

CHAPTER VI

QUESTIONS RELATING TO AFRICA

MATTERS CONCERNING SOUTH AFRICA'S APARTHEID POLICIES

During 1967, the South African Government's apartheid policies were examined by the General Assembly's Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa and by the General Assembly itself. An International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa was held at Kitwe, Republic of Zambia, from 25 July to 4 August 1967 and its report came before the General Assembly during the discussions on apartheid at the Assembly's twenty-second session, which opened on 19 September 1967. (For further details, see pp. 83-84 and pp. 119-23.)

The Assembly's Special Committee on Apartheid, reporting in 1967 to the General Assembly's twenty-second session and to the Security Council, emphasized the gravity of the current situation in South Africa and the potential threats arising therefrom to peace all over southern Africa. The Special Committee considered it imperative that the Security Council resume examination of the question without further delay. It also reaffirmed its conviction that universally applied economic sanctions under Chapter VII of the United Nations Charter¹ were

¹For text of Chapter VII of the Charter, see APPENDIX II.

the only effective means by which the international community could solve the problem of apartheid. (For further details, see below.)

The General Assembly considered these reports together with reports by the Secretary-General on the United Nations Trust Fund for South Africa and on his consultations with the International Bank for Reconstruction and Development concerning loans by the Bank to South Africa.

On 13 December 1967, the General Assembly adopted a resolution whereby, among other things, it again condemned apartheid as a crime against humanity and reaffirmed its recognition of the legitimacy of the struggle of the people of South Africa for human rights and fundamental freedoms for all the people of South Africa irrespective of race, colour or creed. The Assembly restated its conviction that the situation in South Africa continued to pose a threat to international peace and security, that action under Chapter VII of the United Nations Charter was essential in order to solve the problem of apartheid and that universally applied mandatory economic sanctions were the only means of achieving a peaceful solution. The Assembly once again drew the attention of the Security Council to the grave situation in South Africa and in southern Africa as a whole and requested the Council to resume consideration of the question so as to ensure full compliance with past Council resolutions as well as to adopt

more effective measures that would end the policies of apartheid of the South African Government.

The Assembly condemned the actions of those States—particularly the main trading partners of South Africa—and the activities of foreign financial and other interests all of which, through their political, economic and military collaboration with South Africa, were encouraging it to persist in its racial policies.

The Assembly also asked all States—particularly South Africa's main trading partners—to comply fully with Security Council resolutions on this question and appealed to all States to take urgent steps towards disengagement from South Africa. It also invited all States to encourage the establishment of national organizations for enlightening public opinion on the evils of apartheid, and requested them to observe 21 March 1968—the International Day for the Elimination of Racial Discrimination—with appropriate solemnity, in solidarity with the oppressed peoples of Africa. (For further details, see pp. 91-92.)

Concern was also expressed by the United Nations Commission on Human Rights, by the Economic and Social Council and by the General Assembly over the apartheid policies of the South African Government in various resolutions dealing with different aspects of human rights questions. (For further information, see pp. 84-85 and p. 93.)

Political and Related Developments

REPORT OF ASSEMBLY'S 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 Security Council and the General Assembly on 18 October 1967. The Committee reviewed its work during 1966-67 as well as new developments in South Africa, and it also presented conclusions and recommendations thereon.

Reaffirming its full endorsement of previous proposals for an international campaign against apartheid under the auspices of the United Nations, the Special Committee submitted a number of recommendations. It emphasized the

need for urgent action by the United Nations Security Council in view of the greatly increased prospect of violent conflict in South Africa and neighbouring territories. It urged the Security Council to reaffirm its previous resolutions on the question and to call upon the Government of the Republic of South Africa to comply fully with them. The Special Committee further recommended to the Security Council that it adopt firm measures to ensure the full effectiveness of the arms embargo against South Africa.

The Special Committee reiterated its conviction that it was only through the imposition of mandatory and universally applied economic sanctions that the problem of apartheid in South

Africa could be peacefully resolved; it expressed the hope that the main trading partners of South Africa would support such action.

Further, the Committee recommended that the General Assembly should reiterate its recognition of the legitimacy of the struggle of the people of South Africa for rights recognized in the United Nations Charter and in the Universal Declaration of Human Rights (adopted on 10 December 1948²) and that it should urge all States and organizations to provide moral, political and material assistance to the legitimate struggle of the oppressed people of South Africa for these rights. Other recommendations by the Special Committee were that the General Assembly should warn the South African Government that any action taken against other States for their support of the legitimate struggle against apartheid would not be tolerated by the international community and that the General Assembly should request all States to deny assistance and co-operation to the South African Government in its efforts to suppress that legitimate struggle.

The Special Committee also recommended that the situation in South Africa should be considered in the context of the explosive situation in the whole of southern Africa, and it expressed hope that the General Assembly would give serious consideration to the recommendations adopted at the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, held at Kitwe, Zambia, from 25 July to 4 August 1967, including a recommendation for an international conference on southern Africa to review the totality of international efforts against apartheid with a view to better co-ordination and more effective action. (See below for further details about the Seminar.)

INTERNATIONAL SEMINAR ON
APARTHEID, RACIAL
DISCRIMINATION AND COLONIALISM
IN SOUTHERN AFRICA

A number of recommendations on methods to meet problems of apartheid were approved at the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, which was held in Kitwe, Zambia, from 25 July to 4 August in accordance with a Gen-

eral Assembly resolution of 16 December 1966.³ (For details, see pp. 121-22.)

In a declaration and 23 conclusions and recommendations approved at the seminar (subject to reservations by participants from some countries (for details, see p. 120)), the participants, inter alia, condemned the policies of apartheid pursued by the Government of the Republic of South Africa and, asserting that apartheid constituted a threat to international peace and security, urged the Security Council to give the problem the early consideration it deserved. Stressing that the United Nations and its Member States had a vital interest in combating apartheid, they stated that the authority of the United Nations would be greatly impaired if it failed to meet this challenge.

The participants considered that it was essential for the United Nations Security Council to take enforcement action against South Africa under Chapter VII of the United Nations Charter⁴ since all appeals and efforts at persuasion had failed to make it abandon its policies.

In condemning the activities of those foreign economic, financial and other interests supporting the regimes in the southern African territories under racist and colonial domination, the participants recommended that Governments take measures to end such activities and also that the Secretary-General set up an expert group to study the interlocking military and economic patterns in South Africa.

By other recommendations, the Seminar called for the launching of an international campaign of information on the real situation in South Africa and on the purposes of the United Nations and urged the convening of a working party to consider the best ways of promoting a world-wide information campaign to these ends.

It was also recommended that special prominence be given in the plans and programmes for the International Human Rights Year, 1968, to apartheid problems and to the plight of political prisoners and other victims of apart-

² See Y.U.N., 1948, pp. 535-37, for text of Declaration.

³ See Y.U.N., 1966, p. 90, text of resolution 2202 A (XXI), operative paragraph 6 (a).

⁴ For text of Chapter VII of the Charter, see APPENDIX II.

heid and racial discrimination, and to the application of United Nations decisions and resolutions relating to such problems. The Seminar recommended that the United Nations should intensify the campaign for the release of political prisoners in South Africa, South West Africa, Southern Rhodesia, Angola and Mozambique and that the investigations into the condition of political prisoners, in South Africa, be extended to cover the above territories as well.

Also approved were recommendations encouraging (a) the International Defence and Aid Fund, (b) the World Campaign for the Release of South African Political Prisoners and (c) the United Nations Trust Fund for South Africa to extend their activities to other areas in southern Africa where there were victims of apartheid, racial discrimination and colonialism.

DECISIONS OF HUMAN RIGHTS COMMISSION AND ECONOMIC AND SOCIAL COUNCIL

Various decisions taken by the Commission on Human Rights and by the Economic and Social Council in 1967 contained clauses referring to the policies of apartheid of the Government of South Africa and the situation resulting therefrom.

INVESTIGATION OF TREATMENT OF PRISONERS IN SOUTH AFRICA

At its twenty-third session (20 February-23 March 1967), the United Nations Commission on Human Rights considered a communication of 3 February 1967, from the Acting Chairman of the General Assembly's Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa, drawing its urgent attention to the continuing ill-treatment of prisoners, detainees and persons in police custody in South Africa. On 6 March 1967, the Commission adopted a resolution whereby, among other things, it decided to establish an ad hoc working group of experts to be composed of eminent jurists and prison officials appointed by the Chairman of the Commission. This group was to: (a) investigate the charges of torture and ill-treatment of prisoners, detainees or persons in police custody in South Africa; (b) receive communications and hear witnesses and use such modalities of procedure

as it might deem appropriate; (c) recommend action to be taken in concrete cases; and (d) report to the Commission on Human Rights at the earliest possible time. The Commission called upon the Government of South Africa to co-operate with the Ad Hoc Working Group of Experts, providing it with the necessary facilities for the discharge of its task within South Africa. It also recommended that the Secretary-General, in consultation with Member States, arrange to provide facilities whereby registers for the receipt of contributions from all sources, private and public, for the victims of the policies of apartheid and racism in South Africa might be opened in each country.

On 6 June 1967, the Economic and Social Council adopted a resolution (1236 (XLII)) whereby it welcomed the Commission's decisions and condemned the Government of South Africa for refusing to co-operate with the United Nations in expediting the work of the Ad Hoc Working Group of Experts established under the resolution. (For additional details and text of resolution 1236(XLII), see pp. 510-11, 513.)

ACTION TO COMBAT Apartheid AND RACIAL DISCRIMINATION

On 16 March 1967, the Commission on Human Rights adopted a resolution dealing with action effectively to combat racial discrimination and the policies of apartheid and segregation. It decided thereby to appoint a special rapporteur who was charged with the following tasks: (a) to survey past United Nations actions to eliminate the policies and practices of apartheid in all its forms and manifestations; and (b) to study the legislation and practices in South Africa, South West Africa and Southern Rhodesia, instituted to establish and maintain apartheid and racial discrimination in all their forms and manifestations in South Africa, in Southern Rhodesia and in South West Africa (which, as the General Assembly resolved on 27 October 1966,⁵ had international status until it achieved independence and was under the direct responsibility of the United Nations, South Africa not having any right to administer it).

⁵ See Y.U.N., 1966, pp. 605-606, text of resolution 2145(XXI), operative paragraphs 2,3,4 and 5.

The legislation and practices to be studied included those dealing with such matters as forced labour, inequality of opportunity in the economic, social and educational fields, arrest, detention and treatment of prisoners, and the right to counsel and a fair trial. The Special Rapporteur, in addition, was to report and make recommendations to the Commission in 1968 on the appropriate measures which might be taken by the General Assembly effectively to combat racial discrimination and the policies of apartheid and segregation. The Commission also decided to give the highest priority at its 1968 session to the report of the Special Rapporteur, so that resulting recommendations might be taken up at the International Conference on Human Rights, scheduled for June 1968 in Teheran, Iran. (For further details, see p. 509.)

DECISION OF COMMISSION ON
ANNUAL CONSIDERATION OF
Apartheid AND RACIAL DISCRIMINATION

By another resolution adopted on 16 March 1967, the Human Rights Commission decided to give annual consideration to the question of violations 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. It also requested the Economic and Social Council to authorize the Commission and its Sub-Commission on the Prevention of Discrimination and Protection of Minorities to examine information relevant to gross violations of human rights and fundamental freedoms, such as apartheid in all its forms and manifestations, contained in the communications concerning human rights received by the Secretary-General and submitted to the Economic and Social Council.

Subsequently, on 6 June 1967, the Economic and Social Council adopted a resolution (1235 (XLII)) authorizing the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine information—contained in the communications concerning human rights submitted by the Secretary-General to the Council—relevant to gross violations of human rights

and fundamental freedoms, as exemplified by the policy of apartheid as practised in South Africa and in the territory of South West Africa under the direct responsibility of the United Nations and now illegally occupied by the Government of South Africa, and relevant to racial discrimination as practised notably in Southern Rhodesia.

The Economic and Social Council also decided that the Commission on Human Rights might, in appropriate cases, make a thorough study of situations which revealed a consistent pattern of violations of human rights, as exemplified by the policy of apartheid as practised in South Africa and in the territory of South West Africa under the direct responsibility of the United Nations and now illegally occupied by the Government of South Africa, and of racial discrimination as practised notably in Southern Rhodesia, and make recommendations thereon to the Economic and Social Council.

(For text of resolution 1235(XLII). see page 512.)

PROPOSALS REGARDING SLAVERY-LIKE
PRACTICE OF Apartheid

By another decision, taken on 21 March 1967, the Human Rights Commission condemned slavery and the slave trade in all their practices and manifestations, including the slavery-like practices and aspects of apartheid and colonialism, and asked the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake regular consideration of the question.

On 6 June 1967, the Economic and Social Council, affirming that the racist policies of apartheid and colonialism constituted slavery-like practices and should be eradicated completely and immediately, inter alia, called upon the Government of South Africa to put an end immediately to the slavery-like practice of apartheid in South Africa and also in the territory of South West Africa under the direct responsibility of the United Nations and now illegally occupied by the Government of South Africa. The Council's decisions were embodied in resolution 1232(XLII). For text of resolution, see page 540.)

REPORT OF SECRETARY-GENERAL
ON CONSULTATIONS
WITH THE INTERNATIONAL BANK

As directed by the General Assembly on 16 December 1966,⁶ the Secretary-General held consultations in 1967 with the International Bank for Reconstruction and Development for the purpose of obtaining the Bank's compliance with those provisions of General Assembly resolutions calling for the withholding of assistance of any kind to the Government of South Africa until it had renounced its policies of apartheid. A report on these consultations was submitted to the General Assembly on 15 September 1967 by the Secretary-General, stating that a written exchange of views had taken place.

In a memorandum attached to the report of the Secretary-General, the Secretariat of the United Nations noted that from communications received from the General Counsel of the Bank as well as from his statements to the Assembly's Fourth Committee in 1966, there appeared to be two principal reasons advanced by the Bank for its failure to give effect to relevant recommendations of the General Assembly. The first of the reasons related to the requirement of "prior consultation" before either organization made formal recommendations to the other, under article IV of the Agreement bringing the Bank into relationship with the United Nations, which was concluded pursuant to Articles 57 and 63 of the Charter of the United Nations,⁷ and which came into force on 15 November 1947. The second reason was based upon the Bank's interpretation of its own Articles of Agreement, which came into force on 27 December 1945, in particular section 10 of article IV thereof, by the terms of which political activities by the Bank and its officers are prohibited.

The United Nations Secretariat indicated how its interpretation of the relevant articles of the relationship Agreement between the United Nations and the Bank differed from that offered by the General Counsel of the Bank and expressed the view that it seemed hardly likely that the Bank would wish to ignore entirely the virtually unanimous condemnation by the international community, expressed through the United Nations as the organ having primary responsibility in this field, of the international

conduct of Portugal and South Africa. The international institutions created after the Second World War, the Secretariat noted, had been intended to work in harmony in the maintenance of international peace and security and not in conflict.

In another annex to the report, embodying a memorandum written in reply to that of the United Nations Secretariat, the Legal Department of the International Bank stated that, while the views expressed in the United Nations Secretariat memorandum on the nature and timing of the consultation which must precede formal recommendations addressed by one organization to the other could not be accepted without a number of reservations, the issue did not appear to have practical importance. The Secretary-General of the United Nations and the President of the Bank having agreed to enter into consultation on the substance of the resolutions, the Bank's memorandum would deal only with the second principal issue discussed in the Secretariat memorandum, which related to the interpretation of Article IV, Section 10, of the Bank's Articles of Agreement by the terms of which political activities by the Bank and its officers are prohibited.

Recalling that the United Nations Secretariat had argued that the real intent and meaning of the term "political," as it was used in the context of Section 10, was "to prohibit interference in the internal political affairs of a member State and discrimination against any member country because of the political character of its government," the memorandum from the Bank's Legal Department pointed out there: was no justification for imparting to the term "political" as the Secretariat did, the qualification "internal." The prohibition against interference "in the political affairs of any member" was not limited to interference in a member's internal political affairs but extended as well to the relations of a member with other States, i.e., its external political affairs. Just as the Bank was precluded, in making decisions on loans or guarantees, from interfering in the domestic political activities of a member Gov-

⁶ See Y.U.N., 1966, pp. 89-91, text of resolution 2202 A (XXI).

⁷ For text of Articles 57 and 63 of the Charter, see APPENDIX II.

eminent, so it was precluded from interfering or attempting to interfere with the foreign policy of that Government. The adjective "political" as used in Section 10, referred not only to those matters which related to "politics" in the narrow meaning of the word, but to all matters which pertained to the constitution of an organized society and the manner in which it managed its affairs. In this sense, the relevant resolutions of the General Assembly indeed dealt with the political affairs of the Governments of Portugal and South Africa, and the conduct of the Portuguese and South African Governments condemned in those resolutions had been, in fact, their political conduct. The policies and the conduct which had been condemned by the General Assembly constituted an essential element of the "political character" of those States. The Bank, the Legal Department of the Bank added, might and did take into consideration—and was influenced in lending decisions by—the economic effects stemming from the political character of a member and from the censures and condemnations of that member by the United Nations. However, by virtue of Article IV, Section 10, of its Articles of Agreement, the Bank, in exercising its judgment, must consider such economic factors in the light of the purposes of the organization. What it was precluded from considering was the political character of a member as an independent criterion for decision.

The Bank's Legal Department also recalled that article I, paragraph 2 of the relationship Agreement provided, *inter alia*, that by reason of the nature of its international responsibilities and the terms of its Articles of Agreement, the Bank was required to function as an independent international organization and that Article IV, paragraph 3, provided that the United Nations recognized that the action to be taken by the Bank on any loan was a matter to be determined by the independent exercise of the Bank's own judgment in accordance with the Bank's Articles of Agreement.

The Bank's Legal Department concluded its memorandum by stating that, in entering into a relationship agreement with the United Nations within the terms of its Articles of Agreement, the Bank had not and could not have modified its character as a technical and finan-

cial organization which had been specifically enjoined by its member Governments from playing any political role. It should be noted, it added, that the Agreement between the United Nations and the Bank had been intended to describe the legal rights and obligations of the two organizations arising from the relationship between them and therefore tended to emphasize the outside limits of their co-operation rather than the actual contents thereof. In fact, this co-operation had been intensive, had covered a wide range of matters of common concern and, in the Bank's opinion at least, had been highly beneficial for the countries which were members of the two organizations. In practice, cases in which the Bank could not respond affirmatively to a request or appeal of a United Nations organ were rare; the case of the resolutions of the General Assembly under consideration was one of them, for the General Assembly's request was concerned with matters which had been deliberately kept outside the scope of the Bank's function and responsibilities by the signatories of its Articles of Agreement.

The Secretary-General also attached to his report a letter dated 18 August 1967, addressed to the Secretary-General by the President of the International Bank, in which the latter gave the assurance that the Bank was keenly aware and proud of being part of the United Nations family and that its earnest desire was to co-operate with the United Nations by all legitimate means and, to the extent consistent with its Articles of Agreement, to avoid any action that might run counter to the fulfilment of the great purposes of the United Nations. The President of the Bank concluded his letter by stating that the assurance was given in the hope that it might help dissipate any misunderstanding of the Bank's attitude.

In his reply, dated 23 August 1967, also attached to the report, the Secretary-General, *inter alia*, welcomed the Bank's desire to clarify its attitude, adding that the United Nations relied on the co-operation and support of all organizations which were members of the United Nations family.

Concluding his report to the General Assembly, the Secretary-General said that he felt that the discussion with the Bank had clarified the respective legal positions of the United Nations

and the Bank, and that he hoped the exchange of letters between the President of the Bank and himself would contribute to closer mutual understanding and co-operation.

CONSIDERATION BY
GENERAL ASSEMBLY

The item entitled "The policies of apartheid of the Government of the Republic of South Africa" was included in the agenda of the twenty-second session of the General Assembly on the recommendation of the Assembly's General Committee. During the discussion in the General Committee, a request by the representative of the Republic of South Africa to be heard on the question of placing the item on the agenda was challenged by several members of the General Committee under rule 43 of the rules of procedure of the General Assembly.⁸ The South African representative subsequently withdrew his request.

At a plenary meeting of the General Assembly, held on 23 September 1967, the representative of South Africa stated that the inclusion of the item in the agenda and its subsequent consideration would constitute a violation of Article 2, paragraph 7 of the United Nations Charter (which states, *inter alia*, that nothing in the Charter "shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State").

