore the loss of life and heavy damage to several Guinean villages inflicted by the Portuguese military authorities operating from bases in Guinea (Bissau); (2) call upon Portugal to desist forthwith from violating the sovereignty and territorial integrity of the Republic of Guinea; (3) call upon the Portuguese authorities in Guinea (Bissau) immediately to release the Guinean civilian plane which was captured on 26 March 1968, together with the pilots thereon; (4) further call upon the Portuguese authorities in Guinea (Bissau)

<sup>46</sup>See footnote 41.

immediately to release the Guinean motor barge, Patrice Lumumba, which was captured on 27 August 1969, together with the passengers thereon; (5) solemnly warn Portugal that if such acts were to be repeated in future, the Council would have to consider seriously further steps to give effect to this decision.

The Security Council, on 22 December 1969, adopted the text as resolution 275(1969) by a vote of 9 to 0, with 6 abstentions. (For text, see DOCUMENTARY REFERENCES below.)

China, Colombia, France, Spain, the United Kingdom and the United States, which abstained on the draft resolution, all considered that the Council did not have objective and sufficiently complete information on the conflicting allegations. The United Kingdom suggested that in future the Council might consider the possibility of instituting an impartial, on-the-spot investigation of such complaints. China, Colombia and France reiterated their

opposition to colonialism and adherence to the principle of self-determination.

Portugal recorded its reservations concerning the resolution, which it termed patently one-sided and unwarranted by the facts available to the Council.

Guinea stated that the resolution was completely satisfactory. Beyond its condemnations was the re-affirmation of the General Assembly's resolution of 14 December 1960<sup>47</sup> on the granting of independence to colonial countries and peoples, and the permanent conflict arising from Portugal's non-acceptance of that Assembly resolution. Guinea appealed again to Portugal to listen to reason and enter into a dialogue with the freedom fighters. The only wish of the African peoples was for their independence and freedom, Guinea said.

<sup>47</sup>See Y.U.N., 1960, pp. 49-50, text of resolution 1514(XV).

#### DOCUMENTARY REFERENCES

##### COMPLAINTS BY ZAMBIA AGAINST PORTUGAL

SECURITY COUNCIL, meetings 1486-1491.

- S/8993. Letter of 4 February 1969 from Zambia.  
 S/9331. Letter of 15 July 1969 from Zambia (request to convene Council).  
 S/9335. Telegram of 16 July 1969 from Portugal (request to participate in Council's discussions.)  
 S/9340 and Add.1-3. Letter of 18 July 1969 from Algeria, Burundi, Cameroon, Central African Republic, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia (supporting request to convene Council).  
 S/9341, S/9348, S/9350, S/9351. Requests, dated 18, 22 and 23 July 1969, to participate in Council's discussions, from United Republic of Tanzania, Somalia, Kenya and United Arab Republic.  
 S/9355. Letter of 24 July 1969 from Liberia, Madagascar, Sierra Leone and Tunisia (request to participate in Council's discussions).  
 S/9356, S/9357. Letters of 24 July 1969 from Gabon and Democratic Republic of Congo (requests to participate in Council's discussions).  
 S/9360. Algeria, Nepal, Pakistan, Senegal: draft resolution.  
 S/9363. Letter of 28 July 1969 from Zambia (transmitting Manifesto on Southern Africa adopted by

Fifth Summit Conference of East and Central African States, Lusaka, Zambia, 14-16 April 1969).

RESOLUTION 268(1969), as submitted by 4 powers, S/9360, adopted by Council on 28 July 1969, meeting 1491, by 11 votes to 0, with 4 abstentions (France, Spain, United Kingdom, United States).

The Security Council,

Having heard the statements by the parties,  
 Mindful of its responsibility to take effective collective measures for the prevention and removal of threats to international peace and security,

Bearing in mind that all States should refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any manner inconsistent with the purposes of the United Nations,

Concerned about the grave situation created by the Portuguese bombing of Lote village in the Katete District of the Eastern Province of Zambia bordering the Territory of Mozambique,

Gravely concerned that incidents of this nature endanger international peace and security,

1. Strongly censures the Portuguese attacks on Lote village in the Katete District of the Eastern Province of Zambia resulting in the loss of Zambian civilian life and property :

2. Calls upon Portugal to desist forthwith from violating the territorial integrity of, and from carrying out unprovoked raids against, Zambia;

3. Demands the immediate release and repatriation of all civilians from Zambia kidnapped by Portuguese military forces operating in the colonial Territories of Angola and Mozambique;

4. Further demands from Portugal the return of all property unlawfully taken by Portuguese military forces from Zambian territory;
5. Declares that in the event of failure on the part of Portugal to comply with paragraph 2 of the present resolution, the Security Council will meet to consider further measures;
6. Decides to remain seized of the matter.