Presenting the report of the Special Committee on the Policies of Apartheid to the General Assembly's Special Political Committee, the Rapporteur of the Special Committee said that no progress had been made towards eradicating apartheid. He referred to the progressive erosion of human rights by the endless repressive legislation enacted by the South African Government, particularly the Terrorism Act of 1967, the provisions of which were made retroactive to 1962. By this Act, he told the Special Committee, 37 nationalists of South West Africa were being subjected to a summary trial, in defiance of the international status of the territory. He added that the arms embargo against South Africa called for by the Security Council had been repeatedly broken. Not only had there been a significant increase in the volume of South Africa's trade with its traditional trading

partners, but also the emergence of newer trading partners on the scene.

The Special Committee on Apartheid, the Rapporteur continued, adhered firmly to its conviction that economic sanctions and the related measures it had recommended were the only effective means for bringing about a peaceful change in South Africa, and that the United Nations as a whole must continue to exert maximum efforts to ensure that sanctions were fully implemented.

The representative of Nepal, addressing the Assembly's Special Political Committee as the Acting Chairman of the Special Committee on Apartheid, stated that unless the membership of the Special Committee on Apartheid was expanded to include some of the major trading partners of South Africa, as well as some of the more influential states of Asia and Latin America, that Committee would not be in a position to deal with the problem of apartheid as thoroughly as it was expected to do.

The majority of United Nations Member States, he added, realized that the Western powers had so far refused to co-operate with the majority because of their internal mercantile interests and policies of external economic expansion. Apartheid in South Africa, colonialism in South West Africa, the minority régimes in Southern Rhodesia and the extension of the concept of metropolitan Portugal over Angola and Mozambique were part of a plot to maintain the supremacy of white minority settlers in southern Africa and to ensure control, by mercantile interests of the western world, over the rich gold and diamond mines of those territories.

The Acting Chairman of the Special Committee on Apartheid also observed that the question of apartheid was essentially linked with the basic principles of human rights; he urged

⁸Rule 43 of the General Assembly's rules of procedure states:

"A Member of the General Assembly which has no representative on the General Committee and which has requested the inclusion of an item in the agenda shall be entitled to attend any meeting of the General Committee at which its request is discussed, and may participate, without vote, in the discussion of that item."

that a special programme on apartheid be arranged at the international level during the International Year for Human Rights in 1968.

During the ensuing debate in the Assembly's Special Political Committee, there was general condemnation of the policies of apartheid of the South African Government as a violation of the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Elimination of All Forms of Racial Discrimination (adopted by the Assembly on 20 November 1963⁹).

The conclusions and recommendations of the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, held in Kitwe, Zambia, earlier in 1967 (see p. 83) and of the Special Committee on Apartheid were commended and endorsed by a majority of Members. They felt that an international campaign against apartheid, under United Nations auspices, should be embarked upon as a matter of urgency; the United Nations was directly concerned in the struggle against apartheid, they believed, and continued neglect of the problem could compromise the authority, and even jeopardize the very existence, of the United Nations.

A number of Members—among them Afghanistan, Algeria, Bulgaria, Ethiopia, Hungary, India, Jamaica, Libya, the Philippines, Poland, Syria and Zambia—maintained that the United Nations had been unable to take effective measures against South Africa's policies of apartheid because of the apathy shown by South Africa's major and emerging trading partners. They stated that, in spite of repeated resolutions of the General Assembly, trade between those Member States and South Africa had continued to expand—which had enabled the South African Government to persist in its defiance of the United Nations.

The USSR spokesman, for instance, said that South Africa continued to defy the United Nations because certain Western countries, particularly the United States, the United Kingdom and the Federal Republic of Germany, sympathized with its racial policies and gave it direct support. He maintained that South African monopolies operated in close collaboration with, and in some cases had actually

merged with, monopolies in the United States, the United Kingdom, the Federal Republic of Germany and other countries, and that the Western powers and the South African Government were working together to convert southern Africa into a bastion of colonialism from which pressure could be brought to bear on the independent African countries. He added that there had been a sharp increase in the flow of capital to South Africa, particularly from the United Kingdom and the United States. In 1965, total foreign investments in South Africa had been 11 per cent higher than in 1964. The United States investment in South Africa in 1966, he added, was higher than in the previous year while the investment from the Federal Republic of Germany had doubled.

Italy commented that international trade, rather than being an isolated or one-way relationship, was part of a complex network embracing all areas of the world. Any curtailment of trade with one area of the world would have serious repercussions on other areas. For this reason, Italy had doubts about the effectiveness of the imposition of economic sanctions against South Africa.

Many speakers—among them the representatives of Algeria, Burundi, Congo (Brazzaville), Hungary, Malaysia, Uganda and the USSR—emphasized that the policies of apartheid constituted a threat to international peace and security; they believed that action by the Security Council was essential under the provisions of Chapter VII of the United Nations Charter (which deals with action with respect to threats to the peace, breaches of the peace and acts of aggression). Several representatives, including those of Canada, the United Kingdom and the United States did not believe, however, that the situation in South Africa was such as to justify invoking the provisions of Chapter VII of the Charter.

The United States said that it had scrupulously implemented the Security Council resolutions and would maintain a strict embargo on the sale of arms to South Africa. Contrary

⁹ For text of Declaration on Elimination of All Forms of Racial Discrimination, see Y.U.N., 1963, pp. 344-46.

to allegations by some delegations, it stated, the North Atlantic Treaty Organization (NATO), as an organization, was not supplying arms or military equipment to South Africa, although weapons supplied by some of its members on their own account were being used in southern Africa. The United States, which was engaged in a continuing struggle for social justice in its own territory, was ready to cooperate in collective efforts against apartheid, provided that such efforts would be consistent with the provisions of the Charter, practical and within the capability of the international community to achieve. The United States Government considered that the current situation in South Africa did not constitute a threat to international peace and security as defined by the Charter, and it doubted the appropriateness and effectiveness of imposing economic sanctions in the present circumstances.

The representative of Japan maintained that only the Security Council had the power, under the Charter, to take binding decisions relating to the application of economic sanctions. Once such decisions were adopted, they must be fully and universally applied if they were to be truly effective. He added that, if the Security Council decided on sanctions against South Africa, Japan would comply fully.

A number of representatives from Member States in Africa and Asia, and from Scandinavian and Eastern European Member States maintained that the South African Government was continuing to pursue the policies of apartheid and to impose them illegally in the territory of South West Africa, despite the terms of a General Assembly resolution of 27 October 1966¹⁰ terminating the mandate. Further, the South African Government was conducting an illegal trial of 37 South West Africans in Pretoria, South Africa, under the Terrorism Act. Guinea, for instance, regarded the trial as part of the South African Government's campaign of terror against all those who dared to fight for their inalienable right to liberty and dignity. The South African Government, it was also stated in the discussions, had sent troops to assist the racist régime of Southern Rhodesia and was helping the colonial régimes in Angola and Mozambique; South Africa had also threat-

ened to use force against the United Republic of Tanzania and against Zambia, Guinea noted.

Some of the Members who spoke against the attempts to impose apartheid policies illegally in South West Africa and against South Africa's support to other areas in southern Africa believed that the problems of southern Africa were inextricably interwoven and that the question of apartheid was crucial and central to those problems. They maintained that the situation in the whole of southern Africa would remain explosive and might engulf the whole world in a racial conflict, unless apartheid in South Africa was eliminated.

Believing it essential to promote international awareness of the problem, in order to facilitate more effective action against apartheid, these Members called upon the United Nations to launch an international information campaign on the evils and dangers of apartheid.

Also stressed was the need for the United Nations to recognize the legitimacy of the struggle of the people of South Africa and encourage assistance to it.

The President of the International Defence and Aid Fund (London), the Rev. Canon L. John Collins, who was granted a hearing by the Assembly's Special Political Committee on 19 October 1967, stated that the liberation movement of South Africa, frustrated in its efforts to create a free and just society inside South Africa, was not only committed to the policy of meeting violence with violence but was already working in the early stages of an armed conflict with the Government of South Africa. He added that there now existed not only the threat of a violent upheaval inside South Africa, but the beginning of a racial war in the whole of southern Africa that could easily lead to a world-wide racial war. He suggested that the United Nations should, in addition to passing resolutions condemning apartheid, concentrate attention upon influencing in a realistic way the public opinion in those countries whose Governments flouted international opinion on apartheid.

¹⁰ See Y.U.N., 1966, pp. 605-606, text of resolution 2145(XXI).

Portugal had reservations about the legal basis of the debate inasmuch as it involved interference in the internal affairs of a United Nations Member State.

Presented to the Assembly's Special Political Committee was a draft resolution which was eventually sponsored by the following 51 Members: Afghanistan, Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), the Democratic Republic of the Congo, Cyprus, Dahomey, Ethiopia, Ghana, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iraq, the Ivory Coast, Kenya, Kuwait, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, the Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta and Zambia.

By the operative part of this draft resolution, as revised in the discussion, the General Assembly would:

(1) reiterate its condemnation of the policies of apartheid practised by the Government of South Africa as a crime against humanity; (2) reaffirm its recognition of the legitimacy of the struggle of the people of South Africa for human rights and fundamental freedoms for all the people of South Africa irrespective of race, colour or creed; (3) strongly reiterate its conviction that the situation in South Africa constituted a threat to international peace and security, that action under Chapter VII of the Charter of the United Nations was essential in order to solve the problem of apartheid and that universally applied mandatory economic sanctions were the only means of achieving a peaceful solution; (4) draw the attention of the Security Council once again to the grave situation in South Africa and in southern Africa as a whole and request the Security Council to resume consideration of the question of apartheid with a view to ensuring the full implementation of its resolutions and the adoption of more effective measures to secure an end to the South African Government's policies of apartheid; (5) condemn the actions of those States, particularly the main trading partners

of South Africa, and the activities of foreign financial and other interests, which, through their political, economic and military collaboration with the South African Government and contrary to relevant General Assembly and Security Council resolutions, were encouraging that Government to persist in its racial policies; (6) request all States, particularly the main trading partners of South Africa, to comply fully with the resolutions of the Security Council on this question, to take urgent steps towards disappropriate measures to facilitate more effective appropriate measures to facilitate more effective action, under the auspices of the United Nations, to secure the elimination of apartheid; (7) reiterate its request to the International Bank for Reconstruction and Development to deny financial, economic and technical assistance to the Government of South Africa, and, in this connexion, express the hope that the Bank would stand by its assurance to avoid any action that might run counter to the fulfilment of the great purposes of the United Nations; (8) appeal to all States and organizations to provide appropriate moral, political and material assistance to the people of South Africa in their legitimate struggle for the rights recognized in the United Nations Charter; (9) invite all States to encourage the establishment of national organizations for the purpose of enlightening public opinion further on the evils of apartheid, and to report annually to the Secretary-General on the progress and activities of such organizations; (10) request all States to commemorate, during the International Year for Human Rights, 21 March 1968 (the International Day for the Elimination of Racial Discrimination) with appropriate solemnity, in solidarity with the oppressed people of South Africa; (11) commend to the attention of all United Nations organs the report of the Seminar on Apartheid (held at Brasilia, Brazil, from 23 August to 4 September 1966¹¹) and that of the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa (held at Kitwe, Zambia, from 25 July to 4 August 1967 (see pp. 83-84)); (12) request the Special Com-

¹¹ See Y.U.N., 1966, pp. 81-82.

mittee on Apartheid to intensify its co-operation with other special organs concerned with the problems of racial discrimination and colonialism in southern Africa, taking into account the relevant resolutions of the General Assembly, in so far as they fell within the mandate of the Special Committee on Apartheid under terms of the General Assembly resolution of 6 November 1962 establishing the Committee;¹² (1.3) request the Special Committee on Apartheid to continue discharging its mandate and to intensify its efforts in promoting an international campaign against apartheid and to this end authorize it, within the budgetary provision made for this purpose, (a) to hold a special session away from United Nations Headquarters, New York, during the International Year for Human Rights; (b) in consultation with the Secretary-General, to arrange for the advisory services of experts or special studies on specific aspects of the campaign; and (c) to consult with the Secretary-General and the specialized agencies, regional organizations and non-governmental organizations concerned, and to submit to the Assembly's twenty-third session (due to open in September 1968) a report on measures which might appropriately be taken for the widest dissemination of information on the evils of apartheid and the efforts of the international community to secure its elimination; (14) request the Secretary-General to intensify dissemination of information on the evils of apartheid and to publish periodically information on economic and financial relations between South Africa and other States; and (15) invite States, specialized agencies, regional organizations and non-governmental organizations to co-operate with the Secretary-General and the Special Committee on Apartheid in the accomplishment of their tasks under this resolution.

After voting separately on various paragraphs, the Assembly's Special Political Committee on 22 November 1967 adopted the draft resolution as a whole by 89 votes to 1, with 13 abstentions.

On 13 December, the text was approved at a plenary meeting of the Assembly by 89 votes to 2, with 12 abstentions, as resolution 2307 (XXII). (For text, see DOCUMENTARY REFERENCES below.)

CREDENTIALS OF SOUTH AFRICA'S REPRESENTATIVES

At meetings of the Credentials Committee for the fifth special session and the fifth emergency special session of the General Assembly, held on 22 May 1967 and 3 July 1967, respectively, the validity of the credentials of the representatives of South Africa was challenged by the representative of Guinea because, he said, the South African delegation represented a regime whose activities were contrary to the interests of the South African people and whose policies of apartheid were a flagrant violation of the principles of the United Nations Charter. The reservations of the representative of Guinea regarding the credentials of the South African representatives were supported by the representatives of the Ivory Coast and the USSR at both meetings. The representatives of El Salvador, Japan, Nicaragua and the United States, while reiterating their Governments' abhorrence of the policies of apartheid, were of the opinion that the credentials of the South African delegation should be accepted because they fulfilled the requirements of rule 27 of the Assembly's rules of procedure. (Rule 27 states that credentials shall be submitted to the Secretary-General, if possible not less than one week before the date fixed for the opening of the session, and that they shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.)

On 22 May 1967, after the Chairman of the Credentials Committee had stated that all reservations expressed in the Committee concerning the representatives of South Africa would be included in the report, the Committee adopted, by a vote of 8 to 0, with 1 abstention, a draft resolution, proposed by its Chairman, whereby it accepted the credentials of all representatives to the fifth special session and recommended to the General Assembly that it approve the report of the Credentials Committee. At a plenary meeting on 23 May 1967, the General Assembly, in adopting resolution 2251(S-V), by a vote of 89 to 0, with 17 abstentions, approved the report of the Credentials Committee.

¹² See Y.U.N., 1962, pp. 99-100, text of resolution 1761(XVII).

At the meeting of 3 July 1967, following the Chairman's statement that all reservations expressed in the Credentials Committee concerning the representatives of South Africa would be included in the report, the Credentials Committee adopted, by a vote of 7 to 0, with 2 abstentions, a draft resolution proposed by its Chairman, whereby it accepted the credentials of all representatives to the fifth emergency special session of the General Assembly and recommended to the Assembly that it approve the report of the Credentials Committee. At a plenary meeting on 17 June 1967, the Assembly, in adopting resolution 2255 (ES-V), by a vote of 76 to 0, with 23 abstentions, approved the report of the Credentials Committee.

When the Credentials Committee for the twenty-second session of the General Assembly met on 13 December 1967, the representative of Mali said that since the credentials of the representatives of South Africa emanated from a racist and fascist régime which defied the United Nations Charter, and not from the people of South Africa, these credentials should be rejected. The representatives of Madagascar and the USSR associated themselves with these views.

The representatives of Paraguay and the United States, while pointing out that their Governments detested the policies of racial discrimination and apartheid practised by the Government of South Africa, did not consider that these policies affected the validity of the credentials of the South African delegation, which fulfilled the requirements of rule 27 of the Assembly's rules of procedure.

The Chairman of the Credentials Committee announced that all reservations expressed during the meeting concerning the credentials of the representatives of South Africa would be included in the Credentials Committee report to the Assembly. The Credentials Committee then adopted, by a vote of 7 to 0, with 2 abstentions, a draft resolution proposed by its Chairman whereby it accepted the credentials of all representatives to the twenty-second session of the General Assembly and recommended to the Assembly that it approve the report of the Credentials Committee.

At a plenary meeting on 16 December 1967, the General Assembly adopted the report of the Credentials Committee by a vote of 67 to 0, with 20 abstentions, in approving resolution 2322 (XXII).

(For texts of these resolutions, see DOCUMENTARY REFERENCES below)

OTHER GENERAL ASSEMBLY DECISIONS

At its twenty-second session in 1967 the General Assembly also took various other decisions which referred to the South African Government's apartheid policies and situations resulting therefrom.

Thus, on 14 December 1967, acting on the recommendation of its Fourth Committee, and in adopting a resolution (2311 (XXII)) 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, the General Assembly recommended, inter alia, that the specialized agencies and the international institutions should not grant any assistance to South Africa and Portugal until the latter had renounced their policy of racial discrimination and colonial domination. (For details, see pp. 646-47.)

On 18 December 1967, acting on a recommendation of its Third (Social, Humanitarian and Cultural) Committee and in adopting a resolution (2332 (XXII)) on measures for the speedy implementation of international instruments against racial discrimination, the General Assembly stated, inter alia, that it was profoundly concerned by the evidence of continued gross violation of human rights and the principles of the United Nations Charter through the policies of apartheid, segregation and other forms of racial discrimination, particularly in South Africa, Southern Rhodesia, and South West Africa. It also condemned the Governments of South Africa and Southern Rhodesia for their persistence in this regard and specifically requested the Government of South Africa to put an end to such nefarious policies. (For text of resolution 2332 (XXII), see pp. 487-88.)

DOCUMENTARY REFERENCES

REPORT OF SPECIAL COMMITTEE
ON APARTHEID

A/6864 and Add.1. Report of Special Committee on Policies of Apartheid of Government of Republic of South Africa.

INTERNATIONAL SEMINAR ON
APARTHEID IN SOUTHERN AFRICA

A/6667 and Add.1-4. Note by Secretary-General.
A/6818 and Corr.1. Note by Secretary-General transmitting report of International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, Kitwe, Zambia, 15 July-4 August 1967.

DECISIONS OF HUMAN RIGHTS
COMMISSION AND ECONOMIC
AND SOCIAL COUNCILINVESTIGATION OF TREATMENT OF
PRISONERS IN SOUTH AFRICA

(For details, see DOCUMENTARY REFERENCES, p. 513.)

ACTION TO COMBAT Apartheid
AND RACIAL DISCRIMINATION

(For details, see DOCUMENTARY REFERENCES, p. 499.)

STUDY OF VIOLATIONS
OF HUMAN RIGHTS

(For details, see DOCUMENTARY REFERENCES, p. 512.)

PROPOSALS REGARDING SLAVERY-LIKE
PRACTICE OF Apartheid

(For details, see DOCUMENTARY REFERENCES, pp. 540-41.)

CONSIDERATION BY
GENERAL ASSEMBLY

GENERAL ASSEMBLY—22ND SESSION

Special Political Committee, meetings 552-569.
Fifth Committee, meeting 1217.
Plenary meetings 1564, 1629.

A/6667 and Add.1-4. Note by Secretary-General.
A/6688 and Add.2. Letters of 4 August 1967 and 15 January 1968 from South Africa.
A/6688/Add.1. Note verbale of 15 November 1967 from Ukrainian SSR.
A/6818 and Corr.1. Note by Secretary-General transmitting report of International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, held at Kitwe, Zambia, 25 July-4 August 1967.
A/6825. Consultation with International Bank for Reconstruction and Development. Report of Secretary-General.
A/6864 and Add.1. Report of Special Committee on

Policies of Apartheid of Government of Republic of South Africa.

A/7043. Letter of 19 January 1968 from United States.
A/SPC/L.146. Telegram of 9 October 1967 from President of International Defence and Aid Fund.
A/SPC/L.147 and Add.1. Afghanistan, Algeria, Burundi, Cameroon, Chad, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Zambia: draft resolution.
A/SPC/L.147/Rev.1 and Add.1,2. Afghanistan, Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Democratic Republic of Congo, Cyprus, Dahomey, Ethiopia, Ghana, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Kenya, Kuwait, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Zambia: revised draft resolution, adopted by Special Political Committee on 22 November 1967, meeting 569, by 89 votes to 1, with 13 abstentions.
A/SPC/L.149. Administrative and financial implications of 51-power revised draft resolution, A/SPC/L.147/Rev.1. Statement by Secretary-General.
A/C.5/1141, A/6932, A/6957. Statement by Secretary-General and reports of Advisory Committee on Administrative and Budgetary Questions and Fifth Committee on administrative and financial implications of draft resolution adopted by Special Political Committee, A/6914.
A/6914. Report of Special Political Committee.