A/7602. Report of Security Council to General Assembly, 16 July 1968-15 July 1969, part IV, Chapter 10.

#### COMPLAINTS BY SENEGAL AGAINST PORTUGAL

SECURITY COUNCIL, meetings 1516-1520.

- S/9513. Letter of 27 November 1969 from Senegal (request to convene Council).
- S/9519. Telegram of 2 December 1969 from Portugal (request to participate in Council's discussions).
- S/9524 and Add.1. Letter of 2 December 1969 from Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Zambia (supporting request to convene Council).
- S/9525. Letter of 2 December 1969 from Guinea (request to participate in Council's discussions).
- S/9528. Letter of 4 December 1969 from Guinea (request to convene Council).
- S/9529. Letter of 3 December 1969 from Morocco (request to participate in Council's discussions).
- S/9531 and Rev.1. Letter of 4 December 1969 from Liberia, Madagascar, Sierra Leone and Tunisia (request to participate in Council's discussions).
- S/9533-S/9536, S/9538, S/9539. Requests, dated 3 and 5 December 1969, to participate in Council's discussions from Mali, Saudi Arabia, Yemen, Syria, United Arab Republic and Mauritania.
- S/9541. Letter of 7 December 1969 from Senegal (request to convene Council).
- S/9542 and Rev.1. Algeria, Nepal, Pakistan, Zambia: draft resolution and revision.

RESOLUTION 273(1969), as submitted by 4 powers, S/9542/Rev.1, as orally amended by sponsors, adopted by Council on 9 December 1969, meeting 1520, by 13 votes to 0, with 2 abstentions (Spain, United States).

The Security Council,

Taking note of the complaints by Senegal against Portugal contained in documents S/9513 and S/9541, Conscious of its responsibility for taking effective collective measures to forestall and eliminate threats to international peace and security,

Bearing in mind that all States must refrain in

their international relations from recourse to the threat or use of force against the territorial integrity or political independence of any State or in any manner incompatible with the purposes of the United Nations,

Concerned about the serious situation created by the shelling of the village of Samine in the southern region of Senegal from the Bégène base,

Deeply concerned at the fact that incidents of this nature jeopardize international peace and security,

Bearing in mind its resolutions 178(1963) of 24 April 1963 and 204(1965) of 19 May 1965,

1. Strongly condemns the Portuguese authorities for the shelling of the village of Samine, which (1) on 25 November caused one death and seriously wounded eight persons, struck a building of the Senegalese gendarmerie and completely destroyed two houses in the village of Samine, and (2) on 7 December 1969 caused five deaths and seriously wounded one woman;

2. Again calls upon Portugal to desist forthwith from violating the sovereignty and territorial integrity of Senegal;

3. Declares that in the event of failure by Portugal to comply with paragraph 2 of the present resolution, the Security Council will meet to consider other measures;

4. Decides to remain seized of the question.

S/9579. Telegram of 19 December 1969 from German Democratic Republic.

S/9624. Letter of 22 January 1970 from France, United Kingdom and United States.

S/9674. Letter of 2 March 1970 from USSR.

#### COMPLAINTS BY GUINEA AGAINST PORTUGAL

SECURITY COUNCIL, meetings 1522-1526.

S/9468. Letter of 8 October 1969 from Permanent Representative of Organization of African Unity (OAU) to Secretary-General (transmitting text of two resolutions adopted by 6th session of Assembly of African Heads of State and Government, Addis Ababa, Ethiopia, 6-10 September 1969, and resolution adopted at 13th session of OAU Council of Ministers, Addis Ababa, Ethiopia, 27 August-6 September 1969).

S/9525. Letter of 2 December 1969 from Guinea.

S/9528. Letter of 4 December 1969 from Guinea (request to convene Council).

S/9549. Letter of 5 December 1969 from Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia (supporting request to convene Council).

S/9554. Letter of 12 December 1969 from Guinea.

S/9555, S/9561, S/9562. Letters of 13, 16 and 17 December 1969 from Portugal, Syria and Congo (Brazzaville) (requests to participate in Council's discussions).

S/9563. Letter of 17 December 1969 from Liberia, Madagascar, Sierra Leone and Tunisia (request to participate in Council's discussions).

S/9564-S/9568, S/9572, S/9573. Letters of 17-19 December 1969 from Lesotho, Saudi Arabia, Libya, Yemen, India, Mauritius and Bulgaria (requests to participate in Council's discussions).

S/9574. Algeria, Nepal, Pakistan, Senegal, Zambia: draft resolution.

RESOLUTION 275(1969), as submitted by 5 powers S/9574, adopted by Council on 22 December 1969, meeting 1526, by 9 votes (Algeria, Finland, Hungary, Nepal, Pakistan, Paraguay, Senegal, USSR, Zambia) to 0, with 6 abstentions (China, Colombia, France, Spain, United Kingdom, United States).

The Security Council,

Having noted the contents of the letters of the representative of Guinea in documents S/9525, S/9528 and S/9554,

Observing that incidents of this nature jeopardize international peace and security,

Mindful that no State should act in any manner

inconsistent with the principles and purposes of the Charter of the United Nations,

Gravely concerned with any and all such attacks by Portugal directed against independent African States,

Grieved at the extensive damage caused by the Portuguese shelling of Guinean villages from positions in the Territory of Guinea (Bissau),

1. Deeply deplores the loss of life and heavy damage to several Guinean villages inflicted by the Portuguese military authorities operating from bases in Guinea (Bissau);

2. Calls upon Portugal to desist forthwith from violating the sovereignty and territorial integrity of the Republic of Guinea;

3. Calls upon the Portuguese authorities in Guinea (Bissau) to immediately release the Guinean civilian plane which was captured on 26 March 1968 together with the pilots thereon;

4. Further calls upon the Portuguese authorities in Guinea (Bissau) to immediately release the Guinean motor barge, Patrice Lumumba, which was captured on 27 August 1969, together with the passengers thereon;

5. Solemnly warns Portugal that if such acts were to be repeated in future, the Council would have to seriously consider further steps to give effect to this decision.

## RELATIONS BETWEEN EQUATORIAL GUINEA AND SPAIN

In cables to the Secretary-General dated 27 and 28 February 1969, the President of Equatorial Guinea charged that Spain had committed a series of provocative acts in violation of the sovereignty of Equatorial Guinea, including mobilizing and deploying Spanish armed forces stationed in his country, merely because the Spanish diplomatic mission had been asked to reduce its flags to the same number as other accredited embassies. He requested the urgent dispatch of a United Nations peace force.

On 1 March, the Secretary-General replied by cable that the President's request for such peace forces would require the authorization of the Security Council, which would have to be convened for that purpose by the interested party.

The representative of Spain addressed seven letters to the Secretary-General between 28 February and 8 March concerning the situation in Equatorial Guinea. Stating that the flag at the Spanish Consulate at Bata had been forcibly lowered by the Guinean authorities after the Consul had asked them to direct their request for its removal to the Spanish Government, he declared that when the flag was raised again on

25 February, the Consul had taken measures to protect the flag and Spanish nationals. Such measures did not involve the mobilization of forces. The units totalling 260 men stationed since 12 October 1968, in accordance with the Transitory Agreement signed by the two Governments, were now confined to barracks, he said. They had taken no action that was contrary to that Agreement or that would impair the sovereignty of Equatorial Guinea.

Spain had no intention of becoming involved in Equatorial Guinea's domestic problems, he said. Its only concern was with Spaniards residing there, for the Government had stated its inability to guarantee their protection. Once their safety had been guaranteed, Spain was ready to seek any formula satisfactory to Equatorial Guinea.

Spain's letter of 1 March said that the atmosphere of insecurity created by threats had prompted Spanish nationals to seek refuge in Bata, and two ships had been dispatched to evacuate those who so requested.

On 3 March, Spain wrote that it informed the Government of Equatorial Guinea of its intention to withdraw its military forces from

that country as soon as the last Spaniard voluntarily electing to leave had departed, and it noted it expected co-operation from the Government to permit withdrawal within 15 days.

On 6 March, Spain wrote that internal strife between political groups in Equatorial Guinea made the proposed evacuation essential. Recalling that on 1 March Spain had indicated it would be pleased if the Secretary-General designated a personal representative to make an on-the-spot inquiry, the Spanish representative requested the Secretary-General to take measures to facilitate the evacuation, which had not yet been authorized by the Government of Equatorial Guinea.

In cables to the Secretary-General on 2 and 5 March, the President of Equatorial Guinea urged the withdrawal of the Spanish forces and again requested the Secretary-General to dispatch United Nations peace forces. He also informed the Secretary-General of the failure of an attempted coup d'état and his full control of the situation.

The Secretary-General offered on 2 and 5 March to send a personal representative, if the President had no objections, to Equatorial Guinea. In his cable of 5 March, the Secretary-General again stated that the dispatch of United Nations forces required authorization by the Security Council. In the absence of objection, and in view of continued difficulties between Equatorial Guinea and Spain, the Secretary-General informed the President of Equatorial Guinea on 7 March that he had appointed as his representative Marcial Tamayo, who would arrive on 10 March to offer his good offices to help solve the difficulties between those countries and to reduce the consequent tension.