RESOLUTION 2307(xxii), as proposed by Special Political Committee, A/6914, adopted by Assembly on 13 December 1967, meeting 1629, by 89 votes to 2, with 12 abstentions.

"The General Assembly,

"Recalling its resolutions on this question and reaffirming, in particular, resolution 2202(XXI) of 16 December 1966,

"Recalling Security Council resolutions 181(1963) of 7 August 1963, 182(1963) of 4 December 1963, 190(1964) of 9 June 1964 and 191(1964) of 18 June 1964,

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

"Taking note with satisfaction of the report of the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, held at Kitwe, Zambia,

"Taking note of the report of the Secretary-General on his consultations with the International Bank for Reconstruction and Development,

"Noting with grave concern that the racial policies of the Government of South Africa have led to violent conflict and an explosive situation,

"Convinced that the situation in the Republic of South Africa and the resulting explosive situation in southern Africa continue to pose a grave threat to international peace and security,

"Considering it essential to promote a greater and closer co-ordination of international efforts to eliminate apartheid, racial discrimination and colonialism in southern Africa,

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

"2. Reaffirms its recognition of the legitimacy of the struggle of the people of South Africa for human rights and fundamental freedoms for all the people of South Africa irrespective of race, colour or creed;

"3. Strongly reiterates its conviction that the situation in South Africa constitutes a threat to international peace and security, that action under Chapter VII of the Charter of the United Nations is essential in order to solve the problem of apartheid and that universally applied mandatory economic sanctions are the only means of achieving a peaceful solution;

"4. Once again draws the attention of the Security Council to the grave situation in South Africa, and in southern Africa as a whole, and requests the Council to resume consideration of the question of apartheid with a view to ensuring the full implementation of its resolutions and the adoption of more effective measures to secure an end to the policies of apartheid of the Government of South Africa;

"5. Condemns the actions of those States, particularly the main trading partners of South Africa, and the activities of those foreign financial and other interests, all of which through their political, economic and military collaboration with the Government of South Africa and contrary to relevant General Assembly and Security Council resolutions are encouraging that Government to persist in its racial policies;

"6. Requests all States, particularly the main trading partners of South Africa, to comply fully with the resolutions of the Security Council on this question, to take urgent steps towards disengagement from South Africa and to take all appropriate measures to facilitate more effective action, under the auspices of the United Nations, to secure the elimination of apartheid;

"7. Reiterates its request to the International Bank for Reconstruction and Development to deny financial, economic and technical assistance to the Government of South Africa and, in this connexion, expresses the hope that the Bank will stand by its assurance that it will avoid any action that might run counter to the fulfilment of the great purposes of the United Nations;

"8. Appeals to all States and organizations to provide appropriate moral, political and material assistance to the people of South Africa in their legitimate struggle for the rights recognized in the Charter;

"9. Invites all States to encourage the establishment of national organizations for the purpose of further enlightening public opinion on the evils of apartheid and to report annually to the Secretary-General on the progress and activities of such organizations;

"10. Requests all States to commemorate, during the International Year for Human Rights, 21 March 1968—the International Day for the Elimination of Racial Discrimination—with appropriate solemnity, in solidarity with the oppressed people of South Africa;

"11. Commends to the attention of all United Nations organs the report of the Seminar on Apartheid held at Brasilia and the report of the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa held at Kitwe, Zambia;

"12. Requests the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa to intensify its co-operation with other special organs concerned with the problems of racial discrimination and colonialism in southern Africa, taking into account the relevant General Assembly resolutions and the conclusions and recommendations of the International Seminar held at Kitwe, in so far as they fall within the mandate of the Special Committee under General Assembly resolution 1761(XVII) of 6 November 1962;

"13. Requests the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa to continue to discharge its mandate and to intensify its efforts to promote an international campaign against apartheid and, to this end, authorizes it, within the budgetary provisions made for this purpose:

"(a) To hold during the International Year for Human Rights a special session away from Headquarters;

"(b) In consultation with the Secretary-General, to arrange for the advisory services of experts or special studies on specific aspects of the campaign;

"(c) To consult with the Secretary-General and the specialized agencies, regional organizations and non-governmental organizations concerned and to submit to the General Assembly at its twenty-third session a report on measures which might appropriately be taken to ensure the widest dissemination of information on the evils of apartheid and the efforts of the international community to secure its elimination;

"14. Requests the Secretary-General to intensify the dissemination of information on the evils of apartheid and to publish periodically information on economic and financial relations between South Africa and other States;

"15. Invites States, specialized agencies, regional organizations and non-governmental organizations to co-operate with the Secretary-General and the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa in the accomplishment of their tasks under the present resolution."

CREDENTIALS QUESTIONS

GENERAL ASSEMBLY—FIFTH SPECIAL SESSION

Credentials Committee, meeting of 22 May 1967.

Plenary Meetings 1502, 1522.

A/6655/Rev.1. Report of Credentials Committee, containing draft resolution, proposed by Chairman, and adopted by Committee on 22 May 1967 by 8 votes to 0, with 1 abstention.

RESOLUTION 2251(s-v), as proposed by Credentials Committee, A/6655/Rev.1, adopted by Assembly on 23 May 1967, meeting 1522, by 89 votes to 0, with 17 abstentions.

The General Assembly

Approves the report of the Credentials Committee.

GENERAL ASSEMBLY—FIFTH EMERGENCY SPECIAL SESSION

Credentials Committee, meeting of 3 July 1967.

Plenary meetings 1525, 1556.

A/6742 and Corr.1. Report of Credentials Committee, containing draft resolution, proposed by Chairman, and adopted by Committee on 3 July 1967 by 7 votes to 0, with 2 abstentions.

RESOLUTION 2255 (ES-V), as proposed by Credentials Committee, A/6742, adopted by Assembly on 17 July 1967, meeting 1556, by 76 votes to 0, with 23 abstentions.

"The General Assembly

"Approves the report of the Credentials Committee."

GENERAL ASSEMBLY—22ND SESSION

Credentials Committee, meeting of 13 December 1967.

Plenary meetings 1560, 1635.

A/6990. Report of Credentials Committee, containing draft resolution, as suggested by Chairman, adopted by Committee on 13 December 1967, by 7 votes to 0, with 2 abstentions.

RESOLUTION 2322 (xxii), as proposed by Credentials Committee, A/6990, adopted by Assembly on 16

December 1967, meeting 1635, by 67 votes to 0, with 20 abstentions.

"The General Assembly

"Approves the report of the Credentials Committee."

OTHER DOCUMENTS AND PUBLICATIONS

S/7826. Note by Secretary-General transmitting a resolution adopted by Commission on Human Rights (resolution 2(XXIII)), as adopted by Commission on 6 March 1967).

S/8024. Letter dated 20 June 1967 from Chairman of Special Committee on Situation with regard to Implementation of Declaration on Granting of Independence to Colonial Countries and Peoples, addressed to President of Security Council.

S/8172. 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. Note by Secretary-General. Annex I: List of resolutions of General Assembly regarding racial policies of Government of South Africa.

S/8196 and Add.1 (A/6864 and Add.1). Report of Special Committee on Policies of Apartheid of Republic of South Africa.

S/8304. Letter of 19 December 1967 from Secretary-General addressed to President of Security Council transmitting text of resolution 2307(XXII) adopted by General Assembly on 13 December 1967, meeting 1629.

Foreign Investment in Republic of South Africa (ST/PSCA/SER.A/1; A/C.115/L.56/Rev.3.) U.N.P. Sales No.: 67.II.K.9.

Review of United Nations Consideration of Apartheid (ST/PSCA/SER.A/2). U.N.P. Sales No.: 67.III.K.12.

Military and Police Forces in Republic of South Africa (ST/PSCA/SER.A/3; A/C.115/L.203-204). U.N.P. Sales No.: E.67.II.K.25.

"Transit Camps" in South Africa (Reports submitted by International Defence and Aid Fund, London, to Special Committee on Policies of Apartheid of Government of Republic of South Africa) (ST/PSCA/SER.A/4).

United Nations Trust Fund for South Africa

REPORT OF SECRETARY-GENERAL
AND COMMITTEE OF TRUSTEES

The United Nations Trust Fund for South Africa was established by the General Assembly on 15 December 1965,¹⁵ to make grants to voluntary organizations, Governments of host countries of refugees from South Africa, and other appropriate bodies for: legal assistance to persons charged under discriminatory and repressive legislation in South Africa; relief for dependants

of persons persecuted 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.

In a report of 23 October 1967 to the twenty-

¹⁵See Y.U.N., 1965, pp. 115-16, text of resolution 2054 B (XX).

second session of the General Assembly on the operation of the United Nations Trust Fund for South Africa, the Secretary-General and the Committee of Trustees of the Fund stated that the Fund had, by then, received contributions totalling \$430,068 and pledges of \$56,500 from 10 Governments. Thirteen grants, totalling \$308,400 had been made from the Fund, and \$116,000 had been earmarked for further grants, subject to the conclusion of necessary formalities. The Committee of Trustees had also been informed by several Governments of contributions which they had made directly to non-governmental organizations engaged in relief and assistance.

CONSIDERATION BY
GENERAL ASSEMBLY

The Secretary-General's report was referred by the Assembly to its Special Political Committee. During that Committee's general debate on the question of South Africa's apartheid policies, the representatives of the USSR and the Ukrainian SSR noted that the Committee of Trustees of the United Nations Trust Fund for South Africa had not announced the names of organizations which had received grants from the Trust Fund. They suggested that the Committee of Trustees should screen organizations very carefully before disbursing grants, in order

to ensure that the funds were being used as effectively as possible and exclusively to fight apartheid and assist its victims.

Addressing the Special Political Committee, the Chairman of the Committee of Trustees expressed appreciation to Governments for their generous contributions to the Fund and said the Committee hoped new, substantial contributions would be forthcoming. By abiding strictly by the stipulations for making grants embodied in its mandate, he said, the Committee of Trustees had done everything it could to ensure that the grants made were used for the stipulated purposes. He added that the work of the Committee had been made difficult by the attitude of the South African Government which had subjected organizations engaged in assisting the victims of apartheid to pressure and administrative measures. He suggested that the humanitarian activities of voluntary organizations should be supported with regard to publicity and in other respects, in such a way that the work of the Committee of Trustees was not rendered more difficult.

The Special Political Committee decided to note with appreciation in its report to the General Assembly the contents of reports on the Trust Fund, and it renewed the appeal made previously for continued support of the Fund.

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—22ND SESSION

Special Political Committee, meetings 560, 563, 569.

A/6873 and Corr.1. Report of Secretary-General on United Nations Trust Fund for South Africa.

A/6914. Report of Special Political Committee, paras. 8, 12.

Programme for Education and Training for South Africans Abroad

The programme for education and training abroad of South Africans, established in 1965, pursuant to a Security Council resolution of 18 June 1964,¹⁴ has been financed entirely from voluntary contributions.

In a report of 17 November 1967, presented to the twenty-second session of the General Assembly, the Secretary-General advised that the response from Member States to financial appeals had not been very encouraging and had

resulted in a large number of deserving applicants being refused. From the inception of the programme in 1965 to October 1967, more than 700 applications for assistance had been received and registered; 268 awards had been made and there were currently 201 scholarship holders. With regard to the United Nations policy of

¹⁴ See Y.U.N., 1964, pp. 119-20, text of resolution 191(1964), especially paragraph 11.

placing students in African educational and training institutions, so as to prepare them to make a maximum contribution to that area's future development, the situation was far from satisfactory, the Secretary-General's report added. Many students were obliged to attend institutions outside Africa because of difficulties in obtaining placements in African institutions and difficulties concerning travel documents. The Secretary-General indicated that it was his intention to endeavour to orient the programme more to the African continent. He was confident the situation would be remedied with the co-operation of the Governments of African States.

On 19 December 1967, the General Assembly, in adopting resolution 2349(XXII), decided, *inter alia*, to integrate the special educational and training programmes for South West Africa, the special training programme for territories under Portuguese administration and the educational and training programme for South Africans. The Assembly also requested the Secretary-General to continue to study the means to promote the further development and expansion of the integrated programme, and it asked him to include in the programme granting of subventions to educational and training institutions in Africa to make it possible for persons coming under the programme to be trained in Africa.

The Assembly decided, in addition, that the programme should be financed from a trust

fund made up of voluntary contributions to be used, at least initially, entirely for the operational costs of the programme. The Secretary-General was authorized to appeal to United Nations Member States for funds to achieve a target of \$3 million for the three-year period from 1968 to 1970.

(For details, see pp. 649-50.)

CONTRIBUTIONS RECEIVED
AS AT 30 SEPTEMBER 1967

Country	Amount (in U.S. Dollar Equivalents)
Cambodia	\$ 1,000
Canada	23,148
Denmark	196,252
Greece	6,000
Italy	12,507
Japan	40,000
Kenya	2,000
Liberia	5,000
Malawi	140
Norway	81,933
Pakistan	2,500
Sweden	110,000
United Kingdom	170,000
United Republic of Tanzania	1,000
United States	75,000
	726,480

In addition, offers of assistance in the form of scholarships for study in their respective countries were received from Czechoslovakia, India and the United Arab Republic.

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—22ND SESSION

Fourth Committee, meetings 1706, 1754, 1755.

Fifth Committee, meeting 1229.

Plenary Meeting 1641.

A/6890 and Corr.1-3. Report of Secretary-General on questions of consolidation and integration of special educational and training programmes for South West Africa, special training programme for territories under Portuguese administration and educational and training programme for South Africans.
A/C.4/L.891 and Add.1. Algeria. Democratic Republic of Congo, Denmark, Ecuador, Finland, Ghana, Guinea, Iran, Ivory Coast, Jamaica, Libéria, Mali, Mauritania, Morocco, Norway, Pakistan, Sierra

Leone, Sweden, Tunisia, United Republic of Tanzania: draft resolution, as orally revised, adopted by Fourth Committee on 16 December 1967, meeting 1755, by 83 votes to 2, with 1 abstention.

A/C.4/L.900, A/C.5/1166, A/7026. Statements by Secretary-General and report of Fifth Committee on financial implications of draft resolution contained in report by Fourth Committee, A/7010.

A/7010. Report of Fourth Committee.

RESOLUTION 2349(xxii), as proposed by Fourth Committee, adopted by Assembly on 19 December 1967, meeting 1641, by 113 votes to 2, with 1 abstention. (For text of resolution, see pp. 649-50.)

THE SITUATION IN SOUTHERN RHODESIA

During 1967, both the General Assembly and its 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 gave further consideration to the question of Southern Rhodesia. These bodies were concerned in the first instance with bringing to an end the illegal minority régime which had unilaterally declared independence from the United Kingdom on 11 November 1965,¹⁵ and equally with the attainment by the people of Zimbabwe of their inalienable rights to freedom and independence.

The action by both the General Assembly and the Special Committee was taken in the light of a Security Council resolution of 16 December 1966¹⁶ (by which the Council, *inter alia*, determined that the situation in Southern Rhodesia constituted a threat to international peace and security and also decided on selected mandatory economic sanctions to be imposed by all United Nations Member States), and in the light, as well, of developments in Southern Rhodesia subsequent to the adoption of the Council resolution.

On 16 December 1967, the General Assembly adopted a resolution (2262 (XXII)) whereby, *inter alia*, it noted that the economic sanctions applied so far had failed to bring down the illegal racist minority régime in Southern Rhodesia and affirmed its conviction that to achieve their objective sanctions would have to be comprehensive, mandatory and backed by force. The Assembly called again upon the United Kingdom to take immediately all necessary measures, including the use of force, to put an end to the illegal régime and it also drew the attention of the Security Council to the need for applying the necessary measures envisaged under Chapter VII of the United Nations¹⁷ Charter.

Also, during the year, the Secretary-General reported to the Security Council on the progress made in the implementation by United Nations Member States of economic sanctions against the illegal régime in Southern Rhodesia. The Secretary-General noted that replies had not been received from all Member States and that

while, according to available statistics, there had been a significant decline in trade between Southern Rhodesia and many of her trading partners in most commodities, there had been continuing traffic in certain important commodities. Most States which had replied had reported that they had taken measures which they considered necessary in order to comply with the resolution. The report, which appeared in five parts throughout the year, also contained the text of replies received and statistical data.

COMMUNICATIONS AND REPORTS
TO THE SECURITY COUNCIL

On 21 February 1967, the Secretary-General submitted a report to the Security Council on the implementation of its resolution of 16 December 1966¹⁸ by which, among other things, the Council decided all United Nations Member States should prevent the importation into their territories of specified commodities from Southern Rhodesia and should prevent any activities by their nationals which promoted the sale to that country of specified military equipment, aircraft and motor vehicles, and materials for their manufacture.

A great majority of these States, the Secretary-General said, reported that they had taken measures which they considered necessary in order to comply with the provisions of the Security Council resolution. Several States had reported no trade or other relations with Southern Rhodesia; most of the others had reported the measures taken and indicated that necessary legislative action was being initiated to ensure full compliance with the resolution.

The Secretary-General pointed out that a substantial number of States had not yet reported, including certain States which had significant trade with Southern Rhodesia. He added that full information on the effect of

¹⁵ See Y.U.N., 1965, p. 124. for details.

¹⁶ See Y.U.N., 1966, pp. 116-17, text of resolution 232(1966).

¹⁷ For text of Chapter VII of the Charter, see APPENDIX II.

¹⁸ See footnote 16.

implementation of the Security Council resolution might not be available for some time in the absence of needed trade statistics.

Switzerland reported that while it could not, for reasons of principle as a neutral State, submit to the mandatory sanctions of the United Nations, it had decided to strengthen the restrictions on imports from Southern Rhodesia, and to continue certain other measures it had already taken, so that Southern Rhodesian trade was given no opportunity to avoid the United Nations sanctions policy through Swiss territory.

Serious difficulties had arisen for Zambia, the Secretary-General noted, as a result of its compliance with the Council's resolution, particularly in transportation, communications, storage of fuel and alternative supplies for some commodities. In response to its request, therefore, a group of technical consultants had been sent to Zambia by the United Nations Development Programme (UNDP).

The Secretary-General drew the particular attention of the Council to the report from Malawi stating that, by reason of certain special economic problems with which Malawi was confronted in view of its geographical situation, certain very limited quantities of sugar, meat and meat products might have to continue to be obtained for a limited period of time from Southern Rhodesia. It was anticipated that imports of sugar would cease by April 1967: import licences in respect of meat and meat products, especially of certain grades of beef, would be restricted to the absolute minimum necessary. In this connexion, Malawi was ready to enter into consultations under the terms of Article 50 of the United Nations Charter if that was considered appropriate.¹⁹

Portugal, the Secretary-General said, had not reported any measures taken or contemplated in compliance with the resolution. The Government's reply, its Minister of Foreign Affairs wrote, as regards such measures would have to be considered in the light of answers to certain questions or "points of doubt" which he set forth in his communication.

In a further communication on 3 February 1967, the Secretary-General reported, the Portuguese Minister of Foreign Affairs had stated that as a result of the carrying out of a number of measures envisaged in the Security Council reso-

lutions of 9 April and of 16 December 1966,²⁰ the economy of "the Portuguese province of Mozambique" was suffering severe financial and economic losses. He had added that "in terms of, and for the purposes of, Article 50 of the Charter," the Portuguese Government wished that consultations should be initiated between the Security Council and the Portuguese Government in order that the modalities for paying compensation to "the province of Mozambique" might be agreed upon. Portugal requested that the matter be placed before the Security Council for its consideration.

On 9 March 1967, the Secretary-General informed the Council that he had received 20 additional initial and 8 supplementary reports on compliance with the Security Council resolution of 16 December 1966.