On 8 March, the representative of Spain thanked the Secretary-General for appointing Mr. Tamayo. On 18 March, the President of Equatorial Guinea also thanked the Secretary-General for sending his personal representative, whose presence, he wrote, had been crucial to the conversations bearing on the calm desired in his country.

The Secretary-General's decision to send a representative gave rise to an exchange of letters between the President of the Security Council and the Secretary-General, as well as to a letter from the USSR. In letters of 7 and 10 March,

the President of the Security Council indicated that he had brought to the attention of the members of the Council the content of a consultation that he and the Secretary-General had had with regard to the dispatch to Equatorial Guinea of the Secretary-General's personal representative. He considered their meeting an exchange of information and views connected with the maintenance of international peace and security which, in accordance with the United Nations Charter fell within the competence of the Security Council.

Replying to the Council President, on 7 and 10 March, the Secretary-General indicated that he had told the President of the Security Council, as a matter of information, of his intention to send a representative to Equatorial Guinea, but that his action had not been a consultation in any sense. He added that he had taken similar action several times in the past without prior consultation with the President or members of the Security Council; on those occasions he had only reported without delay to the Council the action taken on his own initiative (as he had been in the process of doing in the present case) and had not intended to establish any precedent of prior consultation.

On 19 March, the USSR transmitted to the Security Council the text of a letter to the Secretary-General in which it stated that it could not refrain from drawing attention to the fact that the Secretary-General had sent Mr. Tamayo to Equatorial Guinea as his personal representative with extensive powers to assist Equatorial Guinea in the solution of its differences with Spain, to help the parties settle their difficulties peacefully, and to lessen tension in Equatorial Guinea. The USSR emphasized that, under the United Nations Charter, decisions on matters connected with action by the United Nations relating to the maintenance of international peace and security were taken by the Security Council, a position of principle that the USSR had stated on previous occasions.

After the arrival of Mr. Tamayo in Equatorial Guinea on 10 March, the Secretary-General submitted a series of reports to the Security Council based on information received from Mr. Tamayo in the course of discussions he had held with the authorities of Equatorial Guinea, the Ambassador and Chargé d'affaires

of Spain, and representatives sent by the Organization of African Unity. Among the matters discussed were the withdrawal of all Spanish armed forces stationed in Equatorial Guinea, the departure of Spanish civilians wishing to leave the country, and guarantees for those wishing to remain.

Communications concerning the withdrawal and having to do with relations between Equatorial Guinea and Spain were submitted to the Secretary-General by Spain on 21 and 22 March.

The Secretary-General reported that representatives of both parties signed a document on 5 April certifying the complete withdrawal of all Spanish armed forces stationed in Equatorial Guinea and the simultaneous departure of all Spanish citizens who had expressed the wish to leave, and indicating that both operations had been carried out in an orderly and peaceful manner through the agency of Mr. Tamayo and members of his mission.

The Secretary-General also advised the Security Council that it had been agreed that the World Health Organization would send a team

of experts to Equatorial Guinea to assess the medical situation, in view of the departure of Spanish doctors, and that the Regional Representative of the United Nations Development Programme would assist in an over-all assessment of the urgent needs of the country. In addition, he reported, the International Committee of the Red Cross had proposed a programme to cope with medical and health problems in Fernando Poo, Equatorial Guinea, and the United Nations High Commissioner for Refugees had sent a mission to discuss problems within its competence, including the situation of Nigerian workers in Equatorial Guinea.

The Secretary-General further reported that his representative had left Equatorial Guinea on 9 April, and members of the mission staff who had remained to wind up the affairs of the mission had left the country on 21 April.

On 8 April, in a letter addressed to the Secretary-General, Spain reaffirmed its willingness to consider any proposals for assistance and collaboration put before it by the Government of Equatorial Guinea.

#### DOCUMENTARY REFERENCES

S/9034 and Add.1. Cables of 27 and 28 February 1969 from Equatorial Guinea.  
 S/9035 and Add.1, S/9036 and Add.1. Letters of 28 February, 1 and 3 March 1969 from Spain.  
 S/9037. Cable of 2 March 1969 from Equatorial Guinea.  
 S/9040. Letter of 4 March 1969 from Spain.  
 S/9046, S/9047. Cables of 5 March 1969 from Equatorial Guinea.  
 S/9049. Letter of 6 March 1969 from Spain.  
 S/9053 and Add.2-12. Reports by Secretary-General, dated between 7 March and 5 May 1969.  
 S/9053/Add.1. Cable of 7 March 1969 from Secretary-General to President of Equatorial Guinea.  
 S/9054. Letter of 7 March 1969 from President of Security Council to Secretary-General.  
 S/9055. Letter of 7 March 1969 from Secretary-General to President of Security Council.  
 S/9056, S/9058. Letters of 8 March 1969 from Spain.