He drew the particular attention of the Council to a report from Botswana expressing the view that harmful economic consequences to Botswana would follow if it complied with the Council's resolution of 16 December 1966 to a greater extent than it had been doing, and if the illegal régime in Southern Rhodesia retaliated by banning all exports from Southern Rhodesia to Botswana, prohibiting the export of commodities from Botswana to or through Southern Rhodesia and preventing the supply of petrol, oil and lubricants to Botswana from Lourenço Marques, Mozambique, through Southern Rhodesia. Further, if the illegal régime in Southern Rhodesia took action which seriously curtailed the operation of the railway within Botswana, then Botswana would be faced with an economic threat of the utmost gravity. In those circumstances, Botswana felt that the application by it of any additional sanctions against Southern Rhodesia would pose special economic problems in the terms of Article 50 of the Charter.

¹⁹ 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."

²⁰ See Y.U.N., 1966, p. 112 and pp. 116-17, for texts of resolutions 221(1966) and 232(1966), respectively.

The Secretary-General also drew the attention of the Security Council to a letter of 27 February 1967 from the Permanent Representative of Bulgaria transmitting a statement of the Government of the German Democratic Republic on the implementation of the Security Council's resolution of 16 December 1966 concerning the situation in Southern Rhodesia. This statement reaffirmed the German Democratic Republic's determination to fulfil, without reservation, the demands set forth in the resolution of the Security Council and declared that all commercial relations with Southern Rhodesia had been broken off.

In communications to the Secretary-General dated 15 March and 16 May 1967, the USSR stated that the United Nations Secretariat took a different attitude to the issuance as official United Nations documents of notes and statements of, on the one hand, the Government of the German Democratic Republic, and, on the other, the Government of the Federal Republic of Germany. Thus, while the Secretariat circulated various documents of the Federal Republic of Germany without the slightest difficulty, it ignored statements of the German Democratic Republic addressed to the United Nations, until a request for issuance was received from a Member of the United Nations, the USSR said, citing the example of a statement by the German Democratic Republic on the implementation of the Security Council resolution of 16 December 1966 on the Southern Rhodesia question. The Secretariat had arbitrarily ignored the existence of a statement by the Government of the German Democratic Republic on a matter connected with the fight against the racist régime in Southern Rhodesia but had, in a Secretariat report on measures taken by States to implement the Security Council's resolution of 16 December 1966, included the letter from the Federal Republic of Germany which, as everyone knew, was co-operating with the colonialists and racists in Africa. The Secretariat, said the USSR, had acted to please that group in the United Nations which persisted in supporting the claims of the ruling circles of the Federal Republic of Germany—revanchist claims dangerous to the cause of peace—and which, preferring to ignore reality, pursued a discriminatory policy towards the German Democratic Republic. The German

Democratic Republic, on the other hand, consistently pursued a policy directed towards securing peace in Europe and throughout the world and towards the development of political, economic and cultural ties with many States. It had strictly complied with the principles of the United Nations Charter, the USSR added. The steady growth of the authority of the German Democratic Republic on the international scene showed that, despite gross pressure on the part of certain Western powers, more and more sovereign States were basing their policy on the fact that there were two German States, and they rejected the absurd claims of the Federal Republic of Germany to speak for the whole of Germany. The short-sighted policy of "non-recognition" of the German Democratic Republic, which, in essence, served only the interests of the West German revanchists, was in irreconcilable conflict with reality and constituted a serious source of international tension.

In a communication of 2 May to the Permanent Representative of the USSR, the Secretary-General wrote that in interpreting the Security Council's resolution of 16 December 1966 with respect to the information he was to collect and to include in his report on implementation, he had had full regard to that operative paragraph of the resolution whereby the Security Council called upon States Members of the United Nations or of the specialized agencies to report measures of implementation to the Secretary-General. Thus, the information he had included in his report was from those States from which the Council required such information. Nevertheless, it should be noted that, in addition, at the request of Bulgaria, he had circulated a statement of the Government of the German Democratic Republic on the implementation of the resolution. Attention had been drawn to this statement in an addendum to his report of 9 March 1967. So far as the question of circulation of communications was concerned, the Secretary-General considered that it was beyond his competence, in the absence of explicit directives from the deliberative organ concerned, to determine the highly political and controversial question whether or not certain areas, the status of which was in dispute among Members of the United Nations, were States within the meaning of the "all States" or "States not Members of

the United Nations" formulae, which on occasion appeared in United Nations resolutions. He recalled his statement of 18 November 1963 to the General Assembly when he had said, among other things, that if the "any State" formula were to be adopted, he would be able to implement it only if the General Assembly provided him with the complete list of the States coming within that formula, other than those which were Members of the United Nations or of the specialized agencies, or parties to the Statute of the International Court of Justice. As he believed it outside his competence to interpret formulae of the nature referred to, the Secretary-General said he had no alternative but to continue the existing practice until the Security Council or the General Assembly directed to the contrary.

Replying to the Secretary-General on 16 May 1967, the Permanent Representative of the USSR said that in regard to the Secretary-General's references to the alleged necessity of special decisions of the Security Council or the General Assembly for the issuance as official United Nations documents of the statements and notes emanating from the German Democratic Republic, it should be noted that the United Nations Secretariat adopted this discriminatory approach towards the German Democratic Republic without any decisions of the United Nations organs on the matter, that is to say, arbitrarily, solely because of an illegal practice established in the United Nations Secretariat in the past. The Secretariat, in still following this practice, took a one-sided position on the question which coincided with the positions of the Western powers.

On 27 July 1967, the Secretary-General submitted a third report on compliance with the Security Council resolution of 16 December 1966, describing 22 initial and 16 supplementary Government responses.

The Secretary-General said that it was still not possible to make any definitive conclusions on the progress of the implementation of the Council's resolution. It could only be said that while there had been a significant decline in the trade between Southern Rhodesia and many of its trading partners in most of the commodities listed in the resolution, there had been continu-

ing traffic in certain important commodities.

On 22 September 1967 the Minister for Foreign Affairs of Portugal sent the President of the Security Council a statement about the losses suffered by the economy of the Province of Mozambique by reason of the continued application of a number of measures provided for in the Security Council's resolutions of 9 April and 16 December 1966. He reiterated the desire of his Government for consultations with the Security Council under Article 50 of the Charter to agree upon modalities of the payment of the indemnification to which the Province of Mozambique had a right.

A fourth report by the Secretary-General on compliance with the Security Council resolution of 16 December 1966 was submitted to the Council on 30 November 1967. This contained information on one additional initial and two supplementary responses from Governments.

In addition, the Secretary-General submitted an analysis of the statistical data furnished by 39 States under that Council resolution. Imports from Southern Rhodesia into the reporting countries had amounted to \$25 million in the first half of 1967, compared with \$227 million in the year 1965. The reporting countries had been, in 1965, the recipients of 53 per cent of Southern Rhodesia's exports, the remainder of which had gone almost entirely to Zambia, Malawi and South Africa. In the absence of statistical reports from these three countries for the period under review—the first half of 1967—it was not possible at that time to evaluate that part of the total trade. Exports of the reporting countries to Southern Rhodesia had amounted to \$30 million in the first half of 1967, compared with \$185 million in the year 1965. The reporting countries had, in 1965, been suppliers of 64 per cent of the imports of Southern Rhodesia, the remainder of which had come principally from South Africa, Zambia, Malawi and Mozambique, for which statistical data were not then available for review. The analysis set forth data on the 11 commodity groups specified in the Council's resolution of 16 December 1966, the value of which had amounted to \$20 million in the first half of 1967, compared with \$207 million in the year 1965. The analysis also noted that the various

figures contained in it dealt with trade which had taken place before the adoption of the Council's resolution on 16 December 1966, but which appeared only in the statistics for the year 1967. The most important of the commodities specified in the resolution was tobacco, Southern Rhodesian exports of which had amounted in value to \$132 million in 1965. The available data indicated that, in the first half of 1967, Rhodesian tobacco had virtually disappeared from the world market. The recorded imports of the reporting countries had been explained as having been, in most cases, bonded stores of earlier date. Analysis revealed that the former consumers of the Southern Rhodesian tobacco crop had, in 1967, met their requirements mainly by an expansion of imports from the United States.

Southern Rhodesian exports of the next most important commodity, asbestos, had amounted in value to \$30 million in 1965. The recorded imports of the reporting countries in the first half of 1967 had amounted in value to \$1.7 million, which compared with \$22 million in 1965. The analysis noted that imports of the reporting countries from South Africa, an important producer of asbestos, had been increasing, amounting in value to \$26 million in the first half of 1967, compared with \$39 million in the year 1965.

Most of the reporting countries appeared to have ceased to import copper from Southern Rhodesia. It appeared from published statistics that imports of copper into the Federal Republic of Germany, although somewhat lower than in 1965, had continued in the first half of 1967.

The analysis also provided various figures on imports from Southern Rhodesia of chromite, meat and meat products, sugar, hides, skins and leather, iron ore and pig iron.

Exports of the reporting countries to Southern Rhodesia of the four commodity groups specified in the Security Council's resolution of 16 December 1966 had amounted in value to approximately \$1 million in the first half of 1967, as compared with \$35 million in 1965.

As to petroleum supplies to Southern Rhodesia, the Secretary-General reported that no meaningful evaluation of the status was possible from the data furnished by the reporting

countries because the traditional suppliers had been countries in the Middle East region, none of which had as yet reported its data to the Secretary-General. Iran, Bahrain, Saudi Arabia and the Netherlands Antilles had been normal, major suppliers of petroleum products, not only to Southern Rhodesia but also to South Africa, Mozambique and Angola. Since South Africa in recent periods had not disclosed countries of origin for its petroleum imports or countries of destination for its petroleum exports, even approximate evaluation of the Southern Rhodesia petroleum situation, in combination with that of South Africa, was not possible without direct statistical information from their principal suppliers.

On 14 December 1967, the United Kingdom expressed to the Secretary-General its hope that the Governments which had not yet supplied trade statistics, including those which had no trade with Southern Rhodesia, would soon do so. The reporting countries so far represented less than one third of the membership of the Organization and did not include many countries which must have a considerable trade in some of the commodities in question. The United Kingdom suggested that the Secretary-General might wish to consider reminding Governments which had not yet reported of the importance of doing so, if a complete picture of how the sanctions were operating was to be prepared.

CONSIDERATION BY SPECIAL COMMITTEE OF TWENTY-FOUR

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 in Africa between 5 and 15 June 1967. In the course of these meetings, the Committee examined a number of written petitions and heard the following four petitioners: T. G. Silundika, of the Zimbabwe African People's Union (ZAPU); W. H. Chitepo and P. L. Chihota, of the Zimbabwe African National Union (ZANU); and the Rev. Bernard H. Zulu.

The petitioners representing ZANU and ZAPU told the Committee that since its pre-

vious hearings in 1966,²¹ the illegal régime in Southern Rhodesia had adopted a more defiant attitude and had introduced far more oppressive measures against the African majority. Among other things, the illegal régime had established a commission to prepare a constitution for the permanent entrenchment of racist minority rule; had introduced a Preventive Detention Amendment Bill which, if passed, would permit any number of people to be detained for any length of time on any charge, without a state of emergency being declared or a report being made to Parliament; and had also begun to introduce a system of open apartheid along the lines of that practice in South Africa. Also, the illegal régime had prescribed separate facilities for various tribal and ethnic groups, housing and education were to be reorganized along tribal lines, and the powers of the chiefs had been extended. In addition, the illegal régime had continued to expand its armed forces; in 1966 the military appropriation in the Southern Rhodesian budget was more than twice what it had been in 1965.

The petitioners held the United Kingdom Government largely responsible for the situation in Southern Rhodesia owing to its decision not to use force to overthrow the illegal régime. They said that the United Kingdom had decided not to use force because the Southern Rhodesian rebels were its "kith and kin" and because of its economic interests in Southern Rhodesia and South Africa. Instead, the United Kingdom had resorted to a deception by requesting the United Nations to impose economic sanctions against the illegal régime—sanctions which had not produced the intended results. The illegal régime had found many United Nations Member States, including the United Kingdom itself, willing to deal with it through middlemen, and had made the Africans, who were being dismissed from employment en masse, the main victims of sanctions. In order to salvage the reputation of the United Nations, the petitioners urged the adoption of measures to enforce sanctions, without considering the willingness of the United Kingdom. These measures might include sanctions against both South Africa and Mozambique, which were supplying Southern Rhodesia with most of her needs, including oil; the bombing of the road

and rail connexions through which those countries traded with Southern Rhodesia; or the placing of United Nations observer forces on the South Africa and Mozambique borders.

The petitioners believed that the mission of liberating Southern Rhodesia was the ultimate responsibility of the people of Zimbabwe alone, although the United Nations could assist them to liberate themselves. The war of liberation presently being urged by African nationalists would continue and would be intensified until the objective of African majority rule was realized.

The petitioners representing ZANU and ZAPU called upon the United Nations to guarantee that it would not recognize a return to legality by the Smith régime, on the basis of a constitution which would perpetuate minority rule in Southern Rhodesia. They emphasized that the only valid constitution would be one drafted or approved by the duly elected and acknowledged leaders of the African people of Zimbabwe, and which would embody the principle of "one man, one vote."

The Reverend Zulu described to the members of the Committee how the illegal régime discriminated against Africans with respect to voting rights, representation in Parliament, land occupancy and education. This oppression had inevitably led to dissatisfaction and unrest, to which the government had responded with the Law and Order (Maintenance) Act under which anyone could be deprived of liberty without trial for periods up to five years, renewable indefinitely, and in certain cases could even be sentenced to death. At present, he said, over 100 Africans were sentenced to death and there were probably more than 10,000 Africans in restriction and detention. The detainees lived in inhuman conditions in remote camps while their families were breaking up because of the long absence of husbands and fathers.

In the general discussion following the hearing of petitioners, the representatives of African and Asian States shared the view that the United Kingdom Government bore direct responsibility for Southern Rhodesia and that it was incumbent upon it to take stronger meas-

²¹ See Y.U.N., 1966, pp. 100-01.

ures, including the use of military force, to bring down the illegal régime.

The representative of Chile said that his country traditionally opposed the use of force in international relations; however, since Southern Rhodesia was not a State but a territory in rebellion he considered it proper for the administering power to take whatever measures were needed to bring down the illegal régime.

Iraq and the United Republic of Tanzania maintained that the United Kingdom Government and other Western countries opposed to the use of force were not genuinely interested in overthrowing the illegal régime which was protecting their economic interests in the territory, and were supporting it by their trade.

Madagascar expressed appreciation of the United Kingdom's efforts to find a peaceful solution to the problem through sanctions. However, since sanctions were not being applied by all States, in particular South Africa and Portugal, he agreed that there was no alternative but to resort to force.

The representative of Sierra Leone believed that the flagrant violation of sanctions by South Africa and Portugal was one of the main reasons for the survival of the illegal régime and that the United Kingdom should secure their compliance in the future.

The representative of India called upon the freedom fighters of Zimbabwe to unite with those of South Africa and the territories under Portuguese domination in their struggle to overthrow the oppressive régimes, which had themselves formed an alliance for defence of their position.

The representatives of the Ivory Coast and Ethiopia expressed concern that the United Kingdom was trying to shift responsibility for the problem of Southern Rhodesia to the United Nations and urged that this should not be allowed to happen.

The representative of Zambia, who was attending the meetings in the capacity of observer, said that the situation in Southern Rhodesia presented a grave security problem for Zambia. His country was being made to pay both economically and in terms of security risks for its support of the African people of Zimbabwe.

The representative of Iran appealed to the Africans of Zimbabwe to redouble their efforts

to topple the illegal régime. He proposed a campaign of passive resistance as a possible weapon.

The representatives of Poland, the USSR and Yugoslavia agreed that the petitioners' statements had proved that the Western powers, South Africa and Portugal were working together to maintain the illegal racist régime in Southern Rhodesia so that they could continue to exploit the material and human resources of the territory. The representative of Poland said the petitioners' evidence showed that Southern Rhodesian minerals and crops were sold to major international concerns in Japan, the United States, the Federal Republic of Germany and other Western countries. The representative of Yugoslavia added that it had been naïve to expect sanctions to succeed without the full co-operation of Portugal and South Africa. Since sanctions had failed, the only recourse was to call upon the United Kingdom to overthrow the illegal régime by military force. The representative of the USSR condemned the activities of the foreign interests which put profit before human rights.

Australia, Finland, Italy and the United States deplored the progressive application of oppressive apartheid measures in Southern Rhodesia and expressed their opposition to the illegal régime. The representatives of Australia and Italy commented that their countries had been among the first to impose economic sanctions on Southern Rhodesia and that they continued to support their application. The representative of Finland, calling for comprehensive sanctions, said his delegation considered that no peaceful effort should be spared to rectify the situation and enable the people of Zimbabwe to choose their own future in their own country.

The United States representative told the Special Committee that his country was fully implementing its sanctions programme and that there were no loop-holes in it. His Government was taking these steps willingly because it wished to play an active part in finding a peaceful solution to the problem of Southern Rhodesia.

The representative of Venezuela expressed unreserved support for the people of Zimbabwe in their fight for liberation.

On 6 June 1967, on the basis of a proposal by the representative of Chile, the Special Committee adopted a consensus on the question of

Southern Rhodesia. By this consensus, the Special Committee: (1) decided to transmit to the President of the Security Council the records of its debates on the question of Southern Rhodesia, including the testimony submitted by the petitioners; (2) urged the Government of the United Kingdom to prevent the passage of the bill presently before the so-called parliament of the illegal régime, which would have the effect of entrenching apartheid policies in Southern Rhodesia; and (3) appealed to the Government of the United Kingdom to ensure the release of all political prisoners and detainees held by the illegal régime, particularly Joshua Nkomo and Ndabaningwe Sithole.

The United States representative, whose views were shared by the Australian representative, said that his delegation could agree to the transmission of the records to the Security Council, but for practical reasons would have to reserve its position on the second and third paragraphs of the consensus. The United Kingdom Government was not in control in Southern Rhodesia and therefore did not have the power to secure the release of Mr. Nkomo and Mr. Sithole, he explained.

The text of the consensus, together with the records of the debates, was transmitted to the President of the Security Council, it being understood that the reservations expressed by some of the members with respect to the consensus would be reflected in the records of the meetings.

On 9 June 1967, the Special Committee, by a roll-call vote of 17 to 1, with 3 abstentions, adopted a resolution on the question of Southern Rhodesia, sponsored by Ethiopia, India, Iran, Iraq, the Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tunisia, the United Republic of Tanzania and Yugoslavia, as amended by Bulgaria and Poland.

By this resolution, the Special Committee, among other things: (1) reaffirmed the legitimacy of the struggle of the people of Zimbabwe for freedom and independence; (2) condemned the policies of racial discrimination and segregation practised in Southern Rhodesia as a crime against humanity; (3) deplored the failure and the unwillingness of the United Kingdom to take effective measures to bring down the illegal racist minority regime; (4) reaf-

firmed the obligation of the United Kingdom to transfer power without delay to the people of Zimbabwe on the basis of elections conducted according to the principle of "one man, one vote"; (5) expressed its conviction that to be effective sanctions must be comprehensive and mandatory' and backed by force on the part of the United Kingdom; (6) further reaffirmed that the use of force by the United Kingdom was the only effective and speedy way of bringing down the rebellion in the territory; (7) called once again upon the United Kingdom Government to take all necessary measures, including the use of force, to put an end to the illegal régime and ensure the immediate application of the General Assembly's resolution of 14 December 1960 on the ending of colonialism²² and other relevant resolutions; (8) considered that any future consultations undertaken by the United Kingdom with respect to the future of Southern Rhodesia must be carried out with representatives of the African political parties and not with the illegal régime; (9) condemned the activities of foreign financial and other interests which, by supporting the illegal régime and exploiting the material and human resources of the territory, were preventing the people of Zimbabwe from attaining freedom and independence and called upon Governments concerned to take the necessary measures to end such activities; (10) condemned in the strongest terms the policies of the Governments of South Africa and Portugal of continued support for the illegal racist minority régime; (11) urged all States to render assistance to the national liberation movements of Zimbabwe through the Organization of African Unity (OAU); (12) recommended to the Security Council that it take the necessary measures under Chapter VII of the United Nations Charter;²³ (13) appealed to the specialized agencies concerned and other international assistance organizations to aid refugees from Zimbabwe and those suffering from oppression by the illegal régime, in consultation with OAU and, through it, with the national

²² See Y.U.N., 1960, pp. 49-50, text of resolution 1514(XV).