S/9066. Letter of 10 March 1969 from President of Security Council to Secretary-General.  
 S/9067. Letter of 10 March 1969 from Secretary-General to President of Security Council.  
 S/9082. Letter of 14 March 1969 from Spain.  
 S/9101. Letter of 19 March 1969 from USSR.  
 S/9103. Letter of 20 March 1969 from Equatorial Guinea.  
 S/9104. Letter of 21 March 1969 from Spain.  
 S/9105, S/9142. Letters of 22 March and 8 April 1969 from Spain.  
 A/7601. Annual report of Secretary-General on work of the Organization, 16 June 1968-15 June 1969, Chapter III L.  
 A/7601/Add.1. Introduction to annual report of Secretary-General, September 1969, paras. 202-204.  
 A/7602. Report of Security Council to General Assembly, 16 July 1968-15 July 1969, part IV, Chapter 12.

#### MANIFESTO ON SOUTHERN AFRICA

On 20 November 1969, the General Assembly welcomed the Manifesto on Southern Africa adopted by the Heads of State and Government of the Organization of African Unity (OAU) in September 1969. (The document had been drawn up earlier by the leaders of East and

Central African States at Lusaka, Zambia, on 16 April 1969, and was frequently referred to as the Lusaka Manifesto.)

The Assembly also expressed the firm intention of the United Nations, acting in co-operation with OAU, to intensify its efforts to find a

solution to the grave situation in southern Africa. It took these actions with the adoption of resolution 2505 (XXIV).

The matter came before the Assembly at the request of the following 39 Members: Algeria, Botswana, Burundi, Cameroon, the Central African Republic, Chad, the Congo (Brazzaville), the Democratic Republic of the Congo, Dahomey, Equatorial Guinea, Ethiopia, Gambia, Ghana, Guinea, the Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta and Zambia. These Members proposed inclusion in the agenda of an item entitled: "Co-operation between the United Nations and the Organization of African Unity: Manifesto on Southern Africa."

In an explanatory memorandum accompanying their letter of request of 16 October 1969, these Members pointed out that the Manifesto had been adopted by the Assembly of the Heads of State and Government of OAU at Addis Ababa, Ethiopia, and that the OAU Assembly had requested that the Manifesto be submitted to the General Assembly of the United Nations.

The African States, they noted, considered the Manifesto to be an authoritative expression of their collective views and policies with regard to the colonial questions in southern Africa and of their expectations in terms of commitment for action from the United Nations and its Members. They requested the General Assembly to consider the Manifesto and take due note of it.

The text of the Manifesto was later circulated to Assembly Members.

The Manifesto stressed that all men were equal, and had equal rights to human dignity and respect, regardless of colour, race, religion or sex. The African States, it was noted, did not accept that any one group within a society had the right to rule without the continuing consent of all the citizens.

Acknowledging that within their own States the struggle towards human brotherhood and unchallenged human dignity was only beginning, those issuing the Manifesto stated that it was on the basis of their commitment to human

equality and dignity, not on the basis of achieved perfection, that they took their stand of hostility towards the colonialism and racial discrimination that was being practised in southern Africa. If such a commitment to these principles existed among the States holding power in southern Africa, they added, they would not be justified in expressing such hostility towards the régimes of southern Africa. The truth was, however, that in Angola, Mozambique, Namibia, Rhodesia and South Africa, there was an open and continued denial of the principles of human equality and national self-determination.

Their stand towards southern Africa thus involved a rejection of racialism, not a reversal of the existing racial domination. They were demanding an opportunity for all the people of these States to work out for themselves the institutions and the system of government under which they would live and work together.

The liberation of Africa thus referred to two things, they said. First, that peoples still under colonial rule should be free to determine their own institutions of self-government. And, second, that individuals in southern Africa should be freed from an environment poisoned by the propaganda of racialism and given an opportunity to be men, not white men, brown men, yellow men or black men.

Thus, the liberation of Africa for which the African States were struggling was not reverse racialism. Nor was it African imperialism. There was no question of these African States seeking or accepting any alterations to their own boundaries at the expense of future free African nations.

The African States could neither surrender nor compromise on the objective of liberation. They would prefer to achieve liberation without physical violence, to negotiate rather than destroy. They did not advocate violence, but an end to violence against human dignity. If peaceful progress to emancipation were possible or were to become possible, they would urge the resistance movements to use peaceful methods of struggle even at the cost of some compromise on the timing of change. But while peaceful progress, was blocked they would give all the support of which they were capable to the struggle against the oppressors. The obstacles to change were not the same in all countries, how-

ever, and it followed that the possibility of continuing the struggle through peaceful means varied from one country to another. Nor did the African signatories advocate violence; they would urge those in resistance movements to use peaceful methods of struggle.

The Manifesto further stated that in Angola and Mozambique, and in so-called Portuguese Guinea, the basic problem was not racialism but a pretence that Portugal existed in Africa. The only thing that could convert a part of Africa into a constituent unit in a union that also included a European State would be the freely expressed will of the people of that part of Africa. There was no such popular will in the Portuguese colonies. On the contrary, the peoples of all three territories had taken up arms against the colonial power.

The peoples of Angola, Mozambique and Portuguese Guinea were demanding an acceptance of the principles of independence on the basis of majority rule, the Manifesto stated. Only when their demands for discussions on this issue were continually ignored had they begun to fight. Even now, the Manifesto went on to state, if Portugal should change her policy and accept the principle of self-determination, the African States would urge the liberation movements to desist from their armed struggle and to co-operate in the mechanics of a peaceful transfer of power.

In Rhodesia, as the Manifesto described the territory, the situation was different, in so far as the metropolitan power had acknowledged the colonial status of the territory. Great Britain, however, had failed to take adequate measures to reassert its authority against the minority that had seized power with the declared intention of maintaining white domination, the Manifesto stated. The question which remained in Rhodesia was whether Great Britain would reassert her authority in Rhodesia and then negotiate the peaceful progress to majority rule before independence.

In so far as Britain was willing to make this second commitment. Africa would co-operate in her attempts to reassert her authority, the Manifesto continued. Until there was some firm evidence that Britain accepted the principles of independence on the basis of majority rule and was prepared to take the necessary steps to make

it a reality, however, Africa had no choice but to support the struggle for the freedom of the peoples of Rhodesia by whatever means were open.

The Manifesto went on to say that a settlement of the problem in Namibia with a minimum of violence was a United Nations responsibility. By every canon of international law and by every precedent, Namibia should now have been a sovereign, independent State with a government based on majority rule. Yet, since the time of the General Assembly's decision that the territory was the direct responsibility of the United Nations, no effective measures had been taken to enforce practical means by which the people there would be enabled to exercise self-determination and to achieve independence. Namibia remained in the clutches of the most ruthless minority Government in Africa.

The world had an obligation to use its strength to enforce the decision which all countries had co-operated in making. If it did so, there was hope that the change could be effected without great violence. If it failed to do so, then sooner or later the people of Namibia would take the law into their own hands. Africa would then be unable to deny their call for help.

As for South Africa, the Manifesto stated, it was an independent, sovereign State; on every legal basis its internal affairs were a matter exclusively for the people of South Africa. Yet, the purpose of law was people and the African States asserted that the actions of the South African Government were such that the rest of the world had a responsibility to take some action in defence of humanity.

The apartheid policy adopted by the South African Government, and supported to some extent by almost all its white citizens, was based on a rejection of man's humanity. The South African system of government was maintained by a ruthless denial of the human rights of the majority of the population and thus, inevitably, of all.

These things were known and condemned in the United Nations and elsewhere. But it appeared that for many countries international law took precedence over humanity; therefore no action followed the words. Yet even if international law was held to exclude active assistance to the South African opponents of apart-

held, it did not demand that the comfort and support of human and commercial intercourse should be given to a Government which rejected the manhood of most of humanity. South Africa should be excluded from the United Nations agencies and even from the United Nations itself, the Manifesto stated. It should be ostracized by the world community and isolated from world trade patterns. Africa could not acquiesce in the maintenance of the present policies against people of African descent.

The signatories of the Manifesto reaffirmed their commitment to the principles of human equality and human dignity and to the doctrines of self-determination and non-racialism. They declared they would work for the extension of those principles and doctrines within their own nations and throughout the continent of Africa.

#### CONSIDERATION BY GENERAL ASSEMBLY

On 20 November 1969, the General Assembly adopted a resolution whereby it: (1) welcomed the Manifesto on Southern Africa and recommended it to the attention of all States and all peoples; and (2) expressed once again the firm intention of the United Nations, acting in co-operation with the Organization of African Unity, to intensify its efforts to find a solution to the grave situation in southern Africa. In the preambular paragraphs of the resolution, the Assembly stated, *inter alia*, its conviction of the need for intensifying international efforts for the elimination of apartheid, racial discrimination and colonialism, and recalled its resolution of 11 October 1965<sup>48</sup> on co-operation between the United Nations and OAU.