²³ For text of Chapter VII of the Charter, see APPENDIX II.

liberation movements in Southern Rhodesia; (14) asked the Secretary-General to publicize continuously the work of the United Nations concerning this question in order to inform public opinion; (15) called on the administering power to report on implementation of this resolution; and (16) decided to keep the question on its agenda.

The additions to the resolution proposed by Bulgaria had the Special Committee: condemn the policies of racial discrimination and segregation practised in Southern Rhodesia as "a crime against humanity"; request the Secretary-General to publicize the work of the United Nations on this question in order to inform public opinion; and instruct the specialized agencies to consult with OAU and the national liberation movements in providing aid and assistance to refugees. Poland's oral revision to the resolution added the phrase "without further delay" to the operative paragraph numbered (4) above.

Prior to the Committee's vote, the representatives of Finland and the United States said that, although they fully shared the aims of the sponsors of the resolution, their Governments believed that continued attempts must be made to find a peaceful solution to the problem of Southern Rhodesia and they would abstain in the vote on the draft resolution in its existing form.

The Australian representative, while agreeing with many points in the resolution, said he would vote against it. His Government believed sincerely that the possibilities of a peaceful solution had not yet been exhausted and felt that the use of force would create more problems for the future of Southern Rhodesia than it would solve.

Italy's spokesman believed that any decision regarding future action should be left to the Security Council which was in the best position to appraise the situation on the basis of the information supplied by the Special Committee. He would therefore abstain in the vote on the resolution.

The text of the resolution was transmitted to the President of the Security Council on 13 June 1967.

From 6 to 18 October 1967, the Special Committee of Twenty-Four considered a report pre-

pared by a sub-committee in connexion with a General Assembly agenda item entitled "The activities of foreign economic and other interests which are impeding the implementation of the Declaration on the granting of independence in Southern Rhodesia, South West Africa, the territories under Portuguese administration and other colonial territories." On 18 October, the Special Committee, by a roll-call vote of 19 to 3, with 2 abstentions, adopted the report of the sub-committee and endorsed its conclusions and recommendations. (For further details, see pp. 634-37.)

SEMINAR ON APARTHEID,
RACIAL DISCRIMINATION AND
COLONIALISM IN SOUTHERN AFRICA

An International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa was held at Kitwe, Zambia, from 25 July to 4 August 1967. The Seminar was organized by the Secretary-General in consultation with the United Nations Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The conclusions and recommendations of the Seminar, which were submitted to the Assembly at its twenty-second session in 1967, dealt, among other things, with the question of Southern Rhodesia as well as with the political, economic and military situation in southern Africa as a whole. (For further details, see pp. 120-23.)

With respect to Southern Rhodesia, the Seminar, *inter alia*, considered that, in order to be effective, sanctions against the illegal racist minority régime must be total, comprehensive, universal and mandatory, and that the United Kingdom must be called upon to use force to crush the illegal régime. It strongly condemned the support given to the illegal régime by South Africa and Portugal and considered that the Security Council should urgently take effective steps to stop such support by instituting mandatory sanctions against those States. It called upon the United Nations to make unequivocally clear that there could be no recognition of the independence of Southern Rhodesia

without majority rule and it called for an international action of positive solidarity with Zambia to assist that country to overcome the serious difficulties and economic strain resulting from the application of sanctions against the illegal régime in Southern Rhodesia.

Among its general conclusions, the Seminar considered that the continued existence of apartheid, racial discrimination and colonialism in southern Africa constituted a crime against humanity and posed a grave threat to peace and security. The Seminar congratulated and encouraged the peoples of South Africa, South West Africa, Southern Rhodesia and the territories under Portuguese domination in their struggle against apartheid, discrimination and colonialism, and recommended to the General Assembly that it adopt a declaration recognizing the legitimacy of this struggle. Noting that appeals and persuasion had failed to induce the racist and colonial régimes to abandon their criminal policies and to conform to their obligations under the United Nations Charter, the Seminar considered it essential that the Security Council should resort to enforcement action under Chapter VII of the Charter, and it held that the imposition of effective, mandatory sanctions against South Africa, Portugal and the illegal racist minority régime in Southern Rhodesia was imperative in order to promote a peaceful solution.

In other recommendations relevant to Southern Rhodesia, the Seminar, among other things: condemned the activities of foreign economic, financial and other interests which were preventing the African people from attaining freedom and independence; proposed an international propaganda campaign to make clear the real situation in southern Africa and expose the entente between South Africa, Portugal and the illegal racist minority régime in Southern Rhodesia; and strongly supported the appeal by the General Assembly to all States to provide moral, political and material assistance to the national liberation movements in southern Africa recognized by the Organization of African Unity (OAU).

The Seminar also recommended that the investigation into the condition of political prisoners in southern Africa be pursued and extended to cover the deplorable and inhuman

treatment of political prisoners in South West Africa, Southern Rhodesia, Angola, Mozambique and other colonies in Africa, and it encouraged the International Defence and Aid Fund and the World Campaign for the Release of South African Political Prisoners to extend their activities more widely to cover the defence and aid of prisoners in Southern Rhodesia, Angola and Mozambique and other colonies in Africa.

DECISIONS OF ECONOMIC AND SOCIAL COUNCIL

During 1967, the Economic and Social Council dealt with aspects of the situation in Southern Rhodesia in connexion with its consideration of two items relating to human rights.

By the terms of a resolution (1235(XLII)) adopted on 6 June 1967 on the recommendation of the Commission on Human Rights, the Economic and Social Council authorized the Commission and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine information relevant to, among other things, racial discrimination as practised notably in Southern Rhodesia. The Council further decided that the Commission might, in appropriate cases, and after careful consideration of the information available to it, make a thorough study of situations which revealed a consistent pattern of racial discrimination, as practised notably in Southern Rhodesia, and report with recommendations thereon to the Council. (For further details, see page 512.)

Also on 6 June 1967, and acting on a proposal by the Commission on Human Rights, the Council adopted a resolution (1244(XLII)) whereby it recommended to the General Assembly for its adoption the text of a draft resolution on measures for the speedy implementation of international instruments against racial discrimination. By this draft resolution, the General Assembly, among other things, would: (1) condemn both the Republic of South Africa and the illegal régime in Southern Rhodesia for their open and nefarious practices of racial discrimination and intolerance against the African people and other non-white peoples; and (2) request the International Conference on Human Rights, which was scheduled to meet in Teheran, Iran, in April-May 1968, to con-

sider the question of giving effect to the provisions of the Declaration and the Convention on the Elimination of All Forms of Racial Discrimination, as well as to the implementation of the conventions directed against discrimination in employment and occupation and against discrimination in education, in so far as they related to racial discrimination, especially in the Republic of South Africa and Southern Rhodesia.

Later in 1967, on 18 December, this draft text was adopted by the General Assembly by a vote of 106 in favour, with 2 against and 2 abstentions, as resolution 2332(XXII). (For further details, see pp. 487-88.)

CONSIDERATION BY GENERAL ASSEMBLY

At its twenty-second session, the General Assembly referred the question of Southern Rhodesia to its Fourth Committee, which considered the matter at meetings held between 4 and 25 October.

The Fourth Committee had before it the report of the Special Committee of Twenty-Four containing information on recent developments in the territory, the statements of petitioners, and also its resolution of 9 June 1967 (see above), whereby it had expressed its conviction that sanctions, in order to bring about the downfall of the illegal régime, must be comprehensive and mandatory and backed by force on the part of the administering power.

In the course of the general debate, the necessity of bringing a speedy end to the illegal racist minority régime and restoring to the African people of Zimbabwe their inalienable right to self-determination and independence was generally emphasized. Divergent views were expressed, however, with regard to the effectiveness of measures already being taken to achieve these goals and what further action, if any, was required.

The representative of the United Kingdom, speaking first in the general debate, said that his Government believed, according to the limited evidence received, that the sanctions already called for by the Security Council were having a severe effect in Southern Rhodesia and that there had been a significant decline in trade between Southern Rhodesia and many of her

traditional trading partners. There was a continuing supply of certain banned commodities, however, from countries other than the United Kingdom. The United Kingdom Government was seeking ways of remedying this situation, but it was to be emphasized that the primary responsibility for controlling these violations rested with the Governments of the countries concerned, many of which had not yet reported to the Secretary-General pursuant to the Security Council resolution of 16 December 1966.²⁴ In the light of what was already known, the United Kingdom Government did not accept the view that selected mandatory sanctions had failed and maintained that the most important and immediate task before the United Nations was strengthening the sanctions already imposed. A number of possible steps that could be taken to intensify sanctions further and prevent evasion of those already imposed were presently under consideration by the Commonwealth Sanctions Committee which had met in London the previous week. The United Kingdom spokesman reiterated his Government's opposition to the use of force against the illegal régime on the ground that it could result in immeasurable misery, especially to those whom it was meant to benefit.

The representatives of Canada, Denmark and Finland held that all peaceful methods prescribed by the United Nations Charter should be exhausted before the use of force was considered by the General Assembly. The Danish representative pointed out that the very fact that sanctions were not comprehensive and not fully complied with by all Member States proved that further peaceful steps could be taken under the Charter to bring the illegal régime to an end.

Japan felt that it would be premature to conclude that sanctions had failed just because the illegal régime was still in power 10 months after sanctions had been imposed. No conclusion on the effects of the measures taken could be reached unless all countries, especially the traditional trading partners of Southern Rhodesia, provided complete information.

The United States said it was more than ever resolved to persevere in helping to seek

²⁴ See footnote 16.

a peaceful solution based on political justice and equal opportunity for all Southern Rhodesians, regardless of race. It fully supported the efforts of the United Kingdom and the United Nations to put an end to the rebellion and to ensure a transition to majority rule by peaceful means, and it would not support solutions based on the use of force.

The representative of the United Republic of Tanzania believed that the failure of sanctions had already been proved. He thought that the United Kingdom and its Western allies were deliberately misleading world opinion into believing that sanctions could work when they continued to trade with the illegal régime and allowed Portugal and South Africa openly to defy the Security Council.

There seemed to him to be no alternative to the belief that the United Kingdom was insincere in its declared intention to quell the rebellion and that, in fact, it desired the survival of a white minority government to protect its economic interests in the territory. His delegation continued to hold the United Kingdom fully responsible for the situation in the territory and advocated the use of force by the United Nations under Chapter VII of the Charter as the most effective means of toppling the rebellion.

The USSR representative, supported, among others, by Czechoslovakia, maintained that the situation in Southern Rhodesia had been supported and encouraged by Western countries—the United States and the United Kingdom in particular—to protect the interests of international monopolies engaged in exploiting the natural resources of the territory. Those economic interests were preventing the effective application of economic sanctions while the United Kingdom was opposing stronger action in order to gain time to allow the racists to consolidate their position. The USSR delegation supported the proposals of the African countries that, in accordance with the United Nations Charter, effective measures should be taken to put an end to the racist régime in Southern Rhodesia and to transfer power to the lawful representatives of the Zimbabwe people. It also urged the General Assembly to condemn those Western powers which supported United Nations resolutions but con-

tinued to maintain economic and other relations with the illegal régime and to demand that they implement those resolutions unconditionally.

The representative of Poland agreed that political and economic interests on an international level were supporting the illegal régime through continued trade, and that appropriate measures should be taken with regard to those Member States which were not implementing the United Nations decisions. South Africa, he said, was giving direct military aid to the illegal régime as well as economic support.

The representative of Guatemala stated that, although his delegation was not abandoning its principle that force and threat of force should be prohibited in international relations, it believed that in this case the administering power had a moral obligation to use all means available to bring down the illegal régime, and that since Southern Rhodesia was a United Kingdom colony the use of force would be no more than police action designed to end the rebellion.

Uganda suggested that, as a compromise alternative to the immediate use of force, the General Assembly might recommend to the Security Council that it institute comprehensive, mandatory sanctions against Southern Rhodesia as of 1 January 1968. If, after a specified period, the United Kingdom still found itself unable to solve the problem, the United Nations should then ask that Government to use force to dislodge the rebel régime.

Ghana's representative said that recourse to total mandatory sanctions was not the complete answer since the primary cause of the ineffectiveness of limited mandatory sanctions was the ability of South Africa and Portugal to bypass them. His delegation believed that those two countries should be condemned by the United Nations and that sanctions should be applied against them. It also believed that any new programme of mandatory sanctions should include a provision for collective action by the United Nations against any countries which circumvented them.

Libya agreed that the only way of making sanctions effective was to extend them to South Africa and Portugal—the main accomplices of the illegal régime—if they persisted in ignoring

Security Council resolutions, and further to take effective measures against the activities of foreign economic interests which supported the régime.

The representative of Algeria said that, since the United Kingdom as well as other States had already expressed strong opposition to any condemnation of South Africa, his delegation was convinced that only the use of force would bring down the illegal régime. His delegation also advocated recognition by the United Nations of the lawfulness of the national liberation movement in Southern Rhodesia and the need for moral and material assistance to the liberation movements by Member States.

Deep concern at the great burden which sanctions were placing on Zambia, Malawi and Botswana, which bordered on Southern Rhodesia, was expressed by Ceylon. The General Assembly and the Security Council, it thought, should urgently consider what international measures could be taken to mitigate the impact of sanctions on the economies of countries applying them, and to ensure an equitable distribution of the total burden, in conformity with the principles of the Charter.

The representative of Pakistan pointed out that the situation in Southern Rhodesia was closely linked with the other grave issues which the United Nations was facing in southern Africa. The situation must be resolved without delay because it posed a serious threat to international peace and security, in addition to constituting a denial of the Zimbabwe people's right to self-determination.

Barbados feared that the conflict in Southern Rhodesia, if not brought to an end, might expand into a full-scale war, between those giving material assistance to the people of Zimbabwe and other parties who might become involved for selfish reasons.

The Philippines considered that unless the United Nations, particularly the Security Council, acted quickly and effectively to bring down the illegal régime, the world community would have "another South Africa" on its hands. Because of the ineffectiveness of sanctions, the illegal régime was rapidly consolidating its position and was moving towards apartheid. Although recognizing that the primary responsibility for the situation rested with the United

Kingdom because of its failure to use force against the illegal régime, the Philippines called upon the permanent members of the Security Council to take the necessary enforcement measures and to ensure that sanctions and other measures were complied with by all States, in particular South Africa and Portugal.

In the opinion of Sierra Leone, if the United Kingdom could not take suitable action, it was the duty of the Fourth Committee to recommend that the Security Council take further measures under Chapter VII of the Charter. Ethiopia hoped that the Committee would not allow the United Kingdom to evade its responsibilities to the people of Southern Rhodesia and to transfer the initiative to the United Nations.

The representative of India agreed that, to be effective, sanctions must be comprehensive, mandatory and backed by the force of the administering power. India was particularly concerned, however, that the question of sanctions should not be seen as an end in itself. The main object of United Nations action was to prevent the United Kingdom from granting independence to Southern Rhodesia before majority rule.

Nigeria believed that the United Kingdom Government's continuing talks with the illegal régime seemed to indicate that it was now ready to grant independence to Southern Rhodesia under Ian Smith on the basis of assurances of future progress towards majority rule. In view of the illegal régime's successful defiance of the world community, no guarantee of transferring power to a majority government could be easily enforced if the illegal régime later chose to ignore it. Nigeria strongly condemned any attempt to grant independence to Southern Rhodesia under the present illegal régime.

The representative of Sierra Leone considered that the United Kingdom should begin talks with the African nationalist leaders to provide a constitution which would lead the people of Zimbabwe to independence in accordance with the principle of "one man, one vote." The Ivory Coast also expressed disapproval of any arrangement short of majority rule, and the representative of the United Republic of Tanzania urged the General Assembly to call upon the administering power to stop dealing secretly with the illegal régime.

Zambia drew the Fourth Committee's notice to the arrival of South African troops in Southern Rhodesia, a development which gave the crisis greater dimensions. The Zambian Government had called the United Kingdom's attention to the situation and solemnly requested it to take appropriate steps to repulse the invaders. No action, however, had been taken. While the United Kingdom Government tacitly supported what amounted to naked aggression by South Africa in Southern Rhodesia by not using force to remove South African troops, it clearly demonstrated its racial feelings by labelling Zimbabwe "freedom fighters" being sheltered in Zambia as "terrorists" and "infiltrators." Zambia was shocked at what seemed to be an attitude of sympathy for the illegal régime on the part of the United Kingdom.

Yugoslavia said that the participation of South African armed forces in the struggle in Southern Rhodesia constituted an invasion of a United Kingdom territory and that the General Assembly should adopt a separate resolution condemning South Africa for the invasion and asking the United Kingdom Government to take all necessary steps to ensure the protection of the territory.

The representative of South Africa, replying to various representatives who had spoken of the presence of South African armed forces in Southern Rhodesia, stated that these forces consisted of police, whose only mission was to deal with terrorists of South African origin who were trying to make their way into South Africa. The presence of these South African police in Southern Rhodesia was not in any way connected with the political situation in Southern Rhodesia.

On 25 October 1967, the representative of Zambia introduced a draft resolution on the question of Southern Rhodesia which was eventually sponsored by 49 Member States.

On 27 October, the Fourth Committee approved the draft resolution by a roll-call vote of 90 to 2, with 18 abstentions, and recommended it to the General Assembly. On 3 November, the Assembly, without debate, adopted the text as its resolution 2262 (XXII) by a roll-call vote of 92 to 2, with 18 abstentions. (For voting details, see DOCUMENTARY REFERENCES below.)

By this resolution the General Assembly, among other things: (1) reaffirmed once again the legitimacy of the struggle of the people of Zimbabwe for freedom and independence; (2) condemned the policies of oppression, racial discrimination and segregation practised in Southern Rhodesia; (3) reaffirmed the obligation of the administering power to transfer power without further delay to the people of Zimbabwe on the basis of elections conducted according to the principle of "one man, one vote"; (4) condemned the failure and refusal of the Government of the United Kingdom, in its capacity as the administering power, to take effective measures to bring down the illegal racist régime; (5) affirmed its conviction that the sanctions so far adopted would not put an end to the illegal racist minority régime and that sanctions, in order to achieve their objective, would have to be comprehensive and mandatory and backed by force; (6) further reaffirmed that the only effective and speedy way for the administering power to bring down the rebellion in the territory was through the use of force; (7) called once again upon the Government of the United Kingdom to take immediately all necessary measures, including the use of force, to put an end to the illegal racist minority régime of Southern Rhodesia and to ensure the immediate application of the General Assembly's resolution (1514(XV)) of 14 December 1960 on the granting of independence to colonial countries and peoples and other relevant resolutions; (8) considered that any future consultations undertaken by the administering power to determine the future of Southern Rhodesia must be with the representatives of all political parties and not with the illegal régime and called upon the administering power to enter immediately into consultation with the representatives of the political parties favouring majority rule; (9) condemned the activities of all States which were still trading with the illegal régime and called upon such States to sever immediately all economic and other relations with that régime; (10) condemned the activities of those foreign financial and other interests which, by supporting and assisting the illegal régime, were undermining the effective implementation of sanctions and were preventing the African people of Zimbabwe from attaining

freedom and independence, and called upon the Governments of the States concerned to take measures to end such activities; (11) condemned in the strongest terms the policies of the Governments of South Africa and Portugal of continued support for the illegal régime in blatant defiance of General Assembly and Security Council resolutions; (12) condemned further the presence of South African armed forces in Southern Rhodesia and the arms aid extended by the authorities of South Africa; (13) expressed grave concern at the serious threat posed by the presence of South African forces in Southern Rhodesia to the territorial integrity and sovereignty of independent African States in the area; (14) called upon the administering power to ensure the immediate expulsion of all South African armed forces from the colony of Southern Rhodesia and to prevent all armed assistance to the rebel régime; (15) strongly condemned the detention and imprisonment of African nationalists in Southern Rhodesia and invited the administering power to secure their immediate and unconditional release; (16) urged all States, as a matter of urgency, to render material and moral assistance to the national liberation movements of Zimbabwe either directly or through the Organization of African Unity (OAU); (17) drew the attention of the Security Council to the need for applying the necessary measures envisaged under Chapter VII of the Charter, in view of the deterioration of the grave situation in Southern Rhodesia; (18) appealed to the specialized agencies concerned and other international assistance organizations to aid refugees from Zimbabwe and those suffering from oppression by the illegal régime, in consultation with OAU and, through it, with the national liberation movements in the territory of Southern Rhodesia; (19) requested the Secretary-General to promote continuous and large-scale publicizing of United Nations work on this question in order that world public opinion might be sufficiently aware of the grave situation in Southern Rhodesia; (20) requested its Special Committee of Twenty-Four to continue its work on this subject and asked the Secretary-General to report to that Committee on implementation by Member States of United Nations resolutions relevant to the territory; (21) called on the

administering power to report to the Special Committee of Twenty-Four on the implementation of this resolution; and (22) decided to keep the question of Southern Rhodesia on its agenda. (For full text of resolution, see DOCUMENTARY REFERENCES below.)