The text to this effect was adopted as resolution 2505(XXIV) by a roll-call vote of 113 to 2, with 2 abstentions. (For text, see DOCUMENTARY REFERENCES below. )

The resolution was adopted on the proposal of the following 48 members: Barbados, Burundi, Cambodia, Cameroon, the Central African Republic, Chad, the Congo (Brazzaville), the Democratic Republic of the Congo, Dahomey, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, India, the Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, So-

malia, Southern Yemen, Sudan, Swaziland, Togo, Trinidad and Tobago, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta, Yemen and Zambia.

An amendment was proposed by Malaysia and subsequently withdrawn. It would have added to the end of the second operative paragraph (expressing the intention of the United Nations to find a solution to the grave situation in southern Africa) the phrase "in the spirit of the Manifesto on Southern Africa."

In the course of the Assembly discussions on the resolution concerning the Manifesto on Southern Africa, many Members endorsed the spirit of the Manifesto and expressed agreement with its principles. Among them were Austria, Cameroon, Cyprus, Finland, Ghana, Greece, India, Malaysia, Mexico, Niger, Sweden, Uganda and Zambia.

Presenting the draft resolution, the representatives of Cameroon, Kenya and Somalia emphasized the importance of the Manifesto and its objectives and main features.

The representative of Kenya pointed out that the Manifesto carried three basic messages: first, that the independent African countries were striving to develop non-racial societies; second, that the African countries would try to seek peaceful solutions to the undemocratic practices of apartheid, racial discrimination and colonialism; third, that should peaceful means prove impossible for the oppressed peoples of southern Africa, the African States reserved their right to support other means of settling the problems.

The representative of Somalia noted, among other things, that the Manifesto clearly stated a preference for bringing about change by peaceful rather than violent means.

Many participants in the discussion regarded the Manifesto as an important historic document and welcomed its objectives and goals.

Some representatives, while agreeing with the ideals enunciated in the Manifesto, differed with some of its terms.

The representative of the United States said his Government did not approve of the use of force either to advance or to obstruct the cause of justice in southern Africa.

<sup>48</sup>See Y.U.N., 1965, p. 139, text of resolution 2011(XX).

The representative of France agreed that one might regret that the signatories of the Manifesto had accepted a priori the final resort to violence and the possible subsequent interference of OAU in the internal affairs of States. In his view, peace should above all be the result of an untiring effort along the lines of dialogue and understanding.

The United Kingdom spokesman, noting that the Manifesto mentioned violence, said that acceptance of the resolution would not imply agreement with every view expressed in the Manifesto.

Similar reservations to the terms of the Manifesto were expressed by Australia, Botswana, Canada, Italy, Japan, the Netherlands, Spain and Uruguay.

The Romanian representative said that one of the most important steps that should be taken to expedite the final destruction of colonialism would be to support and help the national liberation movements.

Citing cases of former colonies that had attained independence, the representative of the USSR said that in many instances peaceful processes had proved utterly inadequate. He charged that imperialist powers were stubbornly protecting the vestiges of colonialist régimes in southern Africa. The USSR, he said, believed that in order to eradicate those régimes specific and effective action was needed, not talks and persuasion. Real assistance should be given to the liberation movements.

Speaking in explanation of a negative vote on the resolution, the representative of South Africa recorded his Government's position that

both the resolution and the Manifesto referred, inter alia, to South Africa's internal policies and that no organization had the right to involve itself in matters that fell within South Africa's domestic jurisdiction. He added that there was much in the Manifesto with which his Government agreed, but that there was also much that was based on misconceptions.

He rejected as unfounded and unsubstantiated the assertion contained in the resolution that there was a grave situation prevailing in southern Africa. In the light of the Manifesto's misconceptions concerning South Africa, as well as the objectionable proposals and objectives stipulated in it and in the resolution, in so far as they related to South Africa, his Government had no alternative but to vote against the resolution.

Also explaining a negative vote on the resolution, the representative of Portugal expressed serious reservations about some essential parts of the Manifesto, though his Government agreed entirely with the principles of equal human dignity set out in the earlier part of the document. He could not accept any insinuation to the effect that Portugal's presence in its territories in Africa could be in any way a disturbance to peace and security in that continent. Furthermore, his Government was unable to accept any resolution that entrusted to OAU any tasks connected with the Portuguese territories, since that organization had been so avowedly hostile to Portugal as to have set up a committee to encourage and aid violence against such territories.

#### DOCUMENTARY REFERENCES

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General Committee, meeting 184.

Plenary Meetings 1780, 1791, 1814, 1815.