The resolution to this effect was sponsored in the Fourth Committee by the following 49 Members: Afghanistan, Algeria, Burundi, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Democratic Republic of the Congo, Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iraq, the Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, the Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Togo, Tunisia, Uganda, the United Arab Republic, the United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia.

In the Fourth Committee's debate preceding the approval of the resolution, the representatives of Canada, Japan, the Netherlands and Sweden voiced opposition to the paragraphs calling for the use of force, saying that, although they agreed with the objectives of the draft resolution and with many of its provisions, they would have no choice but to abstain in the vote if these paragraphs remained.

Argentina, Brazil, Colombia, Greece, Honduras, Uruguay and Venezuela also expressed reservations about the paragraphs calling for the use of force, but stated that since they shared the same goals as the sponsors they would vote in favour of the draft resolution as a whole. The representatives of Argentina, Brazil, Colombia, Honduras and Uruguay also voiced reservations to operative paragraphs 4 of the draft resolution which condemned the Government of the United Kingdom for its failure to bring down the illegal régime and transfer power to the people of Zimbabwe. From the point of view of the representative of Barbados, the United Kingdom was not refusing to bring down the illegal régime but had merely rejected the use of force as an effective measure. He also felt, with respect to operative paragraph 6 (on reaffirming the Assembly's view that force was the only effective way to put down the rebellion in the territory), that whether or not the use

of force was legitimate under the circumstances, it was not the only way to put down the rebellion.

The representative of Brazil had a further reservation regarding the operative paragraph condemning the Government of South Africa and Portugal. He felt that the resolution should not single out any particular Government, but should condemn all actions tending to support the illegal régime.

Speaking in the Fourth Committee, the representative of the United Kingdom said that his delegation would abstain from voting because of references in certain operative paragraphs to the use of force. With respect to the extension of sanctions called for by the resolution, he wished to point out that since the United Kingdom Government was already applying virtually total sanctions, it would have nothing to lose by such a change and indeed would gain in that other countries would be placed in the same situation. His Government considered, however, that any extension of sanctions should be of a kind that could be effectively enforced and that measures adopted must be strictly observed by private firms and by Governments. In reply to those representatives who had expressed doubts about the intentions and firmness of purpose of his Government on the question, he reiterated his Government's intention to stand by the six principles enunciated by Prime Minister Wilson in a statement to Parliament on 25 January 1966, including its decision not to grant independence before majority rule without a substantial change in the situation. [The six principles as described in the report of the Special Committee of Twenty-Four to the General Assembly were as follows: "(1) The principle and intention of unimpeded progress to majority rule, already enshrined in the 1961 Constitution, would have to be maintained and guaranteed. (2) There would also have to be guarantees against retrogressive amendment of the Constitution. (3) There would have to be immediate improvement in the political status of the African population. (4) There would have to be progress towards ending racial discrimination. (5) The British Government would need to be satisfied that any basis proposed for independence was acceptable to the people of Rhodesia as a whole. (6) It would be necessary to ensure

that, regardless of race, there was no oppression of majority by minority or of minority by majority."]

The representative of Portugal objected to the express mention of his country in the resolution and to the attempt to blame Portugal for the situation in Southern Rhodesia. His Government was strictly neutral in the matter and was maintaining normal relations with both the United Kingdom and Southern Rhodesia, based on mutual respect, non-intervention and the right of land-locked countries to have access to the sea. Portugal's own trade with Southern Rhodesia had always been negligible and had not increased at the present time, especially with regard to petrol. The transit trade, which passed through Mozambique under agreements originally concluded with the administering power, and which could only exist if there were buyers and sellers outside Mozambique, had in fact decreased considerably as a result of sanctions and would probably disappear altogether if sanctions were successful. In any case, he said, there was no logic in blaming Portugal for the situation, which had not arisen as a result of any act or omission on Portugal's part.

In 1967, the General Assembly also adopted several additional resolutions which dealt, in part, with aspects of the situation in Southern Rhodesia.

On 7 December 1967, on the recommendation of its Fourth Committee, the Assembly adopted a resolution (2288(XXII)) 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, South West Africa, territories under Portuguese domination, and in all other territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa.

By this resolution the General Assembly, inter alia: strongly condemned the exploitation of the colonial territories and peoples and the methods practiced in the territories under colonial domination by the foreign financial, economic and other interests, which were designed to perpetuate the colonial régime; deplored those policies of colonial powers which permitted the exploitation of the natural resources of the territories

under their administration and which promoted or tolerated unjust and discriminatory work systems and other practices] called upon all States concerned to ensure that the concessions granted, the investments authorized and the enterprises permitted to their nationals did not run counter to the present or future interests of the indigenous inhabitants of those territories; and requested the colonial powers to stop immediately the practice of alienation of lands from the indigenous inhabitants and to take immediate action to return to them all such alienated lands. (For further details, see pp. 648-49.)

On 16 December, the General Assembly, without reference to a committee, adopted a resolution (2326(XXII)) on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, by which it reiterated its declaration 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 also reaffirmed its recognition of the legitimacy of the struggle of colonial peoples to exercise self-determination and independence, and noted with satisfaction the progress made in the colonial territories by the national liberation movements, both through their struggle and through reconstruction programmes. The General Assembly once again condemned the policies

pursued by certain administering powers of imposing non-representative régimes and constitutions, strengthening the position of foreign economic and other interests, misleading world public opinion, and encouraging the systematic influx of foreign immigrants while displacing, deporting and transferring the indigenous inhabitants to other areas, and it called upon these powers to desist from such manœuvres. It further requested its Special Committee of Twenty-Four to examine the compliance of Member States with the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions on the question of decolonization, particularly those relating to the territories under Portuguese domination, Southern Rhodesia and South West Africa. (For further details, see pp. 643-45.) This resolution was approved by the General Assembly by a roll-call vote of 86 to 6, with 17 abstentions.

By yet another resolution (2349(XXII)), adopted on 19 December, the General Assembly decided to include assistance to persons from Southern Rhodesia in the United Nations Training and Education Programme, provided that this did not interfere with existing United Nations educational assistance for such persons and that it was done with regard to the Security Council resolutions relating to non-recognition of the illegal régime in Southern Rhodesia. (For further details, see pp. 649-50.)

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S/7693. Letter of 17 January 1967 from Algeria.
S/7700. Letter of 23 January 1967 from Gabon.
S/7701. Note verbale of 13 January 1967 from United States.
S/7702. Note verbale of 20 January 1967 from Niger.

S/7703. Letter of 13 December 1966 from Ivory Coast (received 27 January 1967).

S/7706. Note verbale of 27 January 1967 from Bulgaria.

S/7709. Note verbale of 24 January 1967 from India.

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S/7712. Letter of 31 January 1967 from Greece.

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of Southern Rhodesia adopted by Special Committee at its 528th meeting held at Kitwe, Zambia, on 9 June 1967; text of consensus concerning question of Southern Rhodesia adopted by Special Committee at its 523rd meeting held at Kitwe, Zambia, on 6 June 1967; and text of resolution on implementation of General Assembly resolution 1514 (XV) with regard to colonial territories considered by Special Committee during its meetings in Africa (1967) (A/AC.109/252), adopted by Special Committee at its 541st meeting held at Dar es Salaam, United Republic of Tanzania, on 20 June 1967.

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A/6702 and Corr.1. Report of Security Council to General Assembly, Chapter 6.

CONSIDERATION BY SPECIAL COMMITTEE OF TWENTY-FOUR

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CONSIDERATION BY GENERAL ASSEMBLY

GENERAL ASSEMBLY—22ND SESSION

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A/C.4/691. Request for hearing.

A/C.4/L.870. Afghanistan, Algeria, Burma, Burundi, Central African Republic, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Togo, Tunisia, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia: draft resolution.

A/C.4/L.870/Rev.1 and Add.1. Afghanistan, Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Democratic Republic of Congo, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia: revised draft resolution.

A/C.4/L.870/Rev.2. Revised draft resolution, sponsored by 47 powers listed above, and in addition by Ceylon and Cyprus, adopted on 27 October 1967, meeting 1704, by roll-call vote of 90 to 2, with 18 abstentions, as follows:

In favour: Afghanistan, Algeria, Argentina, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Democratic Republic of Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Portugal, South Africa.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, Italy, Japan, Malawi, Netherlands, New Zealand, Norway, Sweden, United Kingdom, United States.

A/6884. Report of Fourth Committee.

RESOLUTION 2262(xxii), as proposed by Fourth Committee, A/6884, adopted by Assembly on 3 November 1967, meeting 1594, by roll-call vote of 92 to 2, with 18 abstentions, as follows:

In favour: Afghanistan, Algeria, Argentina, Barbados, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cambodia, Came-

roon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Democratic Republic of Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Paraguay, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Portugal, South Africa.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom, United States.

"The General Assembly,

"Having considered the question of Southern Rhodesia,

"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 the resolutions adopted by the General Assembly, the Security Council and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples concerning the question of Southern Rhodesia,

"Recalling further that the situation in Southern Rhodesia has been declared by the Security Council in resolution 232(1966) of 16 December 1966 as constituting a threat to international peace and security,

"Recalling further that the Government of the United Kingdom of Great Britain and Northern Ireland has declared on several occasions that the racist minority régime in Southern Rhodesia is illegal, that it will not negotiate with that régime on the future of Southern Rhodesia and that it will not grant independence until majority rule is established in the Territory,

"Noting that the economic sanctions applied so far have failed to bring down the illegal racist minority régime in Southern Rhodesia,

"Noting with profound regret that the Government of the United Kingdom has not found it possible to take the measures necessary to bring down the minority régime in Southern Rhodesia,

"1. Reaffirms the legitimacy of the struggle of the people of Zimbabwe for the restoration of their inalienable right to freedom and independence;

"2. Condemns the policies of oppression, racial discrimination and segregation practised in Southern Rhodesia, which constitute a crime against humanity;

"3. Reaffirms the obligation of the administering Power to transfer power without further delay to

the people of Zimbabwe on the basis of elections conducted according to the principle of "one man, one vote";

"4. Condemns the failure and the refusal of the Government of the United Kingdom of Great Britain and Northern Ireland, in its capacity 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;

"5. Affirms its conviction that the sanctions adopted so far will not put an end to the illegal racist minority régime and that sanctions, in order to achieve their objective, will have to be comprehensive and mandatory and backed by force;

"6. Further reaffirms that the only effective and speedy way for the administering Power to put down the rebellion in the Territory is through the use of force;

"7. Calls once again upon the Government of the United Kingdom to take immediately all the necessary measures, including the use of force, to put an end to the illegal racist minority régime in Southern Rhodesia and to ensure the immediate application of General Assembly resolution 1514(XV) and other relevant resolutions;

"8. Considers that any future consultations undertaken by the administering Power to determine the future of Southern Rhodesia must be with the representatives of all the political parties and not with the illegal régime, and calls upon the administering Power to enter immediately into consultations with the representatives of the political parties favouring majority rule;

"9. Condemns the activities of all those States which, contrary to the resolutions of the General Assembly and the Security Council, are still trading with the illegal racist minority régime in the Territory, and calls upon such States to sever immediately all economic and other relations with that régime, in accordance with those resolutions;

"10. Condemns the activities of those foreign financial and other interests which, by supporting and assisting the illegal racist minority régime in Southern Rhodesia, and by their exploitation of the human and material resources of the Territory, are undermining the effective implementation of the sanctions imposed so far and are impeding the African people of Zimbabwe from attaining freedom and independence in accordance with General Assembly resolution 1514(XV), and calls upon the Governments of the States concerned to take all the necessary measures to bring such activities to an end;

"11. Condemns in the strongest terms the policies of the Governments of South Africa and Portugal of continued support for the illegal racist minority régime in blatant defiance of General Assembly and Security Council resolutions;

"12. Further condemns the presence of South African armed forces in Southern Rhodesia and the arms aid extended by the authorities of South Africa to the illegal racist minority régime in Southern Rhodesia for the purpose of suppressing the legitimate

struggle of the people of Zimbabwe to achieve their freedom and independence;

"13. Expresses grave concern at the serious threat constituted by the forces referred to in paragraph 12 above to the territorial integrity and sovereignty of independent African States in the area;

"14. Calls upon the administering Power to ensure the immediate expulsion of all South African armed forces from the colony of Southern Rhodesia and to prevent all armed assistance to the rebel régime;

"15. Strongly condemns the detention and imprisonment of African nationalists in Southern Rhodesia and invites the administering Power to secure their immediate and unconditional release;

"16. Urges all States, as a matter of urgency, to render all moral and material assistance to the national liberation movements of Zimbabwe, either directly or through the Organization of African Unity;

"17. Draws the attention of the Security Council to the need for applying the necessary measures envisaged under Chapter VII of the Charter of the United Nations, in view of the deterioration of the grave situation in Southern Rhodesia;

"18. Appeals to the specialized agencies concerned and to other international assistance organizations to aid and assist the refugees from Zimbabwe and those who are suffering from oppression by the illegal

racist minority régime in Southern Rhodesia, in consultation with the Organization of African Unity and, through it, with the national liberation movements in the colonial Territory of Southern Rhodesia;

"19. Requests the Secretary-General to promote through the various organs and agencies of the United Nations the continuous and large-scale publicizing of the work of the United Nations concerning this question, in order that world public opinion may be sufficiently aware of the grave situation in the colonial Territory of Southern Rhodesia and of the continuing struggle for liberation waged by the people of Zimbabwe;

"20. 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 continue to keep the situation in the Territory under review and invites the Secretary-General to report to the Special Committee on the extent of the implementation by Member States of the resolutions of the United Nations relevant to the Territory;

"21. Calls upon the administering Power to report to the Special Committee on its actions in the implementation of the present resolution;

"22. Decides to keep the question of Southern Rhodesia on its agenda."

INTERNATIONAL SEMINAR ON APARTHEID, RACIAL DISCRIMINATION AND COLONIALISM IN SOUTHERN AFRICA

An International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa was held at Kitwe, Zambia, from 25 July to 4 August 1967. The Seminar was organized by the Secretary-General in pursuance of a General Assembly request of 16 December 1966,²⁵ after he had consulted with the General Assembly's Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa and 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, and following an invitation by the Government of the Republic of Zambia.

Of the 55 United Nations Member States invited, participants from the following countries attended the Seminar: Algeria, Botswana, Brazil, Canada, Chile, the Democratic Republic of the Congo, Czechoslovakia, Denmark, Finland, Ghana, Hungary, India, Iran, Iraq, Japan, Malaysia, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Somalia, Sweden, Syria, Turkey, the USSR, the United Arab Republic, the

United Republic of Tanzania, the United States, Venezuela and Zambia. Italy, which had also been invited, sent an observer. Also present were observers from the International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as an observer from the Organization of African Unity (OAU). Others attending the Seminar included the representatives of some African liberation movements recognized by OAU—such as the African National Congress of South Africa, Frente de Libertação de Mozambique (FRELIMO), the Pan Africanist Congress of South Africa, the Revolutionary Government of Angola in Exile (G.R.A.E.), the South West African People's Organization and the Zimbabwe African National Union—and the representatives of several non-governmental organizations, including the Africa Bureau, the African-American Institute,

²⁵ See Y.U.N., 1966, pp. 89-91, text of resolution 2202 A (XXI).

the American Committee on Africa, the Commission of Churches on International Affairs, the International Commission of Jurists, the International Defence and Aid Fund, the Student Non-Violent Co-ordinating Committee (U.S.) and the World Federation of Democratic Youth. Dennis Brutus, Director of the World Campaign for the Release of South African Political Prisoners, and Colin Legum, author and journalist, who were invited to attend in their individual capacity, were also present at the Seminar.

The agenda was as follows:

The situation in southern Africa: political, economic and military structure;

Foreign financial and other interests in their role in impeding the elimination of apartheid, racial discrimination and colonialism in southern Africa; Consequences of the situation in southern Africa for international peace and security; and

Consideration of the measures taken and of additional measures to be taken by the international community for the elimination of apartheid, racial discrimination and colonialism in southern Africa;

Diplomatic and political

Economic

Moral and material assistance to the victims and opponents of apartheid, racial discrimination and colonialism

Other measures.

The Seminar adopted two resolutions, one covering the trials of 37 South West Africans in Pretoria and another concerning the question of armed attack launched by foreign mercenaries against the Democratic Republic of the Congo. It also adopted 23 conclusions and recommendations and a final declaration.

The resolution on the trial of 37 South West Africans accused of violating the General Laws Amendments Acts of 1967 (known as the Terrorism Act) was proposed by the representative of Algeria and was adopted by 18 votes to 0, with 1 abstention. By this resolution the Seminar, recalling the resolution of 27 October 1966²⁶ by which the General Assembly had decided to put an end to the Mandate of the Republic of South Africa over South West Africa: condemned the violation by the South African authorities of the international status of South West Africa, which since 27 October 1966 had been placed under the direct responsibility of the United Nations; demanded that the South African authorities release the 37 Africans in order to put an end

to the violation, the consequences of which were of exceptional seriousness; appealed to all Member States of the United Nations and world public opinion to exert pressure on the South African authorities for the immediate release of these 37 African prisoners; and recommended to the General Assembly that it invite the Secretary-General of the United Nations to take the measures which he might deem necessary to obtain the release of these prisoners.

By the resolution on the question of armed attack launched against the Democratic Republic of the Congo by foreign mercenaries, which was proposed by the representative of the Democratic Republic of the Congo and was adopted by 18 votes to 0, with 1 abstention, the Seminar condemned the armed attack directed against the Democratic Republic of the Congo by foreign mercenaries as an act of gangsterism contrary to international law, and gave its full support to that Government in its determination to restore public order which had been threatened by the armed interventions of foreign mercenaries.

The representatives of Brazil, Canada, Denmark, Finland, Japan, Sweden, the United States and Venezuela did not participate in the vote on the two resolutions on the grounds that the adoption of resolutions created a new precedent in seminar procedures and that they had not been empowered by their Governments to vote on resolutions.

In its conclusions and recommendations, the Seminar proposed, among other things, that the General Assembly should adopt a declaration recognizing the legitimacy of the struggle of the peoples of South Africa, South West Africa, Southern Rhodesia and territories under Portuguese domination for the achievement of their inalienable right to equality, freedom and independence in accordance with the Purposes and Principles of the United Nations Charter. It strongly supported the appeal by the General Assembly to all States to provide moral, political and material assistance to the national liberation movements in southern Africa recognized by the Organization of African Unity (OAU), and recommended that such aid be provided in

²⁶ See Y.U.N., 1966, pp. 605-606, text of resolution 2145(XXI).

co-operation with the Co-ordinating Committee for the Liberation of Africa of OAU. It further encouraged independent African States to provide all necessary facilities to these liberation movements in the conduct of their legitimate struggle, including provision of facilities for residence, training and transit, as well as broadcasting facilities, and called on all Member States to desist from returning genuine political refugees from the racist and colonial régimes in southern Africa to their countries.

Regarding the solution of the problems of apartheid, racial discrimination and colonialism in southern Africa, the Seminar noted that appeals and other efforts at persuasion of the racist and colonial régimes to abandon their policies and conform to their obligations under the United Nations Charter had failed. It therefore considered it essential that the Security Council should take enforcement action under Chapter VII of the Charter and considered that the imposition of effective mandatory economic sanctions against South Africa, Portugal and the white minority regime in Southern Rhodesia was imperative in order to promote a peaceful solution.

As regards Southern Rhodesia in particular, the Seminar considered that the United Kingdom bore primary responsibility for the situation in Southern Rhodesia and must be called upon to use force to crush the illegal racist minority régime. It called upon the United Nations to make it unequivocally clear that there could be no recognition of Southern Rhodesia's independence without majority African rule. It also called for an international action of positive solidarity with Zambia to assist that country to overcome the serious difficulties and economic strain resulting from the application of sanctions against the illegal régime of Southern Rhodesia.

The Seminar also recommended that urgent attention be given to means to secure the implementation by all States of resolutions already adopted by the Security Council and the General Assembly with regard to the situation in southern Africa, and suggested that the Secretary-General be requested to take active measures to promote such implementation and to report to the General Assembly and the Security Council from time to time on the responses from Member States.

The Seminar also supported the decision of the General Assembly drawing the attention of all States to the grave consequences of the formation in the southern part of Africa of an entente between the Governments of South Africa and Portugal and the illegal minority régime of Southern Rhodesia, and calling upon all States to withhold any support or assistance to this entente, whose existence and activities ran counter to the interests of international peace and security.

The Seminar considered it essential that the increasing collaboration between the racist and colonial regimes in southern Africa, and the co-operation that these régimes were receiving from certain Western powers and foreign economic and financial interests, should be fully documented and exposed before world public opinion.

In this connexion, it recommended that a group of experts be established by the Secretary-General in consultation with the Special Committee on Apartheid and the Special Committee of Twenty-Four, to study the interlocking economic and military patterns in southern Africa.

To secure a speedy solution to the problems of apartheid, racial discrimination and colonialism in southern Africa, the Seminar recommended that the General Assembly consider means to promote greater co-ordination in dealing with them and suggested that consideration be given to the creation of a special United Nations committee to deal with these problems in southern Africa as a whole.

In view of the massive propaganda carried out by the racist and colonial régimes in southern Africa, the Seminar also considered it essential that attention should be given urgently to a campaign of information on the real situation in southern Africa and the purposes of the United Nations. It underlined the various matters which should be emphasized during the campaign. It recommended that a working party of experts should be convened as soon as possible, in consultation with the Organization of African Unity (OAU), under United Nations auspices, to consider the best means of promoting a worldwide information campaign with the co-operation of the specialized agencies of the United Nations, African liberation movements recog-

nized by OAU, and non-governmental organizations.

In connexion with the plans and programmes for the International Human Rights Year, 1968, it recommended that special prominence be given to the problems of apartheid, racial discrimination and colonialism in southern Africa, to the plight of political prisoners and other victims of apartheid, racial discrimination and colonialism, and to the application of the decisions and resolutions of the United Nations in relation to these problems.

The Seminar also endorsed and supported the international assistance to the victims of apartheid, racial discrimination and colonialism in southern Africa. It recommended that the United Nations collect and publicize information concerning political prisoners and, in co-operation with African liberation movements recognized by OAU, intensify the campaign for their release in South Africa, South West Africa, Southern Rhodesia, Angola and Mozambique. In this connexion, it encouraged the International Defence and Aid Fund and the World Campaign for the Release of South African Political Prisoners to extend their activities more widely to cover the defence and aid of prisoners in Southern Rhodesia, Angola and Mozambique and other colonies in Africa, and recommended that the terms of reference of the United Nations Trust Fund for South Africa be extended to include the victims of apartheid, racial discrimination and colonialism in South West Africa, Southern Rhodesia, Angola and Mozambique and other colonies in Africa.

The Seminar also strongly supported the consolidation and development of the United Nations special education and training programmes for southern Africa and recommended that these programmes be administered in co-operation with OAU and, through it, with the African liberation movements recognized by OAU.

The participants from Botswana, Brazil, Canada, Denmark, Finland, Japan, Sweden, Turkey and the United States expressed reservations on the conclusions and recommendations which had been submitted by the representatives of African and Asian States.

In the final declaration, on which Canada and the United States expressed reservations, the Seminar stated, *inter alia*, that the oppressive

régime of South Africa had forged an alliance with the other two white supremacist régimes of southern Africa for the express purpose of resisting at all costs the peaceful transition from minority to majority rule. This "unholy alliance" was locked in an obdurate defiance of the clearly expressed will and decisions of the United Nations, thus presenting an open challenge to the authority of the Organization. If the United Nations was to fail to meet this challenge, by effective action, its authority would be greatly damaged, perhaps even irreparably so.

The Seminar noted that the opponents of apartheid, racial discrimination and colonialism in southern Africa had become increasingly disillusioned with the ability of the United Nations to end these evils by peaceful methods, and that the African liberation movements recognized by OAU were firmly committed to armed struggle for achieving their legitimate rights as defined in the Charter of the United Nations. In Mozambique and Angola, armed struggles were under way. Guerrillas had already made their appearance in Southern Rhodesia and in the Ovambo-land region of South West Africa. The movements of the oppressed people of South Africa had declared their determination to seek their legitimate rights by means including violence. Thus, southern Africa was increasingly poised for an outbreak of violence and military conflict.

The Seminar also recognized that the various resolutions adopted in the past by the General Assembly and the Security Council provided an adequate framework for international action. It deplored the unwillingness, especially of the trading partners of South Africa and Portugal, to co-operate fully with the United Nations in giving effect to its decisions.

The Seminar felt that the international community must: face the consequences of the violence which past failures to act had made inevitable, recognize the reality of this revolutionary situation and reassess its role in this context. The need for the United Nations to exercise its influence was more urgent than at any time in the past two decades.

While condemning the short-sighted policies of those nations which were unwilling to forgo their immediate economic and other interests for the sake of implementing the declared objectives

of the United Nations in southern Africa, the Seminar stated, it attached great importance to persuading those Member States mainly responsible for preventing international action to change their attitudes in the interests of world peace, justice and legitimacy. To this end, it

urged active efforts to mobilize world opinion, especially public opinion within the countries unwilling to lend their full support to United Nations policies in favour of effective world action against apartheid, racial discrimination and colonialism in southern Africa.

DOCUMENTARY REFERENCES

A/6818 and Corr.1. Policies of apartheid of Government of Republic of South Africa. Note by Secretary-General, transmitting report of International

Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, Kitwe, Zambia, 25 July-4 August 1967.

QUESTIONS RELATING TO COMPLAINTS CONCERNING
THE DEMOCRATIC REPUBLIC OF THE CONGO

COMMUNICATIONS FROM PORTUGAL
AND DEMOCRATIC
REPUBLIC OF THE CONGO

By a letter dated 13 March 1967, and addressed to the President of the Security Council, Portugal invited the attention of the Security Council to a letter of 23 February 1967 from the Democratic Republic of the Congo to 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 in which, Portugal said, the Democratic Republic of the Congo had admitted officially that its national territory constituted a base where acts of aggression were organized and directed against the Portuguese province of Angola. Such acts, Portugal said, should have evoked a formal condemnation by the Council. Portugal wished to place on record that the Congolese Government had thereby assumed complete responsibility for aggressive acts against Angola in the common frontier area.

On 16 March, the Democratic Republic of the Congo replied in a letter stating that Angola was not a Portuguese province but, by the terms of the General Assembly's resolution of 14 December 1960, on the granting of independence to colonial countries and peoples,²⁷ it was a colonial territory whose people had been savagely repressed by Portuguese forces and denied the right to self-determination and independence. Portugal persistently refused to comply with General Assembly and Security Council resolutions calling upon it to grant such independence. The letter from the Democratic Republic of the Congo went on to say that

Portugal had termed as acts of aggression the practical assistance which the Democratic Republic of the Congo was giving the people of Angola for the restoration of their inalienable rights, in response to the appeals made by the General Assembly on 21 December 1965²⁸ and 12 December 1966.²⁹ The true intention of Portugal's letter, the Democratic Republic of the Congo concluded, was to attempt to justify in advance its possible future aggression against the Congo.

COMPLAINT BY DEMOCRATIC
REPUBLIC OF THE CONGO
CONCERNING ACT OF AGGRESSION

On 5 July 1967, a cable from the President of the Democratic Republic of the Congo was transmitted to the Security Council, stating that Western colonialist imperialists had committed aggression, using two unknown aircraft which had parachuted groups of mercenaries at the Kisangani airport. Simultaneously, so-called volunteers recruited and paid by the Democratic Republic of the Congo, but unfortunately in collusion with those mercenaries, had attacked a detachment of the national army. Mercenaries of Belgian, French and Spanish origin, jointly with former Katangese gendarmes, had also started hostilities at Bukavu. The Security Council, the cable continued, should, in accordance with a resolution it had adopted on 14

²⁷ See Y.U.N., 1960, pp. 49-50, text of resolution 1514(XV).

²⁸ See Y.U.N., 1965, pp. 614-15, text of resolution 2107(XX).

²⁹ See Y.U.N., 1966, pp. 616-17, text of resolution 2184(XXI).

October 1966,³⁰ forthwith call to order the responsible Western countries whose mercenaries had been sent to the Congo to foment disturbances.

On 6 July 1967, at the request of the representative of the Democratic Republic of the Congo, the Security Council included the item in its agenda, and invited the Democratic Republic of the Congo to participate in the debate without the right to vote. The question was considered at three meetings between 6 and 10 July 1967.

Addressing the Security Council, the representative of the Democratic Republic of the Congo recalled that, in October 1966, the Council had been apprised of the dangers to his country from the activities of mercenaries recruited in some countries of Western Europe and based in Angola, and from a mutiny of a part of the Congolese Army, composed of former Katangese gendarmes. That mutiny had failed but the danger had now reappeared. The invasion by foreign paratroopers of the town of Kisangani was part of a carefully prepared international conspiracy, organized around Moïse Tshombe and aimed at overthrowing any Congolese régime which had taken measures to break the monopolies of some foreign financial powers.

The mercenaries had been openly recruited in some countries of Western Europe, the Congo representative continued. Since October 1966, only France had started to end such recruitment. An investigation by a Belgian journalist showed that, with the knowledge of the Belgian police, there had been recruitment of persons who reached Africa via Lisbon. It was, therefore difficult for the Congolese authorities to believe in the sincerity of the friendship professed by some powers while they facilitated recruitment and transport of mercenaries.

The spokesman for the Democratic Republic of the Congo told the Security Council that local investigation showed that five Belgians and two Frenchmen had been implicated in the sabotage in June of communications and power stations in the Congo with explosives from Katanga factories and Angola. That was the first phase of the conspiracy plan conceived in Spain, he said. The second phase was the landing of commandos in Kisangani and the mutiny in

Bukavu. The third phase was to have been the physical elimination of the Congolese Chief of State. There was no doubt that certain political and financial centres in Belgium, Spain and Portugal had been aware that political activities were being planned on their soil with a view to reinstating Mr. Tshombe as head of the Congolese Government.

Southern Rhodesia was also implicated, the representative of the Democratic Republic of the Congo went on. The United Kingdom, responsible for the territory of Southern Rhodesia, should take the necessary measures to arrest the mercenaries who had fled there and ensure return of the plane stolen from the Kisangani airport.

The representative of the Democratic Republic of the Congo stated that the Security Council should condemn the duplicity of the colonialist and racist powers, which permitted activities aimed at violating the sovereignty of the Congo. The Council should invite all Member States, in conformity with the obligations of the United Nations Charter, to end all such activities on their territories and to forbid the recruitment of mercenaries.

In the course of the debate, all members of the Council expressed their concern over the events that had taken place in the Congo.

On 10 July, Ethiopia, India, Mali and Nigeria submitted a draft resolution by which the Security Council would: (1) reaffirm in particular paragraph 2 of its resolution of 14 October 1966, wherein it had called upon all States to refrain or desist from intervening in the domestic affairs of the Democratic Republic of the Congo;³¹ (2) condemn any State which persisted in permitting or tolerating the recruitment of mercenaries and the provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations; (3) call upon Governments to ensure that their territory and other territories under their control, as well as their nationals, were not used for the planning of subversion, and the recruitment, training and transit of mercenaries designed to overthrow the Government of the Democratic Republic of

³⁰ See Y.U.N., 1966, p. 121, text of resolution 226 (1966).

³¹ *Ibid.*

the Congo; (4) decide that the Council should remain seized of the question; and (5) request the Secretary-General to follow closely the implementation of the resolution.

Introducing the draft resolution, the representative of Nigeria said that it was intolerable that any country should have its security threatened by foreign soldiers of fortune. The situation became even more deplorable when there was apparent evidence that those mercenaries were the agents and instruments of more powerful foreign interests and groups. Any attempt to interfere with the internal affairs of the Congo by any method must be unreservedly condemned.

The representative of the USSR said the forces of colonialism were again attempting to subvert the sovereignty and independence of the new States of Africa. In spite of the Security Council's resolution (226) of 14 October 1966, which had urged Portugal not to allow foreign mercenaries to use Angola as a base of operations for interfering in the domestic affairs of the Congo, the colonialists continued to challenge and defy the United Nations. The new aggression against the Congo was occurring at a time when that country was trying to consolidate its independence from monopolies. The events in the Congo showed how grave was the danger to the African people that threatened them from the remaining colonial territories on that continent, particularly the Portuguese possessions. The Council must adopt decisive measures to end immediately the aggression against the Congo.

Intervention by one State in the internal affairs of another could not be countenanced, the United States spokesman said. If any foreign Government was in fact aiding and abetting those in the Congo who were seeking to overthrow the Government or to gain control of any part of the country, such action deserved condemnation. Although the draft resolution did not coincide with the preferences of his country in every respect, his delegation would vote in favour of it. He added that the United States had not been content to give merely moral support to the principles of that resolution, but had sought to provide the Government of the Democratic Republic of the Congo with tools which it needed to protect its integrity and independence. In that connexion, in response to a request from President Mobutu and in con-

formity with previous United Nations resolutions dealing with the Congo problem, the United States had sent three C-130 aircraft, which would have a non-combatant status.

The representative of Mali expressed his Government's support for the Democratic Republic of the Congo which, once again, had become the victim of aggression because of imperialist machinations. The wealth of the Congo made it the permanent prey of all those circles whose aim was imperialist exploitation.

The representative of France said that the closing a few months ago of a mercenary camp in Ardèche indicated his Government's opinion on the incident before the Council. All foreign interference should be condemned, not only when it tended to change the very nature of the Government of a country, but also when it tried to infringe in a more insidious but no less dangerous manner on the public order and the prosperity of a country. In that spirit, his delegation would vote in favour of the resolution.

The representatives of the United Kingdom and Japan said that their Governments fully supported the resolution adopted by the Council in October 1966—by which the Council called on all States to refrain from intervening in the domestic affairs of the Congo—and that they were ready to support any renewed call by the Council to the same end.

Argentina, Canada, China and Denmark shared the opinion that the Council should condemn any outside interference which might undermine the territorial integrity of the Congo and which might endanger the peaceful development of that country.

India described the take-over of Kisangani and the acts of sabotage as subversive activities of grave import. The persistent attempts to undermine the territorial integrity of the Congo were linked with the forces of colonialism which continued to threaten the peace and security of central and southern Africa. An enduring peace, India said, could be established in that area only when all vestiges of colonialism were eliminated from Africa.

Brazil believed that the facts demonstrated that foreign elements had been engaged in subversion in the territory of the Democratic Republic of the Congo. Although Brazil would vote for the resolution, it believed that the text

should be broadened to cover ideological volunteers, as well as mercenaries, and acts of subversion, terrorism and sabotage, as well as those intended to overthrow the Government.

Bulgaria said that, while it would vote for the resolution, it was somewhat disturbed because the text was too general and did not mention those who were responsible for the situation. The representative of the Congo had made accusations and mentioned certain facts and names. Bulgaria was astonished that no representative of any country mentioned had taken the floor to refute the charges. The objectives of international financial circles continued to be the colonial exploitation of the Congolese land and people.

On 10 July 1967, the Security Council unanimously adopted the four-power text as resolution 239(1967). (For text, see DOCUMENTARY REFERENCES below.)

The representative of the Democratic Republic of the Congo said that the resolution did not entirely satisfy his delegation, since it did not mention certain countries whose complicity was obvious. However, if the resolution was respected by such countries, it might be the basis for permanently peaceful relations between them and the Democratic Republic of the Congo.

Two communications were received by the Security Council during its consideration of the item. In a letter dated 7 July, the representative of Spain said that his Government had taken great care to ensure compliance with the principle of not impairing in any way relations with the countries to which it was bound by diplomatic ties. The case of a recruit going to the Congo would not be an exception to that principle. The Spanish people and Government desired the free and peaceful development of the Democratic Republic of the Congo. Thus, no responsibility attached to the Spanish Government for anything relating to the disturbances at Kisangani, Bukavu or in any other part of the Congolese territory.

Writing on 10 July 1967 to the President of the Security Council, the representative of Belgium said that the Prime Minister of Belgium had declared on 7 July that the Belgian Government maintained relations with the Congolese Government and consequently had remained faithful to its policy of non-interference

in the domestic affairs of the Congo. Belgium was not involved either directly or indirectly in the events taking place in the Congo and had provided the Congo in good time with all the information which its Government had been able to gather with regard to subversive movements.

The Belgian Government would therefore reject any accusation brought against it as unfounded and would, of course, apply the Council resolution condemning the recruitment of mercenaries in the service of a foreign State, the Permanent Representative added.

SUBSEQUENT COMMUNICATIONS

A letter from the Congolese Minister for Foreign Affairs to the Secretary-General, dated 20 July 1967, charged that aircraft coming from Angola and from Rhodesia had often violated the Congolese air space, bombing frontier villages and landing mercenaries and persons involved in sabotage in the Congo. Mercenaries who had stolen Congolese aircraft had also entered Angola and Rhodesia with impunity.

On 28 July 1967, in another letter, the Congolese Minister for Foreign Affairs said that the recruitment of mercenaries was being carried on in Belgium at that time and 20 mercenaries had left Belgium for Luanda. The obvious aim of those activities, he said, was to stir up further trouble in the Congo.

On 4 August 1967, the Secretary-General received a letter from the Belgian Minister for Foreign Affairs referring to the above letters and stating that the Belgian Government had decided to request Parliament to approve a law drastically reinforcing existing measures to prevent the recruitment of mercenaries. Further, the Belgian Government had immediately communicated to the Congo authorities the information in its possession on the recent departure for Africa of persons who appeared to have been recruited as mercenaries.

On 10 August, another communication from the Congolese Minister for Foreign Affairs was transmitted to the Security Council in which he informed the Council of the presence at Luanda of mercenaries and two planes—one belonging to Moise Tshombe—and of interception of radio communication between mercenaries in the Congo and two bases in Angola.

These facts, he said, were in flagrant contradiction with the Security Council resolutions of 14 October 1966 and of 10 July 1967.³² In order to combat the activities of mercenaries in the Congo and to avoid a possible extension of the conflict, the Congolese Government invited members of the Security Council and countries friendly to the Congo to supply assistance for maintaining order in the region and aid to the population which had suffered so much.

In a letter dated 19 August, addressed to the President of the Security Council, the Chargé d'Affaires of Portugal rejected the charges contained in the letters of 28 July and 10 August from the Congolese Minister for Foreign Affairs. The accusations made by the Congolese Government, he said, represented merely an expedient to explain or justify its internal difficulties.

Referring to this letter, the Chargé d'Affaires of the Democratic Republic of the Congo informed the Security Council, in a letter of 29 September 1967, that Portugal had systematically denied the facts: everyone knew that Portugal was acting as a broker in the matter of mercenaries, receiving individuals and matériel in its territory and in Angola. It was true that the Democratic Republic of the Congo had internal difficulties, but they were caused by Portugal and its friends, probably in fear of a stable Congo.

COMPLAINT BY DEMOCRATIC
REPUBLIC OF THE CONGO
AGAINST PORTUGAL

Requesting action by the Security Council to stop aggression, the Minister for Foreign Affairs and External Trade of the Democratic Republic of the Congo, on 3 November 1967, charged that on the evening of 1 November an armed band of mercenaries had invaded the Congolese territory at Kisenge and were now approaching Kolwezi. Although all mercenaries had been ordered by his Government to leave the country as from July 1967, he said in a letter to the President of the Council, the mercenaries under Major Schramme had rebelled and occupied Bukavu, where fighting had again broken out on 29 October. Intercepted messages from Major Schramme to Angola requesting armed intervention on behalf

of the mercenaries constituted irrefutable proof of Portugal's collusion with the mercenaries for the purpose of overthrowing the established order in the Congo.

On 8 November 1967, the Security Council included the item in its agenda, and invited, at their request, the representatives of Algeria, Burundi, the Democratic Republic of the Congo, Portugal and Zambia, to participate without vote in the debate. The question was considered at four meetings between 8 and 15 November 1967.