A/7657 and Add.1,2. Letter of 16 October 1969 from Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Equatorial Guinea, Ethiopia, Gambia, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Zambia: request for inclusion in agenda of item entitled: "Co-operation between

the United Nations and the Organization of African Unity: Manifesto on Southern Africa."

A/7700/Add.3. Fourth report of General Committee.

A/7754. Letter of 7 November 1969 from Kenya (transmitting Manifesto on Southern Africa, adopted by Assembly of Heads of State and Government of OAU at its 6th ordinary session, Addis Ababa, Ethiopia, 6-9 September 1969).

A/L.575 and Corr.1 and Add.1. Barbados, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, India, Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Pakistan,

Rwanda, Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Swaziland, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Zambia: draft resolution.

A/L.577. Malaysia: amendment to 48-power draft resolution, A/L.575.

RESOLUTION 2505 (xxiv), as proposed by 48 powers, A/L.575, adopted by Assembly on 20 November 1969, meeting 1815, by roll-call vote of 113 to 2, with 2 abstentions, as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Democratic Republic of Congo, Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, Equatorial Guinea, Ethiopia, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Spain, Sudan, Swaziland, Sweden, Syria, Thailand, Togo,

Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Kingdom, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Portugal, South Africa.

Abstaining: Cuba, Malawi.

The General Assembly,

Having received the Manifesto on Southern Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its sixth ordinary session, held at Addis Ababa from 6 to 9 September 1969,

Convinced of the need for intensifying international efforts for the elimination of apartheid, racial discrimination and colonialism in order that peace and security in southern Africa may be assured,

Recalling its resolution 2011 (XX) of 11 October 1965 on co-operation between the United Nations and the Organization of African Unity,

1. Welcomes the Manifesto on Southern Africa and recommends it to the attention of all States and all peoples;

2. Expresses once again the firm intention of the United Nations, acting in co-operation with the Organization of African Unity, to intensify its efforts to find a solution to the present grave situation in southern Africa.

#### OTHER DOCUMENTS

A/9363. Letter of 28 July 1969 from Zambia (transmitting Lusaka Manifesto to Security Council).

### THE SITUATION IN NIGERIA

In the introduction (submitted on 15 September 1969) to his annual report to the General Assembly on the work of the Organization, for the period 16 June 1968-15 June 1969, the Secretary-General stated he was deeply distressed that the tragic conflict in Nigeria was continuing.

The activities of the United Nations with regard to the conflict had been of an exclusively humanitarian nature, the Secretary-General stated, and it should be possible, notwithstanding all the political and other difficulties, for the humanitarian activities of the United Nations to continue and for the flow of supplies to the stricken areas to be maintained.

For the purpose of co-ordinating efforts and thus undertaking the most effective action, he added, a number of organizations, both governmental and private, had agreed in 1968 that all the humanitarian aid to the victims of the Nigerian conflict would be channelled through the International Committee of the Red Cross.

This arrangement included the relief activities of the United Nations, mainly those of the United Nations Children's Fund (UNICEF). The Secretary-General hoped that larger shipments of relief supplies would be made available, and that persons in positions of responsibility and authority would facilitate the movement of these supplies.

In April 1969, the Secretary-General had announced the appointment of Said-Uddin Khan to succeed Nils-Göran Gussing as his Representative to Nigeria on Humanitarian Activities. Mr. Gussing had arrived in Nigeria in August 1968 as the Secretary-General's Representative to assist in the relief and humanitarian activities for the civilian victims of the hostilities; in September 1968, following a request from the Federal Government of Nigeria for the appointment of an observer to visit the war-affected areas in Nigeria, the Secretary-General had designated Mr. Gussing for this purpose as well. During

1968 and 1969, the Representatives submitted interim reports on their activities; the reports were issued in the form of press releases.

As for the political side of the question, the Secretary-General stated in the introduction to his annual report that the right course was to leave the political aspects of the Nigerian problem to the Organization of African Unity (OAU) for solution. He hoped that the statesmanlike and imaginative initiatives taken by OAU would be followed by wise and conciliatory

action by both parties so that a just and fair settlement of the issues that had occasioned that tragic conflict might be achieved by peaceful means.

During the general debate in the opening phases of the General Assembly's twenty-fourth session—at various meetings held between 19 September and 8 October 1969—several representatives expressed concern about the situation and hoped that a peaceful solution could be found.

DOCUMENTARY REFERENCES

A/7601/Add.1. Introduction to annual report of Secretary-General on work of the Organization, September 1969, para. 205. [See also verbatim records of following plenary meetings of 24th session of General Assembly: 1756, 1757, 1759, 1760, 1762-1765, 1767-1774, 1777, 1779-1784.]