The representative of the Democratic Republic of the Congo recalled that this was the third time within a year³³ that his country had come to the Council to discuss aggression by mercenaries who were permitted by Portugal to use Angola as a base of operations against his country. The latest aggression had been intended to cause an uprising in his country and to give the mercenaries a base on the Kolwezi plain so as to help those at Bukavu. The Congolese forces had checked the mercenary advance. He pledged that there were mercenaries and training camps in Angola. As evidence he circulated photographs, read a note stated to have been provided by the Belgian Foreign Ministry describing movements of the mercenaries in the Congo and the evacuation of refugees to Kayanda in Angola, and cited press reports of intensive arms traffic between Lisbon and Angola. Portugal could not deny the facts yet continued to flout decisions of the Security Council with regrettable collusion between Portugal and some Western Governments.

The Democratic Republic of the Congo, its representative said, was asking for concrete measures against Portugal in addition to a purely moral condemnation. It also asked that the Security Council should condemn the principle of mercenary recruitment, which United Nations Member States should prohibit within their territories.

The representative of Portugal denied that there had been any infiltrations of armed groups

³² See Y.U.N., 1966, p. 121, text of resolution 226 (1966), and DOCUMENTARY REFERENCES below, text of resolution 239(1967).

³³ See Y.U.N., 1966, pp. 117-20, and pp. 123-26 above.

from Angola into the Democratic Republic of the Congo. He stated that the Portuguese authorities had never played any role, direct or indirect, in the activities of the mercenaries, that mercenaries had never been recruited in Portuguese territories nor based there so as to assault any country. Everybody knew that the mercenaries of Kisangani and Bukavu had been serving in the Congolese armed forces. Whenever there was trouble inside the Democratic Republic of the Congo, its Government sought to throw the responsibility on Portugal, which did not interfere in the internal affairs of the Democratic Republic of the Congo despite the fact that the latter had for the last seven years been openly promoting armed aggression against Angola from bases in its own territory.

In the face of the present allegations, his Government reiterated previous invitations for United Nations investigation, on a reciprocal basis, of alleged mercenary bases in Angola and the Democratic Republic of the Congo.

Concerning evidence preferred by the Congolese authorities, the representative of Portugal said that granting that intercepted messages from Major Schramme had asked for help from Angola, Portugal's responsibility would have arisen only if, as a result, help had been sent from Angola. The photographs proved nothing; they might have been taken anywhere and, in any case, could have been faked. Assuming the authenticity of the Belgian Government note, it did not say mercenaries had crossed from Angola. The acceptance of refugees by the Portuguese authorities contravened no international convention.

As for the cited press reports about arms traffic through Lisbon, the representative of Portugal said that if individuals or foreign aircraft transporting foreign goods presented valid documentation on arrival in Lisbon, in transit, the Portuguese authorities were freed from all responsibility. Responsibility for seeing that arms and mercenaries were not sent to the Democratic Republic of the Congo rested on countries where arms were bought, mercenaries recruited and travel facilities obtained. The Portuguese authorities, he continued, had always taken all reasonable measures to impede unlawful activities against the Congo from Portuguese territory.

The representatives of Canada, China, Denmark, India, Japan, the United Kingdom, and the United States said they found it very hard to believe that the mercenaries who had entered the Democratic Republic of the Congo had been assembled and armed in Angola without the knowledge or, at least, the acquiescence of the Portuguese authorities. The United States representative, for example, said that his delegation's own knowledge of the history of the mercenary problem in the Democratic Republic of the Congo created a strong presumption that the resolutions of the Security Council had been violated.

The representative of France said that his Government had been encouraged by the ability of the Democratic Republic of the Congo to deal with the activities of the mercenaries. France had already taken steps to prevent the recruitment of mercenaries in its territory and to discourage adventurers, and was ready to associate itself with any co-ordinated measures to stop the return of mercenaries to the Democratic Republic of the Congo.

The USSR and Bulgaria shared the view that the continued use by the forces of colonialism of Portuguese colonies as bases for armed intervention in the Democratic Republic of the Congo must be condemned and the criminal practice of recruiting mercenaries be stopped immediately. The representative of the USSR said that Portuguese colonialism drew its strength from the North Atlantic Treaty Organization (NATO), which furnished Lisbon with weapons for its struggle against the peoples of Africa. Bulgaria said that Portugal should be condemned but, to prevent recurrence of such interference in the internal affairs of African States, the United Nations must help the African peoples to rid themselves of the scourge of the colonial yoke.

Algeria, Burundi, Ethiopia, Mali and Zambia declared that the evidence of Portuguese involvement in the activities of mercenaries in the Democratic Republic of the Congo was incontrovertible; such activities were impossible without the direct or indirect assistance of certain States. The mercenary aggression was a threat to Africa in particular and to the world in general, they agreed; only by totally eradicating colonialism and its practice of economic

exploitation could peace and security be restored in Africa.

The representative of Nigeria said that the African case in support of the Democratic Republic of the Congo had been most effectively presented by the representatives of Algeria, Burundi, and Zambia and supported by the representative of Ethiopia.

Brazil said that it felt the evidence presented to the Council was insufficient to establish unequivocally participation of the Portuguese authorities in the recent events in Katanga. It would be difficult to single out any one country, or rather the citizens or organizations of a single country, as mainly responsible for the mercenary operations in the Democratic Republic of the Congo.

The representative of Argentina believed that, with the available elements of proof, it was possible to confirm that the authorities adjoining the Congo did not act to prevent their territory from becoming a bridgehead for interventionist activities. All cases of intervention must be deplored without need to go into elements so difficult to define and prove as intent and co-participation.

On 15 November 1967, the President informed the Council that following informal consultations a consensus had been reached on the text of a draft resolution and that one member of the Council had reserved the right to make observations on one particular paragraph.

The text, as read out by the President, was adopted, without objection, as resolution 241 (1967).

By the preamble to the resolution, the Security Council, among other things, expressed concern at the serious situation created in the Democratic Republic of the Congo following the armed attacks by foreign forces of mercenaries and it expressed concern that Portugal allowed those mercenaries to use the territory of Angola under its administration as a base for their armed attacks against the Democratic Republic of the Congo. Considering the support and assistance that those mercenaries had continued to receive from some foreign sources with regard to recruitment and training, as well as transport and supply of arms, the Council further expressed its concern at the threat

which the organization of such forces posed to the territorial integrity and independence of States.

By the operative paragraphs of the resolution the Council: (1) condemned any act of interference in the internal affairs of the Democratic Republic of the Congo; (2) condemned, in particular, the failure of Portugal, in violation of Security Council resolutions 226 of 14 October 1966 and 239 of 11 July 1967, to prevent mercenaries from using the territory of Angola as a base for armed attacks against the Congo; (3) called upon Portugal to put an end immediately, in conformity with the above-mentioned resolutions, to any assistance whatsoever to the mercenaries; (4) called upon all countries receiving mercenaries who had participated in the armed attacks against the Congo, to take measures to prevent those mercenaries from renewing their activities against any State; (5) called upon all Member States to co-operate with the Council in the implementation of the resolution; (6) decided that the Security Council should remain seized of the question and requested the Secretary-General to follow the implementation of this resolution.

(For text of resolution, see DOCUMENTARY REFERENCES.)

Brazil announced that if a vote had been taken it would have abstained, as it could not support the operative paragraphs in the resolution numbered 2 and 3 (above).

The representative of the USSR said that although the resolution just adopted did to some extent condemn the Portuguese activities, it was insufficient. There should have been a more decisive condemnation of those guilty of aggression against the Congo and more effective measures taken to prevent such interventions in the internal affairs of the Congo.

The representative of the Democratic Republic of the Congo thanked the Council for its concern about the peace and territorial integrity of his country. The danger was not over, he said, since the mercenaries had stated that they would return. Members of the Council should use their influence on the Portuguese Government to stop its evil acts. In addition, not only the mercenaries but those who employed them must be condemned.

The representative of Portugal repudiated the

resolution as unacceptable to his Government, which rejected its implications, particularly those in the preambular paragraph expressing concern that Portugal had allowed the mercenaries, to use Angola as a base for their armed attacks against the Democratic Republic of the Congo. He termed the accusation baseless, unjust and uncalled-for in view of Portugal's offer to have the matter investigated by

the Council. Portugal, he said, also rejected the two operative paragraphs which condemned it for preventing the mercenaries from using Angola as a base of operations for armed attacks against the Democratic Republic of the Congo and which called upon it to put an end immediately to the provision of any assistance whatsoever to the mercenaries.

(See also pp. 713-25.)

DOCUMENTARY REFERENCES

COMMUNICATIONS FROM PORTUGAL AND THE DEMOCRATIC REPUBLIC OF THE CONGO

S/7818. Letter of 13 March 1967 from Portugal.
S/7827. Letter of 16 March 1967 from Democratic Republic of Congo.
A/6702 and Corr.1. Report of Security Council to General Assembly. Chapter 4C.

COMPLAINT BY DEMOCRATIC REPUBLIC OF CONGO CONCERNING ACT OF AGGRESSION

Security Council, meetings 1363, 1364, 1367.

S/8031. Communication of 5 July 1967 from Democratic Republic of Congo.
S/8036. Letter of 6 July 1967 from Democratic Republic of Congo (requesting convening of Council).
S/8039. Letter of 7 July 1967 from Spain.
S/8050. Ethiopia, India, Mali, Nigeria: draft resolution.
S/8051. Letter of 10 July 1967 from Belgium.

RESOLUTION 239(1967), as submitted by 4 powers, S/8050, adopted unanimously by Council on 10 July 1967, meeting 1367.

"The Security Council,

"Having taken cognizance of the message of the Congolese Government contained in document S/8031,

"Having discussed the serious developments in the Democratic Republic of the Congo,

"Concerned by the threat posed by foreign interference to the independence and territorial integrity of the Democratic Republic of the Congo,

"1. Reaffirms in particular paragraph 2 of Security Council resolution 226(1966) of 14 October 1966;

"2. Condemns any State which persists in permitting or tolerating the recruitment of mercenaries, and the provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations;

"3. Calls upon Governments to ensure that their territory and other territories under their control, as well as their nationals, are not used for the planning of subversion, and the recruitment, training and transit of mercenaries designed to overthrow

the Government of the Democratic Republic of the Congo;

"4. Decides that the Security Council shall remain seized of the question;

"5. Requests the Secretary-General to follow closely the implementation of the present resolution."

S/8081 and Rev.1, Rev.1/Corr.1. Letter of 20 July 1967 from Democratic Republic of Congo transmitting note from Minister for Foreign Affairs of Democratic Republic of Congo.

S/8102. Note verbale of 28 July 1967 from Democratic Republic of Congo.

S/8113. Letter of 4 August 1967 from Belgium.

S/8118. Letter of 10 August 1967 from Democratic Republic of Congo.

S/8129. Letter of 19 August 1967 from Portugal.

S/8174. Letter of 29 September 1967 from Democratic Republic of Congo.

COMPLAINT BY DEMOCRATIC REPUBLIC OF CONGO AGAINST PORTUGAL

Security Council, meetings 1372, 1374, 1376-1378.

S/8218. Letter of 3 November 1967 from Democratic Republic of Congo (requesting convening of Council).

S/8221, S/8228, S/8231, S/8233. Requests to participate in Council's discussion from Portugal, Burundi, Zambia and Algeria.

S/8238. Note verbale of 13 November 1967 from Portugal.

RESOLUTION 241(1967), adopted without vote on 15 November 1967, meeting 1378.

"The Security Council,

"Concerned by the serious situation created in the Democratic Republic of the Congo following the armed attacks committed against that country by foreign forces of mercenaries,

"Concerned that Portugal allowed those mercenaries to use the territory of Angola under its administration as a base for their armed attacks against the Democratic Republic of the Congo,

"Taking into consideration the support and assistance that those mercenaries have continued to receive from some foreign sources with regard to re-

recruitment and training, as well as transport and supply of arms,

"Concerned at the threat which the organization of such forces poses to the territorial integrity and independence of States,

"Reaffirming resolutions 226 of 14 October 1966 and 239 of 11 July 1967,

"1. Condemns any act of interference in the internal affairs of the Democratic Republic of the Congo;

"2. Condemns, in particular, the failure of Portugal, in violation of the above-mentioned Security Council resolutions, to prevent the mercenaries from using the territory of Angola under its administration as a base of operations for armed attacks against the Democratic Republic of the Congo;

"3. Calls upon Portugal to put an end immediately, in conformity with the above-mentioned resolutions of the Security Council, to the provision to the mercenaries of any assistance whatsoever;

"4. Calls upon all countries receiving mercenaries who have participated in the armed attacks against the Democratic Republic of the Congo to take appropriate measures to prevent them from renewing their activities against any State;

"5. Calls upon all Member States to co-operate with the Security Council in the implementation of this resolution;

"6. Decides that the Security Council should remain seized of the question and requests the Secretary-General to follow the implementation of the present resolution."

RELATIONS BETWEEN PORTUGAL AND GUINEA, PORTUGAL AND SENEGAL, PORTUGAL AND ZAMBIA

COMMUNICATION CONCERNING RELATIONS BETWEEN PORTUGAL AND GUINEA

On 13 October 1967, Guinea, in a letter to the President of the Security Council, complained of a number of warlike acts perpetrated against it by Portugal from the occupied territory of Guinea-Bissau. On 4 October, three Portuguese aircraft had attacked and bombed the Guinean village of Kandodi 40 kilometers inside Guinean territory, causing the death of 11 nationals of Guinea, including women, children and aged persons.

This provocation, the letter said, followed a long series of armed attacks launched in 1965 and 1966 against Guinean villages. The Republic of Guinea protested most vigorously against this adventurist policy and warned the Portuguese authorities and their allies of the serious consequences which might result.

COMMUNICATIONS CONCERNING RELATIONS BETWEEN PORTUGAL AND SENEGAL

On 19 July and 11 September 1967, Senegal addressed communications to the President of the Security Council charging that on 12 July and 5 August, armed Portuguese soldiers from Guinea-Bissau had infiltrated into Senegalese territory where they had perpetrated acts of violence, destruction and looting.

On 22 September 1967 Portugal replied by letter, stating that on the night of 5-6 August, villagers had repulsed attacking terrorist elements from Senegal and pursued them across

the frontier of Guinea. The Portuguese armed forces had not crossed the frontier. The accusation of violation of Senegalese territory was consequently false. The Senegalese Government was responsible for such episodes because it had improperly authorized terrorist elements to utilize its territory as a base of aggression against the province of Guinea.

In further letters to the Security Council, dated 9 October and 29 November 1967, Senegal charged Portugal with six violations of Senegalese territory between 1 September and 6 November. They involved violations of air space, crossings of the frontier, casualties, abductions and looting.

COMMUNICATION CONCERNING RELATIONS BETWEEN PORTUGAL AND ZAMBIA

By a letter to the Secretary-General on 3 January 1967, Zambia denied Portuguese charges made in a letter of 12 December 1966, that it was allowing illicit activities on its territory against Portuguese territory.³⁴ Portugal, Zambia declared, was engaged in a war against the local inhabitants of Angola and Mozambique, who were fighting for freedom and independence. Because of Portugal's repressive policy, no less than 3,000 refugees had fled for asylum into Zambia, causing a major refugee problem. No Zambian citizens were known to be engaging in acts of aggression against the Portuguese Government, and in August 1966

³⁴ See Y.U.N., 1966, p. 122.

the Vice President of Zambia had visited refugees in camps, informing them that they were not to carry out political activities. That remained the policy of Zambia.

It was surprising, the letter continued, that Portugal had denied the incident of 21 November 1966, of which Zambia had complained on 5 December 1966,³⁵ as Zambian officers had them-

selves witnessed the Portuguese activities. In order to protect Zambian citizens against almost daily Portuguese incursions, the Zambian Government had dispatched a small contingent of militiamen to guard the border.

(See also pp. 713-25.)

³⁵ Ibid.

DOCUMENTARY REFERENCES

COMMUNICATION CONCERNING RELATIONS BETWEEN PORTUGAL AND GUINEA

S/8193. Letter of 13 October 1967 from Guinea.

COMMUNICATIONS CONCERNING RELATIONS BETWEEN PORTUGAL AND SENEGAL

S/8080, S/8151. Letters of 19 July and 11 September 1967 from Senegal.

S/8164. Letter of 22 September 1967 from Portugal.
S/8186, S/8277. Letters of 9 October and 29 November 1967 from Senegal.

COMMUNICATION CONCERNING RELATIONS BETWEEN PORTUGAL AND ZAMBIA

S/7664. Letter of 3 January 1967 from Zambia.
A/6702 and Corr.1. Report of Security Council to General Assembly, Chapter 20.

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF AFRICAN UNITY

A report on co-operation between the United Nations and the Organization of African Unity (OAU) was submitted to the General Assembly on 1 November 1967 by the Secretary-General. The co-operative activities had been developed in accordance with General Assembly requests of 11 October 1965 and 15 December 1966.³⁶

The Secretary-General reported that he had been represented at the sessions of the Council of Ministers of OAU held, respectively, at Addis Ababa, Ethiopia, in February-March 1967 and at Kinshasa, the Democratic Republic of the Congo, in September 1967. In September 1967, the Secretary-General had addressed the Assembly of Heads of State and Government of OAU, at a session held at Kinshasa.

A two-month training programme for four OAU officers at United Nations Headquarters,

New York, had been arranged in April-May 1967 under the auspices of the United Nations Institute for Training and Research (UNITAR).

OAU had also participated in meetings of the United Nations Economic Commission for Africa (ECA), and continuous co-operation at the working level had been maintained between the secretariats of OAU and ECA. At the Commission's eighth session, held at Lagos, Nigeria, from 13 to 25 February 1967, it had been stressed that collaboration between the two organizations should be promoted on the basis of the agreement between them.

On 5 December 1967, the General Assembly took note of the report of the Secretary-General.

³⁶ See Y.U.N., 1965, p. 139, text of resolution 2011 (XX) and Y.U.N., 1966, p. 124, text of resolution 2193(XXI).

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—22ND SESSION
Plenary Meeting 1620.

A/6885. Co-operation between United Nations and

Organization of African Unity. Report of Secretary-General.

COMMUNICATIONS CONCERNING RELATIONS BETWEEN
SOMALIA AND FRENCH SOMALILAND

In a letter to the President of the Security Council dated 16 June 1967, the representative of Somalia charged that the French Somaliland authorities had expelled inhabitants of the territory for the purpose of influencing a referendum (scheduled for 19 March 1967) in French Somaliland regarding the future status of this non-self-governing territory. This action, he charged, began soon after the French Government had in September 1966 decided on the referendum. He described the action as a systematic policy of forcibly expelling inhabitants of the territory into Somalia with the evident design of preventing their casting votes for independence and of providing a referendum result favourable to continued non-self-governing status for the territory.

By the referendum date of 19 March 1967, the letter continued, over 8,000 persons had been expelled. Moreover, immediately after the referendum, the authorities of French Somaliland carried out large-scale arrests among the Somali inhabitants of the territory, again under the pretext that those arrested were citizens of Somalia and not of French Somaliland. The arrested persons were forcibly transported to desert camps outside Djibouti. The Government of Somalia having been compelled to close its

border against further arbitrary expulsions, over 2,500 internees were forced by the French Somaliland authorities to cross the frontier into Somalia in a remote, desolate area. A considerable number had succumbed to exhaustion, exposure and hunger.

Over 10,000 inhabitants of French Somaliland, almost 5 per cent of the total population of the territory, the letter said, had thus been forced into involuntary exile in Somalia. This systematic expulsion of French Somali citizens, which constituted a direct violation of the sovereignty of the Somali Republic and of principles of the Universal Declaration of Human Rights (adopted by the United Nations General Assembly on 10 December 1948), was part and parcel of a policy aimed at changing the ethnic balance and character of French Somaliland. As efforts to induce the French Government to arrange for the return of the vast majority of those expelled who were French Somali citizens had thus far been unsuccessful, the Government of Somalia was therefore compelled to bring the serious situation formally to the attention of the Security Council in accordance with Article 35, paragraph 1, of the Charter. (For text of Article 35, see APPENDIX II.)

(See also pp. 664-67.)

DOCUMENTARY REFERENCES

- S/7992. Letter of 16 June 1967 from Somalia.
A/6702 and Corr.1. Report of Security Council to
General Assembly, Chapter 33.